



IN THE CONGRESS OF THE UNITED STATES

SEPTEMBER 23rd, 2020

Mr. ROMERIO (for himself, Mr. Morales, Mr. Mark, Mr. Smith,
Mr. Battle, Mr. Pluribus) introduced the following bill;

To establish a series of Federal Grant Programs devoted to providing aid to Ex-Felons

Sec. 1. SHORT TITLE.

This act may be cited as the “Ex-Felon Reform Act.”

Sec. 2. FINDINGS

Congress finds that—

- (a) Ex-Felons are discriminated against in acquiring jobs. The inability to acquire a job makes it near impossible to return to a normal life. Without a job, Ex-Felons are forced back into a life of crime to make ends meet.
- (b) Ex-Felons are often denied the right to vote. If they are given the right to vote, they are denied the necessary resources to be able to vote. Voting is an essential right in American Democracy, and shouldn't be denied to those who have paid their debt to society.
- (c) Ex-Felons are often denied housing due to low credit, their race, or the very fact that they are Ex-Felons. The practice of Housing Discrimination has led to the destruction of communities and underdeveloped inner cities. The practice cannot continue for Ex-Felons.
- (d) Ex-Felons, having spent years of their lives in bondage, often have trouble understanding tax returns, and have trouble appropriately filling them out. One mistake can be viewed

as tax fraud, which sends them back to prison. Most cannot afford a service that pays their taxes for them, and therefore are unable to seek help when filling out tax returns.

(e) IN GENERAL—

- (i) Ex-Felons rarely have a financial, emotional, or physical support system when their health or financial state deteriorates. Without support systems, it is difficult for them to function in modern life.
 - (ii) Ex-Felons rarely have a form of psychological support, whether because they don't think they need it, or they can't afford it. However, extended periods of time separated from society can lead to mental health issues later in life, as countless prisoners, especially those subject to Solitary Confinement, have experienced.
 - (iii) Ex-Felons are often unable to afford Health Care. In cases where Ex-Felons are in pain, and cannot afford treatment, they often are forced to buy drugs. This can lead to incarceration, overdose, financial ruin, or death.
- (f) Ex-Felons have paid their debt to society, and do not deserve to be punished for the rest of their lives. Government needs to be in a position to aid some of society's most vulnerable citizens.

Sec. 3. DEFINITIONS

In this act—

- (a) The term “Ex-Felon” refers to an individual who was convicted of a Felony, under United States statute, or the statutes and Penal Codes of the Several States, and served all of, or some of their sentence in State or Federal Prison. For the purposes of this bill, anybody convicted of a sexual assault, or any form of it, as described by the Penal Codes of the Several States, is ineligible for any financial support under this act that is directed to “Ex-Felons.” Any provisions that apply to “Ex-Felons” shall not apply to those who committed a Sexual Assault.
- (b) The term “Sexual Assault” refers to any violation of a State or Federal Penal Code involving sexual contact or behavior that occurs without explicit consent of the victim.
- (c) The terms “The Secretary” and “The Department” refer to the Secretary of Health and Human Services and the Department thereof.
- (d) The term “The Program” refers to the Program created under Section 4 of this bill.

- (e) The term “Local Authorities and Services” refers to the Governments below the levels of the Several States, such as Counties, Cities, and Townships, and the relevant services they offer to the citizens thereof.
- (f) The term “Groups of Individuals” refers to a specific type of Person, such as an Ex-Felon.
- (g) The term “Private Prison Companies” refers to Corporations that operate one or more privatized Detention Centers.
- (h) The term “laws banning hiring discrimination on the basis of previous Felony Conviction” refers to any statute passed by the State in question that bans hiring discrimination, or the process by which that is based on a Conviction of a Felony.
- (i) The term “Public Workplaces” refers to any workplaces controlled by the Governments of the Several States, such as District Attorneys’ Offices. To qualify as a “Public Workplace,” the State in question must have control over the funding and practices of the workplace.
- (j) The term “Busing Services” refers to a service provided by Local Authorities that provide transportation to Ex-Felons, for the purpose described by the Sections pertaining.
- (k) The term “Tax Returns” refers to reports filed with the Internal Revenue Service or with the state or local tax collection agency containing information used to calculate income tax or other taxes.
- (l) The term “Medical or Psychological Services” refers to any service, provided by a licensed Medical Professional, licensed Nurse, licensed Physician, or licensed Psychologist that seeks to improve the Mental or Physical Health of Ex-Felons.

