

117TH CONGRESS
2D SESSION

S. 4384

To authorize the Secretary of Education to make grants to support educational programs in civics and history, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JUNE 13, 2022

Mr. COONS (for himself, Mr. CORNYN, Mr. KING, Mr. INHOFE, Mr. KELLY, and Mr. CASSIDY) 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 make grants to support educational programs in civics and history, and for other purposes.

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 “Civics Secures Democ-
5 racy Act”.

6 **SEC. 2. PURPOSES; RULE OF CONSTRUCTION.**

7 (a) PURPOSES.—The purposes of this Act are—

8 (1) to support local educational agencies, ele-
9 mentary schools, and secondary schools in selecting

1 and making available to all students innovative, en-
2 gaging curricula and programs in civics and history
3 that prepare them to understand American Govern-
4 ment and engage in American democratic practices
5 as citizens and residents of the United States;

6 (2) to provide resources to institutions of higher
7 education for the purposes of offering effective pro-
8 fessional development opportunities to enable and
9 encourage teachers to deliver instruction that en-
10 engages students in learning civics and history;

11 (3) to provide resources to nonprofit organiza-
12 tions that have developed, or are developing, pro-
13 grams in civics education that incorporate practices
14 that are proven to be effective in engaging students,
15 and to assist in making such curricula and programs
16 more widely available to schools and students, par-
17 ticularly in rural and inner-city urban areas that
18 have traditionally been underserved by civics learn-
19 ing programs;

20 (4) to provide resources to continue and expand
21 research into practices, methods, and approaches
22 that are effective in instructing elementary and sec-
23 ondary school students in civics and history;

24 (5) to diversify the civics, history, and govern-
25 ment education workforce by offering targeted incen-

1 tives and honoring those who commit to the profes-
2 sion;

3 (6) to encourage participation in the National
4 Assessment of Educational Progress assessments in
5 civics and history in grades 4, 8, and 12, using a
6 methodology sufficient to provide accurate State-
7 level data on student proficiency in civics and his-
8 tory, disaggregated so as to have statistical signifi-
9 cance for every State;

10 (7) to reauthorize and modernize the existing
11 Federal civics education grant program for institu-
12 tions of higher education, including by strengthening
13 academic independence and supporting partnerships
14 between academic centers and local educational
15 agencies; and

16 (8) to strengthen and make independently sus-
17 tainable the Harry S. Truman Scholarship Founda-
18 tion Trust Fund and the James Madison Memorial
19 Fellowship Trust Fund, which respectively support
20 exceptional Americans who aspire to careers in pub-
21 lic service and as secondary school history, govern-
22 ment, and civics educators.

23 (b) RULE OF CONSTRUCTION.—Nothing in this Act
24 shall be construed to authorize the Secretary of Education
25 to prescribe a civics and history curriculum.

1 **TITLE I—GRANT PROGRAM**

2 **SEC. 101. DEFINITIONS.**

3 In this Act:

4 (1) The term “civics”, when used with respect
5 to an educational program, means a program that
6 addresses the following:

7 (A) Acquisition of civic knowledge, includ-
8 ing an understanding of the history, heritage,
9 civic life, and civic institutions of the United
10 States.

11 (B) Acquisition of civic skills, such as the
12 ability to analyze text and determine the reli-
13 ability of sources and an understanding of the
14 ways in which civic institutions operate and how
15 individuals may be involved in civic life.

16 (C) Acquisition of civic dispositions, values
17 such as appreciation for free speech, civil dis-
18 course, tolerance and inclusion, and under-
19 standing perspectives that differ from one’s own
20 as well as a disposition to be civically engaged.

21 (D) Development of civic behaviors, includ-
22 ing civic habits and practices such as voting,
23 serving on juries, engagement in deliberative
24 discussions, volunteering, and attending public
25 meetings.

1 (2) The term “eligible entity” means—

2 (A) with respect to grant program under
3 section 103, a State;

4 (B) with respect to the grant program
5 under section 104, a qualified nonprofit organi-
6 zation;

7 (C) with respect to the grant program
8 under section 105, an institution of higher edu-
9 cation; and

10 (D) with respect to the grant program
11 under section 106, a qualified researcher.

