

114TH CONGRESS
2D SESSION

S. 3478

To require continued and enhanced annual reporting to Congress in the Annual Report on International Religious Freedom on anti-Semitic incidents in Europe, the safety and security of European Jewish communities, and the efforts of the United States to partner with European governments, the European Union, and civil society groups, to combat anti-Semitism, and for other purposes.

IN THE SENATE OF THE UNITED STATES

NOVEMBER 17, 2016

Mr. RUBIO (for himself, Mr. KAINE, and Mr. MENENDEZ) introduced the following bill; which was read twice and referred to the Committee on Foreign Relations

A BILL

To require continued and enhanced annual reporting to Congress in the Annual Report on International Religious Freedom on anti-Semitic incidents in Europe, the safety and security of European Jewish communities, and the efforts of the United States to partner with European governments, the European Union, and civil society groups, to combat anti-Semitism, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Combating European
3 Anti-Semitism Act of 2016”.

4 **SEC. 2. FINDINGS.**

5 Congress makes the following findings:

6 (1) During the past decade, there has been a
7 steady increase in anti-Semitic incidents in Europe,
8 resulting in European Jews being the targets of
9 physical and verbal harassment and even lethal ter-
10 rorist attacks, all of which has eroded personal and
11 communal security and the quality of daily Jewish
12 life.

13 (2) According to reporting by the European
14 Union Agency for Fundamental Rights (FRA), be-
15 tween 2005 and 2014, anti-Semitic incidents in-
16 creased in France from 508 to 851; in Germany
17 from 60 to 173; in Belgium from 58 to 130; in Italy
18 from 49 to 86; and in the United Kingdom from 459
19 to 1,168.

20 (3) Anti-Zionism has at times devolved into
21 anti-Semitic attacks, prompting condemnation from
22 many European leaders, including French Prime
23 Minister Manuel Valls, British Prime Minister David
24 Cameron, and German Chancellor Angela Merkel.

25 (4) Since 2010, the Department of State has
26 adhered to the working definition of Anti-Semitism

1 by the European Monitoring Center on Racism and
2 Xenophobia (EUMC). Some contemporary examples
3 of anti-Semitism include the following:

4 (A) Calling for, aiding, or justifying the
5 killing or harming of Jews (often in the name
6 of a radical ideology or an extremist view of re-
7 ligion).

8 (B) Making mendacious, dehumanizing,
9 demonizing, or stereotypical allegations about
10 Jews as such, or the power of Jews as a collec-
11 tive, especially, but not exclusively, the myth
12 about a world Jewish conspiracy or of Jews
13 controlling the media, economy, government, or
14 other societal institutions.

15 (C) Accusing Jews as a people of being re-
16 sponsible for real or imagined wrongdoing com-
17 mitted by a single Jewish person or group, the
18 State of Israel, or even for acts committed by
19 non-Jews.

20 (D) Accusing the Jews as a people, or
21 Israel as a state, of inventing or exaggerating
22 the Holocaust.

23 (E) Accusing Jewish citizens of being more
24 loyal to Israel, or to the alleged priorities of

1 Jews worldwide, than to the interest of their
2 own countries.

3 (5) On October 16, 2004, the President signed
4 into law the Global Anti-Semitism Review Act of
5 2004 (Public Law 108–332). This law provides the
6 legal foundation for a reporting requirement pro-
7 vided by the Department of State annually on anti-
8 Semitism around the world.

9 (6) In November 2015, the House of Rep-
10 resentatives passed H. Res. 354 by a vote of 418–
11 0, urging the Secretary of State to continue robust
12 United States reporting on anti-Semitism by the De-
13 partment of State and the Special Envoy to Combat
14 and Monitor Anti-Semitism.

15 (7) In 2016, the International Holocaust Re-
16 membrance Alliance (IHRA), comprised of 31 mem-
17 ber countries, adopted a working definition of anti-
18 Semitism which stated: “Anti-Semitism is a certain
19 perception of Jews, which may be expressed as ha-
20 tred toward Jews. Rhetorical and physical mani-
21 festations of anti-Semitism are directed toward Jew-
22 ish or non-Jewish individuals and/or their property,
23 toward Jewish community institutions and religious
24 facilities”.

1 (8) The IHRA further clarified that manifesta-
2 tions of anti-Semitism might also target the State of
3 Israel, conceived of as a Jewish collectivity. Anti-
4 Semitism frequently charges Jews with conspiring to
5 harm humanity, and it is often used to blame Jews
6 for “why things go wrong”. It is expressed in
7 speech, writing, visual forms, and action, and em-
8 ploys sinister stereotypes and negative character
9 traits.

10 **SEC. 3. SENSE OF CONGRESS.**

11 It is the sense of Congress that—

12 (1) it is in the national interest of the United
13 States to combat anti-Semitism at home and abroad;

14 (2) anti-Semitism is a challenge to the basic
15 principles of tolerance, pluralism, and democracy,
16 and the shared values that bind Americans and Eu-
17 ropeans together;

18 (3) there is an urgent need to ensure the safety
19 and security of European Jewish communities, in-
20 cluding synagogues, schools, cemeteries, and other
21 institutions;

22 (4) the United States should continue to em-
23 phasize the importance of combating anti-Semitism
24 in multilateral bodies, including the United Nations,

1 European Union institutions, and the Organization
2 for Security and Cooperation in Europe;

3 (5) the Department of State should continue to
4 thoroughly document acts of anti-Semitism and anti-
5 Semitic incitement that occur around the world, and
6 should continue to encourage other countries to do
7 the same, and share their findings; and

8 (6) the Department of State should continue to
9 work to encourage adoption by national government
10 institutions and multi-lateral institutions of a work-
11 ing definition of anti-Semitism similar to the one
12 adopted in the International Holocaust Remem-
13 brance Alliance context.

14 **SEC. 4. ANNUAL REPORTING ON THE STATE OF ANTI-SEMI-**
15 **TISM IN EUROPE.**

16 Paragraph (1) of section 102(b) of the International
17 Religious Freedom Act of 1998 (22 U.S.C. 6412) is
18 amended by adding at the end the following new subpara-
19 graph:

20 “(G) ANTI-SEMITISM IN EUROPE.—In ad-
21 dition to the information required under clause
22 (iv) of subparagraph (A), with respect to each
23 European country in which verbal or physical
24 threats or attacks are particularly significant
25 against Jewish persons, places of worship,

1 schools, cemeteries, and other religious institu-
2 tions, a description of—

3 “(i) the security challenges and needs
4 of European Jewish communities and Eu-
5 ropean law enforcement agencies in such
6 countries to better protect such commu-
7 nities;

8 “(ii) to the extent practicable, the ef-
9 forts of the United States Government
10 over the reporting period to partner with
11 European law enforcement agencies and
12 civil society groups regarding the sharing
13 of information and best practices to com-
14 bat anti-Semitic incidents in Europe;

15 “(iii) European educational program-
16 ming and public awareness initiatives that
17 aim to collaborate on educational curricula
18 and campaigns that impart shared values
19 of pluralism and tolerance, and showcase
20 the positive contributions of Jews in cul-
21 ture, scholarship, science, and art, with
22 special attention to those segments of the
23 population that exhibit a high degree of
24 anti-Semitic animus; and

1 “(iv) efforts by European govern-
2 ments to adopt and apply a working defini-
3 tion of anti-Semitism.”.

○