

116TH CONGRESS  
1ST SESSION

# H. R. 3081

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

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IN THE HOUSE OF REPRESENTATIVES

JUNE 4, 2019

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

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## 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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