12 (3) The term “evidence-based practices” means
13 practices proven to contribute to the effectiveness of
14 educational programs in civics, including—

15 (A) innovative and engaging classroom in-
16 struction in civics, Government, and history;

17 (B) philanthropic and community service
18 linked to classroom learning;

19 (C) learning through participation in mod-
20 els and simulations of democratic processes;

21 (D) meaningful participation in school gov-
22 ernance; and

23 (E) instruction in media literacy through
24 the study of common informal fallacies in logic.

1 (4) The term “institution of higher education”
2 has the meaning given that term in section 101 of
3 the Higher Education Act of 1965 (20 U.S.C.
4 1001).

5 (5) The term “National Assessment of Edu-
6 cational Progress” means the National Assessment
7 of Educational Progress carried out under section
8 303(b) of the National Assessment of Educational
9 Progress Authorization Act (20 U.S.C. 9622(b)).

10 (6) The term “qualified nonprofit organization”
11 means an organization that—

12 (A) is described in section 501(c)(3) of the
13 Internal Revenue Code of 1986 and which is ex-
14 empt from taxation under section 501(a) of
15 such Code; and

16 (B) has experience developing curricula, in-
17 structional models, and other educational pro-
18 grams for students in elementary schools and
19 secondary schools.

20 (7) The term “qualified researcher” means—

21 (A) a nonprofit organization that has abil-
22 ity and capacity to carry out scientifically valid
23 research; or

24 (B) an individual affiliated with such an
25 organization.

1 (8) The terms “elementary school”, “local edu-
2 cational agency”, “secondary school”, “Secretary”,
3 and “State” have the meanings given those terms in
4 section 8101 of the Elementary and Secondary Edu-
5 cation Act of 1965 (20 U.S.C. 7801).

6 **SEC. 102. GENERAL PROVISIONS.**

7 (a) IN GENERAL.—The Secretary of Education is au-
8 thorized to carry out the civics education grant programs
9 described in sections 103 through 106.

10 (b) APPLICATION.—To be considered for a grant
11 under this Act, an eligible entity shall submit to the Sec-
12 retary of Education an application at such time, in such
13 manner, and containing such information as the Secretary
14 may require.

15 (c) GRANT DURATION.—Each grant under this Act
16 shall be awarded for a period of not less than 3 years.

17 (d) PRIORITY.—Except as otherwise provided in this
18 Act, the Secretary shall prioritize the award of grants to
19 eligible entities that demonstrate the greatest potential
20 to—

21 (1) improve knowledge among students tradi-
22 tionally underserved by comprehensive civics edu-
23 cation and American history programs;

24 (2) close gaps in civic knowledge and achieve-
25 ment among traditionally underserved students;

1 (3) improve performance on the National As-
2 sessment of Educational Progress assessments in
3 civics and history among students in grades 4, 8,
4 and 12; and

5 (4) provide cost-effective, scalable delivery of
6 programs and services.

7 **SEC. 103. GRANTS TO STATES.**

8 (a) PROGRAM AUTHORIZED.—The Secretary of Edu-
9 cation is authorized to make grants to each State that has
10 an approved application and meets the program require-
11 ments to enable those States to support educational pro-
12 grams in civics and history in accordance with this section.

13 (b) GRANT AMOUNT.—The amount of each grant to
14 a State under this section shall be proportional to the
15 amount received by all local educational agencies in the
16 State under part A of title I of the Elementary and Sec-
17 ondary Education Act of 1965 (20 U.S.C. 6311 et seq.)
18 for the previous fiscal year relative to the total such
19 amount received by all local educational agencies in every
20 State that receives a grant under this section.

21 (c) STATE RESERVATION.—A State that receives a
22 grant under this section may reserve not more than 5 per-
23 cent of the amount of the grant for—

24 (1) administrative costs of carrying out the
25 State’s responsibilities under this section; and

1 (2) monitoring and evaluating programs and
2 activities supported with the grant.

3 (d) SUBGRANTS TO LOCAL EDUCATIONAL AGEN-
4 CIES.—A State that receives a grant under this section
5 shall use not less than 95 percent of the amount of the
6 grant to make subgrants, on a competitive or formula
7 basis, to local educational agencies within the State to as-
8 sist such agencies in carrying out programs to improve
9 the achievement of elementary and secondary school stu-
10 dents in the fields of civics and history.

11 (e) SUPPLEMENT NOT SUPPLANT.—A State shall use
12 a grant under this section only to supplement the level
13 of Federal, State, and local public funds that would, in
14 absence of such grant, be made available for the activities
15 supported by the grant, and not to supplant such funds.

