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ADL Foundation

Michael Sheetz, President



May 25, 2023

Dear Chair Murray, Vice Chair Collins, Chairwoman Granger, and Ranking Member DeLauro.

Since 1913, the mission of ADL has been to "stop the defamation of the Jewish people and to secure justice and fair treatment to all." Today, ADL is a global leader in fighting antisemitism, exposing extremism, delivering anti-bias education, and monitoring and fighting the spread of hate in our communities and online.

Jewish communities across the U.S. are experiencing antisemitism at levels not seen in generations. The concerns are reflected both in data that shows significant and disturbing increases in antisemitism in several key metrics ADL has tracked for decades, as well as an increase in real-world incidents of antisemitic violence and harassment targeting synagogues, schools and communities. In January, ADL released topline survey findings showing the highest percentage of respondents harboring extensive antisemitic prejudice in decades. ADL data also reveals that antisemitic incidents have surged to historic levels in 2022, with a total of 3,697 incidents reported across the United States, an increase of 36 percent compared to 2021.

In light of this continuous threat against the Jewish community, ADL welcomes the Administration's first-ever U.S. National Strategy to Counter Antisemitism.

The strategy includes nearly 200 concrete provisions to address antisemitism at all levels of government and in broader society. ADL deeply appreciates that the White House has delivered this significant, comprehensive strategy. It's particularly notable that this approach recognizes that antisemitism is not about politics – it's about principles.

The work has only begun. No government strategy can be completely successful without a commitment to implementation and buy-in from both political parties and across the ideological spectrum.

ADL is pleased that the Administration is including key provisions that ADL advocated to be incorporated into the strategy – such as embracing the IHRA Working Definition of Antisemitism, addressing antisemitism across the political spectrum, encompassing antisemitism and DEIA training for federal government personnel, improving hate crime reporting, and funding the Nonprofit Security Grant Program.

We now urge Members of Congress, and especially the House and Senate Appropriations Committees, to take immediate steps to fund and help execute this comprehensive strategy across all 32 federal agencies through the upcoming FY2024 appropriations bills, as outlined below.

ACROSS ALL AGENCIES

1. Implementation of the National Strategy to Counter Antisemitism

No government strategy can be successful without a transparent implementation.

ADL requests report language directing Secretaries of each agency to brief Congress on their progress towards implementation of the National Strategy to Counter Antisemitism 90 days after enactment of the Act and release a public report detailing the accomplishments of the National Strategy to Counter Antisemitism one year after its release.

FINANCIAL SERVICES AND GENERAL GOVERNMENT

2. Utilizing the IHRA Working Definition of Antisemitism

Defining antisemitism is the first step in understanding the problem. We are pleased that the National Strategy recognizes the IHRA Working Definition of Antisemitism. The IHRA definition is the most widely accepted definition of antisemitism and is already being used by more than 36 countries, more than 31 states, and several academic institutions, counties, and towns. The IHRA Working Definition has been an invaluable tool that government, educational authorities and civil society institutions can use to illustrate, and thus help identify, contemporary examples of antisemitic expressions that not everyone may realize play on longstanding and deeply harmful anti-Jewish tropes or other forms of animus towards the Jewish religion or Jewish people. Adopting the IHRA definition as a legally non-binding educational resource will ensure that all those affected by antisemitism can have a clear understanding of what it is and are able to identify it and respond appropriately.

ADL requests report language that ensures the Executive Office of the President and OMB are using the IHRA Working Definition of Antisemitism as part of their assessment when determining instances of antisemitism. Each agency shall report to OMB on implementation. OMB shall then report on how the agencies are using the IHRA Working Definition to assess instances of antisemitism to the Appropriations Committee on behalf of all executive agencies one year after enactment of this Act.

3. Antisemitism Education and Training for Government Employees

Antisemitism Diversity, Equity, Inclusion, and Accessibility (DEIA) training is important to provide individuals with the knowledge, skills, and resources needed to recognize, prevent, and respond to incidents of antisemitism. As the nation's largest employer, including Antisemitism DEIA training for all federal employees will allow the national strategy to reach the largest number of people in one program. DEIA training will ensure that the federal workplace is free from discrimination and harassment, and that all employees feel respected and valued.

