



LOS ANGELES COUNTY  
**COMMISSION ON HIV**



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# PUBLIC POLICY COMMITTEE Virtual Meeting

Monday, November 1, 2021

1:00PM-3:00PM (PST)

\*Meeting Agenda + Packet will be available on our website at:

<http://hiv.lacounty.gov/Public-Policy-Committee>

**REGISTER VIA WEBEX ON YOUR COMPUTER OR SMART PHONE:**

<https://tinyurl.com/fj2t96cp>

*\*Link is for non-Committee members only*

**JOIN VIA WEBEX ON YOUR PHONE:**

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For a brief tutorial on how to use WebEx, please check out this  
video: <https://www.youtube.com/watch?v=iQSSJYcrgIk>

## PUBLIC COMMENTS

Public Comment is an opportunity for members of the public to comment on an agenda item, or any item of interest to the public, before or during the Commission's consideration of the item, that is within the subject matter jurisdiction of the Commission.

To submit Public Comment, you may join the virtual meeting via your smart device and post your Public Comment in the Chat box -or- email your Public Comment to [hivcomm@lachiv.org](mailto:hivcomm@lachiv.org) - or- submit your Public Comment electronically via [https://www.surveymonkey.com/r/PUBLIC\\_COMMENTS](https://www.surveymonkey.com/r/PUBLIC_COMMENTS).

All Public Comments will be made part of the official record.

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AGENDA FOR THE **VIRTUAL** MEETING OF THE  
LOS ANGELES COUNTY COMMISSION ON HIV  
**PUBLIC POLICY COMMITTEE**

**MONDAY, NOVEMBER 1, 2021 | 1:00 PM – 3:00 PM**

To Join by Computer:

<https://tinyurl.com/fj2t96cp>

*\*Link is for non-committee members only\**

To Join by Phone: 1-415-655-0001

Access code: 2597 929 8954

Public Policy Committee Members:			
Katja Nelson, MPP Co-Chair	Lee Kochems, MA Co-Chair	Alasdair Burton, (Alternate)	Felipe Findley
Jerry D. Gates, PhD	Gerald Garth	Eduardo Martinez (Alternate)	Isabella Rodriguez (Alternate)
Ricky Rosales	Martin Sattah, MD		
<b>QUORUM: 6</b>			

AGENDA POSTED October 28, 2021

**VIRTUAL MEETINGS:** Assembly Bill (AB) 361 amends California’s Ralph M. Brown Act Section 54953 to allow virtual board meetings during a state of emergency. Until further notice, all Commission meetings will continue to be held virtually via WebEx. For a schedule of Commission meetings, please click [here](#).

**PUBLIC COMMENT:** Public Comment is an opportunity for members of the public to comment on an agenda item, or any item of interest to the public, before or during the Commission’s consideration of the item, that is within the subject matter jurisdiction of the Commission. To submit Public Comment, you may join the virtual meeting via your smart device and post your Public Comment in the Chat box -or- email your Public Comment to [hivcomm@lachiv.org](mailto:hivcomm@lachiv.org) -or- submit your Public Comment electronically via [https://www.surveymonkey.com/r/PUBLIC\\_COMMENTS](https://www.surveymonkey.com/r/PUBLIC_COMMENTS). All Public Comments will be made part of the official record.

**ATTENTION:** Any person who seeks support or endorsement from the Commission on any official action may be subject to the provisions of Los Angeles County Code, Chapter 2.160 relating to lobbyists. Violation of the lobbyist ordinance may result in a fine and other penalties. For information, call (213) 974-1093.

**ACCOMMODATIONS:** Interpretation services for the hearing impaired and translation services for languages other than English are available free of charge with at least 72 hours notice before the meeting date. To arrange for these services, please contact the Commission Office at (213) 738-2816 or via email at [HIVComm@lachiv.org](mailto:HIVComm@lachiv.org).

Los servicios de interpretación para personas con impedimento auditivo y traducción para personas que no hablan Inglés están disponibles sin costo. Para pedir estos servicios, póngase en contacto con Oficina de la Comisión al (213) 738-2816 (teléfono), o por correo electrónico a [HIVComm@lachiv.org](mailto:HIVComm@lachiv.org), por lo menos setenta y

dos horas antes de la junta.

SUPPORTING DOCUMENTATION can be obtained at the Commission on HIV Website at: <http://hiv.lacounty.gov>. The Commission Offices are located at 510 S. Vermont Ave. 14<sup>th</sup> Floor, one building North of Wilshire on the eastside of Vermont just past 6<sup>th</sup> Street. Validated parking is available.

NOTES on AGENDA SCHEDULING, TIMING, POSTED and ACTUAL TIMES, TIME ALLOTMENTS, and AGENDA ORDER: Because time allotments for discussions and decision-making regarding business before the Commission’s standing committees cannot always be predicted precisely, posted times for items on the meeting agenda may vary significantly from either the actual time devoted to the item or the actual, ultimate order in which it was addressed on the agenda. Likewise, stakeholders may propose adjusting the order of various items at the commencement of the committee meeting (Approval of the Agenda), or times may be adjusted and/or modified, at the co-chairs’ discretion, during the course of the meeting.

