

118TH CONGRESS  
1ST SESSION

# H. R. 4728

To amend title 49, United States Code, to provide for free public transportation for individuals who are recently released from incarceration.

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## IN THE HOUSE OF REPRESENTATIVES

JULY 19, 2023

Mr. CLEAVER (for himself, Mr. JOHNSON of Georgia, Mr. CARTER of Louisiana, Mr. CÁRDENAS, Ms. LEE of California, Ms. WILSON of Florida, Ms. CROCKETT, Mr. CARSON, Ms. KAMLAGER-DOVE, Mr. FROST, Mr. IVEY, and Mrs. FOUSHEE) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

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## A BILL

To amend title 49, United States Code, to provide for free public transportation for individuals who are recently released from incarceration.

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 “Transportation for Re-  
5 entry Act”.

6 **SEC. 2. FINDINGS.**

7 Congress finds the following:

1           (1) Access to free public transportation services  
2 increases the access that an individual recently re-  
3 leased from prison has to a reliable mode of trans-  
4 portation.

5           (2) Access to a reliable mode of transpor-  
6 tation—

7                   (A) promotes the successful reintegration  
8 of a returning individual into the community;

9                   (B) reduces the likelihood of recidivism;

10                  (C) increases the ability of a returning in-  
11 dividual to access community services; and

12                  (D) helps a returning individual to follow  
13 up on referrals from their release plans and to  
14 meet initial parole requirements (if applicable).

15 **SEC. 3. PUBLIC TRANSPORTATION REENTRY SERVICE.**

16           (a) PUBLIC TRANSPORTATION REENTRY SERVICE.—  
17 Chapter 53 of title 49, United States Code, is amended  
18 by adding at the end the following:

19 **“§ 5341. Public transportation reentry service**

20           “(a) IN GENERAL.—

21                   “(1) REENTRY SERVICE.—To be eligible for fi-  
22 nancial assistance under section 5307 or 5311, a  
23 covered recipient shall carry out a reentry service  
24 program to provide free public transportation to re-  
25 turning individuals.

1           “(2) DURATION.—A covered recipient shall pro-  
2           vide the reentry service described in paragraph (1)  
3           to a returning individual for a 1-year period begin-  
4           ning on the release date of the returning individual.

5           “(b) REQUIREMENTS.—In carrying out this section,  
6 a covered recipient shall—

7           “(1) create a system for returning individuals  
8           to enroll in the reentry service under this section;

9           “(2) instruct transportation staff on the oper-  
10          ation of the reentry service;

11          “(3) collect data on the number of returning in-  
12          dividuals who use the reentry service and the fre-  
13          quency of use; and

14          “(4) develop a system to ensure compliance  
15          with the 1-year period described in section (a)(2).

16          “(c) REIMBURSEMENT.—

17          “(1) DIRECT COSTS.—The Secretary may reim-  
18          burse a covered recipient for the cost of providing to  
19          returning individuals the reentry service under this  
20          section.

21          “(2) INDIRECT COSTS.—The reimbursement  
22          that a covered recipient receives may include the  
23          costs incurred from the following:

24                  “(A) Development of the reentry service.

1           “(B) Implementation of the reentry serv-  
2           ice.

3           “(C) Operational costs of the reentry serv-  
4           ice.

5           “(D) Engagement with technical assistance  
6           providers.

7           “(E) Training on the implementation of  
8           the reentry service.

9           “(F) Outreach to prisons and to the re-  
10          turning individual populations.

11          “(G) Other uses integral to the successful  
12          implementation of the reentry service.

13          “(d) REGULATIONS.—Not later than 1 year after the  
14          date of enactment of this section, the Secretary shall issue  
15          regulations necessary to carry out this section, including  
16          regulations that—

17               “(1) promote the coordination of providing  
18               technical assistance to a covered recipient;

19               “(2) promote the marketing of the reentry serv-  
20               ice to ensure that incarcerated and returning indi-  
21               vidual populations are aware of the reentry service;  
22               and

23               “(3) clarify the treatment of a returning indi-  
24               vidual who resides in different locations, including in

1 different States, during the 1-year period described  
2 in subsection (a)(2).

3 “(e) REPORTING.—

4 “(1) COVERED RECIPIENT.—For each year in  
5 which a covered recipient receives funds under this  
6 section, such recipient shall submit to the National  
7 Transit Database an annual report that details the  
8 following:

9 “(A) The number of returning individuals  
10 who used the reentry service.