As ADL data shows, antisemitism is reaching its highest level in more than 40 years, and many individuals simply do not understand that certain actions or statements are inherently antisemitic. There have been several high-profile antisemitic incidents in the federal government in recent years — including

a swastika carved into an elevator at the Department of State, a swastika found painted in a secure facility, and at least one ongoing blog spouting antisemitic ideas by a federal employee. Training all federal employees on understanding and addressing antisemitism would help create a safe and inclusive environment for all employees, including Jewish ones. By providing education and training on antisemitism and other forms of discrimination, federal employees will be better equipped to recognize and respond to incidents of discrimination and harassment, and to work towards creating a more inclusive and equitable workplace.

ADL requests report language that directs the government-wide DEIA Plan and other anti-bias initiatives to include antisemitism as part of their efforts to build a more inclusive government.

4. Online Antisemitism Research

We must also take steps to mitigate online misinformation and disinformation. In an effort to stop the spread of dangerous online activity and content, especially antisemitic conspiracy theories and hate, it is vital that the public and policymakers alike have a better understanding of how social media platforms are protecting their users. Social media companies are not transparent about how they moderate content on their platforms, and are selectively and inadequately sharing information.

There is also insufficient data to understand whether the tools private technology companies provide for consumers to protect themselves are effective, and greater transparency is needed so researchers can properly evaluate platforms' available tools and assess users' needs. Moreover, the federal government does not have a sufficient understanding of the role product design plays in exacerbating and normalizing conspiracy theories, hate, and extremism online.

That is why Congress must champion policies that promote transparency and accountability for digital platforms that can host online hate, harassment and extremism. Studies, commissions, or other measures should be funded in order to develop a comprehensive transparency framework for platforms on content moderation, recommender systems, digital ads, high-reach content, and internal research.

Government agencies should support research into how product design and implementation either diminish or amplify the spread of hate and extremism. The federal government should invest in research to better understand how algorithmic processes discriminate on the basis of protected characteristics.

ADL requests \$10 million for the Federal Trade Commission's Office of Technology and Bureau of Consumer Protection to enhance current initiatives to promote transparency and accountability of social media platforms. The objective of such investment should include the development of a comprehensive transparency framework for platforms.

ADL also requests report language directing the Federal Trade Commission to develop a study to examine best practices that can inform federal policy on how to effectively combat online hate and extremism, specifically focused on algorithmic amplification bias and additional dangerous discriminatory content.

HOMELAND SECURITY

5. Fund the Nonprofit Security Grant Program

For the past decade, funding assistance from federal, state, and local governments has provided crucial support for security hardening and enhancements for our nation's non-profit institutions, including religious institutions. This responds to the continuous targeting by violent extremists of synagogues, mosques, churches, temples, and other houses of worship and religious gathering places.

The Nonprofit Security Grant Program (NSGP) provides non-profits with the capacity to increase their defense against these threats, including physical security and cybersecurity capacity and coordination.

In FY 2023, Congress appropriated \$305 million for the NSGP – a notable increase from the FY 2022 level. We appreciate that the President's FY 2024 budget request includes \$360 million for the NSGP and new funding to protect critical infrastructure from cyberattacks. With extremism threats on the rise, the \$315 million in the House committee mark, while an increase, falls short.

The need continues to be greater than the resources provided. For the FY 2022 grants, nearly \$450 million in grant applications were received for this program. At a time of increased vulnerability to threats of hate-motivated violence by domestic extremists, Congress must significantly increase funding for non-profit religious institutions and other non-profit organizations that government and law enforcement authorities objectively determine are at high risk of attack.

ADL requests \$360 million for the Nonprofit Security Grant Program.

6. Community Violence Prevention

Congress must increase prevention measures to address violent extremist radicalization, which has threatened Jewish and other targeted communities. The Center for Prevention Programming and Partnerships (CP3) funds grants for community initiatives oriented around resilience that can prevent extremist conspiracies from taking hold in our communities and off-ramp individuals before they choose violence. It is the only federal grant program dedicated to enhancing prevention capabilities in local communities. CP3 plays a key role in keeping antisemitism from becoming antisemitic violence.

The community resilience approach to preventing terrorism has been chronically under-funded. These grants are integral for better understanding the extremist landscape and developing responsible, innovative prevention efforts to combat emerging and complex threats from extremists offline and online—social media platforms and online multiplayer games alike—including from white supremacists, antisemites, and misogynists. The FY 2023 enacted budget included \$20 million for these prevention grants. The elimination of funding for these grants in the House mark is unacceptable.