Sec. 4. ESTABLISHING PROGRAMS TO AID EX-FELONS

- (a) IN GENERAL— The Secretary shall establish within the Department a Program devoted to improving the lives of Ex-Felons through means employed with mandatory and discretionary funding, including but not limited to;
 - (i) Federal Grants to States
 - (ii) Federal Grants to Corporations
 - (iii) Federal Grants to Local Authorities and Services
 - (iv) Direct or Indirect Funding to Groups of Individuals

(b) TO COMBAT JOB DISCRIMINATION and PROVIDE JOBS TO EX-FELONS—

- (i) The Program shall conduct the following methods to achieve its goals of expanding job availability to Ex-Felons—
 - (1) Federal Grants to Corporations
 - (2) Federal Grants to States
- (ii) The Program shall give Federal Grants to Corporations that—
 - (1) Promise to employ an amount of Ex-Felons over the next ten years so that at least 1.5% of their employees are Ex-Felons.
 - (2) Remove any questions asking about previous Convictions, including felonies, from any Application or Interview to become an employee at that Corporation.
 - a) Section(4)(b)(ii)(2) will not apply to questions about Convictions of a Sexual Assault.
 - (3) In-state Programs with a goal of educating all employees about Ex-Felons, and how to avoid discriminating against them.
 - (4) Instate regulations banning discrimination against Ex-Felons from other Employees and from their superiors.
- (iii) Any Grants employed under Section(4)(b)(ii) can cease if one of the following occurs—
 - (1) One of the conditions in aforementioned is not met, or stops being met.
 - (2) The regulations described in Sections (4)(b)(ii)(3) and (4)(b)(ii)(4) are found to have had very little effects in the workplace, such as—
 - a) The Inspector described in Section (4)(b)(iv) has determined that Discrimination is a prevalent or common practice in the Corporation.
 - b) The Inspector has found that the Programs described in Section (4)(b)(ii)(3) are not being carried out or are being carried out poorly or inefficiently.
 - (3) The Corporation has invested in Private Prison Companies.

- (iv) To carry out Section (4)(b)(iii), there shall be an Inspector General, operating a Staff of Inspectors, who shall be responsible for Inspections for multiple Grant Programs described in Section (4). To carry out Section (4)(b)(iii), they shall—
 - (1) Investigate the workplace practices and environment to achieve the provisions detailed in Section (4)(b)(iii)(2).
 - (2) Investigate the completion of the conditions for Grant Application as detailed in Section (4)(b)(ii).
 - (3) Investigate the financial activities of the Corporation, including its investments and expenditures, to carry out Section (4)(b)(iii)(3).
- (v) The Grant Amount shall be determined by the Program but, in general, should be enough to—
 - (1) Increase the capability of the Corporation to hire more Ex-Felons as described by Section (4)(b)(ii)(1).
 - (2) Instate the Programs described by Section (4)(b)(ii)(3).
- (vi) Grant Limitations—
 - (1) No more than 5 Grants shall be given every Fiscal Year under Section (4)(b)(ii).
- (vii) The Program shall give Federal Grants to States that—
 - (1) Pass laws banning hiring discrimination on the basis of previous Felony Conviction.
 - a) The laws in Section (4)(b)(vii)(1) do not apply to those who committed a Sexual Assault.
 - (2) Pass laws requiring anti-discrimination training in Public Workplaces. The training would seek to prevent discrimination against Ex-Felons.
 - (3) Pass laws that establish programs to hire more Ex-Felons in Public Workplaces.
 - (4) The State commits to close all prisons operated by Private Prison Companies over a span of 20 years.
- (viii) Any grants employed under Section (4)(b)(vii) can cease if one of the following occurs—
 - (1) Any one of the policies described by Sections (4)(b)(vii)(1-3) is repealed.