11 “(B) The number of trips taken.

12 “(C) An estimate of revenue forgone.

13 “(D) Any other information that the Sec-  
14 retary determines appropriate.

15 “(2) FEDERAL TRANSIT ADMINISTRATION.—

16 For each such year, the Administrator of the Fed-  
17 eral Transit Administration shall summarize the  
18 data reported under paragraph (1) and submit to  
19 Congress a report on such data.

20 “(f) DEFINITIONS.—In this section:

21 “(1) RETURNING INDIVIDUAL.—The term ‘re-  
22 turning individual’ means an individual who has  
23 been incarcerated for a period of not less than 1  
24 year in Federal or State prison.

1           “(2) COVERED RECIPIENT.—The term ‘covered  
2           recipient’ means a recipient of financial assistance  
3           under section 5307 or 5311.”.

4           (b) CLERICAL AMENDMENT.—The analysis for chap-  
5           ter 53 of title 49, United States Code, is amended by add-  
6           ing at the end the following:

          “5341. Public transportation reentry service.”.

7           (c) AUTHORIZATIONS.—Section 5338(a) of title 49,  
8           United States Code, is amended—

9                   (1) in paragraph (1)—

10                           (A) in subparagraph (C) by striking  
11                           “\$13,990,000,000”           and           inserting  
12                           “\$14,030,000,000”;

13                           (B) in subparagraph (D) by striking  
14                           “\$14,279,000,000”           and           inserting  
15                           “\$14,319,000,000”; and

16                           (C) in subparagraph (E) by striking  
17                           “\$14,642,000,000”           and           inserting  
18                           “\$14,682,000,000”; and

19                   (2) in paragraph (2)—

20                           (A) in subparagraph (C) by striking  
21                           “\$6,712,987,840 for fiscal year 2024,  
22                           \$6,851,662,142 for fiscal year 2025, and  
23                           \$7,025,844,743 for fiscal year 2026” and in-  
24                           serting “\$6,742,987,840 for fiscal year 2024,

1           \$6,881,662,142 for fiscal year 2025, and  
2           \$7,055,844,743 for fiscal year 2026”; and

3           (B) in subparagraph (F) by striking  
4           “\$916,907,591 for fiscal year 2024,  
5           \$935,848,712 for fiscal year 2025, and  
6           \$959,639,810 for fiscal year 2026” and insert-  
7           ing “\$926,907,591 for fiscal year 2024,  
8           \$945,848,712 for fiscal year 2025, and  
9           \$969,639,810 for fiscal year 2026”.

10          (d) ELIGIBILITY AS CAPITAL PROJECT.—Section  
11 5302(4) of title 49, United States Code, is amended—

12           (1) in subparagraph (M) by striking “or” at the  
13          end;

14           (2) in subparagraph (N) by striking the period  
15          and inserting “; or”; and

16           (3) by adding at the end the following:

17                   “(O) operating, planning, and outreach  
18                   costs described in section 5341.”.

19          (e) REPORT.—Not later than 5 years after the date  
20 of enactment of this Act, the Comptroller General of the  
21 United States shall submit to Congress a report on imple-  
22 mentation of section 5341 of title 49, United States Code,  
23 (as added by this section) that includes—

24           (1) details of the implementation and outcome  
25          of the program under such section; and

1           (2) the impact that providing returning individ-  
2           uals with access to the reentry service under such  
3           section has had on recidivism rates of participating  
4           returning individuals and on the reentry of such in-  
5           dividuals into the community.

6           (f) CONFORMING AMENDMENTS.—

7           (1) URBANIZED AREA FORMULA GRANT.—Sec-  
8           tion 5307(c)(1) of title 49, United States Code, is  
9           amended—

10           (A) in subparagraph (K), by striking  
11           “and” at the end; and

12           (B) by adding at the end the following new  
13           subparagraph:

14           “(M) will comply with section 5341; and”.

15           (2) FORMULA GRANTS FOR RURAL AREAS.—

16           Section 5311 of title 49, United States Code, is  
17           amended by adding at the end the following new  
18           subsection:

19           “(k) GRANT RECIPIENT REQUIREMENT.—A recipient  
20           may receive a grant in a fiscal year only if the recipient  
21           certifies to the Secretary that such recipient will comply  
22           with section 5341.”.

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