

114TH CONGRESS
1ST SESSION

H. R. 1360

To require the Secretary of the Treasury to use revenue generated by certain fines, penalties, and settlements that are not designated for restitution or any other purpose to fund evidence-based youth mentoring projects, justice reinvestment efforts, and innovations in medical research and development.

IN THE HOUSE OF REPRESENTATIVES

MARCH 13, 2015

Mr. FATTAH (for himself, Mr. FITZPATRICK, Mr. BRADY of Pennsylvania, Mr. CONNOLLY, and Mr. COHEN) introduced the following bill; which was referred to the Committee on the Judiciary, and in addition to the Committees on Education and the Workforce, Science, Space, and Technology, and Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To require the Secretary of the Treasury to use revenue generated by certain fines, penalties, and settlements that are not designated for restitution or any other purpose to fund evidence-based youth mentoring projects, justice reinvestment efforts, and innovations in medical research and development.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “America’s Fund for
3 Future Opportunities and Outcomes in the United States
4 Act of 2015” or “America’s FOCUS Act of 2015”.

5 **SEC. 2. FINDINGS.**

6 Congress finds the following:

7 (1) The United States faces increasing competi-
8 tion from countries with populations of a billion or
9 more inhabitants, who contribute to the human cap-
10 ital of these countries and improve their perform-
11 ance in the global economy.

12 (2) To ensure that the United States retains its
13 leadership position in the global economy, the United
14 States should maximize the opportunities and out-
15 comes of its citizenry.

16 (3) The United States can achieve this goal by
17 investing in STEM education and character develop-
18 ment for youth, justice reinvestment efforts, and in-
19 novations in medical research and development.

20 (4) To fund these investments in the public in-
21 terest, the United States should use revenue gen-
22 erated by acts perpetrated against the public inter-
23 est.

24 (5) As corporate and financial wrongdoing
25 touches the lives of all Americans, revenue generated

1 by such acts should serve as the basis for these in-
2 vestments.

3 (6) This revenue should be used to assist pro-
4 grams and organizations seeking to better the Na-
5 tion through their work in the youth mentoring, jus-
6 tice reinvestment, and medical research fields.

7 (7) In 1956 and 1958, Congress issued Federal
8 charters to the Boys and Girls Clubs of America and
9 Big Brothers Big Sisters of America in recognition
10 of their work helping children reach their full poten-
11 tial and succeed in American public life. Youth men-
12 toring organizations still carry out this work and are
13 putting children on the path to self-sufficiency.
14 These organizations include—

15 (A) the Boys and Girls Clubs of America;

16 (B) Big Brothers Big Sisters of America;

17 (C) the Boy Scouts of America;

18 (D) the Girl Scouts of the USA;

19 (E) MENTOR: the National Mentoring
20 Partnership;

21 (F) the United Way;

22 (G) Girls Inc.;

23 (H) Amachi;

24 (I) the Y.M.C.A.;

25 (J) FIRST Robotics;

1 (K) the United States D.R.E.A.M. Acad-
2 emy;
3 (L) GEAR UP;
4 (M) 4-H;
5 (N) the National Urban League;
6 (O) the First Tee;
7 (P) the Civil Air Patrol;
8 (Q) the National Pan-Hellenic Council;
9 (R) the National CARES Mentoring Move-
10 ment;
11 (S) the National Alliance of Faith and
12 Justice; and
13 (T) the National Council of Youth Sports.

14 (8) Innovations in medical research and devel-
15 opment significantly benefit the American people.
16 For example, through innovations in the diagnosis
17 and treatment of life-threatening diseases, Ameri-
18 cans are now living longer and more productive lives,
19 contributing to the economic growth of the United
20 States. Additional investments in medical research
21 and development will contribute to overall public
22 health and productivity in America.

23 (9) Through participation in the Justice Rein-
24 vestment Initiative, States have implemented evi-
25 dence-based criminal justice reforms. These reforms

1 are cost effective, redirecting revenue to better serve
2 the public safety needs of local communities. In ad-
3 dition, these reforms have decreased risks of recidi-
4 vism and instituted alternatives to incarceration for
5 non-violent offenders. According to a July 2013 re-
6 port from the Urban Institute, States participating
7 in the Justice Reinvestment Initiative may achieve
8 \$3.3 billion in savings over the next 10 years. Addi-
9 tional funding to the Initiative would better enable
10 States and local governments to carry out this work
11 and achieve these savings.

12 **SEC. 3. AMERICA'S FOCUS FUND.**

13 (a) ESTABLISHMENT.—There is established in the
14 Treasury a separate account to be known as the America's
15 FOCUS Fund (hereafter in this Act referred to as the
16 "Fund").

17 (b) REVENUE DEPOSITED IN FUND.—Except as pro-
18 vided in subsection (c), the Secretary of the Treasury shall
19 deposit in the Fund—

20 (1) all revenue generated by civil and criminal
21 fines and penalties for the violation or alleged viola-
22 tion of Federal law;

23 (2) all revenue generated by legal settlements
24 reached between corporations and the Federal Gov-

1 ernment for the violation or alleged violation of Fed-
2 eral law; and

3 (3) any gift, bequest, or donation to the Fund
4 from a private entity or individual, if such gift, be-
5 quest, or donation does not attach any condition in-
6 consistent with Federal law or regulations.