- (2) Any one of the aforementioned policies is not appropriately, effectively, or efficiently implemented or enforced.
 - (3) Section (4)(b)(vii)(4) is not initialized after two years, or is done inefficiently or inhumanely.
- (ix) To carry out Section (4)(b)(viii), the Inspector described in Section (4)(b)(iv) shall, to ensure the proper enforcement of the Grant requirements, do the following—
 - (1) Keep up-to-date on State Policies and ensure that they are aware of whether or not the policies described in Section (4)(b)(vii) have been repealed.
 - (2) Investigate the means by which the aforementioned policies have been carried out and enforced. They shall ensure that the policies are being carried out effectively and efficiently.
 - (3) Investigate the process of closure as described by Section (4)(b)(vii)(4) and ensure that it is being conducted effectively and efficiently.
- (x) The Grant Amount shall be determined by the Program but, in general, should be enough to—
 - (1) Increase the capability of the State to hire more Ex-Felons as described by Section (4)(b)(vii)(3).
 - (2) Instate the Programs described by Section (4)(b)(vii)(2).
 - (3) Complete the objectives described by Section (4)(b)(vii)(4).
- (xi) Grant Limitations and Conditions—
 - (1) No more than 3 Grants shall be given every Fiscal Year as described by Section (4)(b)(vii).
 - (2) The State shall have to match any grants given by appropriating one-half of the amount provided by the Grant.
- (c) TO EXPAND EX-FELONS' ACCESS TO VOTING—
 - (i) The Program shall conduct the following methods to achieve its goals of expanding voting availability to Ex-Felons—
 - (1) Federal Grants to Local Authorities and Services
 - (2) Federal Grants to States

- (ii) The Program shall give grants to Local Authorities and Services that—
 - (1) Establish busing services to provide transportation for Ex-Felons to polling places on Election Days.
- (iii) Any grants employed under Section (4)(c)(ii) may cease if one of the following occurs—
 - (1) The Programs described are not being carried out efficiently or effectively, and/or—
 - a) Ex-Felons have consistently not been provided access to polling places upon request.
 - b) The busing service has not provided any transportation to Ex-Felons on an Election Day.
- (iv) To carry out Section (4)(c)(iii), the Inspector described in Section (4)(b)(iv), shall, in order to ensure the proper fulfillment of Grant Requirements, do the following—
 - (1) Investigate the proper employment, application, and success of the aforementioned busing services.
 - (2) Ensure that the program reaches its goal of improving Ex-Felons' ability to vote in Local, State, and Federal Elections.
- (v) The Grant Amount shall be determined by the Program but, in general, should be enough to—
 - (1) Ensure the proper creation and application of a fully-functional busing program, as described by Section (4)(c)(ii).
- (vi) Grant Limitations and Conditions—
 - (1) No more than 10 Grants as described by Section (4)(c)(ii) shall be given every Fiscal Year.
 - (2) The Local Authorities to which Grants are authorized shall match funds provided by appropriating one-third of the amount given by the Program to the objectives listed in Section (4)(c)(ii).
- (vii) The Program shall give grants to States that—
 - (1) Legalize Ex-Felons' rights to vote.
 - (2) Establish free transportation to polling places for Ex-Felons.

a) IN GENERAL—

- i) Ex-Felons shall have access to State or Local-Owned public transportation for free to go to polling places and vote.
- (viii) Any grants employed under Section (4)(c)(vii) can cease if one of the following occurs—
 - (1) It is found that, in practice, Ex-Felons are being denied the right to vote on the basis of their Conviction.
 - (2) It is found that the legalization of Ex-Felon voting has been repealed.
 - (3) It is found that the State is not offering free public transportation to a substantial number of Ex-Felons seeking to vote.
- (ix) To carry out Section (4)(c)(viii), the Inspector described in Section (4)(b)(iv) shall, in order to ensure the proper fulfillment of Grant Requirements, do the following—
 - (1) Ensure that, in practice, Ex-Felons are able to vote at polling places.
 - (2) Ensure that, in practice, the overwhelming majority of Ex-Felons, who seek free transportation to polling places, are able to achieve it.
- (x) The Grant Amount shall be determined by the program but, in general, should be enough to—
 - (1) Establish a fully-functional program, as described in Section (4)(c)(vii).
- (xi) Grant Limitations and Conditions—
 - (1) No more than 3 Grants as described by Section (4)(c)(vii) shall be given every Fiscal Year.
 - (2) The States to which Grants are authorized shall match funds provided by appropriating one-half of the amount given by the Program to achieve the objectives listed in Section (4)(c)(ii).

