

NEVER AGAIN EDUCATION REAUTHORIZATION AND  
STUDY ACT OF 2024

—————  
JULY 18, 2024.—Committed to the Committee of the Whole House on the State of  
the Union and ordered to be printed

—————  
Ms. FOXX, from the Committee on Education and the Workforce,  
submitted the following

R E P O R T

[To accompany H.R. 8606]

[Including cost estimate of the Congressional Budget Office]

The Committee on Education and the Workforce, to whom was referred the bill (H.R. 8606) to reauthorize the Director of the United States Holocaust Memorial Museum to support Holocaust education programs, and for other purposes, having considered the same, reports favorably thereon with an amendment and recommends that the bill as amended do pass.

The amendment is as follows:

Strike all after the enacting clause and insert the following:

**SECTION 1. SHORT TITLE.**

This Act may be cited as the “Never Again Education Reauthorization and Study Act of 2024”.

**SEC. 2. REAUTHORIZATION.**

(a) **AUTHORIZATION OF APPROPRIATIONS.**—Section 4(a) of the Never Again Education Act (Public Law 116–141) is amended by striking “each of the 4 succeeding fiscal years” and inserting “each succeeding fiscal year through fiscal year 2030”.

(b) **USE OF FUNDS.**—Section 4(c)(2)(D) of such Act (Public Law 116–141) is amended by inserting before the period at the end the following: “, and completion of the study and report required under section 9”.

**SEC. 3. STUDY AND REPORT ON HOLOCAUST EDUCATION.**

The Never Again Education Act (Public Law 116–141) is amended by adding at the end the following new section:

**“SEC. 9. STUDY AND REPORT ON HOLOCAUST EDUCATION.**

“(a) **IN GENERAL.**—The Director shall—

“(1) beginning not later than 180 days after the date of enactment of this section, and ending not later than 18 months after such date of enactment—

“(A) identify a nationally representative sample of States and local educational agencies; and

- “(B) conduct a study on the Holocaust education program activities being carried out in such States and local educational agencies; and
- “(2) not later than 180 days after the completion of such study, prepare and submit to Congress a report on such study.
- “(b) ELEMENTS.—In conducting the study under subsection (a) with respect to the States and local educational agencies identified under paragraph (1)(A) of such subsection, the Director shall—
- “(1) identify the States and local educational agencies that require Holocaust education program activities as part of the curriculum taught in public secondary schools, and of the States and local educational agencies so identified, which of such States and local educational agencies also provide optional Holocaust education program activities as part of such curriculum;
- “(2) identify the States and local educational agencies that do not require Holocaust education program activities as part of such curriculum, and of the States and local educational agencies so identified, which of such States and local educational agencies provide optional Holocaust education program activities as part of such curriculum;
- “(3) determine the extent to which the States have developed standards and other requirements for Holocaust education programs provided in public secondary schools served by the local educational agencies in such State, and summarize the status of the implementation of such standards and requirements in such local educational agencies, including—
- “(A) any centralized apparatus at the State or local level that collects and disseminates Holocaust education program curricula and materials;
- “(B) any Holocaust education program professional development opportunities for preservice and in-service educators;
- “(C) the involvement of Holocaust education centers (including local Holocaust centers), museums (including local Holocaust museums), cultural centers, and other informal educational organizations in implementing Holocaust education programs;
- “(D) the adoption of United States Holocaust Memorial Museum resources (including the resources developed and disseminated pursuant to section 4(c)(1)) by entities at the State or local level, including local Holocaust museums and centers that disseminate Holocaust education program curricula; and
- “(E) criteria used by such States and local educational agencies to evaluate the effectiveness of Holocaust education programs offered in such States and local educational agencies;
- “(4) determine the methods educators in the public secondary schools in the States and local educational agencies are using that result in students successfully achieving intended learning outcomes;
- “(5) identify the approaches used by the States and local educational agencies to assess the achievement of such intended learning outcomes;
- “(6) identify the types of instructional materials used in such public secondary schools to teach students about the Holocaust, including the use of primary source material;
- “(7) identify the extent to which Holocaust education programs at such public secondary schools teach the history of antisemitism, its deep historical roots, the use of conspiracy theories and propaganda that target the Jewish people, and the shapeshifting nature of antisemitism over time; and
- “(8) identify—
- “(A) in what disciplines the Holocaust is being taught at such public secondary schools; and
- “(B) in the case of the public secondary schools in the States and local educational agencies identified under paragraph (1), the amount of time allotted in the required curriculum to teach about the Holocaust.
- “(c) DEFINITIONS.—In this section, the terms ‘local educational agency’, ‘secondary school’, and ‘State’ have the meanings given those terms in section 8101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801).”.