ADL requests \$200 million for the Center for Prevention Programs and Partnerships grant program in FY 2024 to develop programs that would help mitigate against the complicated and evolving threat environment, in addition to robust administrative and program evaluation funds to ensure funded programs are adequately implemented and evaluated.

ADL requests report language that specifies that Center for Prevention Programs and Partnerships grant target programs in the Notice of Funding Opportunity should continue to include domestic violent extremism and to explicitly include and prioritize antisemitic violence and programs that leverage Holocaust education.

COMMERCE, JUSTICE, AND SCIENCE

7. Improve Hate Crime Reporting

Fighting hate crimes is a critical task, especially now when manifestations of antisemitism and other forms of hate, racism, and bigotry are growing at a very disturbing rate. We are alarmed that the Federal Bureau of Investigation (FBI) hate crime statistics for 2021—originally released in December 2022 and supplemented through a report released in March 2023—continue to convey low participation from law enforcement agencies, convey the lowest participation from cities and states in two decades. At a time when many communities across the country feel increasingly vulnerable to bias-motivated crimes and extremist-fueled attacks, and as we work to address bias-based crimes and improve data collection and reporting, funding is required to combat hate-motivated violence. Congress also must place a greater emphasis on addressing biased-based crimes and resolving gaps in data collection and reporting.

According to the FBI's annual and supplemental hate crime statistics report, a total of 10,840 hate crime incidents were reported across the country in 2021, the highest number in more than two decades.

One of the biggest impediments to developing a complete picture of the scope and nature of hate crimes in this country – and therefore being able to design and implement a fulsome response – is the lack of comprehensive and reliable data. There are concerning signs that the problem may be getting worse.

According to data from the FBI, there has been a consistent decline in the number of law enforcement agencies participating in the federal hate crime reporting program since 2018. Furthermore, even among agencies that participate in the program, far too many affirmatively report zero hate crimes, raising concerns about their credibility and the accuracy of these numbers. In 2021, the first year that the hate crime reporting system was officially transferred to the more updated, modernized NIBRS (the National Incident-Based Reporting System crime data reporting system), the FBI data showed a decrease in the number of agencies that participated in reporting —from 15,138 to 14,859. For the fourth straight year, the number of law enforcement agencies providing data to the FBI has declined, and the vast majority of agencies that did participate affirmatively reported zero hate crimes. Only 20% of participating agencies reported one or more hate crimes to the FBI in 2021.

To address this issue, critical attention and funding is required. The Jabara-Heyer NO HATE Act, enacted in 2021 as part of the COVID-19 Hate Crimes Act, contains key provisions to help improve hate crime data collection and reporting, including authorizing grants to promote hate crime training, prevention, best practices, and data collection initiatives; assistance to law enforcement agencies in implementing NIBRS; and grants to develop state hate crime reporting hotlines to refer individuals to local law enforcement and support services. Congress appropriated \$10 million in FY 2023 to implement the grants created by this legislation. We appreciate the President's FY 2024 budget request of \$15 million but think funding for the grant programs should be further increased.

ADL requests Congress fund the COVID-19 Hate Crimes Act grant program at no less than \$20 million to support state and local efforts to implement NIBRS, establish and run hate crime reporting hotlines, train officers and develop protocols for identifying, investigating, and reporting hate crimes.

8. Responding to Hate Crime

The federal government has and should continue to support state and local efforts to raise community awareness about hate crimes, provide robust and culturally-appropriate training for law enforcement, and ensure appropriate investigations and prosecutions of hate crimes. During this time of historically high rates of hate crimes – particularly those targeting the Jewish community, and other minority and marginalized communities, this support remains vital to local efforts to effectively prevent and respond to bias and hate motivated attacks.

ADL also requests \$100 million for grants to State, local, and tribal law enforcement agencies to conduct educational outreach and training on hate crimes and to investigate and prosecute hate crimes, as authorized by section 4704 of the Matthew Shepard and James Byrd, Jr. Hate Crimes Prevention Act (Public Law 111–84).

ADL also requests \$30 million for grants to support community-based approaches to preventing hate crimes through conflict resolution and community empowerment and education.

STATE, FOREIGN OPERATIONS, AND RELATED PROGRAMS

9. Office of the Special Envoy to Monitor and Combat Antisemitism

We are facing a global crisis of rising antisemitism today, which has been exacerbated in the last few years due to several factors, including the pandemic, proliferating cyberhate, rising populism in certain countries, and anti-Zionist vitriol from the far left and far right. 78 years after the end of the Holocaust, antisemitism remains a serious and growing danger for Jews in Europe, the Middle East, and elsewhere in the world.

