

113TH CONGRESS
1ST SESSION

H. R. 3580

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

NOVEMBER 21, 2013

Mr. FATTAH 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 2013” or “America’s FOCUS Act of 2013”.

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 1998, Congress issued Federal charters
8 to the Boys and Girls Clubs of America and Big
9 Brothers Big Sisters of America in recognition of
10 their work helping children reach their full potential
11 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) National CARES Mentoring Move-
18 ment;

19 (D) the First Tee;

20 (E) Amachi;

21 (F) FIRST Robotics;

22 (G) the U.S. DREAM Academy;

23 (H) GEAR UP;

24 (I) the YMCA;

25 (J) Civil Air Patrol;

- 1 (K) the National Council of Youth Sports;
2 (L) Girls Inc.; and
3 (M) National Urban League.

4 (8) Innovations in medical research and devel-
5 opment significantly benefit the American people.
6 For example, through innovations in the diagnosis
7 and treatment of life-threatening diseases, Ameri-
8 cans are now living longer and more productive lives,
9 contributing to the economic growth of the United
10 States. Additional investments in medical research
11 and development will contribute to overall public
12 health and productivity in America.

13 (9) Through participation in the Justice Rein-
14 vestment Initiative, State governments have imple-
15 mented evidence-based criminal justice reforms.
16 These reforms are cost effective, redirecting revenue
17 to better serve the public safety needs of local com-
18 munities. In addition, these reforms have decreased
19 risks of recidivism and instituted alternatives to in-
20 carceration for non-violent offenders. According to a
21 July 2013 report from the Urban Institute, States
22 participating in the Justice Reinvestment Initiative
23 may achieve \$3.3 billion in savings over the next 10
24 years. Additional funding to the Initiative would bet-

1 ter enable State and local governments to carry out
2 this work and achieve these savings.

3 **SEC. 3. AMERICA’S FOCUS FUND.**

4 (a) **ESTABLISHMENT.**—There is established in the
5 Treasury a separate account to be known as the America’s
6 FOCUS Fund (hereafter in this Act referred to as the
7 “Fund”).

8 (b) **REVENUE DEPOSITED IN FUND.**—Except as pro-
9 vided in subsection (c), the Secretary of the Treasury shall
10 deposit in the Fund—

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

14 (2) all revenue generated by legal settlements
15 reached between corporations and the Federal Gov-
16 ernment for the violation or alleged violation of Fed-
17 eral law; and

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

22 (c) **EXCEPTIONS.**—The Secretary may not deposit in
23 the Fund—

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

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

7 (d) USE OF FUNDS.—

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

10 (A) YOUTH MENTORING GRANTS.—Not
11 more than 33 percent of the total revenue in
12 the Fund as calculated on a quarterly basis
13 shall be used to award grants for evidence-
14 based youth mentoring and STEM education,
15 in the manner provided in section 4.

16 (B) JUSTICE REINVESTMENT GRANTS.—
17 Not more than 33 percent of the total revenue
18 in the Fund as calculated on a quarterly basis
19 shall be used to award grants for evidence-
20 based justice reinvestment, in the manner pro-
21 vided in section 5.

22 (C) MEDICAL INNOVATION GRANTS.—Not
23 more than 33 percent of the total revenue in
24 the Fund as calculated on a quarterly basis
25 shall be used to award grants and prizes for in-

1 novations in medical research and development,
2 in the manner provided in section 6.

3 (D) REDUCING THE FEDERAL DEBT.—The
4 Secretary shall use the remaining revenue for
5 Federal budget deficit reduction or, if there is
6 no Federal budget deficit for the fiscal year, for
7 reducing the Federal debt in such manner as
8 the Secretary considers appropriate.

9 (2) REQUIREMENT TO SUPPLEMENT, NOT SUP-
10 PLANT OTHER FUNDS.—Grant funds awarded under
11 this Act shall be used to supplement, and not sup-
12 plant, other Federal, State, and local funds des-
13 ignated to carry out the activities funded by the
14 grants.

15 (e) RETENTION OF SUMS IN FUND.—Sums deposited
16 in the Fund shall remain in the Fund and be available
17 for expenditure for grants under this Act without fiscal
18 year limitation.

19 **SEC. 4. YOUTH MENTORING GRANTS.**

20 (a) IN GENERAL.—

21 (1) YOUTH MENTORING GRANTS.—The Sec-
22 retary of Education, in cooperation with the Federal
23 Mentoring Council, shall award grants to eligible en-
24 tities that provide evidence-based youth mentoring

1 programs, using the revenue designated for such
2 purpose in subparagraph (A) of section 3(d)(1).

3 (2) STEM EDUCATION GRANTS.—The Asso-
4 ciate Administrator for Education for the National
5 Aeronautics and Space Administration shall award
6 grants to eligible entities that offer STEM education
7 to individuals under the age of 21, using the revenue
8 designated for such purpose in subparagraph (A) of
9 section 3(d)(1).

