

## **LDB Commends Scott and Casey’s “Game-Changing” Bipartisan Anti-Semitism Awareness Act**

*Washington, D.C., December 1:* Today, the Louis D. Brandeis Center for Human Rights Under Law (LDB) commends U.S. Senators Tim Scott (R-SC) and Bob Casey (D-PA) for introducing the bipartisan Anti-Semitism Awareness Act of 2016. This landmark bill was introduced to combat increasing incidents of anti-Semitism on college campuses nationwide. [LDB](#) is a national civil rights organization, best known for its work fighting anti-Semitism in higher education through law and public policy.

The proposed legislation would adopt the primary public policy recommendation of LDB President Kenneth L. Marcus’ new book, “The Definition of Anti-Semitism” (Oxford University Press: 2015). In “The Definition of Anti-Semitism,” Marcus explained, “For American civil rights enforcement agencies, the way forward is clear. Whatever else they may do to address resurgent anti-Semitism, the first step should be to adopt the State Department’s definition.”

The Brandeis Center has long urged federal domestic agencies to use established definitions of anti-Semitism in the manner that this bill would establish. [LDB President Kenneth L. Marcus](#) commented, “This will be a game-changer when it comes to protecting the rights of Jewish American college students. It will provide the most important legislative protections against anti-Semitic hatred in a generation. Given the recent spike of anti-Semitic incidents, it is quite urgently needed. Senators Scott and Casey should be congratulated for their excellent work.

“Senator Scott and Casey’s bill not only does acknowledges that Title VI of the Civil Rights Act protects Jewish students from discrimination, but also directs the Department of Education to use the State Department’s definition of anti-Semitism – which includes examples of how anti-Semitism manifests with regards to Israel – in assessing anti-Semitic incidents.”

Importantly, the proposed bill states that the State Department’s definition of anti-Semitism (<http://www.brandeiscenter.com/images/uploads/resource/antisemitism.pdf>) has been a valuable tool “to help identify contemporary manifestations of anti-Semitism, and include useful examples of discriminatory anti-Israel conduct that crosses the line into anti-Semitism,” and that “[a]wareness of this definition of anti-Semitism will increase understanding of the parameters of contemporary anti-Jewish conduct and will assist the Department of Education in determining whether an investigation of anti-Semitism under title VI is warranted.”

Furthermore, it directs the Department of Education to use the State Department’s definition of anti-Semitism as part of the Department’s assessment of whether the alleged practice was motivated by anti-Semitic intent. Specifically, the bill provides as follows: “In reviewing, investigating, or deciding whether there has been a violation of title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d et seq.) on the basis of race,

color, or national origin, based on an individual's actual or perceived shared Jewish ancestry or Jewish ethnic characteristics, the Department of Education shall take into consideration the definition of anti-Semitism as part of the Department's assessment of whether the alleged practice was motivated by anti-Semitic intent."

The bill also acknowledges the "Dear Colleague Letter" that [LDB's President Marcus issued in 2004](#) when he was delegated the authority of Assistant Secretary for Civil Rights. Marcus' 2004 letter explains the obligations of schools (including colleges and universities) under title VI to address incidents involving "race or national origin harassment commingled with aspects of religious discrimination against Arab Muslim, Sikh, and Jewish students."

"It is important for the federal government to speak in one voice," Marcus continued. "It makes no sense for domestic federal agencies to ignore the important tools that our State Department is using."

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**About the Louis D. Brandeis Center:** The Louis D. Brandeis Center, Inc., or LDB, is an independent, nonprofit organization established to advance the civil and human rights of the Jewish people and promote justice for all. The Brandeis Center conducts research, education, and advocacy to combat the resurgence of anti-Semitism on college and university campuses. It is not affiliated with the Massachusetts university, the Kentucky law school, or any of the other institutions that share the name and honor the memory of the late U.S. Supreme Court justice. For more information, contact Kenneth L. Marcus at [klmarcus@brandeiscenter.com](mailto:klmarcus@brandeiscenter.com) or Aviva Vogelstein at [avogelst@brandeiscenter.com](mailto:avogelst@brandeiscenter.com), or find us at [our website](#).