Combating antisemitism around the world is an American interest, and there is no way that we can win this fight unless the United States plays a leading role by pressing other countries to do more. The State Department's Special Envoy to Monitor and Combat Antisemitism (SEAS) is charged with advancing U.S. foreign policy on antisemitism. The SEAS works to promote accurate Holocaust education, improve the safety and security of at-risk Jewish communities, and ensure foreign public officials condemn antisemitic discourse. The SEAS also works to encourage and advise foreign governments to take measures to ensure the safety and security of their respective Jewish communities, including developing national action plans and appointing national coordinators.

The \$1.5 million for the SEAS falls short of the urgent role the office plays in countering antisemitism around the world.

ADL requests \$2 million for the Office of the Special Envoy to Monitor and Combat Antisemitism and report language to ensure both adequate staffing, as well as continuity of staff between administrations.

LABOR, HEALTH AND HUMAN SERVICES, EDUCATION, AND RELATED AGENCIES

10. Combat Antisemitism on College Campuses

Rising antisemitism is directly impacting Jewish students on college and university campuses across the country. For decades, a small but vocal segment of U.S. student groups and faculty on college campuses has espoused virulently anti-Israel and anti-Zionist views effectively singling out Jews as a people undeserving of a right of self-determination. Anti-Israel rhetoric and activism can span the spectrum from the denial and vilification of the right of Jewish self-determination to the propagation of classic antisemitic tropes. Over the past several years and through the current academic year, the prominence of anti-Israel and anti-Zionist activities on campus appears to have continued to grow. As incidents surge, we must be aware of possible links between hateful rhetoric and violence and students and faculty of all political stripes must do their best to engage in healthy and respectful dialogue.

In 2019, the former Administration issued Executive Order 13899—Combating Anti-Semitism which reaffirms the long-standing principle that antisemitism and discrimination against Jews based on an individual's race, color, or national origin may violate Title VI of the Civil Rights Act of 1964 (Title VI), 42 U.S.C. § 2000d et seq. The Order directs the federal government to enforce Title VI against prohibited forms of discrimination rooted in antisemitism as vigorously as against all other forms of discrimination prohibited by Title VI and requires federal agencies to consider the International Holocaust Remembrance Alliance's (IHRA) working definition of antisemitism along with the eleven contemporary examples in enforcing Title VI. This EO underscored the policy that several administrations, both Democratic and Republican, have adopted.

The Office for Civil Rights at the Department of Education plays a key role in protecting students from discrimination. Specifically, the Office for Civil Rights' Outreach, Prevention, Education & Nondiscrimination (OPEN) Center protects students' civil rights and ensures that schools are aware of their obligations under federal civil rights law.

ADL requests funding be provided to the OPEN Center for technical assistance to support the completion of pending investigations of Title VI complaints relating to antisemitism and to prioritize the rulemaking process for Title VI to ensure it remains a priority.

INTERIOR, ENVIRONMENT AND RELATED AGENCIES

11. Study Current Holocaust Education Efforts

Holocaust education is a critical tool to teach students the dangers of bias and hate and fight back against the rising tide of antisemitism. Unfortunately, there are currently significant variations in if and how the Holocaust is taught across different states and localities, what types of lessons and curricula are taught,

and what resources and training are available to support educators. The best available data is needed to drive policy, and to understand the underlying gaps in education efforts. In order to improve and support Holocaust and antisemitism education, there must be an understanding of what programs, curriculum, and resources exist in order to promote a more uniform and accurate understanding of Holocaust education.

A compilation of efforts nationwide will help states and nongovernmental organizations improve and increase teaching about the Holocaust and antisemitism as well as other forms of hate, bigotry, and genocide.

ADL requests \$2 million for the U.S. Holocaust Memorial Museum to study the state of Holocaust Education across the country. This research should examine efforts in states, local educational agencies, and public elementary schools and secondary schools, including identifying each state's standards and the requirements, teaching methods and instructional material, and the overall comprehensiveness of the Holocaust education.

These funding requests are essential to dealing with the grave threat of antisemitism. Thank you for your consideration of ADL's requests.

Sincerely,

Max Sevillia

Vice President for Government Relations,

Advocacy and Community Engagement