S. 900

To authorize the Secretary of Education to award grants to educational organizations to carry out educational programs about the Holocaust.

IN THE SENATE OF THE UNITED STATES

MAY 5, 2011

Mr. MENENDEZ (for himself and Mr. LAUTENBERG) introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

A BILL

To authorize the Secretary of Education to award grants to educational organizations to carry out educational programs about the Holocaust.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. HOLOCAUST EDUCATION PROGRAMS.

Part D of title V of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7241 et seq.) is amended by adding at the end the following:
“Subpart 22—Holocaust Education Assistance

Program

“SEC. 5631. SHORT TITLE.

“This subpart may be cited as the ‘Simon Wiesenthal Holocaust Education Assistance Act’.

“SEC. 5632. FINDINGS AND PURPOSES.

“(a) FINDINGS.—Congress finds the following:

“(1) The Holocaust was an historical event that resulted in the systemic, state-sponsored, mass murders by Nazi Germany of 6,000,000 Jews, along with millions of others, in the name of racial purity.

“(2) Six States (California, Florida, Illinois, Indiana, New Jersey, and New York) now mandate that the Holocaust be taught in the educational curriculum, and 11 States (Alabama, Connecticut, Georgia, Mississippi, Missouri, Nevada, North Carolina, South Carolina, Tennessee, Washington, and West Virginia) recommend teaching the Holocaust but the funds necessary to carry out those recommendations may not be available.

“(3) The Holocaust is a sensitive and difficult subject to teach effectively, and educators need appropriate teaching tools and training to increase their knowledge of the Holocaust and enhance the educational experience.
“(b) STATEMENT OF PURPOSE.—It is the purpose of this subpart—

“(1) to educate students in the United States so that they—

“(A) may explore the lessons that the Holocaust provides for all people; and

“(B) may be less susceptible to the falsehood of Holocaust denial and to the destructive messages of hate that arise from Holocaust denial; and

“(2) to provide resources and support for educational programs that—

“(A) portray accurate historical information about the Holocaust;

“(B) sensitize communities to the circumstances that gave rise to the Holocaust;

“(C) convey the lessons that the Holocaust provides for all people; and

“(D) develop curriculum guides and provide training to help teachers incorporate the study of the Holocaust and its lessons into mainstream disciplines.
“SEC. 5633. PROGRAM AUTHORIZED.

“The Secretary is authorized to award grants to educational organizations to carry out proposed or existing Holocaust education programs.

“SEC. 5634. APPLICATION.

“The Secretary may award a grant under this subpart only to an educational organization that has submitted an application to the Secretary at such time, in such manner, and containing such information as the Secretary may require.

“SEC. 5635. USE OF GRANTS.

“(a) In General.—An educational organization receiving a grant under this subpart may use the grant only to carry out the Holocaust education program for which the grant was provided.

“(b) Requirements.—An educational organization receiving a grant under this subpart shall comply with the following requirements:

“(1) Continuation of Eligibility.—The educational organization shall, throughout the period that the educational organization receives and uses the grant, continue to be an educational organization.

“(2) Supplementation of Existing Funds.—The educational organization shall ensure that the grant is used to supplement, and not sup-
plant, non-Federal funds that would otherwise be available to the educational organization to carry out the Holocaust education program for which the grant was provided.

“(c) ADDITIONAL CONDITIONS.—The Secretary may require additional terms and conditions in connection with the use of grants provided under this subpart as the Secretary considers appropriate.

“(d) COOPERATIVE ARRANGEMENTS.—The Secretary should encourage educational organizations to work cooperatively with State educational agencies or local educational agencies in applying for and using grants under this subpart.

“SEC. 5636. SELECTION CRITERIA.

“(a) IN GENERAL.—The Secretary shall award grants under this subpart in accordance with competitive criteria to be established by the Secretary.

“(b) CONSULTATION WITH HOLOCAUST EDUCATORS.—In establishing the competitive criteria under subsection (a), the Secretary shall consult with a number of prominent educators in the field of Holocaust education, to be determined by the Secretary.

“SEC. 5637. REVIEW AND SANCTIONS.

“(a) ANNUAL REVIEW.—The Secretary shall review at least annually each educational organization receiving
a grant under this subpart to determine the extent to
which the educational organization has complied with the
provisions of this subpart and any regulation issued under
this subpart.

“(b) IMPOSITION OF SANCTIONS.—The Secretary
may impose 1 or more sanctions, to be determined by the
Secretary, on an educational organization for the failure
of the educational organization to comply substantially
with the provisions of this subpart or any regulation issued
under this subpart.

“SEC. 5638. ANNUAL REPORT.

“Not later than February 1 of each year, the Sec-
retary shall submit to Congress a report describing the
activities carried out under this subpart and containing
any related information that the Secretary considers ap-
propriate.

“SEC. 5639. DEFINITIONS.

“In this subpart:

“(1) EDUCATIONAL ORGANIZATION.—The term
‘educational organization’ means an entity—

“(A) described in section 501(c)(3) of the
Internal Revenue Code of 1986;

“(B) exempt from tax under section
501(a) of the Internal Revenue Code of 1986;

and
“(C) organized and operated for cultural,
literary, or educational purposes.

“(2) HOLOCAUST EDUCATION PROGRAM.—The
term ‘Holocaust education program’ means a pro-
gram that—

“(A) has as its specific and primary pur-
pose to improve awareness and understanding
of the Holocaust; and

“(B) to achieve such purpose, furnishes 1
or more of the following:

“(i) Educational materials.

“(ii) Student and school-based activi-
ties, including field trips.

“(iii) Teacher training.

“(iv) Any other good or service de-
signed to improve awareness and under-
standing of the Holocaust.

“(3) HOLOCAUST.—The term ‘Holocaust’
means the systemic, state-sponsored, mass murders
by Nazi Germany of 6,000,000 Jews, and millions of
others, in the name of racial purity.

“SEC. 5640. REGULATIONS.

“The Secretary shall issue any regulations necessary
to carry out this subpart.
“SEC. 5641. AUTHORIZATION OF APPROPRIATIONS.

“There is authorized to be appropriated to the Secretary for the first fiscal year beginning on or after the date of enactment of this subpart, and for each of the succeeding fiscal years, $2,000,000 for grants under this subpart. Amounts appropriated pursuant to this subpart shall remain available until expended.”.

SEC. 2. TABLE OF CONTENTS.

The table of contents in section 2 of the Elementary and Secondary Education Act of 1965 is amended by adding after the item relating to section 5618 the following:

“Subpart 22—Holocaust Education Assistance Program

Sec. 5631. Short title.
Sec. 5632. Findings and purposes.
Sec. 5633. Program authorized.
Sec. 5634. Application.
Sec. 5635. Use of grants.
Sec. 5636. Selection criteria.
Sec. 5637. Review and sanctions.
Sec. 5638. Annual report.
Sec. 5639. Definitions.
Sec. 5640. Regulations.
Sec. 5641. Authorization of appropriations.”.