(d) ESTABLISHING ACCESS TO HOUSING FOR EX-FELONS—

- (i) The Program shall conduct the following method to achieve its goals of expanding voting availability to Ex-Felons—
 - (1) Federal Grants to States
- (ii) The Program shall give grants to States that—

- (1) Illegalize the practice of Housing Discrimination against Ex-Felons.
 - (2) Establish low-cost Housing Programs for Ex-Felons.
 - a) IN GENERAL— Ex-Felons in the State shall have access to low-cost Housing, to ensure easier access to jobs and financial stability.
- (iii) Any grants employed under Section (4)(d)(ii) may cease if one of the following occurs—
 - (1) The Programs described are not being carried out efficiently or effectively, and/or—
 - a) Ex-Felons have consistently been discriminated against in Housing without any State repercussions.
 - b) Ex-Felons have consistently not been able to achieve low-cost Housing through the State Program described in Section (4)(c)(ii)(2).
- (iv) To carry out Section (4)(d)(iii), the Inspector described in Section (4)(b)(iv), shall, in order to ensure the proper fulfillment of Grant Requirements, do the following—
 - (1) Investigate the proper application and enforcement of anti-Discrimination laws described by Section (4)(d)(ii)(1).
 - (2) Ensure that the program described in Section (4)(d)(ii)(2) is being carried out effectively, and that Ex-Felons are able to achieve low-cost housing.
- (v) The Grant Amount shall be determined by the Program but, in general, should be enough to—
 - (1) Ensure the proper creation and application of a fully-functional low-cost housing program, as described by Section (4)(d)(ii)(2).
- (vi) Grant Limitations and Conditions—
 - (1) No more than 3 Grants as described by Section (4)(c)(ii) shall be given every Fiscal Year.
 - (2) The States to which Grants are authorized shall match funds provided by appropriating one-half of the amount given by the Program to achieve the objectives listed in Section (4)(d)(ii).

(e) IMPROVING EX-FELONS' ABILITY TO FILE TAX RETURNS—

- (i) The Program shall conduct the following method to achieve its goals of expanding voting availability to Ex-Felons—
 - (1) Federal Grants to Corporations
- (ii) The Program shall give grants to Corporations that—
 - (1) Use their software, or other methods, to provide a service that—
 - a) Files the user's tax returns.
 - b) Is of no cost to the users.
 - c) Is provided, for the applications of this statute, only to Ex-Felons.
- (iii) Any grants employed under Section (4)(e)(ii) may cease if one of the following occurs—
 - (1) The Programs described are not being carried out efficiently or effectively, and/or—
 - a) Ex-Felons have consistently been unable to have their Tax Returns filed for free.
- (iv) To carry out Section (4)(e)(iii), the Inspector described in Section (4)(b)(iv), shall, in order to ensure the proper fulfillment of Grant Requirements, do the following—
 - (1) Investigate the proper application of the service described in Section (4)(e)(ii).
 - (2) Ensure that the service is filing the tax returns of Ex-Felons for free.
- (v) The Grant Amount shall be determined by the Program but, in general, should be enough to—
 - (1) Ensure the proper creation and application of a fully-functional service to provide the free completion of Ex-Felons' tax returns as described by Section (4)(e)(ii).
- (vi) Grant Limitations—
 - (1) No more than 5 Grants as described by Section (4)(e)(ii) shall be given every Fiscal Year.

