

111TH CONGRESS
1ST SESSION

S. 892

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

APRIL 23, 2009

Mr. MENENDEZ 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.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. HOLOCAUST EDUCATIONAL PROGRAM.**

4 Part D of title V of the Elementary and Secondary
5 Education Act of 1965 (20 U.S.C. 7241 et seq.) is amend-
6 ed by adding at the end the following:

1 **“Subpart 22—Holocaust Education Assistance**
2 **Program**

3 **“SEC. 5631. SHORT TITLE.**

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

6 **“SEC. 5632. FINDINGS AND PURPOSES.**

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

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

12 “(2) Six States (California, Florida, Illinois, In-
13 diana, New Jersey, and New York) now mandate
14 that the Holocaust be taught in the educational cur-
15 riculum, and 11 States (Alabama, Connecticut,
16 Georgia, Mississippi, Missouri, Nevada, North Caro-
17 lina, South Carolina, Tennessee, Washington, and
18 West Virginia) recommend teaching the Holocaust
19 but the funds necessary to carry out those rec-
20 ommendations may not be available.

21 “(3) The Holocaust is a sensitive and difficult
22 subject to teach effectively, and educators need ap-
23 propriate teaching tools and training to increase
24 their knowledge of the Holocaust and enhance the
25 educational experience.

1 “(b) STATEMENT OF PURPOSE.—It is the purpose of
2 this subpart—

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

5 “(A) may explore the lessons that the Hol-
6 ocaust provides for all people; and

7 “(B) may be less susceptible to the false-
8 hood of Holocaust denial and to the destructive
9 messages of hate that arise from Holocaust de-
10 nial; and

11 “(2) to provide resources and support for edu-
12 cational programs that—

13 “(A) portray accurate historical informa-
14 tion about the Holocaust;

15 “(B) sensitize communities to the cir-
16 cumstances that gave rise to the Holocaust;

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

19 “(D) develop curriculum guides and pro-
20 vide training to help teachers incorporate the
21 study of the Holocaust and its lessons into
22 mainstream disciplines.

1 **“SEC. 5633. PROGRAM AUTHORIZED.**

2 “The Secretary is authorized to award grants to edu-
3 cational organizations to carry out proposed or existing
4 Holocaust educational programs.

5 **“SEC. 5634. APPLICATION.**

6 “The Secretary may award a grant under this sub-
7 part only to an educational organization that has sub-
8 mitted an application to the Secretary at such time, in
9 such manner, and containing such information as the Sec-
10 retary may require.

11 **“SEC. 5635. USE OF GRANTS.**

12 “(a) IN GENERAL.—An educational organization re-
13 ceiving a grant under this subpart may use the grant only
14 to carry out the Holocaust education program for which
15 the grant was provided.

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

19 “(1) CONTINUATION OF ELIGIBILITY.—The
20 educational organization shall, throughout the period
21 that the educational organization receives and uses
22 the grant, continue to be an educational organiza-
23 tion.

24 “(2) SUPPLEMENTATION OF EXISTING
25 FUNDS.—The educational organization shall ensure
26 that the grant is used to supplement, and not sup-

1 plant, non-Federal funds that would otherwise be
2 available to the educational organization to carry out
3 the Holocaust education program for which the
4 grant was provided.

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

9 “(d) COOPERATIVE ARRANGEMENTS.—The Secretary
10 should encourage educational organizations to work coop-
11 eratively with State educational agencies or local edu-
12 cational agencies in applying for and using grants under
13 this subpart.

14 **“SEC. 5636. SELECTION CRITERIA.**

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

18 “(b) CONSULTATION WITH HOLOCAUST EDU-
19 CATORS.—In establishing the competitive criteria under
20 subsection (a), the Secretary shall consult with a number
21 of prominent educators in the field of Holocaust edu-
22 cation, to be determined by the Secretary.

23 **“SEC. 5637. REVIEW AND SANCTIONS.**

24 “(a) ANNUAL REVIEW.—The Secretary shall review
25 at least annually each educational organization receiving

1 a grant under this subpart to determine the extent to
 2 which the educational organization has complied with the
 3 provisions of this subpart and any regulation issued under
 4 this subpart.

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

11 **“SEC. 5638. ANNUAL REPORT.**

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

17 **“SEC. 5639. DEFINITIONS.**

18 “In this subpart:

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

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

23 “(B) exempt from tax under section
 24 501(a) of the Internal Revenue Code of 1986;
 25 and

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

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

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

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

11 “(i) Educational materials.

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

14 “(iii) Teacher training.

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

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

22 **“SEC. 5640. REGULATIONS.**

23 “The Secretary shall issue any regulations necessary
24 to carry out this subpart.

1 **“SEC. 5641. AUTHORIZATION OF APPROPRIATIONS.**

2 “There is authorized to be appropriated to the Sec-
 3 retary for the first fiscal year beginning on or after the
 4 date of enactment of this subpart, and for each of the 4
 5 succeeding fiscal years, \$2,000,000 for grants under this
 6 subpart. Amounts appropriated pursuant to this subpart
 7 shall remain available until expended.”.

8 **SEC. 2. TABLE OF CONTENTS.**

9 The table of contents in section 2 of the Elementary
 10 and Secondary Education Act of 1965 is amended by add-
 11 ing 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.”.

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