If a stakeholder is interested in joining the meeting to keep abreast of or participate in consideration of a specific agenda item, the Commission suggests that the stakeholder plan on attending the full meeting in case the agenda order is modified or timing of the items is altered. All Commission committees make every effort to place items that they are aware involve external stakeholders at the top of the agenda in order to address and resolve those issues more quickly and release visiting participants from the obligation of staying for the full meeting.

External stakeholders who would like to participate in the deliberation of discussion of a posted agenda item, but who may only be able to attend for a short time during a limited window of opportunity, may call the Commission’s Executive Director in advance of the meeting to see if the scheduled agenda order can be adjusted accordingly. Commission leadership and staff will make every effort to accommodate reasonable scheduling and timing requests - from members or other stakeholders - within the limitations and requirements of other possible constraints.

Call to Order, Introductions and Check-in, Conflict of Interest Statements 1:00 PM – 1:05 PM

**I. ADMINISTRATIVE MATTERS** 1:05 PM – 1:08 PM

- 1. Approval of Agenda **MOTION #1**
- 2. Approval of Meeting Minutes **MOTION #2**

**II. PUBLIC COMMENT** 1:08 PM – 1:10 PM

- 3. Opportunity for members of the public to address the Commission on items of interest that are within the jurisdiction of the Commission.

**III. COMMITTEE NEW BUSINESS ITEMS** 1:10 PM – 1:15 PM

- 4. Opportunity for Commission members to recommend new business items for the full body or a committee level discussion on non-agendized Matters not posted on the agenda, to be discussed and (if requested) placed on the agenda for action at a future meeting, or matters requiring immediate action because of an emergency situation, or where the need to take action arose subsequent to the posting of the agenda.

**IV. REPORTS**

- 5. Executive Director/Staff Report 1:15 PM – 1:20 PM
  - a. Operational Updates
  - b. Committee and Caucus Updates

- 6. Co-Chair Report 1:20 PM – 1:45 PM
  - a. Holiday Meeting Schedule (December 6, 2021 – January 3, 2022)
  - b. Co-Chair Nominations/Elections
  - c. Act Now Against Meth (ANAM) Update
  - d. Public Hearings Preparation
  - e. “So, You Want to Talk about Race” by I. Oluo Reading Activity

Selected **Excerpts only** from Chapters 16 OR 17

**V. DISCUSSION ITEMS**

- 7. Legislative Docket 1:45 PM – 1:55 PM  
 BREATHE Act  
[https://breatheact.org/wp-content/uploads/2020/07/The-BREATHE-Act-PDF\\_FINAL3-1.pdf](https://breatheact.org/wp-content/uploads/2020/07/The-BREATHE-Act-PDF_FINAL3-1.pdf)
- 8. Policies Priority – Priorities 1:55 PM – 2:20PM
- 9. State Policy & Budget Update 2:20 PM – 2:30 PM
- 10. Federal Policy Update 2:30 PM – 2:35 PM
- 11. County Policy Update 2:35 PM – 2:50 PM

**VI. NEXT STEPS**

- 12. Task/Assignments Recap 2:50 PM – 2:55 PM
- 13. Agenda development for the next meeting

**VII. ANNOUNCEMENTS**

- 14. Opportunity for members of the public and the committee to make announcements 2:55 PM – 3:00 PM

**VIII. ADJOURNMENT**

- 15. Adjournment for the meeting of November 1, 2021 3:00 PM

<b>PROPOSED MOTIONS</b>	
<b>MOTION #1</b>	<b>Approve the Agenda Order as presented or revised.</b>
<b>MOTION #2</b>	<b>Approve the Public Policy Committee minutes, as presented or revised.</b>



LOS ANGELES COUNTY  
COMMISSION ON HIV



510 S. Vermont Ave., 14<sup>th</sup> Floor • Los Angeles, CA 90020 • TEL (213) 738-2816 •  
FAX (213) 637-4748HIVCOMM@LACHIV.ORG • <http://hiv.lacounty.gov> ORG •  
VIRTUAL WEBEX MEETING

*Presence at virtual meetings is recorded based on the attendance roll call. Only members of the Commission on HIV are accorded voting privileges and must verbally acknowledge their attendance in order to vote.*  
*Approved meeting minutes are available on the Commission's website; meeting recordings are available upon request.*

**PUBLIC POLICY COMMITTEE  
MEETING MINUTES**

**Draft**

October 4, 2021

<b>COMMITTEE MEMBERS</b>			
P = Present   A = Absent   EA = Excused Absence			
Katja Nelson, MPP, Co-Chair	P	Isabella Rodriguez (Alternate)	P
Lee Kochems, MA, Co-Chair	P	Ricky Rosales	P
Alasdair Burton (Alternate)	P	Martin Sattah, MD	P
Jerry Gates, PhD	P		
Gerald Garth	A		
Eduardo Martinez (Alternate)	P		
<b>COMMISSION STAFF AND CONSULTANTS</b>			
Cheryl Barrit, Executive Director, Carolyn Echols-Watson, Sonja Wright			

\*Some participants may not have been captured electronically. Attendance can be corrected by emailing the Commission.