#### PURPOSE

The purpose of H.R. 8606, the *Never Again Education Reauthorization and Study Act of 2024*, is to reauthorize the Director of the United States Holocaust Memorial Museum (Holocaust Museum) to support Holocaust education programs and to direct the Holocaust Museum to study Holocaust education program activities in public secondary schools.

## COMMITTEE ACTION

116TH CONGRESS

*First Session—Legislative Action*

On January 31, 2019, Representative Carolyn Maloney (D-NY) introduced H.R. 943, the *Never Again Education Act*, with Representatives Kathy Manning (D-NC), Elise Stefanik (R-NY), Josh Gottheimer (D-NJ), Joe Wilson (R-SC), Debbie Wasserman Schultz (D-FL), John Moolenaar (R-MI), and Brian Fitzpatrick (R-PA) as original co-sponsors. The bill was referred to the Committee on Education and Labor.

*Second Session—Legislative Action*

On January 27, 2020, the House considered H.R. 943 under suspension of the rules. The House agreed to suspend the rules and pass the bill as amended by a vote of 393–5. H.R. 943 passed the Senate without amendment by voice vote on May 13, 2020. President Trump signed the bill into law on May 29, 2020.

118TH CONGRESS

*First Session—Hearings*

On November 14, 2023, the Subcommittee on Higher Education and Workforce Development held a hearing on “Confronting the Scourge of Antisemitism on Campus.” The purpose of the hearing was to discuss antisemitism on college campuses. Testifying before the Subcommittee were Rabbi Moshe Hauer, Executive Vice President, Orthodox Union, New York, NY; Mr. Kenneth L. Marcus, Esq., Founder and Chairman, Brandeis Center, Washington, DC; Ms. Stacy Burdett, Independent Consultant in Antisemitism Prevention and Response, Silver Spring, MD; and Ms. Sahar Tartak, Student, Yale University, New Haven, CT.

On December 5, 2023, the full Committee held a hearing on “Holding Campus Leaders Accountable and Confronting Antisemitism.” The purpose of the hearing was to discuss antisemitism on college campuses with key college presidents. Testifying before the Committee were Dr. Claudine Gay, President, Harvard University, Cambridge, MA; Ms. Liz Magill, President, University of Pennsylvania, Philadelphia, PA; Dr. Pamela Nadell, Professor of History and Jewish Studies, American University, Washington, DC; and Dr. Sally Kornbluth, President, Massachusetts Institute of Technology, Cambridge, MA.

*Legislative Action*

On November 30, 2023, Representative Earl L. “Buddy” Carter introduced H.R. 6516, the *Never Again Education Reauthorization Act of 2023*, with Representatives Manning, Stefanik, Wilson, Wasserman Schultz, John Moolenaar (R-MI), and Fitzpatrick as original co-sponsors. The bill was referred solely to the Committee on Education and the Workforce.

*Section Session—Hearings*

On May 8, 2024, the Subcommittee on Early Childhood, Elementary, and Secondary Education held a hearing on “Confronting Pervasive Antisemitism In K–12 Schools.” The purpose of the hearing

was to discuss antisemitism in K–12 schools. Testifying before the Subcommittee were Mr. David Banks, Chancellor, New York City Public Schools, New York City Department of Education, New York, NY; Ms. Karla Silvestre, President, Montgomery County Board of Education, Montgomery County Public Schools, Rockville, MD; Mr. Emerson Sykes, Senior Staff Attorney, American Civil Liberties Union, New York, NY; and Ms. Enikia Ford Morthel, Superintendent, Berkeley Unified School District, Berkeley, CA.

On May 23, 2024, the full Committee held a hearing on “Calling for Accountability: Stopping Antisemitic College Chaos.” The purpose of the hearing was to examine antisemitism and responses to protest encampments on college campuses. Testifying before the Committee were Mr. Michael Schill, President, Northwestern University, Evanston, IL; Dr. Jonathan Holloway, President, Rutgers, the State University of New Jersey, New Brunswick, NJ; Mr. Frederick M. Lawrence, Secretary and CEO, Phi Beta Kappa Society, Washington, DC; and Dr. Gene Block, Chancellor, University of California at Los Angeles, Los Angeles, CA.

