

116TH CONGRESS
1ST SESSION

H. R. 3081

To authorize the Justice Reinvestment Initiative grant program, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JUNE 4, 2019

Mr. ARMSTRONG introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To authorize the Justice Reinvestment Initiative grant program, 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 “Justice Reinvestment
5 Initiative Act of 2019”.

6 **SEC. 2. JUSTICE REINVESTMENT INITIATIVE.**

7 (a) **AUTHORIZATION.**—The Attorney General is au-
8 thorized to make grants to States, units of local govern-
9 ment, Indian tribes, entities with national law enforcement
10 and corrections expertise, and institutions of higher edu-

1 cation with national law enforcement and corrections ex-
2 pertise for the purposes described in subsection (b).

3 (b) PURPOSES.—The purposes of the grant program
4 under this section are to—

5 (1) identify drivers of criminal justice resource
6 consumption;

7 (2) improve jurisdictions' capacity to prevent
8 and respond to violent crime, including by reducing
9 the risk for recidivism (as measured by arrests for
10 new crimes, convictions for new crimes, incarcer-
11 ations for new crimes, and revocations based on
12 technical violations);

13 (3) identify offenders' risks for general and vio-
14 lent recidivism, and related substance use and men-
15 tal health needs, and mitigate their risk for engaging
16 in violent behavior or being the victims of violent
17 crime; and

18 (4) improve public safety through a re-alloca-
19 tion of resources in high performing crime- and re-
20 cidivism-reduction efforts.

21 (c) APPLICATION.—An applicant seeking a grant
22 under this section shall submit to the Attorney General
23 an application at such time, in such manner, and con-
24 taining such information as the Attorney General may rea-
25 sonably require.

1 (d) USES OF FUNDS.—A recipient of a grant under
2 this section shall use the grant funds for programs de-
3 signed to—

4 (1) analyze criminal justice trends to under-
5 stand factors driving jail and prison population
6 growth;

7 (2) develop and implement policy options to
8 generate savings and increase public safety;

9 (3) quantify savings and reinvest in select,
10 high-risk communities and other prevention-oriented
11 strategies; and

12 (4) measure the impact of policy changes and
13 reinvestment resources and enhance the account-
14 ability of criminal justice system actors and policies.

15 (e) CONTRACTS AND SUBAWARDS.—A State, unit of
16 local government, or Indian tribe may, in using a grant
17 under this part for program described in subsection (d),
18 use all or a portion of that grant to contract with, or make
19 one or more subawards to, one or more—

20 (1) local or regional organizations that are pri-
21 vate and nonprofit, including faith-based organiza-
22 tions;

23 (2) units of local government; or

24 (3) tribal organizations.

25 (f) PROGRAM ASSESSMENT COMPONENT; WAIVER.—

1 (1) PROGRAM ASSESSMENT COMPONENT.—

2 Each program funded under this part shall contain
3 a program assessment component, developed pursu-
4 ant to guidelines established by the Attorney Gen-
5 eral, in coordination with the National Institute of
6 Justice.

7 (2) WAIVER.—The Attorney General may waive
8 the requirement of paragraph (1) with respect to a
9 program if, in the opinion of the Attorney General,
10 the program is not of sufficient size to justify a full
11 program assessment.

12 (g) ADMINISTRATIVE COSTS.—Not more than 10 per-
13 cent of a grant made under this part may be used for
14 costs incurred to administer such grant.

15 (h) EQUITABLE DISTRIBUTION OF FUNDS.—In
16 awarding grants under this section, the Attorney General
17 shall distribute funds in a manner that equitably address-
18 es the needs of underserved populations, including rural
19 and tribal communities.

20 (i) AUTHORIZATION OF APPROPRIATIONS.—There is
21 authorized to be appropriated to carry out this section
22 \$40,000,000 for each of fiscal years 2021 through 2025.