\*Members of the public may confirm their attendance by contacting Commission staff at [hivcomm@lachiv.org](mailto:hivcomm@lachiv.org).

\*Meeting minutes may be corrected up to one year from the date of approval.

Meeting agenda and materials can be found on the Commission's website at

[http://hiv.lacounty.gov/Portals/HIV/Commission%20Meetings/2021/Package/PPC\\_100421\\_Merged%20Meeting%20Packet.pdf?ver=ioRGCKwDrnU-swjZRn9prg%3d%3d](http://hiv.lacounty.gov/Portals/HIV/Commission%20Meetings/2021/Package/PPC_100421_Merged%20Meeting%20Packet.pdf?ver=ioRGCKwDrnU-swjZRn9prg%3d%3d)

**CALL TO ORDER-INTRODUCTIONS-CONFLICTS OF INTEREST**

Katja Nelson called the meeting to order at approximately 1:05 PM. Attendees were asked to introduce themselves.

**I. ADMINISTRATIVE MATTERS**

**1. APPROVAL OF AGENDA**

**MOTION #1: Approval of Agenda (*Passed by Consensus*).**

## **2. APPROVAL OF MEETING MINUTES**

**MOTION #2:** Approval of Meeting Minutes (*Passed by Consensus*).

## **II. PUBLIC COMMENT**

**3. OPPORTUNITY FOR MEMBERS OF THE PUBLIC TO ADDRESS THE COMMISSION ON ITEMS OF INTEREST THAT ARE WITHIN THE JURISDICTION OF THE COMMISSION.** There were no comments.

## **III. COMMITTEE NEW BUSINESS ITEMS**

**4. OPPORTUNITY FOR COMMISSION MEMBERS TO RECOMMEND NEW BUSINESS ITEMS FOR THE FULL BODY OR A COMMITTEE LEVEL DISCUSSION ON NON-AGENDIZED MATTERS NOT POSTED ON THE AGENDA, TO BE DISCUSSED AND (IF REQUESTED) PLACED ON THE AGENDA FOR ACTION AT A FUTURE MEETING, OR MATTERS REQUIRING IMMEDIATION ACTION BECAUSE OF AN EMERGENCY SITUATION, OT WHERE THE NEED TO TAKE ACTION AROSE SUBSEQUENT TO THE POSTING OF THE AGENDA.** There were no committee new business items.

## **IV. REPORTS**

### **5. EXECUTIVE DIRECTOR/STAFF REPORT**

#### **a. Operational Updates**

Cheryl Barrit announced that Commissioner Felipe Findley requested membership on the Public Policy Committee (PPC). The request was approved by Co-Chair Bridget Gordon. F. Findley will join the PPC beginning with the November 2021 meeting.

C. Barrit announced AB 361 (Rivas): Open meetings: state and local agencies: teleconferences, was approved by the Governor on September 16, 2021. All Commission and Committee meetings will continue to be held virtually until further notice.

#### **b. Committee and Caucus Updates**

C. Barrit stated that every five years, the Centers for Disease Control and Prevention (CDC) and the Health Resources and Services Administration (HRSA) request an integrated prevention and care plan. Los Angeles County (LAC) also refers to the integrated plan as the Comprehensive HIV Plan (CHP). The Planning, Priorities, and Allocations Committee (PP&A) is the lead Committee for this project. All committees are asked to participate and provide feedback. The current CHP (2016-2021) is posted on the COH website.

C. Barrit announced that elections for the COH Co-Chair seats will be held at the October 14, 2021 full body Commission meeting.

C. Barrit stated that the Ryan White PY 32 application is due Wednesday, October 6, 2021. Commission staff and several commissioners have reviewed the application.

## 6. CO-CHAIR REPORT

### a. Act Now Against Meth (ANAM) Update

K. Nelson stated that the ANAM Steering Committee members are working on recommendations and policy plans. More information will be shared once finalized.

### b. Holiday Meeting Schedule (November – December 2021)

➤ The PPC is planning to meet in November and will evaluate the need to meet in December 2021 at that meeting.

### c. Ending the HIV Epidemic Activities and Feedback

Julie Tolentino shared that there will be an Ending the Epidemic (EHE) update at the November 18, 2021 COH Annual Meeting. EHE Steering Committee will also be present to share their progress on current projects.

### d. “So, You Want to Talk about Race” by I. Oluo Reading Activity Selected Excerpts from Chapters 14 OR 15

There were no volunteers. No reading was held.

## V. DISCUSSION ITEMS

### 7. Legislative Docket

K. Nelson announced that the Governor signed SB 65 (Skinner): Maternal care and services, into law on October 4, 2021. This bill provides assistance to improve Black maternal, child, and infant health.

The Governor has until October 10, 2021 to approve bills; further updates will be given after this date.

### 8. Policies Priority – Priorities

K. Nelson discussed key takeaways from the September 13, 2021 PPC meeting as follows:

- Figure out ways to discuss policy priorities with other COH committees.
- Identify community partners to work with in developing refined policy priorities.
- Collaborate with research partners, such as the California HIV/AIDS Research Program (CHRP) and RAND Corporation.