(f) EXPANDING EX-FELONS' ACCESS TO HEALTH CARE—

- (i) The Program shall conduct the following method to achieve its goals of expanding voting availability to Ex-Felons—
 - (1) Federal Grants to States
- (ii) The Program shall give grants to States that—
 - (1) Establish funds to be able to directly benefit Ex-Felons if they attempt to get Medical or Psychological Services.
 - (2) IN GENERAL—
 - a) Ex-Felons, upon seeking Medical or psychological Services, shall be able to deposit funds directly from the State fund.
 - b) The fund should be able to fund at least one-half of their Medical Expenditure.
- (iii) Any grants employed under Section (4)(d)(ii) may cease if one of the following occurs—
 - (1) The Programs described are not being carried out efficiently or effectively, and/or—
 - a) Ex-Felons have consistently been unable to afford Medical or Psychological Services, even after having received the funding described by Section (4)(f)(ii).
 - b) Ex-Felons have consistently not received funding under Section (4)(f)(ii), despite being eligible and requesting funding for Medical or Psychological Expenditures.
 - (2) To carry out Section (4)(d)(iii), the Inspector described in Section (4)(b)(iv), shall, in order to ensure the proper fulfillment of Grant Requirements, do the following—
 - a) Investigate the proper application of the Fund specified in Section (4)(f)(ii), and ensure that it is funding the Medical and Psychological expenses of Ex-Felons.
- (iv) The Grant Amount shall be determined by the Program but, in general, should be enough to—

- (1) Ensure the proper creation and application of a fully-functional fund to provide monetary assistance for Medical and Psychological expenditures of Ex-Felons.
- (v) Grant Limitations and Conditions—
 - (1) No more than 3 Grants as described by Section (4)(f)(ii) shall be given every Fiscal Year.
 - (2) The States to which Grants are authorized shall match funds provided by appropriating two-thirds of the amount given by the Program to achieve the objectives listed in Section (4)(f)(ii).
- (g) EXCLUSION CLAUSE—
 - (i) None of the provisions or benefits in this act shall apply or be given to people convicted of Sexual Assault, as defined by Section 3.

Sec. 5. MEANS OF APPROPRIATIONS

IN GENERAL— Upon the passage of this bill, the Secretary of Health and Human Services shall organize a commission of ten people, organized under their leadership, responsible for—

- (a) Determining the cost of setting up the Program described in Section 4.
 - (i) Once the cost of setting up the Program described in Section 4 has been determined, the Commission shall draft a Report to Congress detailing the cost of setting up the Program, and shall write it in the form of an Appropriations Bill.
 - (ii) The Commission must include the cost to maintain itself in the Bill, as they will not be dissolved upon the creation of the Program, and will continue to need funding.
 - (iii) Once approved by the Secretary and the President of the United States, the Bill shall be sent to Congress for approval.
 - (iv) Once Congress has approved the Bill in both Houses, and the President has affixed their signature, the Commission shall create the Program and serve as its leadership once it has been created.
- (b) The Commission, once the Program has been created will be responsible for determining the Costs of any Grants described in Section 4, and it will be responsible for working

with Local Authorities, State Governments, and private Corporations to work out the terms and conditions for any Grants.

- (c) All Grants drafted by the Commission, and approved by the Secretary, shall be sent to Congress for approval, and then to the President, for their signature.
- (d) Once a Grant, as described by Section 4 has been signed into law, the Commission shall be responsible for using the Program's resources to ensure the proper use and application of the Grant.

Sec. 6. AUTHORIZATION OF APPROPRIATIONS

- (a) There is authorized to be immediately appropriated \$1,000,000 in mandatory funding to form the Commission described in Section 5.
- (b) There is authorized to be immediately appropriated \$1,000,000 in mandatory funding for the purposes of carrying out Section (5)(a).
- (c) There is authorized to be appropriated in the Calendar Month January 2021 \$3,000,000 in discretionary funding for the purposes of carrying out Section (5)(a), upon request of the Commission described in Section 5.

Sec. 7. ENACTMENT

- (a) The provisions detailed in Section (5)(a) and Section 6 shall go into effect immediately.
- (b) All other provisions shall be enacted upon Congress's approval to form the Program described in Section 4.