#### *Legislative Action*

On June 4, 2024, Representative Carter introduced H.R. 8606, the *Never Again Education Reauthorization and Study Act of 2024*, with Representatives Manning, Stefanik, Wilson, Wasserman Schultz, Moolenaar, Fitzpatrick, and Gottheimer as original co-sponsors. The bill was referred solely to the Committee on Education and the Workforce. On June 13, 2024, the Committee considered H.R. 8606 in legislative session and reported it favorably, as amended, to the House of Representatives by a recorded vote of 40–0. The Committee adopted the following amendment to H.R. 8606:

1. Representative Wilson offered an Amendment in the Nature of a Substitute (ANS) that removes language related to elementary schools and adds language to ensure the study authorized under the bill determines the criteria used by states and local educational agencies to evaluate the effectiveness of Holocaust education programs.

### COMMITTEE VIEWS

#### INTRODUCTION

H.R. 8606, the *Never Again Education Reauthorization and Study Act of 2024*, updates and extends the authorization for the *Never Again Education Act*, P.L. 116–141. Renewing and updating this law will allow the Holocaust Museum to continue its important work expanding Holocaust education programs in our nation’s schools.

#### *Reauthorization of Core Activities*

In May 2020, Congress passed with overwhelming bipartisan support and President Trump signed into law the *Never Again Education Act*. This law authorizes \$2 million for the Holocaust Museum to create and disseminate educational resources on how and why the Holocaust happened. The Holocaust Museum is also authorized to disseminate professional development materials for educators, engage with state and local education leaders to encourage the adoption of education materials into school curricula, and

evaluate the effectiveness and impact of Holocaust education programs. H.R. 8606 extends the authorization of this law through fiscal year (FY) 2030.

*Study of Holocaust Education in Public Secondary Schools*

The bill also directs the Holocaust Museum to study the implementation of Holocaust education program activities in public secondary schools in a nationally representative sample of states and school districts. As we deal with the increase of antisemitic and other bias based offenses on our college campuses, it is critically important that we examine the extent to which states and school districts are teaching students about the Holocaust. The bill also includes language directing the Holocaust Museum to identify, as part of the study, the extent to which Holocaust education programs teach about antisemitism and its deep historical roots.

CONCLUSION

The world recently celebrated the Allied victory at Normandy 80 years ago. We were reminded of what our heroes fought for and against. Unfortunately, we have seen an increase in antisemitic and other bias-based offenses on college campuses, demonstrating that the hate and bigotry that motivated the Nazis is still present in our society. Expanding the presence of Holocaust education programs in schools will increase the knowledge of basic facts related to the Holocaust, and that's important. But more importantly, it will give high school students a greater understanding of the ancient scourge of antisemitism and provide them intellectual and moral tools to fight against it and to prevent genocide, hate, and bigotry against any group of people.

SUMMARY

H.R. 8606, the *Never Again Education Reauthorization and Study Act of 2024*, extends the authorization of the *Never Again Education Act* through FY 2030. The bill also directs the Holocaust Museum to study and evaluate the effectiveness of Holocaust education program activities in a nationally representative sample of states and local educational agencies.

H.R. 8606 SECTION-BY-SECTION SUMMARY

*Section 1—Short title*

- Names the bill the *Never Again Education Reauthorization and Study Act of 2024*.

*Section 2—Reauthorization*

- The bill extends the authorization of the *Never Again Education Act* through FY 2030.
- The bill amends the law's use of funds to allow the Holocaust Museum to use funds appropriated under the law for the study required by section 3 of the bill.

*Section 3—Study and report on Holocaust education*

- The bill amends the *Never Again Education Act* to require the Holocaust Museum to conduct a study of a nationally representative sample of states and school districts.

- The study must begin within 180 days of the bill's enactment and be concluded within 18 months of the date of enactment.
- The study must examine various elements of Holocaust education program activities being carried out in public secondary schools in those states and school districts.
- Within 180 days of completion of the study, the Holocaust Museum must prepare and submit to Congress a report on the study.
- The bill defines terms that are defined under the *Elementary and Secondary Education Act*.

#### EXPLANATION OF AMENDMENTS

The amendments, including the amendment in the nature of a substitute, are explained in the body of this report.

#### APPLICATION OF LAW TO THE LEGISLATIVE BRANCH

Section 102(b)(3) of Public Law 104–1 requires a description of the application of this bill to the legislative branch. H.R. 8606 reauthorizes the Director of the United States Holocaust Memorial Museum (Holocaust Museum) to support Holocaust education programs and to direct the Holocaust Museum to study Holocaust education program activities in public secondary schools. H.R. 8606 is applicable to public secondary schools and therefore does not apply to the Legislative Branch.

