

116TH CONGRESS
1ST SESSION

H. R. 4937

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

IN THE HOUSE OF REPRESENTATIVES

OCTOBER 31, 2019

Mr. SMUCKER introduced the following bill; which was referred to the
Committee on Education and Labor

A BILL

To amend the Workforce Innovation and Opportunity Act to make permanent 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) APPRENTICESHIP OPPORTUNITIES.—The
22 term ‘apprenticeship opportunities’ includes reg-
23 istered apprenticeship, industry-recognized appren-
24 ticeship, and preapprenticeship programs.

25 “(2) ELIGIBLE ENTITY.—The term ‘eligible en-
26 tity’ means—

1 “(A) a private nonprofit organization
2 under section 501(c)(3) of the Internal Revenue
3 Code of 1986, including a faith-based organiza-
4 tion;

5 “(B) a local workforce development board;

6 “(C) a State or local government; or

7 “(D) an Indian or Native American entity
8 eligible for grants under section 166.

9 “(3) 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; or

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.

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

23 “(4) EVIDENCE-BASED.—The term ‘evidence-
24 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 “(5) 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, on a
23 competitive basis, award grants for a period of not
24 more than 5 years to eligible entities to enable such

1 entities to provide job training, job placement serv-
2 ices, and mentoring.

3 “(2) PRIORITY.—In awarding grants, the Sec-
4 retary shall give priority to eligible entities that—

5 “(A) establish partnerships with business
6 or educational institutions to provide a program
7 of study leading to postsecondary credentials in
8 in-demand occupations; or

9 “(B) provide customized training that is
10 designed to meet the specific requirements of
11 an employer (including a group of employers)
12 and is conducted with a commitment by the em-
13 ployer to employ an individual upon successful
14 completion of the training.

15 “(3) ADDITIONAL GRANTS.—The Secretary may
16 award, for not longer than a period of 5 years, one
17 or more additional grants to an eligible entity that
18 received a grant under this section if the eligible en-
19 tity—

20 “(A) demonstrates success in helping eligi-
21 ble participants reenter the workforce according
22 to the performance indicators under subsection
23 (g)(1); and

24 “(B) provides an assurance that the entity
25 will provide a non-Federal contribution, includ-

1 ing cash and in-kind donations, in an amount
2 not less than 100 percent of the total funds
3 awarded under the additional grant.

4 “(d) APPLICATION.—To be eligible to receive a grant
5 under this section, an eligible entity shall submit an appli-
6 cation to the Secretary, which shall include the following:

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

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

16 “(3) A description of partnerships with local
17 businesses to provide apprenticeship opportunities,
18 work-based learning, and job placement and recruit-
19 ment (if applicable).

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

1 ensure the maximum number of eligible individuals
2 will have the opportunity to participate in the pro-
3 gram.

4 “(5) An assurance that the eligible entity will
5 provide a 50-percent match, as described in sub-
6 section (e).

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

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

16 “(8) A plan to continue the program with non-
17 Federal funds after the grant period.

18 “(e) MATCHING REQUIREMENT.—In order to receive
19 a grant from the Secretary under this section, each eligible
20 entity shall provide a non-Federal contribution, including
21 cash and in-kind donations, in an amount not less than
22 25 percent of the total funds awarded.

23 “(f) USE OF FUNDS.—

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

1 “(A) provide workforce development and
2 job placement services to eligible participants,
3 including occupational skills education, on-the-
4 job training, apprenticeship opportunities, work
5 experience, job referrals, basic skills remedi-
6 ation, educational services, work readiness ac-
7 tivities, and post-placement support, in coordi-
8 nation with the one-stop partners and one-stop
9 operators that provide services at any center
10 operated under a one-stop deliver system estab-
11 lished under section 121;

12 “(B) mentor eligible participants, including
13 the provision of support, guidance, and assist-
14 ance in the community and the workplace to
15 address the challenges faced by justice-involved
16 individuals;

17 “(C) provide outreach to State or Federal
18 correctional facilities to increase awareness,
19 identify and recruit eligible participants, provide
20 screening and assessment of eligible partici-
21 pants and align educational offerings with exist-
22 ing services available to individuals who are
23 presently incarcerated;

1 “(D) coordinate with employers to develop
2 customized training programs and agreements
3 around the hiring of eligible participants; or

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

8 “(2) LIMITATIONS.—

9 “(A) CERTAIN SERVICES EXCLUDED.—
10 Funds provided under this section may not be
11 used to provide substance abuse treatment serv-
12 ices, mental health treatment services, or hous-
13 ing services, except that such a grant may be
14 used to coordinate with other programs and en-
15 tities to provide substance abuse treatment
16 services, mental health treatment services, or
17 housing services to eligible participants.