➤ K. Nelson and Commission staff are developing questions to ask COH committees, taskforce, workgroups and caucuses regarding key policy priority recommendations.

K. Nelson mentioned that the EHE Coalition will be holding a discussion regarding legislative and budget policies for 2022.

- Lee Kochems mentioned earlier discussion regarding a public hearing on HIV policies open to the community. K. Nelson suggested holding the hearing in early 2022.

## **9. State Policy & Budget Update**

There were no updates.

## **10. Federal Policy Update**

K. Nelson briefly discussed a notice of proposed rulemaking (NPRM) regarding immigration policy proposed by the Biden Administration, which can be found in the meeting packet.

K. Nelson discussed the LIFT the BAR Act, which would restore access to programs such as Medicaid, Children’s Health Insurance Program (CHIP), and Supplemental Nutrition Assistance Program (SNAP) for people who are lawfully present in the United States, such as people with “green cards,” Deferred Action for Childhood Arrivals, crime victims, Company of Free Association (COFA) migrants, child maltreatment victims and orphans who hold Special Immigrant Juvenile Status (SIJS), and other noncitizens residing lawfully in the United States.

K. Nelson referred to PowerPoint presentations in the meeting packet such as “The State of PrEP: Public Programs” by the Presidential Advisory Council on HIV/AIDS (PACHA) and “The Role of Syringe Service Programs in Ending HIV: Can Science Guide Policy?” by The National Institute on Drug Abuse. These federal-level presentations serve as possible policy priorities for the COH.

## **11. County Policy Update**

K. Nelson referred to a PowerPoint presentation by the Los Angeles County Homeless Initiative, which provided an update on the State Homelessness Funding.

K. Nelson announced that the Housing is Key Program deadline has been extended; all who are eligible are encouraged to apply.

### **a. STD Epidemic**

The Board of Supervisors (BOS) passed a motion to address the Los Angeles County STD crisis during their September 28, 2021 meeting. K. Nelson commented that this is an important first step to addressing the STD crisis; however, funding is still an important issue. Commissioners are encouraged to continue submitting public comments to the BOS.

## **VI. NEXT STEPS**

### **12. Task/Assignments Recap**

- L. Kochems and K. Nelson will continue working with Commission staff and fellow commissioners to discuss policy priorities and coordinate a day to meet with AJ King.



**13. Agenda Development for the Next Meeting**

- C. Barrit suggested placing the PPC Co-Chair nominations on the November meeting agenda, in preparation for the possible cancellation of the December PPC meeting.

**VII. ANNOUNCEMENTS**

**14. OPPORTUNITY FOR MEMBERS OF THE PUBLIC AND THE COMMITTEE TO MAKE ANNOUNCEMENTS.**

K. Nelson announced that the Master Plan for Aging (MPA) Equity Committee added two new committee members, both of whom are living with HIV.

**VIII. ADJOURNMENT**

**15. Adjournment for the meeting of October 4, 2021.** The meeting adjourned at approximately 2:00 PM.



## COMMISSION MEMBER "CONFLICTS-OF-INTEREST"

Updated 10/21/21

The following list identifies "conflicts-of-interest" for Commission members who represent agencies with Part A/B –and/or CDC HIV Prevention-funded service contracts with the County of Los Angeles. According to Ryan White legislation, HRSA guidance and Commission policy, Commission members are required to state their "conflicts-of-interest" prior to priority- and allocation-setting and other fiscal matters concerning the local HIV continuum of care, and to recuse themselves from discussions involving specific service categories for which their organizations have service contracts.

COMMISSION MEMBERS		ORGANIZATION	SERVICE CATEGORIES
<b>ALVAREZ</b>	<b>Miguel</b>	No Affiliation	No Ryan White or prevention contracts
<b>ALVIZO</b>	<b>Everardo</b>	Long Beach Health & Human Services	Benefits Specialty
			Biomedical HIV Prevention
			Medical Care Coordination (MCC)
			HIV and STD Prevention
			HIV Testing Social & Sexual Networks
<b>BALLESTEROS</b>	<b>AI</b>	JWCH, INC.	HIV Testing Storefront
			HIV Testing & Syphilis Screening, Diagnosis, & inked Referral...(CSV)
			STD Screening, Diagnosis, and Treatment
			Health Education/Risk Reduction (HERR)
			Mental Health
			Oral Healthcare Services
			Transitional Case Management
			Ambulatory Outpatient Medical (AOM)
			Benefits Specialty
			Biomedical HIV Prevention
			Medical Care Coordination (MCC)
			Transportation Services
<b>BURTON</b>	<b>Alasdair</b>	No Affiliation	No Ryan White or prevention contracts
<b>CAMPBELL</b>	<b>Danielle</b>	UCLA/MLKCH	Oral Health Care Services
			Medical Care Coordination (MCC)
			Ambulatory Outpatient Medical (AOM)
			Transportation Services

