

115TH CONGRESS
1ST SESSION

H. R. 1474

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

IN THE HOUSE OF REPRESENTATIVES

MARCH 9, 2017

Mrs. CAROLYN B. MALONEY of New York introduced the following bill; which was referred to the Committee on Education and the Workforce

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. SHORT TITLE.**

4 This Act may be cited as the “Simon Wiesenthal Hol-
5 ocaust Education Assistance Act”.

6 **SEC. 2. HOLOCAUST EDUCATIONAL PROGRAM.**

7 Part A of title IV of the Elementary and Secondary
8 Education Act of 1965 (20 U.S.C. 7111 et seq.) is amend-
9 ed by adding at the end the following:

**“Subpart 3—Holocaust Education Assistance
Program**

“SEC. 4131. FINDINGS AND PURPOSES.

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

“(1) The Holocaust was a 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) Eight States (California, Florida, Illinois, Indiana, Michigan, New Jersey, New York, and Rhode Island) now mandate that the Holocaust be taught in the educational curriculum, and 12 States (Alabama, Connecticut, Georgia, Mississippi, Missouri, Nevada, North Carolina, Pennsylvania, 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 “(1) to educate students in the United States
2 so that they—

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

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

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

11 “(A) portray accurate historical informa-
12 tion about the Holocaust;

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

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

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

21 **“SEC. 4132. PROGRAM AUTHORIZED.**

22 “(a) IN GENERAL.—From funds made available
23 under subsection (c), the Secretary is authorized to award
24 grants to educational organizations to carry out proposed
25 or existing Holocaust educational programs.

1 “(b) CONTRACT WITH NONPROFIT.—The Secretary
2 is authorized to enter into a contract with a nonprofit or-
3 ganization exempt from taxation under section 501(c)(3)
4 of the Internal Revenue Code of 1986 under which the
5 organization will encourage, accept, and administer vol-
6 untary private donations and gifts of money from individ-
7 uals, corporations, foundations and other donors for the
8 purpose of funding the activities under this subpart. A do-
9 nation may not be accepted in exchange for a commitment
10 to the donor on the part of the Secretary or which attaches
11 conditions inconsistent with applicable laws and regula-
12 tions or that is conditioned upon or will require the ex-
13 penditure of appropriated funds that are not available to
14 the Department, or which compromises a criminal or civil
15 position of the United States or any of its departments
16 or agencies or the administrative authority of any agency
17 of the United States. The Secretary shall ensure that such
18 contract contains provisions setting forth the criteria to
19 be used in determining whether the solicitation or accept-
20 ance of a donation is prohibited because the donation
21 would reflect unfavorably upon the ability of the Depart-
22 ment, or any official or employee of the Department, to
23 carry out its responsibilities or official duties in a fair and
24 objective manner, or would compromise the integrity or

1 the appearance of the integrity of its programs or any offi-
2 cial or employee involved in those programs.

3 “(c) USE OF FUNDS.—The Secretary is authorized
4 to accept donations of money from the nonprofit described
5 in subsection (b). Such funds shall be deposited in a spe-
6 cial fund established in the Treasury of the United States
7 titled ‘Holocaust Education Assistance Program Account’
8 and shall remain available to the Secretary until expended,
9 to the extent provided in advance in appropriations Acts,
10 to carry out this subpart.

11 **“SEC. 4133. APPLICATION.**

12 “The Secretary may award a grant under this sub-
13 part only to an educational organization that has sub-
14 mitted an application to the Secretary at such time, in
15 such manner, and containing such information as the Sec-
16 retary may require.

17 **“SEC. 4134. USE OF GRANTS.**

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

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

1 “(1) CONTINUATION OF ELIGIBILITY.—The
2 educational organization shall, throughout the period
3 that the educational organization receives and uses
4 the grant, continue to be an educational organiza-
5 tion.

6 “(2) SUPPLEMENTATION OF EXISTING
7 FUNDS.—The educational organization shall ensure
8 that the grant is used to supplement, and not sup-
9 plant, non-Federal funds that would otherwise be
10 available to the educational organization to carry out
11 the Holocaust education program for which the
12 grant was provided.

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

17 “(d) COOPERATIVE ARRANGEMENTS.—The Secretary
18 should encourage educational organizations to work coop-
19 eratively with State educational agencies or local edu-
20 cational agencies in applying for and using grants under
21 this subpart.

22 **“SEC. 4135. SELECTION CRITERIA.**

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

1 “(b) CONSULTATION WITH HOLOCAUST EDU-
2 CATORS.—In establishing the competitive criteria under
3 subsection (a), the Secretary shall consult with a number
4 of prominent educators in the field of Holocaust edu-
5 cation, to be determined by the Secretary.

6 **“SEC. 4136. REVIEW AND SANCTIONS.**

7 “(a) ANNUAL REVIEW.—The Secretary shall review
8 at least annually each educational organization receiving
9 a grant under this subpart to determine the extent to
10 which the educational organization has complied with the
11 provisions of this subpart and the regulations issued under
12 this subpart.

13 “(b) IMPOSITION OF SANCTIONS.—The Secretary
14 may impose one or more sanctions, to be determined by
15 the Secretary, on an educational organization for the fail-
16 ure of the educational organization to comply substantially
17 with the provisions of this subpart or the regulations
18 issued under this subpart.

19 **“SEC. 4137. ANNUAL REPORT.**

20 “Not later than February 1 of each year, the Sec-
21 retary shall submit to the Congress a report describing
22 the activities carried out under this subpart and con-
23 taining any related information that the Secretary con-
24 sider appropriate.

1 **“SEC. 4138. DEFINITIONS.**

2 “In this subpart:

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

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

7 “(B) exempt from tax under section
8 501(a) of the Internal Revenue Code of 1986;
9 and

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

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

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

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

20 “(i) Educational materials.

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

23 “(iii) Teacher training.

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

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

5 **“SEC. 4139. REGULATIONS.**

6 “The Secretary shall issue any regulations necessary
 7 to carry out this subpart.”.

8 **SEC. 3. CLERICAL AMENDMENT.**

9 The table of contents of the Elementary and Sec-
 10 ondary Education Act of 1965 is amended by adding after
 11 the item relating to section 4121 the following:

 “Subpart 3—Holocaust Education Assistance Program

 “Sec. 4131. Findings and purposes.

 “Sec. 4132. Program authorized.

 “Sec. 4133. Application.

 “Sec. 4134. Use of grants.

 “Sec. 4135. Selection criteria.

 “Sec. 4136. Review and sanctions.

 “Sec. 4137. Annual report.

 “Sec. 4138. Definitions.

 “Sec. 4139. Regulations.”.