16 (f) CONTENTS OF APPLICATION.—As part of the ap-
17 plication required under section 102(b), a State shall in-
18 clude a plan describing how the State intends to use the
19 grant under this section. Each State plan shall include,
20 at a minimum, the following:

21 (1) An explanation of how the State will use the
22 grant to supplement, and not supplant, other public
23 funds provided for educational programs in civics
24 and history.

1 (2) Plans to address civics and history achieve-
2 ment gaps among traditionally underserved students.

3 (3) Plans to improve civics and history achieve-
4 ment among traditionally underserved students.

5 (4) Plans for making subgrants to local edu-
6 cational agencies as required under subsection (d),
7 including—

8 (A) details of how the State intends to dis-
9 tribute funding to local educational agencies,
10 whether by competition or through a formula-
11 based system;

12 (B) how the State’s approach to distrib-
13 uting funds to local educational agencies will
14 take into account requirements of paragraphs
15 (1) through (3);

16 (C) criteria by which local educational
17 agencies’ applications for funding will be evalu-
18 ated, including how such applications will take
19 into account the requirements of paragraphs
20 (1) through (3);

21 (D) how the State will ensure that local
22 educational agencies will use grant funds to
23 supplement, and not supplant, other public
24 funding for educational programs in civics and
25 history; and

1 (E) how the State will evaluate and hold
2 local educational agencies accountable for im-
3 proved student knowledge and achievement in
4 civics and history.

5 (5) An assurance that the State will participate
6 in the National Assessment of Educational Progress
7 assessments in civics and history in grades 4, 8, and
8 12.

9 (6) In the case of a State applying to renew a
10 grant previously received under this section, an eval-
11 uation of the effectiveness of the activities carried
12 out using the previous grant, which shall be based
13 on the results of the most recent National Assess-
14 ment of Educational Progress assessment in civics
15 and history, to the extent the results of such assess-
16 ment are available at the time of the State's applica-
17 tion.

18 **SEC. 104. GRANTS TO NONPROFIT ORGANIZATIONS.**

19 (a) PROGRAM AUTHORIZED.—The Secretary of Edu-
20 cation is authorized to make grants to qualified nonprofit
21 organizations, on a competitive basis, to assist such orga-
22 nizations in developing or expanding access to civics cur-
23 ricula, instructional models, and other educational pro-
24 grams to enhance student knowledge in civics and history
25 in elementary schools and secondary schools.

1 (b) CONTENTS OF APPLICATION.—As part of the ap-
2 plication required under section 102(b), a qualified non-
3 profit organization shall include a proposal that dem-
4 onstrates how the activities proposed to be carried out
5 with the grant under this section will enhance student
6 knowledge in civics and history in elementary schools and
7 secondary schools.

8 (c) PRIORITY OF AWARDS.—In awarding grants
9 under this section, the Secretary shall give priority to
10 qualified nonprofit organizations that propose to use the
11 grant to develop or expand access to curricula, instruc-
12 tional models, and other educational programs that—

13 (1) address the learning needs of traditionally
14 underserved students; and

15 (2) incorporate evidence-based practices to en-
16 hance student knowledge in civics and history.

17 **SEC. 105. GRANTS TO INSTITUTIONS OF HIGHER EDU-**
18 **CATION.**

19 (a) PROGRAM AUTHORIZED.—The Secretary of Edu-
20 cation is authorized to make grants to institutions of high-
21 er education, on a competitive basis, to assist such institu-
22 tions in developing and implementing programs to train
23 elementary and secondary school teachers in methods for
24 instructing students in civics and history.

1 (b) CONTENTS OF APPLICATION.—As part of the ap-
2 plication required under section 102(b), an institution of
3 higher education shall include a proposal demonstrating
4 that the institution—

5 (1) has the ability to train elementary and sec-
6 ondary school teachers to provide comprehensive
7 civics education;

8 (2) is familiar with research on practices that
9 are proven to contribute to effective instruction in
10 civics and history and will incorporate such research
11 into the training provided to teachers using the
12 grant; and

13 (3) will use the grant to make training in civics
14 education available to elementary and secondary
15 school teachers in the State or geographic region
16 served by the institution.

17 (c) PRIORITY OF AWARDS.—In awarding grants
18 under this section, the Secretary shall give priority to in-
19 stitutions of higher education that propose to use the
20 grant to carry out training programs for teachers that—

21 (1) address the specific needs of teachers work-
22 ing with traditionally underserved students; and

23 (2) incorporate evidence-based practices for im-
24 proving the ability of teachers to provide effective in-
25 struction in civics and history.

