

From: [Nick McKee-Rist](#)
To: [House Education](#)
Subject: HB 2299 - Opponent - Written-Testimony
Date: Monday, February 10, 2025 1:30:09 AM

Hello elected members of the Kansas House,

My name is Nick McKee-Rist, and I am a current Masters student at Kansas State University. I write today to express my deep concerns about HB 2299, which seeks to codify the International Holocaust Remembrance Alliance (IHRA) definition of antisemitism into Kansas law. While combating antisemitism is a moral imperative, this bill risks weaponizing a flawed definition to silence constitutionally protected speech, particularly by students and organizers advocating for Palestinian human rights.

The IHRA definition includes examples that dangerously conflate criticism of the Israeli government with antisemitism. It suggests that statements such as “claiming that the existence of a State of Israel is a racist endeavor” or “applying double standards” to Israel constitute antisemitism. Such vague and politically charged language could be used to suppress legitimate discussions about Israel’s policies in occupied Palestine, including its military operations in Gaza and systemic oppression of Palestinians. As a student who has spoken out against these injustices, I fear this bill would empower the Attorney General to target advocates like myself—not because we harbor hatred for Jewish people, but because we condemn human rights violations.

This concern is not unfounded. The IHRA definition has been widely criticized for its chilling effect on free speech, particularly regarding Palestinian rights. In 2023, a group of over 100 scholars, including Jewish and Israeli academics, signed a letter warning against the misuse of the IHRA definition, arguing that it has been deployed to suppress academic and political speech rather than address genuine antisemitism. The European Union Agency for Fundamental Rights (FRA) has also cautioned against the legal codification of the IHRA definition due to its potential for misuse. Similarly, groups such as the American Civil Liberties Union (ACLU) and the Foundation for Individual Rights and Expression (FIRE) have opposed efforts to enshrine the IHRA definition into law, noting that it undermines the First Amendment by equating political critique with hate speech.

If enacted, this bill would allow the Attorney General to bring civil actions against individuals or groups accused of antisemitism under the IHRA definition. In practice, this could mean punishing students for hosting a lecture on Palestinian history, holding a vigil for Gaza’s victims, or advocating for Palestinian self-determination. Such measures would violate the First Amendment and create a climate of fear on campuses, where students must self-censor to avoid retaliation. The precedent set by this bill could extend far beyond the issue of Israel-Palestine, endangering broader academic freedom and political expression.

Meanwhile, the enforcement of such a law raises serious concerns about selective application. During my time at Kansas State, I witnessed far-right activist Jaden McNeil operate with impunity, despite his well-documented association with white nationalist figures. McNeil, a former K-State student, founded the “America First Students” group, an organization that openly promoted extreme right-wing nationalism and sought to align itself with the broader “America First” movement led by Nick Fuentes. Fuentes, an internet personality and political commentator, has repeatedly denied the Holocaust, calling it a “myth” and mocking the

number of Jewish people killed during World War II. He has also spread virulently racist, antisemitic, and misogynistic rhetoric, including stating that Jewish people have too much influence in American politics and openly calling for authoritarian rule in the United States.

Under HB 2299's framework, would the Attorney General investigate McNeil or others who platform neo-Nazis but avoid overt antisemitic speech? Or will this bill instead target students like me, who criticize Israel's apartheid system and military actions in Gaza? The double standard in how antisemitism is defined and enforced under this bill suggests that its true purpose is not to protect Jewish people but to insulate Israel from criticism.

Antisemitism is a serious issue that demands thoughtful solutions. However, HB 2299 is not the answer. It risks silencing marginalized voices, protecting apartheid, and undermining the constitutional rights of Kansans. Instead of adopting a definition that has been widely criticized for its weaponization against human rights advocacy, I urge you to reject this bill and instead focus on policies that combat all forms of bigotry without sacrificing free speech.

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