

118TH CONGRESS
1ST SESSION

H. R. 6472

To amend the Workforce Innovation and Opportunity Act to codify a grant program to promote and assist in the reentry of justice-involved individuals into the workforce.

IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 21, 2023

Mr. SMUCKER (for himself and Mr. OWENS) introduced the following bill;
which was referred to the Committee on Education and the Workforce

A BILL

To amend the Workforce Innovation and Opportunity Act to codify a grant program to promote and assist in the reentry of justice-involved individuals into the workforce.

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 “Workforce Reentry
5 Act”.

1 **SEC. 2. JUSTICE-INVOLVED INDIVIDUALS REENTRY PRO-**
2 **GRAM START-UP GRANTS.**

3 Subtitle D of title I of the Workforce Innovation and
4 Opportunity Act (29 U.S.C. 3221 et seq.) is amended—

5 (1) by redesignating section 172 as section 173;

6 and

7 (2) by inserting after section 171 the following
8 new section:

9 **“SEC. 172. JUSTICE-INVOLVED INDIVIDUALS REENTRY PRO-**
10 **GRAM START-UP GRANTS.**

11 “(a) PURPOSE.—The purpose of this section is to—

12 “(1) prompt innovation and improvement in the
13 reentry of justice-involved individuals into the work-
14 force so that successful initiatives can be continued
15 and replicated; and

16 “(2) allow for the dissemination of information
17 regarding best practices in preparing justice-involved
18 individuals for sustained participation in the work-
19 force.

20 “(b) DEFINITIONS.—In this section:

21 “(1) ELIGIBLE ENTITY.—The term ‘eligible en-
22 tity’ means—

23 “(A) a private nonprofit organization
24 under section 501(c)(3) of the Internal Revenue
25 Code of 1986, including a faith-based organiza-
26 tion;

1 “(B) a local board;

2 “(C) a State or local government;

3 “(D) an Indian or Native American entity
4 eligible for grants under section 166;

5 “(E) an employer or group of employers;

6 “(F) an institution of higher education;

7 “(G) an industry or sector partnership; or

8 “(H) a trade or professional association.

9 “(2) ELIGIBLE PARTICIPANT.—

10 “(A) IN GENERAL.—The term ‘eligible par-
11 ticipant’ means an individual—

12 “(i) who has been convicted as a juve-
13 nile or an adult and imprisoned under
14 Federal or State law; and

15 “(ii) who has not been released from
16 prison or jail for more than 2 years before
17 the date on which the individual begins
18 participation in an activity funded under
19 this section.

20 “(B) EXCEPTION.—Up to 10 percent of all
21 participants may be individuals who do not
22 meet the requirements of clause (ii) of subpara-
23 graph (A).

24 “(3) EVIDENCE-BASED.—The term ‘evidence-
25 based’ means a program or practice that—

1 “(A) is demonstrated effective when imple-
2 mented with fidelity;

3 “(B) is based on a clearly articulated and
4 empirically supported theory;

5 “(C) has measurable outcomes relevant to
6 workforce outcomes for reentering justice-in-
7 volved individuals; and

8 “(D) has been scientifically tested and
9 proven effective through randomized control
10 studies or comparison group studies.

11 “(4) PROMISING.—The term ‘promising’ refers
12 to a program or practice that—

13 “(A) is demonstrated to be effective based
14 on positive outcomes relevant to workforce en-
15 gagement for reentering justice-involved individ-
16 uals from one or more objective, independent,
17 and scientifically valid evaluation; and

18 “(B) includes ongoing efforts to examine
19 the effects of such program or practice.

20 “(c) PROGRAM AUTHORIZED.—

21 “(1) IN GENERAL.—In carrying out the activi-
22 ties under this section, the Secretary shall—

23 “(A) use not less than 30 percent of the
24 funds made available to carry out this section
25 under section 173(d), to implement pay-for-per-

1 formance contracts for a contract period of not
2 more than 4 years with eligible entities to carry
3 out projects to facilitate the reentry of justice-
4 involved individuals into the workforce (which
5 may include the activities described in sub-
6 section (f)(1)), and which—

7 “(i) specify a fixed amount that the
8 Secretary will pay to the entity based on
9 the achievement of specified levels of per-
10 formance on each indicator of performance
11 described in subsection (g)(1) within a de-
12 fined timetable; and

13 “(ii) may provide for bonus payments
14 from the Secretary to such entity to ex-
15 pand capacity to provide effective services;
16 and

17 “(B) using any funds remaining to carry
18 out this section under section 173(d), award
19 grants, on a competitive basis, award grants for
20 a period of not more than 4 years to eligible en-
21 tities to enable such entities to provide skills de-
22 velopment opportunities, job placement services,
23 and mentoring to eligible participants.