#### UNFUNDED MANDATE STATEMENT

Pursuant to Section 423 of the Congressional Budget and Impoundment Control Act of 1974, Pub. L. No. 93–344 (as amended by Section 101(a)(2) of the Unfunded Mandates Reform Act of 1995, Pub. L. No. 104–4), the Committee adopts as its own the cost estimate prepared by the Director of the Congressional Budget Office (CBO) pursuant to section 402 of the Congressional Budget and Impoundment Control Act of 1974.

#### EARMARK STATEMENT

H.R. 8606 does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of House rule XXI.

#### ROLL CALL VOTES

Clause 3(b) of rule XIII of the Rules of the House of Representatives requires the Committee Report to include for each record vote on a motion to report the measure or matter and on any amendments offered to the measure or matter the total number of votes for and against and the names of the Members voting for and against.

Date: 6/13/24

**COMMITTEE ON EDUCATION AND THE WORKFORCE RECORD OF COMMITTEE VOTE**

Roll Call: 2

Bill: H.R. 8606

Amendment Number: n/a

Disposition: Motion to Report H.R. 8606, as amended, passed by a Full Committee Roll

Call Vote (40 y – 0 n)

Sponsor/Amendment: Rep. Joe Wilson / H8606\_ANS

Name & State	Aye	No	Not Voting	Name & State	Aye	No	Not Voting
Mrs. FOXX (NC) (Chairwoman)	X			Mr. SCOTT (VA) (Ranking)	X		
Mr. WILSON (SC)	X			Mr. GRUJALVA (AZ)			X
Mr. THOMPSON (PA)	X			Mr. COURNTEY (CT)	X		
Mr. WALBERG (MI)	X			Mr. SABLAN (MP)	X		
Mr. GROTHMAN (WI)	X			Ms. WILSON (FL)	X		
Ms. STEFANIK (NY)	X			Ms. BONAMICI (OR)	X		
Mr. ALLEN (GA)	X			Mr. TAKANO (CA)	X		
Mr. BANKS (IN)	X			Ms. ADAMS (NC)	X		
Mr. COMER (KY)	X			Mr. DESAULNIER (CA)	X		
Mr. SMUCKER (PA)	X			Mr. NORCROSS (NJ)			X
Mr. OWENS (UT)	X			Ms. JAYAPAL (WA)			X
Mr. GOOD (VA)	X			Ms. WILD (PA)	X		
Mrs. MCCLAIN (MI)	X			Ms. MCBATH (GA)	X		
Mrs. MILLER (IL)	X			Mrs. HAYES (CT)	X		
Mrs. STEEL (CA)	X			Ms. OMAR (MN)	X		
Mr. ESTES (KS)	X			Ms. STEVENS (MI)	X		
Ms. LETLOW (LA)	X			Ms. LEGER FERNÁNDEZ (NM)	X		
Mr. KILEY (CA)	X			Ms. MANNING (NC)	X		
Mr. BEAN (FL)	X			Mr. MRVAN (IN)	X		
Mr. BURLISON (MO)	X			Mr. BOWMAN (NY)			X
Mr. MORAN (TX)	X						
Ms. CHAVEZ-DEREMER (OR)	X						
Mr. WILLIAMS (NY)	X						
Ms. HOUCHIN (IN)	X						

TOTALS: Ayes: 40

Nos:

Not Voting: 4

Total: 44 / Quorum: / Report:

(24 R - 20 D)

#### STATEMENT OF GENERAL PERFORMANCE GOALS AND OBJECTIVES

In accordance with clause (3)(c) of House rule XIII, the goal of H.R. 8606 is to reauthorize funding levels established in P.L. 116–141 and authorize a study of Holocaust education programs.

#### DUPLICATION OF FEDERAL PROGRAMS

No provision of H.R. 8606 establishes or reauthorizes a program of the Federal Government known to be duplicative of another Federal program, a program that was included in any report from the Government Accountability Office to Congress pursuant to section 21 of Public Law 111–139, or a program related to a program identified in the most recent Catalog of Federal Domestic Assistance.

#### STATEMENT OF OVERSIGHT FINDINGS AND RECOMMENDATIONS OF THE COMMITTEE

In compliance with clause 3(c)(1) of rule XIII and clause 2(b)(1) of rule X of the Rules of the House of Representatives, the committee’s oversight findings and recommendations are reflected in the body of this report.