7 (c) EXCEPTIONS.—The Secretary may not deposit in
8 the Fund—

9 (1) revenue designated for deposit in the Crime
10 Victims Fund established by section 1402 of the Vic-
11 tims of Crime Act of 1984 (42 U.S.C. 10601); or

12 (2) revenue that has been designated by Fed-
13 eral law or court order for deposit in a fund other
14 than the General Fund.

15 (d) USE OF FUNDS.—

16 (1) IN GENERAL.—Revenue in the Fund shall
17 be used for the following purposes:

18 (A) YOUTH MENTORING GRANTS.—Not
19 more than 33 percent of the total revenue in
20 the Fund as calculated on a quarterly basis
21 shall be used to award grants for evidence-
22 based youth mentoring and STEM education,
23 in the manner provided in section 4.

24 (B) JUSTICE REINVESTMENT GRANTS.—
25 Not more than 33 percent of the total revenue

1 in the Fund as calculated on a quarterly basis
2 shall be used to award grants for evidence-
3 based justice reinvestment, in the manner pro-
4 vided in section 5.

5 (C) MEDICAL INNOVATION GRANTS.—Not
6 more than 33 percent of the total revenue in
7 the Fund as calculated on a quarterly basis
8 shall be used to award grants and prizes for in-
9 novations in medical research and development,
10 in the manner provided in section 6.

11 (D) REDUCING THE FEDERAL DEBT.—The
12 Secretary shall use the remaining revenue for
13 Federal budget deficit reduction or, if there is
14 no Federal budget deficit for the fiscal year, for
15 reducing the Federal debt in such manner as
16 the Secretary considers appropriate.

17 (2) REQUIREMENT TO SUPPLEMENT, NOT SUP-
18 PLANT OTHER FUNDS.—Grant funds awarded under
19 this Act shall be used to supplement, and not sup-
20 plant, other Federal, State, and local funds des-
21 ignated to carry out the activities funded by the
22 grants.

23 (e) RETENTION OF SUMS IN FUND.—Sums deposited
24 in the Fund shall remain in the Fund and be available

1 for expenditure for grants under this Act without fiscal
2 year limitation.

3 **SEC. 4. YOUTH MENTORING GRANTS.**

4 (a) IN GENERAL.—

5 (1) YOUTH MENTORING GRANTS.—The Sec-
6 retary of Education, in cooperation with the Federal
7 Mentoring Council, shall award grants to eligible en-
8 tities that provide evidence-based youth mentoring
9 programs, using the revenue designated for such
10 purpose in subparagraph (A) of section 3(d)(1).

11 (2) STEM EDUCATION GRANTS.—The Asso-
12 ciate Administrator for Education for the National
13 Aeronautics and Space Administration shall award
14 grants to eligible entities that offer STEM education
15 to individuals under the age of 21, using the revenue
16 designated for such purpose in subparagraph (A) of
17 section 3(d)(1).

18 (b) ELIGIBLE ENTITY.—An entity is eligible for a
19 grant under this section if it is—

20 (1) a national non-profit, community-based or-
21 ganization with at least 2 years of experience in ad-
22 ministering STEM education programs or youth
23 mentoring programs; or

24 (2) a State or local government.

1 (c) APPLICATION.—An entity seeking to receive a
2 grant under this section shall submit an application at
3 such time and in such form as the Secretary may reason-
4 ably require.

5 (d) DISTRIBUTION OF FUNDS.—Of the funds avail-
6 able under this section, 25 percent shall be allocated for
7 the award of grants to State and local governments.

8 (e) USE OF FUNDS.—

9 (1) STATE AND LOCAL GOVERNMENTS.—

10 (A) IN GENERAL.—A State or local gov-
11 ernment that receives a grant under this section
12 shall distribute the grant funds to non-profit,
13 community-based organizations and local edu-
14 cational agencies within the jurisdiction of such
15 government that provide evidence-based men-
16 toring or STEM education to individuals under
17 the age of 21.

18 (B) FUNDS RESERVED FOR VULNERABLE
19 YOUTH.—A State or local government that re-
20 ceives grant funds under this section shall allo-
21 cate not less than 50 percent of such funds for
22 distribution to organizations described in sub-
23 paragraph (A) that provide evidence-based men-
24 toring or STEM education to vulnerable youth.

25 (2) OTHER ENTITIES.—

1 (A) IN GENERAL.—An organization other
2 than a State or local government that receives
3 a grant under this section shall use the grant
4 funds to establish or expand one or more pro-
5 grams that provide evidence-based mentoring or
6 STEM education to individuals under the age
7 of 21.

8 (B) FUNDS RESERVED FOR PERSISTENT
9 POVERTY COUNTIES.—An organization other
10 than a State or local government that receives
11 grant funds under this section shall allocate not
12 less than 10 percent of such funds for programs
13 that provide evidence-based mentoring or
14 STEM education in persistent poverty counties.

