

111TH CONGRESS  
1ST SESSION

# H. R. 2089

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

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IN THE HOUSE OF REPRESENTATIVES

APRIL 23, 2009

Mrs. MALONEY (for herself, Mr. ACKERMAN, Mr. BERMAN, and Mr. HIGGINS) introduced the following bill; which was referred to the Committee on Education and Labor

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## 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 new subpart:

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) 6 States (California, Florida, Illinois, Indi-  
 13           ana, New Jersey, and New York) now mandate that  
 14           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 the regulations issued under  
4 this subpart.

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

11 **“SEC. 5638. ANNUAL REPORT.**

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

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  
10                  one 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 four  
 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. 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 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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