#### REQUIRED COMMITTEE HEARING

In compliance with clause 3(c)(6) of rule XIII the following hearing held during the 118th Congress was used to develop or consider H.R. 8606: On May 8, 2024, the Committee on Education and the Workforce, Subcommittee on Early Childhood, Elementary, and Secondary Education, held a hearing on “Confronting Pervasive Antisemitism in K–12 Schools”, the details of which are reflected in the “Committee Action” section of this report.

#### NEW BUDGET AUTHORITY AND CBO COST ESTIMATE

With respect to the requirements of clause 3(c)(2) of rule XIII of the Rules of the House of Representatives and section 308(a) of the Congressional Budget Act of 1974 and with respect to requirements of clause 3(c)(3) of rule XIII of the Rules of the House of Representatives and section 402 of the Congressional Budget Act of 1974, the Committee adopts as its own the cost estimate for the bill prepared by the Director of the Congressional Budget Office.

## At a Glance

### Subject of the Legislation

As ordered reported by the House Committee on Education and the Workforce on June 13, 2024

On June 13, 2024, the House Committee on Education and the Workforce ordered reported eight bills and one joint resolution. This comprehensive document provides estimates for seven of those bills and the resolution.

- H.R. 618 would have an insignificant effect on direct spending; thus, pay-as-you-go procedures apply. The other six bills and the resolution would not affect direct spending or revenues; thus, pay-as-you-go procedures do not apply to those pieces of legislation.
- H.R. 8606 would increase spending subject to appropriation by \$8 million over the 2024-2029 period. The other pieces of legislation would increase spending subject to appropriation by less than \$500,000.
- H.R. 8534 would impose an intergovernmental mandate by prohibiting states from designating varsity athletes of a school, conference, or association as employees of that entity. None of the other pieces of legislation would impose intergovernmental mandates. None of the bills or the resolution would impose private-sector mandates.

Details of the estimated costs of each piece of legislation are discussed in the text.

Bill	Net Increase or Decrease (-) in the Deficit Over the 2024-2034 Period (Millions of Dollars)	Changes in Spending Subject to Appropriation Over the 2024-2029 Period (Outlays, Millions of Dollars)	Mandate Effects?
H.J Res. 165	0	*	No
H.R. 618	*	*	No
H.R. 5567	0	*	No
H.R. 6816	0	*	No
H.R. 8534	0	*	Yes
H.R. 8606	0	8	No
H.R. 8648	0	*	No
H.R. 8649	0	*	No

\* = between -\$500,000 and \$500,000.

**Legislation summary:** On June 13, 2024, the House Committee on Education and the Workforce ordered to be reported eight bills and one joint resolution. This document provides estimates for seven of those bills and the resolution.

Generally, the legislation would:

- Repeal a rule submitted by the Department of Education relating to “Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance;”
- Allow nurse practitioners and physician assistants to diagnose, treat, and certify an injury and extent of disability for the purposes of federal workers’ compensation;
- Require elementary and secondary schools and institutions of higher education to meet new requirements in order to maintain eligibility for funding from the Department of Education;
- Prevent student athletes from being considered the employees of an institution of higher education; and
- Authorize appropriations for the educational activities of the United States Holocaust Memorial Museum.

**Estimated federal cost:** The estimated costs of the legislation fall within budget function 500 (education, training, employment, and social services).

Basis of estimate: For this estimate, CBO assumes that the legislation will be enacted near the end of fiscal year 2024. The estimated costs do not include any interaction effects among the pieces of legislation. If all seven bills and the resolution were combined and enacted as a single piece of legislation, the estimated costs could be different than the sum of the separate estimates, although CBO expects that any difference would be small.

CBO estimates that implementing H.R. 8606 would cost \$8 million over the 2024–2029 period. Implementing the remaining bills and the joint resolution would each cost less than \$500,000 over the same period. Any related spending would be subject to the availability of appropriated funds.

H.J. Res. 165, a joint resolution providing for Congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Department of Education relating to “Non-discrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance”: H.J. Res 165 would disapprove the rule submitted by the Department of Education relating to “Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance,” as published in the Federal Register on April 29, 2024.

The rule amends title IX of the Education Amendments of 1972 (title IX), which prohibits discrimination on the basis of sex in any education program or activity receiving federal financial assistance. The rule clarifies definitions related to sex-based discrimination and harassment and specifies the requirements for grievance procedures, and requirements for preventing sexual discrimination and remedying its effects.