COMMISSION MEMBERS		ORGANIZATION	SERVICE CATEGORIES
CIELO	Mikhaela	LAC & USC MCA Clinic	Ambulatory Outpatient Medical (AOM)
			Biomedical HIV Prevention
			Medical Care Coordination (MCC)
COFFEY	Pamela	Unaffiliated consumer	No Ryan White or prevention contracts
DANIELS	Michele	Unaffiliated consumer	No Ryan White or prevention contracts
DARLING-PALACIOS	Frankie	Los Angeles LGBT Center	Ambulatory Outpatient Medical (AOM)
			HIV Testing Storefront
			HIV Testing Social & Sexual Networks
			STD Screening, Diagnosis and Treatment
			Health Education/Risk Reduction
			Biomedical HIV Prevention
			Medical Care Coordination (MCC)
			Promoting Healthcare Engagement Among Vulnerable Populations
Transportation Services			
DAVIES	Erika	City of Pasadena	HIV Testing Storefront
			HIV Testing & Sexual Networks
DONNELLY	Kevin	Unaffiliated consumer	No Ryan White or prevention contracts
FINDLEY	Felipe	Watts Healthcare Corporation	Transportation Services
			Ambulatory Outpatient Medical (AOM)
			Medical Care Coordination (MCC)
			Oral Health Care Services
			Biomedical HIV Prevention
STD Screening, Diagnosis and Treatment			
FULLER	Luckie	No Affiliation	No Ryan White or prevention contracts
GARTH	Gerald	AMAAD Institute	No Ryan White or Prevention Contracts
GATES	Jerry	AETC	Part F Grantee
GONZALEZ	Felipe	Unaffiliated consumer	No Ryan White or Prevention Contracts
GORDON	Bridget	Unaffiliated consumer	No Ryan White or prevention contracts

COMMISSION MEMBERS		ORGANIZATION	SERVICE CATEGORIES
GRANADOS	Grissel	Children's Hospital Los Angeles	Ambulatory Outpatient Medical (AOM)
			HIV Testing Storefront
			STD Screening, Diagnosis and Treatment
			Biomedical HIV Prevention
			Medical Care Coordination (MCC)
			Transitional Case Management-Youth
			Promoting Healthcare Engagement Among Vulnerable Populations
GREEN	Joseph	Unaffiliated consumer	No Ryan White or prevention contracts
GREEN	Thomas	APAIT (aka Special Services for Groups)	HIV Testing Storefront
			Mental Health
			Transportation Services
HALFMAN	Karl	California Department of Public Health, Office of AIDS	Part B Grantee
KOCHEMS	Lee	Unaffiliated consumer	No Ryan White or prevention contracts
KING	William	W. King Health Care Group	No Ryan White or prevention contracts
LEE	David	Charles R. Drew University of Medicine and Science	HIV Testing Storefront
			HIV Testing Social & Sexual Networks
MARTINEZ	Eduardo	AIDS Healthcare Foundation	Ambulatory Outpatient Medical (AOM)
			Benefits Specialty
			Medical Care Coordination (MCC)
			Mental Health
			Oral Healthcare Services
			STD Screening, Diagnosis and Treatment
			HIV Testing Storefront
			HIV Testing Social & Sexual Networks
			Sexual Health Express Clinics (SHEX-C)
			Transportation Services
			Medical Subspecialty
			HIV and STD Prevention Services in Long Beach

COMMISSION MEMBERS		ORGANIZATION	SERVICE CATEGORIES
<b>MARTINEZ (PP&amp;A Member)</b>	<b>Miguel</b>	Children's Hospital Los Angeles	Ambulatory Outpatient Medical (AOM)
			HIV Testing Storefront
			STD Screening, Diagnosis and Treatment
			Biomedical HIV Prevention
			Medical Care Coordination (MCC)
			Transitional Case Management - Youth
			Promoting Healthcare Engagement Among Vulnerable Populations
<b>MILLS</b>	<b>Anthony</b>	Southern CA Men's Medical Group	Biomedical HIV Prevention
			Ambulatory Outpatient Medical (AOM)
			Medical Care Coordination (MCC)
			Promoting Healthcare Engagement Among Vulnerable Populations
			Sexual Health Express Clinics (SHEX-C)
<b>MINTLINE (SBP Member)</b>	<b>Mark</b>	Western University of Health Sciences	No Ryan White or prevention contracts
<b>MORENO</b>	<b>Carlos</b>	Children's Hospital, Los Angeles	Ambulatory Outpatient Medical (AOM)
			HIV Testing Storefront
			STD Screening, Diagnosis and Treatment
			Biomedical HIV Prevention
			Medical Care Coordination (MCC)
			Transitional Case Management - Youth
			Promoting Healthcare Engagement Among Vulnerable Populations
<b>MURRAY</b>	<b>Derek</b>	City of West Hollywood	No Ryan White or prevention contracts
<b>NASH</b>	<b>Paul</b>	University of Southern California	Biomedical HIV Prevention
			Oral Healthcare Services