1 “(2) PRIORITY.—In awarding contracts or
2 grants under this section, the Secretary shall give
3 priority to eligible entities that—

4 “(A) establish partnerships with business,
5 educational institutions, or eligible providers
6 identified by the State under section 122 to
7 provide a program of study leading to postsec-
8 ondary credentials in in-demand occupations; or

9 “(B) provide on-the-job training or cus-
10 tomized training that is designed to meet the
11 specific requirements of an employer (including
12 a group of employers) and is conducted with a
13 commitment by the employer to employ an indi-
14 vidual upon successful completion of the pro-
15 gram.

16 “(3) ADDITIONAL CONTRACTS OR GRANTS.—

17 The Secretary may award, for not longer than a pe-
18 riod of 4 years, one or more additional grants to an
19 eligible entity that received a grant or contract
20 under this section if the eligible entity achieved the
21 expected performance levels identified by the eligible
22 entity under subsection (d)(4) during the preceding
23 grant or contract period.

24 “(d) APPLICATION.—To be eligible to receive a con-
25 tract or grant under this section, an eligible entity shall

1 submit an application to the Secretary, which shall include
2 each of the following:

3 “(1) A detailed description of the program in-
4 cluding the core services they will provide, how the
5 eligible entity will recruit and select eligible partici-
6 pants for the program, how many participants they
7 plan on serving each year, and the length of partici-
8 pation in the program.

9 “(2) A description of evidence-based or prom-
10 ising practices the eligible entity will use in the ad-
11 ministration of the program.

12 “(3) A description of partnerships with local
13 businesses to provide apprenticeship opportunities,
14 work-based learning, and job placement and recruit-
15 ment (if applicable).

16 “(4) The expected levels of performance the eli-
17 gible entity will achieve on the indicators of perform-
18 ance described in subsection (g)(1).

19 “(5) An assurance that the eligible entity will
20 coordinate activities with workforce development pro-
21 grams and other services provided under this title,
22 including utilizing the one-stop delivery system of
23 the local workforce development areas to provide ap-
24 propriate services and recruit eligible individuals to
25 ensure the maximum number of eligible individuals

1 will have the opportunity to participate in the pro-
2 gram.

3 “(6) In the case of a grant, an assurance that
4 the eligible entity will meet the matching require-
5 ment described in subsection (e).

6 “(7) A plan to coordinate with other programs
7 and entities, including those that may be provided
8 by such other programs and entities, to provide sub-
9 stance abuse treatment services, mental health treat-
10 ment services, housing services, and transportation
11 services.

12 “(8) An assurance that the eligible entity will
13 provide the data necessary for the indicators of per-
14 formance in subsection (g).

15 “(9) A plan to continue the program with non-
16 Federal funds after the grant or contract period.

17 “(e) MATCHING REQUIREMENT FOR GRANTS.—In
18 order to receive a grant from the Secretary under this sec-
19 tion, each eligible entity shall provide a non-Federal con-
20 tribution, including cash and in-kind donations, in the fol-
21 lowing amounts:

22 “(1) With respect to the award period of the
23 first grant awarded to such eligible entity under this
24 section, in an amount that is not less than 25 per-

1 cent of the total grant amount awarded to the eligi-
2 ble entity during such period.

3 “(2) With respect to any additional award peri-
4 ods, in an amount not less than 50 percent of the
5 total grant amount awarded to the eligible entity
6 during such additional period.

7 “(f) USE OF FUNDS FOR GRANTS.—

8 “(1) IN GENERAL.—A grant awarded under
9 this section may be used to—

10 “(A) provide workforce development and
11 job placement services to eligible participants,
12 including occupational skills education, on-the-
13 job training, apprenticeship opportunities, work
14 experience, job referrals, basic skills remedi-
15 ation, educational services, work readiness ac-
16 tivities, and post-placement support, in coordi-
17 nation with the one-stop partners and one-stop
18 operators that provide services at any center
19 operated under a one-stop deliver system estab-
20 lished under section 121;

21 “(B) mentor eligible participants, including
22 the provision of support, guidance, and assist-
23 ance in the community and the workplace to
24 address the challenges faced by justice-involved
25 individuals;

1 “(C) provide outreach to State or Federal
2 correctional facilities to increase awareness,
3 identify and recruit eligible participants, provide
4 screening and assessment of eligible partici-
5 pants and align educational offerings with exist-
6 ing services available to individuals who are
7 presently incarcerated;

8 “(D) coordinate with employers to develop
9 on-the-job training or customized training pro-
10 grams and agreements around the hiring of eli-
11 gible participants; or

12 “(E) carrying out the activities described
13 in subparagraph (A), (B), (C), or (D) with re-
14 spect to eligible participants who will be re-
15 leased from prison or jail within 90 days.