Institutions that fail to comply with title IX, as amended by the rule, could lose federal funding. However, CBO expects that institutions will comply with the regulations to avoid doing so. On that basis, CBO estimates that disapproving the rule would not affect institutions’ eligibility for federal student aid.

Based on the costs of similar activities, CBO estimates that implementing the resolution would cost less than \$500,000 over the 2024–2029 period. Any related spending would be subject to the availability of appropriated funds.

H.R. 618, Improving Access to Workers’ Compensation for Injured Federal Workers Act: H.R. 618 would allow nurse practitioners and physician assistants to diagnose, prescribe treatment, and certify an injury and the extent of disability for the purpose of compensating federal workers under the Federal Employees’ Compensation Act (FECA). Using information from the Department of Labor, CBO expects that nonphysician providers would be compensated at the same rate as physicians and that total benefits provided to injured federal workers would not significantly change. Some people may receive treatment more quickly under the bill, which could increase costs over the 10-year period because some payments to medical providers that would have occurred in 2035 under current law could be paid in 2034. On the other hand, if injured workers receive treatment faster, some may return to work more quickly, which could reduce costs. CBO has no basis to estimate which effect would predominate, but we expect that those effects would roughly offset each other. Thus, CBO estimates that

enacting H.R. 618 would affect net direct spending by an insignificant amount.

The FECA payments are mandatory. The costs of those payments are charged to a claimant's employing agency, which reimburses the Department of Labor out of its salaries and expense accounts. Any effect on discretionary spending would be subject to future appropriation actions.

H.R. 5567, CLASS Act: H.R. 5567 would require public elementary and secondary schools that receive funding from the Department of Education to disclose to the department funds received or contracts signed with foreign sources that are more than \$10,000.

CBO expects schools would comply with the new requirements; thus, enacting the bill would not affect their eligibility to receive federal funds. Based on the costs of similar activities, CBO estimates that implementing the bill would cost the Department of Education less than \$500,000 over the 2024–2029 period. Any related spending would be subject to the availability of appropriated funds.

H.R. 6816, PROTECT Our Kids Act: H.R. 6816 would prohibit elementary and secondary schools that receive direct or indirect support from the government of the People's Republic of China (including Confucius Institutes), from receiving funds from the Department of Education.

The 2018 National Defense Authorization Act prohibited institutions of higher education from using federal funding for Chinese language programs at Confucius Institutes. As a result, nearly all Confucius Institutes at postsecondary institutions have closed, according to a Government Accountability Office report released in 2023.<sup>1</sup> On that basis, CBO expects schools would comply with the new requirements; thus, enacting the bill would not affect their eligibility to receive federal funds.

Based on the costs of similar activities, CBO estimates that implementing the bill would cost the Department of Education less than \$500,000 over the 2024–2029 period. Any related spending would be subject to the availability of appropriated funds.

H.R. 8534, Protecting Student Athletes' Economic Freedom Act: The bill would prohibit student athletes from being considered an employee of an institution based on the athletes' participation in a varsity intercollegiate athletic program or competition. Based on the costs of similar activities, CBO estimates that implementing the bill would cost the Department of Education less than \$500,000 over the 2024–2029 period. Any related spending would be subject to the availability of appropriated funds.

H.R. 8606, Never Again Education Reauthorization and Study Act of 2024: H.R. 8606 would authorize the appropriation of \$2 million each year from 2026 through 2030 for the Director of the United States Holocaust Memorial Museum to support education and training related to the lessons of the Holocaust. Under current law, the authorization of appropriations for those activities expires at the end of 2025. The bill also would require the Director to conduct a study on the educational activities being carried out at the state and local level. Assuming appropriation of the authorized

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<sup>1</sup> Government Accountability Office, *China: With Nearly All U.S. Confucius Institutes Closed, Some Schools Sought Alternative Language Support*, GAO-20-105981 (October 2023), [www.gao.gov/products/gao-24-105981](http://www.gao.gov/products/gao-24-105981).

amounts and using historical spending patterns for those activities, CBO estimates that implementing H.R. 8606 would cost \$8 million over the 2024–2029 period and \$2 million after 2029.

H.R. 8648, Civil Rights Protection Act of 2024: H.R. 8648 would require any institution of higher education that receives federal student aid to make publicly available its process for addressing violations of title VI of the Civil Rights Act and any complaints received regarding alleged violations. The bill also would require the Assistant Secretary for Civil Rights at the Department of Education to give monthly briefings on violations specific to race, color, or national origin, and report the findings of institutional complaints.

