

AMENDMENT TO H.R. 8038
OFFERED BY MRS. MILLER-MEEKS OF IOWA

At the appropriate place, insert the following:

1 **TITLE ___—COMMISSION TO**
2 **STUDY ACTS OF ANTI-**
3 **SEMITISM IN THE UNITED**
4 **STATES ACT**

5 **SEC. 1. SHORT TITLE.**

6 This Act may be cited as the “Commission to Study
7 Acts of Antisemitism in the United States Act”.

8 **SEC. 2. FINDINGS.**

9 Congress finds the following:

10 (1) Since Hamas deadly invasion of the nation
11 of Israel on October 7, 2023, there has been a dis-
12 turbating rise of antisemitism in the United States.

13 (2) On October 31, 2023, a student at Cornell
14 University was arrested and charged for threatening
15 to kill and injure members of the Jewish community.

16 (3) In October 2023, Federal Bureau of Inves-
17 tigation Director Christopher Wray stated that anti-
18 semitism in the United States had reached “historic
19 levels”.

1 (4) The Anti-Defamation League reported a
2 nearly 300 percent spike in antisemitic activity in
3 the United States since Hamas attack on Israel.

4 (5) In November 2023, a 69-year-old Jewish
5 man was killed in Los Angeles after being struck in
6 the head by a protester at an anti-Israel protest.

7 **SEC. 3. ESTABLISHMENT.**

8 There is established in the legislative branch a com-
9 mission to be known as the “Commission to Study Acts
10 of Antisemitism in the United States” (in this Act referred
11 to as the “Commission”).

12 **SEC. 4. DUTIES OF COMMISSION.**

13 Without making any predetermined or political find-
14 ings, the Commission shall—

15 (1) investigate the facts, different sources, and
16 manifestations of antisemitism in the present day;

17 (2) examine and evaluate evidence developed by
18 relevant Federal, State, and local governments, as
19 well as leading non-governmental organizations with
20 significant experience gathering data and trends on
21 antisemitic incidents in the United States, regarding
22 the facts and circumstances of antisemitic attacks
23 within the United States, except that such examina-
24 tion and evaluation shall not interfere with ongoing
25 law enforcement activities and investigations;

1 (3) evaluate the different types of actions taken
2 by Federal, State, and local governments and gov-
3 ernmental agencies in recent years to combat anti-
4 semitism; and

5 (4) report to the President and Congress re-
6 garding its findings, conclusions, and recommenda-
7 tions for legislation or administrative actions as the
8 Commission considers appropriate.

9 **SEC. 5. MEMBERSHIP.**

10 (a) MEMBERS.—

11 (1) NUMBER AND APPOINTMENT.—The Com-
12 mission shall be composed of 9 members appointed
13 as follows:

14 (A) 2 members appointed by the Speaker
15 of the House of Representatives.

16 (B) 2 members appointed by the minority
17 leader of the House of Representatives.

18 (C) 2 members appointed by the majority
19 leader of the Senate.

20 (D) 2 members appointed by the minority
21 leader of the Senate.

22 (E) 1 member appointed by the President
23 of the United States.

24 (2) CHAIRPERSON; VICE CHAIRPERSON.—The
25 Chairperson and Vice Chairperson of the Commis-

1 sion shall be designated jointly by the Speaker of the
2 House of Representatives and the minority leader of
3 the House of Representatives at the time of the ap-
4 pointment.

5 (3) POLITICAL AFFILIATION.—Not more than 4
6 members appointed under paragraph (1) may be of
7 the same political party.

8 (4) TIMING FOR APPOINTMENT.—All members
9 of the Commission shall be appointed not later than
10 10 days after the date of enactment of this Act.

11 (5) QUALIFICATIONS.—Members of the Com-
12 mission shall have demonstrated expertise and expe-
13 rience cataloguing, addressing, and combating anti-
14 semitism.

15 (b) TERMS.—

16 (1) IN GENERAL.—Each member shall be ap-
17 pointed for the life of the Commission.

18 (2) VACANCIES.—A vacancy in the Commission
19 shall be filled in the manner in which the original
20 appointment was made.

