

In the name of God, the Most Compassionate, the Most Merciful



Council on American-Islamic Relations

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June 24, 2026

The Honorable Tim Walberg, Chair
The Honorable Bobby Scott, Ranking Member
House Committee on Education and Workforce
U.S. House of Representatives

RE: Oppose H.R. 8476, the “No Antisemitism in Education Act of 2026”

Dear Chair Walberg, Ranking Member Scott, and Members of the Committee:

We write to urge you to oppose H.R. 8476, the “No Antisemitism in Education Act of 2026.” Antisemitism is a real and serious form of bigotry that must be unequivocally condemned and addressed. However, H.R. 8476 does not simply combat antisemitism. Instead, it would codify into federal education law the controversial International Holocaust Remembrance Alliance (IHRA) definition of antisemitism by incorporating Executive Order 13899 and requiring schools, colleges, and federal agencies to consider that definition and its examples when investigating discrimination claims.

The bill raises serious constitutional, civil rights, and academic freedom concerns. Of the IHRA definition’s 11 contemporary examples, seven focus on criticism of Israel rather than anti-Jewish discrimination. As a result, the definition has repeatedly been used to target protected speech advocating for Palestinian human rights, criticizing Israeli government policies, supporting boycotts, or opposing Israel’s occupation, apartheid system, settlement expansion, and military actions.

Significantly, Kenneth Stern, the lead drafter of the IHRA working definition itself, has repeatedly warned against codifying it into law or using it in campus disciplinary systems. Mr. Stern has stated that such efforts threaten academic freedom and free speech and would harm universities rather than protect students.

These concerns have been echoed by a broad range of civil liberties organizations, human rights groups, Jewish organizations, legal scholars, and elected officials. The American Civil Liberties Union, Human Rights Watch, Amnesty International, Jewish Voice for Peace, the Canadian Association of University Teachers, United Nations experts, and more than 100 scholars have all warned that the IHRA definition is frequently weaponized to suppress legitimate political expression rather than address genuine antisemitism.

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Congress itself has already recognized these concerns. In April 2025, the Senate Health, Education, Labor, and Pensions (HELP) Committee postponed consideration of the Antisemitism Awareness Act after members of both parties raised serious First Amendment objections. Several senators warned that incorporating the IHRA examples into federal civil rights enforcement could chill protected speech and place students, faculty, and institutions at risk for expressing viewpoints on matters of public concern.

During that markup, the committee instead adopted amendments affirming the right to criticize the Israeli government, oppose the war in Gaza, participate in campus protests, and engage in nonviolent political advocacy.

Recent congressional action demonstrates similar concern for protecting constitutional rights and religious liberty. Earlier this year, 119 Members of Congress signed a bicameral letter opposing the so-called “Sharia-Free America Caucus” and warning against legislation that discriminates against American Muslims and undermines First Amendment protections. The signatories correctly recognized that Congress should not legitimize policies rooted in religious discrimination or efforts that chill constitutionally protected expression. That same principle should apply here.

Educational institutions should vigorously address genuine antisemitism, anti-Muslim bias, anti-Palestinian racism, and all forms of unlawful discrimination. Existing federal civil rights laws already provide mechanisms to address such conduct. Congress should not condition federal funding on compliance with a controversial and disputed definition that risks transforming protected political speech into evidence of discriminatory intent.

For these reasons, we respectfully urge the Committee to reject H.R. 8476.

Sincerely,

Robert S. McCaw
Government Affairs Department Director
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