COMMISSION MEMBERS		ORGANIZATION	SERVICE CATEGORIES
NELSON	Katja	APLA Health & Wellness	Case Management, Home-Based
			Benefits Specialty
			HIV Testing Storefront
			HIV Testing Social & Sexual Networks
			STD Screening, Diagnosis and Treatment
			Sexual Health Express Clinics (SHEX-C)
			Health Education/Risk Reduction
			Health Education/Risk Reduction, Native American
			Biomedical HIV Prevention
			Oral Healthcare Services
			Ambulatory Outpatient Medical (AOM)
			Medical Care Coordination (MCC)
			HIV and STD Prevention Services in Long Beach
			Transportation Services
Nutrition Support			
PERÉZ	Mario	Los Angeles County, Department of Public Health, Division of HIV and STD Programs	Ryan White/CDC Grantee
PRECIADO	Juan	Northeast Valley Health Corporation	Ambulatory Outpatient Medical (AOM)
			Benefits Specialty
			Medical Care Coordination (MCC)
			Oral Healthcare Services
			Mental Health
			Biomedical HIV Prevention
			STD Screening, Diagnosis and Treatment
Transportation Services			
RAY	Joshua	Unaffiliated consumer	No Ryan White or prevention contracts
ROBINSON	Mallery	No Affiliation	No Ryan White or prevention contracts
RODRIGUEZ	Isabella	No Affiliation	No Ryan White or prevention contracts
ROSALES	Ricky	City of Los Angeles AIDS Coordinator	No Ryan White or prevention contracts
SATTAH	Martin	Rand Schrader Clinic LA County Department of Health Services	Ambulatory Outpatient Medical (AOM)
			Medical Care Coordination (MCC)

COMMISSION MEMBERS		ORGANIZATION	SERVICE CATEGORIES
SAN AGUSTIN	Harold	JWCH, INC.	HIV Testing Storefront
			HIV Testing & Syphilis Screening, Diagnosis, & inked Referral...(CSV)
			STD Screening, Diagnosis and Treatment
			Health Education/Risk Reduction
			Mental Health
			Oral Healthcare Services
			Transitional Case Management
			Ambulatory Outpatient Medical (AOM)
			Benefits Specialty
			Biomedical HIV Prevention
			Medical Care Coordination (MCC)
			Transportation Services
SPENCER	LaShonda	Oasis Clinic (Charles R. Drew University/Drew CARES)	Ambulatory Outpatient Medical (AOM)
			HIV Testing Storefront
			HIV Testing Social & Sexual Networks
			Medical Care Coordination (MCC)
STALTER	Kevin	Unaffiliated consumer	No Ryan White or prevention contracts
STEVENS	Reba	No Affiliation	No Ryan White or prevention contracts
THOMAS	Damone	No Affiliation	No Ryan White or prevention contracts
VALERO	Justin	California State University, San Bernardino	No Ryan White or prevention contracts
VEGA	Rene	Via Care Community Clinic	Biomedical HIV Prevention
VELAZQUEZ	Guadalupe	Unaffiliated consumer	No Ryan White or prevention contracts
WALKER	Ernest	Men's Health Foundation	Biomedical HIV Prevention
			Ambulatory Outpatient Medical (AOM)
			Medical Care Coordination (MCC)
			Promoting Healthcare Engagement Among Vulnerable Populations
			Sexual Health Express Clinics (SHEX-C)
			Transportation Services



## LOS ANGELES COUNTY COMMISSION ON HIV



3530 Wilshire Boulevard, Suite 1140 • Los Angeles, CA 90010 • TEL (213) 738-2816 • FAX (213) 637-6748

HIVCOMM@LACHIV.ORG • <http://hiv.lacounty.gov>

### CODE OF CONDUCT

We welcome commissioners, guests, and the public into a space where people of all opinions and backgrounds are able to contribute. We create a safe environment that celebrates differences while striving for consensus and is characterized by consistent, professional, and respectful behavior. Our common enemies are HIV and STDs. We strive to be introspective and understand and clarify our assumptions, while appreciating the complex intersectionality of the lives we live. We challenge ourselves to be self-reflective and committed to an ongoing understanding. As a result, the Commission has adopted and is consistently committed to implementing the following guidelines for Commission, committee, and associated meetings.

**All participants and stakeholders should adhere to the following:**

- 1) We strive for consensus and compassion in all our interactions.**
- 2) We respect others' time by starting and ending meetings on time, being punctual, and staying present.**
- 3) We listen, don't repeat what has already been stated, avoid interrupting others, and allow others to be heard.**
- 4) We encourage all to bring forth ideas for discussion, community planning, and consensus.**
- 5) We focus on the issue, not the person raising the issue.**
- 6) We give and accept respectful and constructive feedback.**
- 7) We keep all issues on the table (no "hidden agendas"), avoid monopolizing discussions and minimize side conversations.**
- 8) We have no place in our deliberations for homophobic, racist, sexist, and other discriminatory statements and "-isms" (including transphobia, ableism, and ageism).**
- 9) We give ourselves permission to learn from our mistakes.**