1 (d) RESERVATION OF FUNDS.—From the amounts
2 made available to carry out this section, 35 percent shall
3 be reserved to award grants, on a competitive basis, to
4 institutions of higher education that are eligible to receive
5 funds under—

6 (1) part A or part B of title III of the Higher
7 Education Act of 1965 (20 U.S.C. 1057 et seq.,
8 1060 et seq.);

9 (2) part A or part B of title V of such Act (20
10 U.S.C. 1101 et seq., 1102 et seq.); or

11 (3) subpart 4 of part A of title VII of such Act
12 (20 U.S.C. 1136a et seq.).

13 **SEC. 106. RESEARCH GRANTS.**

14 (a) PROGRAM AUTHORIZED.—The Secretary of Edu-
15 cation is authorized to make grants, on a competitive
16 basis, to qualified researchers to research and evaluate—

17 (1) elementary and secondary school students'
18 knowledge of civics and history; and

19 (2) effective instructional practices and educa-
20 tor professional development in the fields of civics
21 and history.

22 (b) CONTENTS OF APPLICATION.—As part of the ap-
23 plication required under section 102(b), a qualified re-
24 searcher shall include a description of the project to be
25 funded with the grant under this section. The description

1 of the project shall include a separate section that de-
 2 scribes how the project may directly or indirectly affect
 3 civics education generally, which may include effects such
 4 as—

5 (1) achieving the full participation of women,
 6 persons with disabilities, and underrepresented mi-
 7 norities in civics and history education; or

8 (2) increasing student knowledge in civics and
 9 history.

10 (c) PRIORITY OF AWARDS.—In awarding grants
 11 under this section, the Secretary shall give priority to
 12 qualified researchers who propose to carry out activities
 13 that will benefit traditionally underserved communities.

14 **TITLE II—AMENDMENTS TO**
 15 **OTHER LAWS**

16 **SEC. 201. PRINCE HALL CIVICS FELLOWSHIP PROGRAM.**

17 The James Madison Memorial Fellowship Act (20
 18 U.S.C. 4501 et seq.) is amended—

19 (1) in section 802, by inserting “, and to estab-
 20 lish the Prince Hall Civics Fellowship Program
 21 which is designed to diversify the civics and history
 22 education workforce” after “development”;

23 (2) in section 807—

24 (A) by striking “this title” and inserting
 25 “section 804” each place the term appears; and

1 (B) by striking “this Act” and inserting
2 “section 804” each place the term appears; and
3 (3) by inserting after section 810 the following
4 new section:

5 **“SEC. 810A. PRINCE HALL CIVICS FELLOWSHIP PROGRAM.**

6 “(a) IN GENERAL.—Notwithstanding sections 804
7 through 810—

8 “(1) the Foundation is authorized to award
9 scholarships under an additional fellowship program
10 to be administered by the James Madison Fellowship
11 Program, which shall be known as the ‘Prince Hall
12 Civics Fellowship Program’; and

13 “(2) the terms and conditions under this sec-
14 tion shall apply with respect to the Prince Hall
15 Civics Fellowship Program.

16 “(b) PURPOSE.—The purpose of the Prince Hall
17 Civics Fellowship Program is to diversify the civics and
18 history education workforce.

19 “(c) APPLICATIONS.—In order to be eligible to re-
20 ceive a scholarship under the Prince Hall Civics Fellow-
21 ship Program, an individual shall submit an application
22 to the Foundation, containing an assurance that the appli-
23 cant meets the following requirements:

24 “(1) The applicant holds a valid teaching cre-
25 dential in the applicant’s home State and a bacca-

1 laureate degree or higher degree in the subject of
2 humanities, political science, government, or Amer-
3 ican history, or a dual degree in one of those sub-
4 jects and education.

5 “(2) The applicant will commit to 5 years of
6 teaching in kindergarten through grade 12 and will
7 provide verification for each year of employment.