23 **SEC. 3. AUDIT AND ACCOUNTABILITY OF GRANTEES.**

24 (a) DEFINITIONS.—In this section—

1 (1) the term “covered grant program” means
2 the awarding of grants under section 2;

3 (2) the term “covered grantee” means a recipi-
4 ent of a grant from the covered grant program;

5 (3) the term “nonprofit”, when used with re-
6 spect to an organization, means an organization that
7 is described in section 501(c)(3) of the Internal Rev-
8 enue Code of 1986, and is exempt from taxation
9 under section 501(a) of such Code; and

10 (4) the term “unresolved audit finding” means
11 an audit report finding in a final audit report of the
12 Inspector General of the Department of Justice that
13 a covered grantee has used grant funds awarded to
14 that grantee under the covered grant program for an
15 unauthorized expenditure or otherwise unallowable
16 cost that is not closed or resolved during a 12-month
17 period prior to the date on which the final audit re-
18 port is issued.

19 (b) AUDIT REQUIREMENT.—Beginning in fiscal year
20 2020, and annually thereafter, the Inspector General of
21 the Department of Justice shall conduct audits of covered
22 grantees to prevent waste, fraud, and abuse of funds
23 awarded under covered grant programs. The Inspector
24 General shall determine the appropriate number of cov-
25 ered grantees to be audited each year.

1 (c) MANDATORY EXCLUSION.—A grantee that is
2 found to have an unresolved audit finding under an audit
3 conducted under subsection (b) may not receive grant
4 funds under the covered grant program in the fiscal year
5 following the fiscal year to which the finding relates.

6 (d) REIMBURSEMENT.—If a covered grantee is
7 awarded funds under the covered grant program from
8 which it received a grant award during the 1-fiscal-year
9 period during which the covered grantee is ineligible for
10 an allocation of grant funds under subsection (c), the At-
11 torney General shall—

12 (1) deposit into the General Fund of the Treas-
13 ury an amount that is equal to the amount of the
14 grant funds that were improperly awarded to the
15 covered grantee; and

16 (2) seek to recoup the costs of the repayment
17 to the Fund from the covered grantee that was im-
18 properly awarded the grant funds.

19 (e) PRIORITY OF GRANT AWARDS.—The Attorney
20 General, in awarding grants under the covered grant pro-
21 gram shall give priority to eligible entities that during the
22 2-year period preceding the application for a grant have
23 not been found to have an unresolved audit finding.

24 (f) NONPROFIT REQUIREMENTS.—

1 (1) PROHIBITION.—A nonprofit organization
2 that holds money in offshore accounts for the pur-
3 pose of avoiding the tax described in section 511(a)
4 of the Internal Revenue Code of 1986, shall not be
5 eligible to receive, directly or indirectly, any funds
6 from the covered grant program.

7 (2) DISCLOSURE.—Each nonprofit organization
8 that is a covered grantee shall disclose in its applica-
9 tion for such a grant, as a condition of receipt of
10 such a grant, the compensation of its officers, direc-
11 tors, and trustees. Such disclosure shall include a
12 description of the criteria relied on to determine
13 such compensation.

14 (g) PROHIBITION ON LOBBYING ACTIVITY.—

15 (1) IN GENERAL.—Amounts made available
16 under the covered grant program may not be used
17 by any covered grantee to—

18 (A) lobby any representative of the Depart-
19 ment of Justice regarding the award of grant
20 funding; or

21 (B) lobby any representative of the Federal
22 Government or a State, local, or tribal govern-
23 ment regarding the award of grant funding.

1 (2) PENALTY.—If the Attorney General deter-
2 mines that a covered grantee has violated paragraph
3 (1), the Attorney General shall—

4 (A) require the covered grantee to repay
5 the grant in full; and

6 (B) prohibit the covered grantee from re-
7 ceiving a grant under the covered grant pro-
8 gram from which it received a grant award dur-
9 ing at least the 5-year period beginning on the
10 date of such violation.

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