21 (c) BASIC PAY.—

22 (1) COMPENSATION.—Except as provided in
23 paragraph (2), members shall each be paid at a rate
24 not to exceed the daily equivalent of the annual rate
25 of basic pay for level III of the Executive Schedule

1 for each day (including travel time) during which
2 they are engaged in the actual performance of duties
3 vested in the Commission.

4 (2) PROHIBITION OF COMPENSATION OF FED-
5 ERAL EMPLOYEES.—Members of the Commission
6 who are full-time officers or employees of the United
7 States or Members of Congress may not receive ad-
8 ditional pay, allowances, or benefits by reason of
9 their service on the Commission.

10 (3) TRAVEL EXPENSES.—Each member shall
11 receive travel expenses, including per diem in lieu of
12 subsistence, in accordance with applicable provisions
13 under subchapter I of chapter 57 of title 5, United
14 States Code.

15 (d) QUORUM.—6 members of the Commission shall
16 constitute a quorum but a lesser number may hold hear-
17 ings.

18 (e) MEETINGS.—As soon as practicable after all
19 members are appointed, but not earlier than 15 days after
20 the date of enactment of this Act, the Commission shall
21 meet and begin the initial operation of the Commission.
22 The Commission shall meet monthly thereafter.

23 **SEC. 6. EXPERTS; STAFF OF FEDERAL AGENCIES.**

24 (a) EXPERTS.—The Commission may procure tem-
25 porary and intermittent services under section 3109(b) of

1 title 5, United States Code, but at rates for individuals
2 not to exceed the daily equivalent of the annual rate of
3 basic pay for GS-15 of the General Schedule. The services
4 of an expert or consultant may be procured without com-
5 pensation if the expert or consultant agrees to such an
6 arrangement, in writing, in advance.

7 (b) STAFF OF FEDERAL AGENCIES.—Upon request
8 of the Commission, the head of any Federal department
9 or agency may detail, on a reimbursable basis, any of the
10 personnel of that department or agency to the Commission
11 to assist it in carrying out its duties under this Act.

12 **SEC. 7. POWERS OF COMMISSION.**

13 (a) HEARINGS AND SESSIONS.—The Commission
14 may, for the purpose of carrying out this Act, hold hear-
15 ings, sit and act at times and places, take testimony, and
16 receive evidence as the Commission considers appropriate.
17 The Commission may administer oaths or affirmations to
18 witnesses appearing before it.

19 (b) POWERS OF MEMBERS AND AGENTS.—Any mem-
20 ber or agent of the Commission may, if authorized by the
21 Commission, take any action which the Commission is au-
22 thorized to take by this section.

23 (c) OBTAINING OFFICIAL DATA.—The Commission
24 may secure directly from any department or agency of the
25 United States information necessary to enable it to carry

1 out this Act. Upon joint request of the Chairperson and
2 Vice Chairperson of the Commission, the head of that de-
3 partment or agency shall furnish that information to the
4 Commission.

5 (d) SUBPOENA POWER.—

6 (1) IN GENERAL.—The Commission may issue
7 subpoenas requiring the attendance and testimony of
8 witnesses and the production of any evidence relat-
9 ing to any matter which the Commission is empow-
10 ered to investigate under this Act. Such subpoenas
11 shall be issued by agreement between the Chair-
12 person and Vice Chairperson of the Commission, or
13 by the vote of a majority of the members of the
14 Commission. The attendance of witnesses and the
15 production of evidence may be required from any
16 place within the United States at any designated
17 place of hearing within the United States.

18 (2) FAILURE TO OBEY A SUBPOENA.—If a per-
19 son refuses to obey a subpoena issued under para-
20 graph (1), the Commission may apply to a United
21 States district court for an order requiring that per-
22 son to appear before the Commission to give testi-
23 mony, produce evidence, or both, relating to the
24 matter under investigation. The application may be
25 made within the judicial district where the hearing

1 is conducted or where that person is found, resides,
2 or transacts business. Any failure to obey the order
3 of the court may be punished by the court as civil
4 contempt.

5 (3) SERVICE OF SUBPOENAS.—The subpoenas
6 of the Commission shall be served in the manner
7 provided for subpoenas issued by a United States
8 district court under the Federal Rules of Civil Pro-
9 cedure for the United States district courts.