Approved (11/12/1998); Revised (2/10/2005; 9/6/2005); **Revised (4/11/19)**





### 2021-2022 Legislative Docket

(Approved by the Commission on HIV as of 07/08/2021) \*

**POSITIONS:** SUPPORT | OPPOSE | SUPPORT w/AMENDMENTS | OPPOSE unless AMENDED | WATCH | County bills noted w/asterisk

BILL	TITLE	DESCRIPTION / COMMENTS	RECOMMENDED POSITION	STATUS
AB 4 (Arambula)	Medi-Cal: eligibility	The bill would extend eligibility for full scope Medi-Cal benefits to anyone regardless of age, and who is otherwise eligible for those benefits but for their immigration status.  <a href="http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202120220AB4">http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202120220AB4</a>	Support	26-AUG-21 In Committee: Held Under Submission.
AB 15 (Chiu)	COVID-19 relief: tenancy: Tenant Stabilization Act of 2021	This bill would extend the definition of "COVID-19 rental debt" as unpaid rent or any other unpaid financial obligation of a tenant that came due between March 1, 2020, and December 31, 2021. The bill would also extend the repeal date of the act to January 1, 2026. The bill would make other conforming changes to align with these extended dates. By extending the repeal date of the act, the bill would expand the crime of perjury and create a state-mandated local program.  <a href="https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202120220AB15">https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202120220AB15</a>  <i>Per Assembly Chiu Office the Assembly person will hold the bill until the next legislative cycle. Due to the passing of AB 3088, SB 91 and AB 832 which prevent eviction due to non-payment of rent for those whose income was negatively impacted by the pandemic.</i>	Support with questions	11-JAN-21 Referred to Committee on Housing and Community Development
AB 16 (Chiu)	Tenancies: COVID- 19 Tenant, Small Landlord, and Affordable Housing Provider Stabilization Act of 2021	This bill would establish the Tenant, Small Landlord, and Affordable Housing Provider Stabilization Program.  <a href="https://leginfo.legislature.ca.gov/faces/billStatusClient.xhtml?bill_id=202120220AB16">https://leginfo.legislature.ca.gov/faces/billStatusClient.xhtml?bill_id=202120220AB16</a>  <i>Per Assembly Chiu Office the Assembly person will hold the bill until the next legislative cycle. Due to the passing of AB 3088, SB 91 and AB 832 which prevent eviction due to non-payment of rent for those whose income was negatively impacted by the pandemic.</i>	Watch	13-JAN-21 Re-referred to Committee on Housing and Community Development

BILL	TITLE	DESCRIPTION / COMMENTS	RECOMMENDED POSITION	STATUS
AB 19 (Santiago)	Unemployment insurance compensation: COVID-19 pandemic: temporary benefits	<p>This bill would require the Employment Development Department to provide, until July 1, 2022, following the termination of assistance pursuant to Pandemic Unemployment Assistance (PUA) and Pandemic Emergency Unemployment Compensation (PEUC) or any other federal or state supplemental unemployment compensation payments for unemployment due to the COVID-19 pandemic, in addition to an individual's weekly benefit amount as otherwise provided for by existing unemployment compensation law, unemployment compensation benefits equivalent to the terminated federal or state supplemental unemployment compensation payments for the remainder of the duration of time the individual is unemployed due to the COVID-19 pandemic, notwithstanding the weekly benefit cap.</p> <p><a href="https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=202120220AB19">https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=202120220AB19</a></p>	Watch (with more information)	11-JAN-21 Referred to Committee on Insurance
AB 32 (Aguiar-Curry)	Telehealth	<p>The bill would authorize a provider to enroll or recertify an individual in Medi-Cal programs through telehealth and other forms of virtual communication.</p> <p><a href="http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202120220AB32">http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202120220AB32</a></p>	Support	08-JULY-21 In Committee: Set, First Hearing. Hearing Canceled at the Request of Author.
AB 65 (Low)	California Universal Basic Income Program: Personal Income Tax	<p>This bill would declare the intent of the Legislature to enact legislation to create a California Universal Basic Income Program, with the intention of ensuring economic security for all Californians.</p> <p><a href="https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202120220AB65">https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202120220AB65</a></p>	Watch	20-MAY-21 In Committee: Held Under Submission
AB 71 (Luz Rivas)	Homelessness funding: Bring California Home Act	<p>This bill, for taxable years beginning on or after January 1, 2022, would include a taxpayer's global low-taxed income in their gross income for purposes of the Personal Income Tax Law, in modified conformity with the above-described federal provisions. The bill would exempt any standard, criterion, procedure, determination, rule, notice, or guideline established or issued by the Franchise Tax Board to implement its provisions from the rulemaking provisions of the Administrative Procedure Act.</p> <p><a href="https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202120220AB71">https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202120220AB71</a></p>	Support	03-JUNE-21 Ordered to Inactive File at the Request of Assembly Member Luz Rivas