8 “(d) SELECTION.—The Foundation shall, either di-
9 rectly or by contract, provide for the conduct of a nation-
10 wide competition for the purpose of selecting recipients of
11 fellowships under the Prince Hall Civics Fellowship Pro-
12 gram (referred to as ‘fellows’). The Foundation shall
13 adopt selection procedures which shall assure that—

14 “(1) the number of recipients selected from
15 each State is in proportion to each State’s share of
16 funding under part A of title I of the Elementary
17 and Secondary Education Act of 1965 (20 U.S.C.
18 6311 et seq.); and

19 “(2) in selecting fellows, priority is given to in-
20 dividuals—

21 “(A) who are teaching in communities to
22 which the individual has ties at the time of the
23 individual’s application for the fellowship;

1 lic and private elementary schools and sec-
 2 ondary schools at least once every 2 years, in
 3 grades 4, 8, and 12 in civics and history;”;

4 (C) in subparagraph (E), as so redesign-
 5 ated, by striking “history, geography, civics”
 6 and inserting “geography”; and

7 (2) in paragraph (3)(A)—

8 (A) in clause (i), by striking “(2)(E)” and
 9 inserting “(2)(F)”;

10 (B) by redesignating clauses (iii) and (iv)
 11 as clauses (iv) and (v), respectively;

12 (C) by inserting after clause (ii) the fol-
 13 lowing:

14 “(iii) shall conduct biennial State aca-
 15 demic assessments of student achievement
 16 in civics and history in grades 4, 8, and
 17 12, as described in paragraph (2)(D);”;
 18 and

19 (D) in clause (iv), as so redesignated, by
 20 striking “(2)(D)” and inserting “(2)(E)”.

21 **SEC. 203. USA CIVICS ACT.**

22 Section 805 of the Higher Education Act of 1965 (20
 23 U.S.C. 1161e) is amended—

1 (1) in the section heading, by striking “**HIS-**
2 **TORY FOR FREEDOM**” and inserting “**CIVICS**
3 **AND HISTORY EDUCATION PROGRAM**”;

4 (2) in subsection (a)—

5 (A) by striking “subsection (f)” and insert-
6 ing “subsection (g)”;

7 (B) by striking “the Secretary is author-
8 ized to award three-year grants, on a competi-
9 tive basis,” and inserting “the Secretary is au-
10 thorized to award grants, at the Secretary’s dis-
11 cretion but not less frequently than once every
12 3 years and on a competitive basis,”;

13 (C) by striking paragraph (1) and insert-
14 ing the following:

15 “(1) American political thought and history;”;

16 and

17 (D) by striking paragraph (3) and insert-
18 ing the following:

19 “(3) the history, achievements, and impact of
20 American representative democracy and constitu-
21 tional democracies globally.”;

22 (3) in subsection (b)—

23 (A) in paragraph (1), by striking “as de-
24 fined in section 101.” and inserting “, or a
25 partnership that includes an institution of high-

1 er education and one or more nonprofit organi-
2 zations, whose missions and demonstrated ex-
3 pertise are consistent with the purpose of this
4 section.”;

5 (B) in paragraph (2), by striking “that
6 emerged” and all that follows through the pe-
7 riod at the end and inserting “founded on the
8 principles of representative democracy, constitu-
9 tional government, individual rights, market ec-
10 nomics, religious freedom and religious toler-
11 ance, and freedom of thought and inquiry.”;
12 and

13 (C) by striking paragraph (3) and insert-
14 ing the following:

15 “(3) AMERICAN POLITICAL THOUGHT AND HIS-
16 TORY.—The term ‘American political thought and
17 history’ means—

18 “(A) the significant constitutional, polit-
19 ical, intellectual, economic, social, and foreign
20 policy trends and issues that have shaped the
21 course of American history; and

22 “(B) the key episodes, turning points,
23 texts, and figures involved in the constitutional,
24 political, intellectual, diplomatic, social, and
25 economic history of the United States.”;

1 (4) in subsection (c)(2)—

2 (A) in subparagraph (A), by striking “tra-
3 ditional” and all that follows through the semi-
4 colon and inserting “American political thought
5 and history, free institutions, or the impact of
6 American representative democracy and con-
7 stitutional democracies globally;” and

8 (B) in subparagraph (B), by inserting “,
9 which may include the creation or use of open
10 educational resources” after “subsection
11 (e)(1)(B)”;

12 (5) in subsection (d)—

13 (A) by striking paragraph (1) and insert-
14 ing the following:

15 “(1) increase access to quality programming
16 that expands knowledge of American political
17 thought and history, free institutions, or the impact
18 of American representative democracy and constitu-
19 tional democracies globally;” and

20 (B) in paragraph (2), by striking “tradi-
21 tional American history, free institutions, or
22 Western civilization” and inserting “American
23 political thought and history, free institutions,
24 the impact of American representative democ-
25 racy and constitutional democracies globally, or