15 (f) ANNUAL AWARD OF GRANTS.—To the extent
16 funds are available, the grants under this section shall be
17 awarded at least once during each fiscal year, with the
18 first grants to be awarded within 180 days after the date
19 of the enactment of this Act.

20 (g) DEFINITIONS.—In this section:

21 (1) STEM EDUCATION PROGRAM.—The term
22 “STEM education program” means a program to
23 educate students in one or more of the following dis-
24 ciplines: science, technology, engineering, or mathe-
25 matics.

1 (2) PERSISTENT POVERTY COUNTIES.—The
2 term “persistent poverty counties” means any coun-
3 ty that has had 20 percent or more of its population
4 living in poverty over the past 30 years, as measured
5 by the 1990, 2000, and 2010 decennial censuses.

6 (3) VULNERABLE YOUTH.—The term “vulner-
7 able youth” includes individuals under the age of
8 21—

9 (A) who experience emotional and adjust-
10 ment problems;

11 (B) who have left or are at risk of leaving
12 secondary school without a diploma;

13 (C) who lack the skills to succeed in the
14 workforce after graduation;

15 (D) who live in an unstable family or com-
16 munity environment;

17 (E) who are involved in the juvenile justice
18 system;

19 (F) who are homeless or live in foster care;

20 (G) who have physical or mental disabil-
21 ities;

22 (H) who receive special education;

23 (I) who are or have been victims of human
24 trafficking; or

1 (J) who live in neighborhoods with high
2 rates of illegal drug use.

3 **SEC. 5. JUSTICE REINVESTMENT GRANTS.**

4 (a) IN GENERAL.—The Attorney General shall use
5 the revenue designated for justice reinvestment grants in
6 subparagraph (B) of section 3(d)(1) to fund evidence-
7 based justice reinvestment projects as part of the Justice
8 Reinvestment Initiative and programs established under
9 the Second Chance Act within the Department of Justice.

10 (b) USE OF FUNDS.—

11 (1) STATE AND LOCAL GOVERNMENTS.—

12 (A) IN GENERAL.—Except as provided in
13 paragraphs (2) and (3), 50 percent of the funds
14 under this section shall be used to award grants
15 to State and local governments for evidence-
16 based justice reinvestment projects.

17 (B) FUNDS RESERVED FOR PERSISTENT
18 POVERTY COUNTIES.—The Attorney General
19 shall allocate not less than 10 percent of such
20 funds for projects that support persistent pov-
21 erty counties.

22 (2) FEDERAL GOVERNMENT.—The Attorney
23 General may use not more than 25 percent of the
24 funds under this section to support Federal justice
25 reinvestment projects.

1 (3) SECOND CHANCE ACT PROGRAMS.—The At-
2 torney General shall allocate not more than 25 per-
3 cent of the funds in this section to grant programs
4 established under the Second Chance Act within the
5 Department of Justice.

6 (c) APPLICATION.—An entity seeking to receive a
7 grant under this section shall submit an application at
8 such time and in such form as the Attorney General may
9 reasonably require.

10 (d) ANNUAL AWARD OF GRANTS.—To the extent
11 funds are available, the Attorney General shall award
12 grants under this section at least once during each fiscal
13 year, with the first grants to be awarded within 180 days
14 after the date of the enactment of this Act.

15 (e) PERSISTENT POVERTY COUNTIES DEFINED.—In
16 this section, the term “persistent poverty counties” means
17 any county that has had 20 percent or more of its popu-
18 lation living in poverty over the past 30 years, as meas-
19 ured by the 1990, 2000, and 2010 decennial censuses.

20 **SEC. 6. MEDICAL INNOVATION GRANTS.**

21 (a) IN GENERAL.—The Director of the National In-
22 stitutes of Health shall use the revenue designated for
23 medical innovation in subparagraph (C) of section 3(d)(1)
24 to fund entities that conduct innovative medical research
25 and development.

1 (b) USE OF FUNDS.—

2 (1) GRANTS.—

3 (A) IN GENERAL.—Except as provided in
4 paragraph (2), the funds available under this
5 section shall be used to award grants to entities
6 that conduct innovative medical research and
7 development to provide faster cures for medical
8 ailments and diseases.

9 (B) APPLICATION.—An entity seeking to
10 receive a grant under this paragraph shall sub-
11 mit an application at such time and in such
12 form as the Director may reasonably require.

13 (2) PRIZES.—The Director may use not more
14 than 15 percent of the funds available under this
15 section to award monetary prizes to entities that
16 have used their own funding and research facilities
17 to produce innovative results in medical research
18 and development.

19 (c) ANNUAL AWARD OF GRANTS AND PRIZES.—To
20 the extent funds are available, the Director of the National
21 Institutes of Health shall award the grants and prizes
22 under this section at least once during each fiscal year,
23 with the first grants and prizes to be awarded within 180
24 days after the date of the enactment of this Act.

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