CBO expects institutions would comply with the new requirements; thus, enacting the bill would not affect their eligibility for federal student aid. Based on the costs of similar activities, CBO estimates that implementing the bill would cost the Department of Education less than \$500,000 over the 2024–2029 period. Any related spending would be subject to the availability of appropriated funds.

H.R. 8649, Transparency in Reporting Adversarial Contributions to Education Act: The bill would require elementary and secondary schools that receive funding from the Department of Education to disclose to parents and the public any contributions received from foreign countries and the terms or conditions of such contributions.

CBO expects schools would comply with the new requirements; thus, enacting the bill would not affect their eligibility to receive federal funds. Based on the costs of similar activities, CBO estimates that implementing the bill would cost the Department of Education less than \$500,000 over the 2024–2029 period. Any related spending would be subject to the availability of appropriated funds.

Pay-As-You-Go considerations: The Statutory Pay-As-You-Go Act of 2010 establishes budget-reporting and enforcement procedures for legislation affecting direct spending or revenues. CBO estimates that enacting H.R. 618 would affect net direct spending by less than \$500,000 over the 2024–2034 period.

Increase in long-term net direct spending and deficits: CBO estimates that enacting the joint resolution or any of the seven bills in this estimate would not increase net direct spending or deficits in any of the four consecutive 10-year periods beginning in 2035.

Mandates: H.R. 8534 would impose an intergovernmental mandate as defined in the Unfunded Mandates Reform Act (UMRA) by prohibiting states from designating varsity athletes of a school, conference, or association as employees of that entity. CBO estimates that the net costs of the direct effects of the legislation would not result in additional expenditures or losses in revenue; therefore, the cost of the preemption would not exceed the threshold established in UMRA for intergovernmental mandates (\$100 million in 2024, adjusted annually for inflation).

The bill would not impose a private-sector mandate as defined in UMRA.

Enacting the legislation may result in other secondary effects on private entities by denying employment-related benefits to varsity athletes that they may otherwise have qualified for as an employee. However, CBO's estimate of those effects is subject to un-

certainty because the question of whether athletes affected by the bill should be recategorized as employees of their institutions remains unsettled as court rulings, administrative decisions, and changes in policies of the National Collegiate Athletics Association are announced. What effect, if any, the bill would have on private entities would depend on the final adjudication of the matter.

None of the remaining pieces of legislation contained in this estimate would impose intergovernmental or private-sector mandates as defined in UMRA.

Estimate prepared by: Federal costs: Meredith Decker (Department of Labor); Leah Koestner (Department of Education); Susanne Mehlman (United States Holocaust Memorial Museum); Garrett Quenneville (Department of Education). Mandates: Erich Dvorak, Brandon Lever, and Grace Watson.

Estimate reviewed by: Elizabeth Cove Delisle, Chief, Income Security Cost Estimates Unit; Justin Humphrey, Chief, Finance, Housing, and Education Cost Estimates Unit; Kathleen FitzGerald, Chief, Public and Private Mandates Unit; H. Samuel Papenfuss, Deputy Director of Budget Analysis.

Estimate approved by: Phillip L. Swagel, Director, Congressional Budget Office.

#### COMMITTEE COST ESTIMATE

Clause 3(d)(1) of rule XIII of the Rules of the House of Representatives requires an estimate and a comparison of the costs that would be incurred in carrying out H.R. 8606. However, clause 3(d)(2)(B) of that Rule provides that this requirement does not apply when, as with the present report, the Committee adopts as its own the cost estimate for the bill prepared by the Director of the Congressional Budget Office.

#### CHANGES IN EXISTING LAW MADE BY THE BILL, AS REPORTED

In compliance with clause 3(e) of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italics, and existing law in which no change is proposed is shown in roman):

#### NEVER AGAIN EDUCATION ACT

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#### SEC. 4. PROGRAM AUTHORIZED.

(a) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this Act \$2,000,000 for fiscal year 2021 and [each of the 4 succeeding fiscal years] *each succeeding fiscal year through fiscal year 2030*.

(b) DONATIONS, GIFTS, BEQUESTS, AND DEVISES OF PROPERTY.—In accordance with chapter 23 of title 36, United States Code, and in furtherance of the purposes of this Act, the Director is authorized to solicit, accept, hold, administer, invest, and use donated funds and gifts, bequests, and devises of property, both real and personal.