1 the means of participation in political and civic
2 life.”;

3 (6) by striking subsection (e) and inserting the
4 following:

5 “(e) USE OF FUNDS.—

6 “(1) REQUIRED USE OF FUNDS.—Funds pro-
7 vided under this section shall be used—

8 “(A) for collaboration with local edu-
9 cational agencies for the purpose of providing
10 elementary school and secondary school teach-
11 ers an opportunity to enhance their knowledge
12 of American political thought and history, free
13 institutions, or the impact of American rep-
14 resentative democracy and constitutional de-
15 mocracies globally; and

16 “(B) to carry out one or more of the fol-
17 lowing:

18 “(i) Establishing or strengthening
19 academic programs or centers focused on
20 American political thought and history,
21 free institutions, or the impact of Amer-
22 ican representative democracy and con-
23 stitutional democracies globally, which may
24 include—

1 “(I) design and implementation
2 of programs of study, courses, lecture
3 series, seminars, and symposia;

4 “(II) development, publication,
5 and dissemination of instructional ma-
6 terials;

7 “(III) research;

8 “(IV) support for faculty teach-
9 ing in undergraduate and, if applica-
10 ble, graduate programs; or

11 “(V) support for graduate and
12 postgraduate fellowships, if applicable.

13 “(ii) For teacher preparation initia-
14 tives that stress content mastery regarding
15 American political thought and history,
16 free institutions, or the impact of Amer-
17 ican representative democracy and con-
18 stitutional democracies globally.

19 “(iii) To conduct outreach activities to
20 ensure that information about the activi-
21 ties funded under this section is widely dis-
22 seminated—

23 “(I) to undergraduate students
24 (including students enrolled in teacher
25 education programs, if applicable);

1 “(II) to graduate students (in-
2 cluding students enrolled in teacher
3 education programs, if applicable);

4 “(III) to faculty;

5 “(IV) to local educational agen-
6 cies; and

7 “(V) within the local community.

8 “(2) ALLOWABLE USES OF FUNDS.—Funds
9 provided under this section may be used to sup-
10 port—

11 “(A) collaboration with entities such as—

12 “(i) nonprofit organizations whose
13 missions and demonstrated expertise are
14 consistent with the purpose of this section,
15 for assistance in carrying out activities de-
16 scribed under subsection (a); and

17 “(ii) Federal or State humanities pro-
18 grams, which may include those funded by
19 the National Endowment for the Human-
20 ities; and

21 “(B) the creation and use of open edu-
22 cational resources on American political thought
23 and history, free institutions, or the impact of
24 American representative democracy and con-
25 stitutional democracies globally.”;

1 (7) by redesignating subsection (f) as sub-
2 section (g);

3 (8) in subsection (g), as redesignated by para-
4 graph (7), by striking “2009” and inserting “2022”;
5 and

6 (9) by inserting after subsection (e) the fol-
7 lowing:

8 “(f) **RULE OF CONSTRUCTION.**—Nothing in this sec-
9 tion shall be construed to authorize the Secretary to pre-
10 scribe an American political thought and history cur-
11 riculum.”.

12 **SEC. 204. SUSTAINING THE TRUMAN FOUNDATION.**

13 Section 10(b) of Public Law 93–642 (20 U.S.C. 2001
14 et seq.) is amended to read as follows:

15 “(b)(1) It shall be the duty of the Secretary of the
16 Treasury to invest in full the amounts appropriated to the
17 fund.

18 “(2) Investments of amounts appropriated to the
19 fund shall be made in public debt securities of the United
20 States with maturities suitable to the fund. For such pur-
21 pose, such obligations may be acquired—

22 “(A) on original issue at the issue price; or

23 “(B) by purchase of outstanding obligations at
24 the market price.

1 “(3) The purposes for which obligations of the United
2 States may be issued under chapter 31 of title 31, United
3 States Code, are hereby extended to authorize the issuance
4 at par of special obligations exclusively to the fund. Such
5 special obligations shall bear interest at a rate equal to
6 the average rate of interest, computed as to the end of
7 the calendar month next preceding the date of such issue,
8 borne by all marketable interest-bearing obligations of the
9 United States then forming a part of the public debt, ex-
10 cept that where such average rate is not a multiple of $\frac{1}{8}$
11 of 1 percent, the rate of interest of such special obligations
12 shall be the multiple of $\frac{1}{8}$ of 1 percent next lower than
13 such average rate. Such special obligations shall be issued
14 only if the Secretary determines that the purchases of
15 other interest-bearing obligations of the United States, or
16 of obligations guaranteed as to both principal and interest
17 by the United States or original issue or at the market
18 price, is not in the public interest.”.