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

12 (1) a national non-profit, community-based or-
13 ganization with at least 2 years of experience in ad-
14 ministering STEM education programs or youth
15 mentoring programs; or

16 (2) a State or local government.

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

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

24 (e) USE OF FUNDS.—

25 (1) STATE AND LOCAL GOVERNMENTS.—

1 (A) IN GENERAL.—A State or local gov-
2 ernment that receives a grant under this section
3 shall distribute the grant funds to non-profit,
4 community-based organizations and local edu-
5 cational agencies within the jurisdiction of such
6 government that provide evidence-based men-
7 toring or STEM education to individuals under
8 the age of 21.

9 (B) FUNDS RESERVED FOR VULNERABLE
10 YOUTH.—A State or local government that re-
11 ceives grant funds under this section shall allo-
12 cate not less than 50 percent of such funds for
13 distribution to organizations described in sub-
14 paragraph (A) that provide evidence-based men-
15 toring or STEM education to vulnerable youth.

16 (2) OTHER ENTITIES.—

17 (A) IN GENERAL.—An organization other
18 than a State or local government that receives
19 a grant under this section shall use the grant
20 funds to establish or expand one or more pro-
21 grams that provide evidence-based mentoring or
22 STEM education to individuals under the age
23 of 21.

24 (B) FUNDS RESERVED FOR PERSISTENT
25 POVERTY COUNTIES.—An organization other

1 than a State or local government that receives
2 grant funds under this section shall allocate not
3 less than 10 percent of such funds for programs
4 that provide evidence-based mentoring or
5 STEM education in persistent poverty counties.

6 (f) ANNUAL AWARD OF GRANTS.—To the extent
7 funds are available, the grants under this section shall be
8 awarded at least once during each fiscal year, with the
9 first grants to be awarded within 90 days after the date
10 of the enactment of this Act.

11 (g) DEFINITIONS.—In this section:

12 (1) STEM EDUCATION PROGRAM.—The term
13 “STEM education program” means a program to
14 educate students in one or more of the following dis-
15 ciplines: science, technology, engineering, or mathe-
16 matics.

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

22 (3) VULNERABLE YOUTH.—The term “vulner-
23 able youth” includes individuals under the age of
24 21—

1 (A) who experience emotional and adjust-
2 ment problems;

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

5 (C) who lack the skills to succeed in the
6 workforce after graduation;

7 (D) who live in an unstable family or com-
8 munity environment;

9 (E) who are involved in the juvenile justice
10 system;

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

12 (G) who have physical or mental disabil-
13 ities;

14 (H) who receive special education;

15 (I) who are or have been victims of human
16 trafficking; or

17 (J) who live in neighborhoods with high
18 rates of illegal drug use.

19 **SEC. 5. JUSTICE REINVESTMENT GRANTS.**

20 (a) IN GENERAL.—The Attorney General shall use
21 the revenue designated for justice reinvestment grants in
22 subparagraph (B) of section 3(d)(1) to fund evidence-
23 based justice reinvestment projects as part of the Justice
24 Reinvestment Initiative and programs established under
25 the Second Chance Act within the Department of Justice.

1 (b) USE OF FUNDS.—

2 (1) STATE AND LOCAL GOVERNMENTS.—

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

8 (B) FUNDS RESERVED FOR PERSISTENT
9 POVERTY COUNTIES.—The Attorney General
10 shall allocate not less than 10 percent of such
11 funds for projects that support persistent pov-
12 erty counties.

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

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

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

1 (d) ANNUAL AWARD OF GRANTS.—To the extent
2 funds are available, the Attorney General shall award
3 grants under this section at least once during each fiscal
4 year, with the first grants to be awarded within 90 days
5 after the date of the enactment of this Act.

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

11 **SEC. 6. MEDICAL INNOVATION GRANTS.**

12 (a) IN GENERAL.—The Director of the National In-
13 stitutes of Health shall use the revenue designated for
14 medical innovation in subparagraph (C) of section 3(d)(1)
15 to fund entities that conduct innovative medical research
16 and development.

17 (b) USE OF FUNDS.—

18 (1) GRANTS.—

19 (A) IN GENERAL.—Except as provided in
20 paragraph (2), the funds available under this
21 section shall be used to award grants to entities
22 that conduct innovative medical research and
23 development to provide faster cures for medical
24 ailments and diseases.

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

5 (2) PRIZES.—The Director may use not more
6 than 15 percent of the funds available under this
7 section to award monetary prizes to entities that
8 have used their own funding and research facilities
9 to produce innovative results in medical research
10 and development.

11 (c) ANNUAL AWARD OF GRANTS AND PRIZES.—To
12 the extent funds are available, the Director of the National
13 Institutes of Health shall award the grants and prizes
14 under this section at least once during each fiscal year,
15 with the first grants and prizes to be awarded within 90
16 days after the date of the enactment of this Act.

○