10 (4) SERVICE OF PROCESS.—All process of any
11 court to which application is made under paragraph
12 (2) may be served in the judicial district in which
13 the person required to be served resides or may be
14 found.

15 (e) IMMUNITY.—Except as provided in this sub-
16 section, a person may not be excused from testifying or
17 from producing evidence pursuant to a subpoena on the
18 ground that the testimony or evidence required by the sub-
19 poena may tend to incriminate or subject that person to
20 criminal prosecution. A person, after having claimed the
21 privilege against self-incrimination, may not be criminally
22 prosecuted by reason of any transaction, matter, or thing
23 which that person is compelled to testify about or produce
24 evidence relating to, except that the person may be pros-

1 ecuted for perjury committed during the testimony or
2 made in the evidence.

3 (f) CONTRACT AUTHORITY.—To the extent or in the
4 amounts provided in advance in appropriation Acts, the
5 Commission may enter into contracts to enable the Com-
6 mission to discharge its duties under this Act.

7 **SEC. 8. REPORT; TERMINATION.**

8 (a) REPORT.—The Commission shall transmit a re-
9 port to the President and Congress not later than 1 year
10 after the date of enactment of this Act. The report shall
11 contain a detailed statement of the findings and conclu-
12 sions of the Commission, together with its recommenda-
13 tions for legislation or administrative actions as the Com-
14 mission considers appropriate.

15 (b) TERMINATION.—

16 (1) IN GENERAL.—The Commission shall termi-
17 nate upon the expiration of the 120-day period
18 which begins on the date on which the Commission
19 submits the report under subsection (a).

20 (2) ADMINISTRATIVE ACTIVITIES BEFORE TER-
21 MINATION.—The Commission may use the 120-day
22 period referred to in paragraph (1) for the purpose
23 of concluding the activities of the Commission, in-
24 cluding disseminating the report submitted under

1 subsection (a) and providing testimony to commit-
2 tees of Congress concerning such report.

3 **SEC. 9. DEFINITION.**

4 In this Act, the term “antisemitism” is a certain per-
5 ception of Jews, which may be expressed as hatred toward
6 Jews. Rhetorical and physical manifestations of anti-
7 semitism are directed toward Jewish or non-Jewish indi-
8 viduals and their property, toward Jewish community in-
9 stitutions and religious facilities:

10 (1) Calling for, aiding, or justifying the killing
11 or harming of Jews in the name of a radical ideology
12 or an extremist view of religion.

13 (2) Making mendacious, dehumanizing, demon-
14 izing, or stereotypical allegations about Jews as such
15 or the power of Jews as collective, such as, especially
16 but not exclusively, the myth about a world Jewish
17 conspiracy or of Jews controlling the media, econ-
18 omy, and government or other societal institutions.

19 (3) Accusing Jews as a people of being respon-
20 sible for real or imagined wrongdoing committed by
21 a single Jewish person or group, or even for acts
22 committed by non-Jews.

23 (4) Denying the fact, scope, mechanisms (e.g.
24 gas chambers) or intentionality of the genocide of
25 the Jewish people at the hands of National Socialist

1 Germany and its supporters and accomplices during
2 World War II (the Holocaust).

3 (5) Accusing the Jews as a people, or Israel as
4 a state, of inventing or exaggerating the Holocaust.

5 (6) Accusing Jewish citizens of being more loyal
6 to Israel, or to the alleged priorities of Jews world-
7 wide, than to the interests of their own nations.

8 (7) Denying the Jewish people their right to
9 self-determination, e.g., by claiming that the exist-
10 ence of a State of Israel is a racist endeavor.

11 (8) Applying double standards by requiring of
12 it a behavior not expected or demanded of any other
13 democratic nation.

14 (9) Using the symbols and images associated
15 with classic antisemitism (e.g., claims of Jews killing
16 Jesus or blood libel) to characterize Israel or
17 Israelis.

18 (10) Drawing comparisons of contemporary
19 Israeli policy to that of the Nazis.

20 (11) Holding Jews collectively responsible for
21 actions of the state of Israel.