(c) USE OF FUNDS.—The Director, using funds appropriated under subsection (a) and resources received under subsection (b), and including through the engagement of eligible program participants as appropriate—

(1) shall develop and nationally disseminate accurate, relevant, and accessible resources to promote understanding about how and why the Holocaust happened, which shall include digital resources and may include other types of resources, such as print resources and traveling exhibitions; and

(2) may carry out one or more of the following Holocaust education program activities:

(A) Development, dissemination, and implementation of principles of sound pedagogy for teaching about the Holocaust.

(B) Provision of professional development for eligible program participants, such as through—

(i) local, regional, and national workshops;

(ii) teacher trainings in conjunction with Holocaust education centers and other appropriate partners;

(iii) engagement with—

(I) local educational agencies (as defined in section 8101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 21 7801)); and

(II) high schools and schools that include one of the middle grades (as so defined) that are independent of any local educational agency; and

(iv) operation and expansion of a teacher fellowship program to cultivate and support leaders in Holocaust education.

(C) Engagement with State and local education leaders to encourage the adoption of resources supported under this Act into curricula across diverse disciplines.

(D) Evaluation and research to assess the effectiveness and impact of Holocaust education programs, which may include completion of the report required under section 8, *and completion of the study and report required under section 9.*

(d) APPLICATIONS.—The Director may seek the engagement of an eligible program participant under subsection (c) by requiring submission of an application to the Director at such time, in such manner, and based on such competitive criteria as the Director may require.

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**SEC. 9. STUDY AND REPORT ON HOLOCAUST EDUCATION.**

(a) *IN GENERAL.*—*The Director shall—*

(1) *beginning not later than 180 days after the date of enactment of this section, and ending not later than 18 months after such date of enactment—*

(A) *identify a nationally representative sample of States and local educational agencies; and*

(B) *conduct a study on the Holocaust education program activities being carried out in such States and local educational agencies; and*

(2) not later than 180 days after the completion of such study, prepare and submit to Congress a report on such study.

(b) *ELEMENTS.*—In conducting the study under subsection (a) with respect to the States and local educational agencies identified under paragraph (1)(A) of such subsection, the Director shall—

(1) identify the States and local educational agencies that require Holocaust education program activities as part of the curriculum taught in public secondary schools, and of the States and local educational agencies so identified, which of such States and local educational agencies also provide optional Holocaust education program activities as part of such curriculum;

(2) identify the States and local educational agencies that do not require Holocaust education program activities as part of such curriculum, and of the States and local educational agencies so identified, which of such States and local educational agencies provide optional Holocaust education program activities as part of such curriculum;

(3) determine the extent to which the States have developed standards and other requirements for Holocaust education programs provided in public secondary schools served by the local educational agencies in such State, and summarize the status of the implementation of such standards and requirements in such local educational agencies, including—

(A) any centralized apparatus at the State or local level that collects and disseminates Holocaust education program curricula and materials;

(B) any Holocaust education program professional development opportunities for preservice and in-service educators;

(C) the involvement of Holocaust education centers (including local Holocaust centers), museums (including local Holocaust museums), cultural centers, and other informal educational organizations in implementing Holocaust education programs;

(D) the adoption of United States Holocaust Memorial Museum resources (including the resources developed and disseminated pursuant to section 4(c)(1)) by entities at the State or local level, including local Holocaust museums and centers that disseminate Holocaust education program curricula; and

(E) criteria used by such States and local educational agencies to evaluate the effectiveness of Holocaust education programs offered in such States and local educational agencies;

(4) determine the methods educators in the public secondary schools in the States and local educational agencies are using that result in students successfully achieving intended learning outcomes;

(5) identify the approaches used by the States and local educational agencies to assess the achievement of such intended learning outcomes;

(6) identify the types of instructional materials used in such public secondary schools to teach students about the Holocaust, including the use of primary source material;

(7) *identify the extent to which Holocaust education programs at such public secondary schools teach the history of anti-semitism, its deep historical roots, the use of conspiracy theories and propaganda that target the Jewish people, and the shapeshifting nature of antisemitism over time; and*

(8) *identify—*

(A) *in what disciplines the Holocaust is being taught at such public secondary schools; and*

(B) *in the case of the public secondary schools in the States and local educational agencies identified under paragraph (1), the amount of time allotted in the required curriculum to teach about the Holocaust.*

(c) *DEFINITIONS.—In this section, the terms “local educational agency”, “secondary school”, and “State” have the meanings given those terms in section 8101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801).*