19 **SEC. 205. SUSTAINING THE MADISON FOUNDATION.**

20 Subsection (b) of section 811 of the James Madison
21 Memorial Fellowship Act (20 U.S.C. 4510) is amended to
22 read as follows:

23 “(b)(1) It shall be the duty of the Secretary of the
24 Treasury to invest in full the amounts appropriated to the
25 fund.

1 “(2) Subject to paragraph (3), investments of
2 amounts appropriated to the fund shall be made in public
3 debt securities of the United States with maturities suit-
4 able to the fund. For such purpose, such obligations may
5 be acquired (A) on original issue at the issue price, or
6 (B) by purchase of outstanding obligations at the market
7 price. The purposes for which obligations of the United
8 States may be issued under chapter 31 of title 31, United
9 States Code, are hereby extended to authorize the issuance
10 at par of special obligations exclusively to the fund. Such
11 special obligations shall bear interest at a rate equal to
12 the average rate of interest, computed as to the end of
13 the calendar month next preceding the date of such issue,
14 borne by all marketable interest-bearing obligations of the
15 United States then forming a part of the public debt, ex-
16 cept that where such average rate is not a multiple of $\frac{1}{8}$
17 of 1 percent, the rate of interest of such special obligations
18 shall be the multiple of $\frac{1}{8}$ of 1 percent next lower than
19 such average rate. Such special obligations shall be issued
20 only if the Secretary determines that the purchases of
21 other interest-bearing obligations of the United States, or
22 of obligations guaranteed as to both principal and interest
23 by the United States or original issue or at the market
24 price, is not in the public interest.

1 “(3)(A) Notwithstanding paragraph (2), upon receiv-
2 ing a determination of the Board described in subpara-
3 graph (B), the Secretary shall invest up to 40 percent of
4 the fund’s assets in securities other than public debt secu-
5 rities of the United States, provided that the securities
6 are traded in established United States markets.

7 “(B) A determination described in this subparagraph
8 is a determination by the Board that investments as de-
9 scribed in subparagraph (A) are necessary to enable the
10 Foundation to carry out the purposes of this title without
11 any diminution of the number of fellowships provided
12 under section 804.

13 “(C) Nothing in this paragraph shall be construed to
14 limit the authority of the Board to increase the number
15 of fellowships provided under section 804, or to increase
16 the amount of the fellowship authorized by section 809,
17 as the Board considers appropriate and is otherwise con-
18 sistent with the requirements of this title.”.

19 **SEC. 206. THE CIVICS ACT.**

20 Section 2233(b) of the Elementary and Secondary
21 Education Act of 1965 (20 U.S.C. 6663(b)) is amended
22 by striking paragraphs (1) and (2) and inserting the fol-
23 lowing:

24 “(1) shall—

1 “(A) show potential to improve the quality
2 of student achievement in, and teaching of,
3 American history, civics and government, or ge-
4 ography, in elementary schools and secondary
5 schools;

6 “(B) demonstrate innovation, scalability,
7 accountability, and a focus on underserved pop-
8 ulations; and

9 “(C) include programs that educate stu-
10 dents about the history and principles of the
11 Constitution of the United States, including the
12 Bill of Rights; and

13 “(2) may include hands-on civic engagement ac-
14 tivities for teachers and students.”.

15 **TITLE III—CIVICS SECURES** 16 **DEMOCRACY FUND**

17 **SEC. 301. CIVICS SECURES DEMOCRACY FUND.**

18 (a) DEFINITIONS.—In this section:

19 (1) The term “Civics Secures Democracy
20 Fund” means the Civics Secures Democracy Fund
21 established under subsection (b).

22 (2) The term “COVID relief funds” means
23 amounts made available under—

1 (A) the Coronavirus Preparedness and Re-
2 sponse Supplemental Appropriations Act, 2020
3 (Public Law 116–123; 134 Stat 146);

4 (B) the Families First Coronavirus Re-
5 sponse Act (Public Law 116–127; 134 Stat.
6 178);

7 (C) the CARES Act (Public Law 116–136;
8 134 Stat. 281);

9 (D) the Paycheck Protection Program and
10 Health Care Enhancement Act (Public Law
11 116–139; 134 Stat. 620);

12 (E) division N of the Consolidated Appro-
13 priations Act, 2021 (Public Law 116–260); or

14 (F) the American Rescue Plan Act of 2021
15 13 (Public Law 117–2).