16 “(2) LIMITATIONS.—

17 “(A) CERTAIN SERVICES EXCLUDED.—
18 Grants provided under this section may not be
19 used to provide substance abuse treatment serv-
20 ices, mental health treatment services, or hous-
21 ing services, except that such a grant may be
22 used to coordinate with other programs and en-
23 tities to provide substance abuse treatment
24 services, mental health treatment services, or
25 housing services to eligible participants.

1 “(B) ADMINISTRATIVE COST LIMIT.—A
2 grantee may not use more than 5 percent of the
3 funds received under a grant for administrative
4 costs, including for the purpose of collecting in-
5 formation for purposes of subsection (g)(1).

6 “(C) LIMIT ON AMOUNT PAID AS STIPENDS
7 TO PARTICIPANTS.—A grantee may not use
8 more than 15 percent of the funds received
9 under such grant to provide stipends to pro-
10 gram participants while completing an edu-
11 cational or skill development program.

12 “(D) LIMIT ON FUNDS FOR EMERGENCY
13 SITUATIONS.—A grantee may not use more
14 than 5 percent of the funds to assist eligible
15 participants in an emergency situation.

16 “(g) PERFORMANCE OUTCOMES AND ACCOUNT-
17 ABILITY.—

18 “(1) INDICATORS OF PERFORMANCE.—Each eli-
19 gible entity receiving a grant or contract under this
20 section shall report each year to the Secretary on
21 the primary indicators of performance described in
22 section 116(b)(2)(A)(ii) and an indicator established
23 by the Secretary with respect to participant recidi-
24 vism.

1 “(2) INDEPENDENT EVALUATION.—Not later
2 than 5 years after the date of enactment of this sec-
3 tion and from amounts made available under section
4 173(d) for this section, the Secretary shall submit to
5 Congress a report on an independent evaluation of
6 each grant and contract entered into under this sec-
7 tion, including an assessment of the effectiveness of
8 each such grant and contract in reducing recidivism
9 and assisting eligible participants in—

10 “(A) earning credentials;

11 “(B) finding and maintaining employment;

12 and

13 “(C) increasing their earnings.

14 “(3) REPORT.—The Secretary shall, on an an-
15 nual basis—

16 “(A) submit to the Committee on Edu-
17 cation and the Workforce of the House of Rep-
18 resentatives, and the Committee on Health,
19 Employment, Labor, and Pensions of the Sen-
20 ate, a report, with respect to the preceding fis-
21 cal year, on—

22 “(i) the number of individuals who
23 participated in programs assisted under
24 this section;

1 “(ii) the percentage of individuals par-
2 ticipating in a program assisted under this
3 section that successfully completed the pro-
4 gram; and

5 “(iii) the performance of eligible enti-
6 ties as measured by the performance indi-
7 cators set forth in paragraph (1); and

8 “(B) publish such report on a publicly
9 available website of the Department of Labor.

10 “(4) DISSEMINATING BEST PRACTICES.—Using
11 the findings of the independent evaluation under
12 paragraph (2) the Secretary shall disseminate infor-
13 mation to State and local government, local boards,
14 and relevant stakeholders regarding best practices in
15 providing workforce development opportunities for
16 justice-involved individuals and reducing recidivism.

17 “(h) ADMINISTRATIVE ACTIVITIES.—The Secretary
18 may use up to 2 percent of the funds annually appro-
19 priated to carry out the activities of this section, including
20 disseminating best practices and providing technical as-
21 sistance to eligible entities receiving grants or contracts
22 under this section and partnering businesses regarding the
23 availability of the work opportunity credit determined
24 under section 51(a) of the Internal Revenue Code of 1986.

1 “(i) **RULE OF CONSTRUCTION.**—Nothing in this sec-
2 tion shall be construed to authorize any new appropria-
3 tions to carry out the purpose of this section.”.

4 **SEC. 3. AUTHORIZED FUNDS.**

5 Section 173(d) of the Workforce Innovation and Op-
6 portunity Act (as redesignated by section 2(1)) is amended
7 by striking “section 169” and inserting “sections 169 and
8 172”.

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