18 “(B) ADMINISTRATIVE COST LIMIT.—A
19 grantee may not use more than 10 percent of
20 the funds received under a grant for adminis-
21 trative costs, including for the purpose of col-
22 lecting information for purposes of subsection
23 (g)(1).

24 “(C) LIMIT ON AMOUNT PAID AS STIPENDS
25 TO PARTICIPANTS.—A grantee may not use

1 more than 15 percent of the funds received
2 under such grant to provide stipends to pro-
3 gram participants while completing an edu-
4 cational or skill development program.

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

9 “(g) PERFORMANCE OUTCOMES AND ACCOUNT-
10 ABILITY.—

11 “(1) INDICATORS OF PERFORMANCE.—Each eli-
12 gible entity receiving a grant under this section shall
13 report each year to the Secretary on the following
14 indicators of performance described in section
15 116(b)(2)(A):

16 “(A) The percentage of program partici-
17 pants who are in unsubsidized employment dur-
18 ing the second quarter after exit from the pro-
19 gram, as described in clause (i)(I) of such sec-
20 tion or, in case of program participants who are
21 youth, the percentage of program participants
22 who are in education or training activities, or in
23 unsubsidized employment during the second
24 quarter after exit from the program, as de-
25 scribed in clause (ii)(I) of such section.

1 “(B) The percentage of program partici-
2 pants who are in unsubsidized employment dur-
3 ing the fourth quarter after exit from the pro-
4 gram, as described in clause (i)(II) of such sec-
5 tion or, in case of program participants who are
6 youth, the percentage of program participants
7 who are in education or training activities, or in
8 unsubsidized employment during the fourth
9 quarter after exit from the program, as de-
10 scribed in clause (ii)(II) of such section.

11 “(C) The median earnings of program par-
12 ticipants who are in unsubsidized employment
13 during the second quarter after exit from the
14 program, as described in clause (i)(III) of such
15 section.

16 “(D) The percentage of program partici-
17 pants who obtain a recognized postsecondary
18 credential, or a secondary school diploma or its
19 recognized equivalent, during participation in or
20 within one year after exit from the program, as
21 described in clause (i)(IV) of such section.

22 “(E) The percentage of program partici-
23 pants who, during a program year, are in an
24 education or training program that leads to a
25 recognized postsecondary credential or employ-

1 ment and who are achieving measurable skill
2 gains toward such a credential or employment,
3 as described in clause (i)(V) of such section.

4 “(F) The indicators of effectiveness in
5 serving employers established pursuant to
6 clause (iv) of such section, as described in
7 clause (i)(VI) of such section.

8 “(2) INDEPENDENT EVALUATION.—Not later
9 than five years after the date of enactment of this
10 section and from amounts made available under sec-
11 tion 173(d), the Secretary shall provide for and re-
12 port to Congress on an independent evaluation of
13 the grant program established under this section
14 that includes an assessment of the effectiveness of
15 the grant program and the effectiveness of individual
16 grantees included in the evaluation in reducing re-
17 cidivism and assisting individuals in—

18 “(A) earning credentials;

19 “(B) finding and maintaining employment;

20 and

21 “(C) increasing their earnings.

22 “(3) REPORT.—The Secretary shall release an
23 annual report on—

1 “(A) the number of individuals who par-
2 ticipated in programs assisted under this sec-
3 tion;

4 “(B) the percentage of individuals partici-
5 pating in a program assisted under this section
6 that successfully completed the program; and

7 “(C) the performance of grantees as meas-
8 ured by the performance indicators set forth in
9 paragraph (1).

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 work-
14 force development boards, and relevant stakeholders
15 regarding best practices in providing workforce de-
16 velopment opportunities for justice-involved individ-
17 uals and reducing recidivism.

18 “(h) ADMINISTRATIVE ACTIVITIES.—The Secretary
19 may use up to 2 percent of the funds annually appro-
20 priated to carry out the activities of this section including
21 disseminating best practices and providing technical as-
22 sistance to grantees and partnering businesses regarding
23 the availability of applicable tax credits including the
24 Work Opportunity Tax Credit.

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”.

○