16 (3) The term “Secretary” means the Secretary
17 of Education.

18 (b) CIVICS SECURES DEMOCRACY FUND.—There is
19 established in the Treasury a fund to be known as the
20 “Civics Secures Democracy Fund”. Amounts deposited
21 into the Civics Secures Democracy Fund pursuant to sub-
22 section (c) shall be available to the Secretary, without fis-
23 cal year limitation or need for subsequent appropriation,
24 and shall be used as follows:

1 (1) For fiscal year 2022 and for each of the 5
2 succeeding fiscal years—

3 (A) \$585,000,000 from the Civics Secures
4 Democracy Fund shall be made available to
5 carry out section 103;

6 (B) \$200,000,000 from the Civics Secures
7 Democracy Fund shall be made available to
8 carry out section 104; and

9 (C) \$50,000,000 from the Civics Secures
10 Democracy Fund shall be made available to
11 carry out section 106.

12 (2) For fiscal year 2022 and for each of the 5
13 succeeding fiscal years, \$150,000,000 shall be made
14 available from the Civics Secures Democracy Fund
15 to carry out section 105 of this Act and section 805
16 of the Higher Education Act of 1965 (20 U.S.C.
17 1161e).

18 (3) For fiscal year 2022 and for each of the 5
19 succeeding fiscal years, \$15,000,000 shall be made
20 available from the Civics Secures Democracy Fund
21 to carry out section 810A of the James Madison Me-
22 morial Fellowship Act (20 18 U.S.C. 4501 et seq.),
23 as added by section 201 of this Act.

24 (4) \$300,000,000 from the Civics Secures De-
25 mocracy Fund shall be made available for a one-time

1 payment for the Harry S. Truman Scholarship
2 Foundation Trust Fund, established by section 10 of
3 Public Law 93–642 (20 U.S.C. 2009).

4 (5) \$20,000,000 from the Civics Secures De-
5 mocracy Fund shall be made available for a one-time
6 payment for the James Madison Memorial Fellow-
7 ship Trust Fund, established by section 811 of the
8 James Madison Memorial Fellowship Act (20 U.S.C.
9 4510).

10 (6) For fiscal years beginning after fiscal year
11 2027—

12 (A) amounts appropriated for any such fis-
13 cal year for deposit into the Civics Secures De-
14 mocracy Fund shall be used to carry out the
15 provisions of law specified in paragraphs (1)
16 through (3); and

17 (B) the amount allocated from the Fund to
18 carry out each such provision for a fiscal year
19 shall be determined by the Secretary.

20 (c) IDENTIFICATION AND USE OF EXCESS FUNDS.—

21 (1) IDENTIFICATION OF SUFFICIENT SUMS.—

22 Not later than 30 days after the date of enactment
23 of this Act, the Secretary, in consultation with the
24 Secretary of the Treasury and Director of the Office
25 of Management and Budget, shall identify unobli-

1 gated COVID relief funds for programs that have
2 expired that are appropriate for transfer to the
3 Civics Secures Democracy Fund—

4 (A) in the amount equal to
5 \$6,320,000,000; or

6 (B) if unobligated funds in that amount
7 are not available and appropriate for transfer,
8 a lesser amount not to exceed \$6,320,000,000.

9 (2) TRANSFER.—Effective on the date that is
10 30 days after the date of enactment of this Act—

11 (A) the unobligated COVID relief funds
12 identified in accordance with paragraph (1)
13 shall be transferred to and merged with the
14 Civics Secures Democracy Fund; and

15 (B) the provisions of law specified in sub-
16 paragraphs (A) through (F) of subsection
17 (a)(2) shall no longer apply to such funds.

18 (3) CONDITIONAL AUTHORIZATION OF APPRO-
19 PRIATIONS.—In the event the amount transferred to
20 the Civics Secures Democracy Fund pursuant to
21 paragraph (2) is less than \$6,320,000,000, there is
22 appropriated to the Fund an amount equal to the
23 difference between—

24 (A) the amount transferred to the Fund
25 pursuant to such paragraph; and

1

(B) \$6,320,000,000.

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