BILL	TITLE	DESCRIPTION / COMMENTS	RECOMMENDED POSITION	STATUS
AB 77 (Petrie-Norris)	Substance use disorder treatment services	<p>This bill would declare the intent of the Legislature to enact Jarrod’s Law, a licensure program for inpatient and outpatient programs providing substance use disorder treatment services, under the administration of the State Department of Health Care Services.</p> <p><a href="https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202120220AB77">https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202120220AB77</a></p>	Support	26-MAR-21 Re-referred to Committee on Health
AB 218 (Ward)	Change of gender and sex identifier	<p>This bill would recast these provisions relating to new birth certificates to provide for a change in gender and sex identifier and to specify that a person who was issued a birth certificate by this state, rather than a person born in this state, may obtain a new birth certificate.</p> <p><a href="https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202120220AB218">https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202120220AB218</a></p>	Support	06-OCT-21 Approved by the Governor Chaptered by Secretary of State - Chapter 577, Statutes of 2021
AB 240 (Rodriguez)	Local health department workforce assessment.	<p>This bill would require the department to contract with an appropriate and qualified entity to conduct an evaluation of the adequacy of the local health department infrastructure and to make recommendations for future staffing, workforce needs, and resources, in order to accurately and adequately fund local public health.</p> <p><a href="https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202120220AB240">https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202120220AB240</a></p>	Support with Questions	26-AUG-21 In Committee: Held under Submission
AB 245 (Chiu)	Educational equity: student records: name and gender changes	<p>This bill would require a campus of the University of California, California State University, or California Community Colleges to update a former student’s records to include the student’s updated legal name or gender if the institution receives government-issued documentation, as described, from the student demonstrating that the former student’s legal name or gender has been changed.</p> <p><a href="https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202120220AB245">https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202120220AB245</a></p>	Support	06-OCT-21 Approved by the Governor Chaptered by Secretary of State - Chapter 555, Statutes of 2021

BILL	TITLE	DESCRIPTION / COMMENTS	RECOMMENDED POSITION	STATUS
AB 328 (Chiu)	Reentry Housing and Workforce Development Program	<p>This bill would establish the Reentry Housing Program. The bill would require the Department of Housing and Community Development to, on or before July 1, 2022, take specified actions to, upon appropriation by the Legislature, provide grants to counties and continuums of care, as defined, for evidence-based housing and housing-based services interventions to allow people with recent histories of incarceration to exit homelessness and remain stably housed.</p> <p><a href="https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202120220AB328">https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202120220AB328</a></p>	Support	20-May-21 In Committee: Hearing Postponed by Committee
AB 369 (Kamlager)	Medi-Cal Services: Persons Experiencing Homelessness	<p>This bill would require the department to implement a program of presumptive eligibility for individuals experiencing homelessness, under which an individual would receive full-scope Medi-Cal benefits without a share of cost.</p> <p><a href="https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202120220AB369">https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202120220AB369</a></p>	Support	08-OCT-21 Vetoed by Governor
AB 439 (Bauer-Kahan)	Certificates of death: gender identity	<p>This bill would authorize the decedent's gender identity to be recorded as female, male, or nonbinary.</p> <p><a href="https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202120220AB439">https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202120220AB439</a></p>	Support	09-JULY-21 Approved by the Governor Chaptered by Secretary of State - Chap 53 Statues of 2021

BILL	TITLE	DESCRIPTION / COMMENTS	RECOMMENDED POSITION	STATUS
<p>AB 453** (Garcia)</p>	<p><i>Sexual battery: nonconsensual condom removal</i></p>	<p><i>This bill would additionally provide that a person commits a sexual battery who causes contact between a penis, from which a condom has been removed, and the intimate part of another who did not verbally consent to the condom being removed.</i></p> <p><i>The bill has been referred to the Suspense File due to costs to the state. However, the Assembly person's office is hopeful it will get off Suspense because the bill ensures the public has access to justice. Assembly person Garcia is continuing to work on AB 453 and remains hopeful that the bill will be signed by Governor Newsom in the fall.</i></p> <p><i>Return to Committee per the Executive Committee (E.C.) motion. E.C. requested Transgender, Consumer and Women Caucuses review and provide comment on the bill. E.C. is concerned that a bill that criminalizes "non-consensual condom removal" would be opposed.</i></p> <p><a href="https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202120220AB453">https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202120220AB453</a></p>	<p><i>Referred Back to Committee in Discussion</i></p>	<p>07-OCT-21 Approved by the Governor Chaptered by Secretary of State - Chapter 613, Statutes of 2021</p>
<p>AB 789 (Low)</p>	<p>Health care facilities</p>	<p>This bill would require a primary care services in an outpatient department of a health facility or a primary care clinic, as specified, to offer a patient receiving health services a hepatitis B screening test and a hepatitis C screening test, as specified. The bill would also require the practitioner to offer the patient follow up health care or refer the patient to a health care provider who can provide follow up health care if the screening test is positive or reactive, as specified.</p> <p><a href="https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202120220AB789">https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202120220AB789</a></p>	<p>Support</p>	<p>04-OCT-21 Approved by the Governor Chaptered by Secretary of State - Chapter 470, Statutes of 2021</p>
<p>AB 835 (Nazarian)</p>	<p>Hospital emergency departments: HIV testing</p>	<p>This bill would require every patient who has blood drawn at a hospital emergency department to be offered an HIV test, as specified. The bill would specify the manner in which the results of that test are provided. The bill would state that a hospital emergency department is not required to offer an HIV test to a patient if the department determines that the patient is being treated for a life-threatening emergency or if they determine the person lacks the capacity to consent to an HIV test.</p> <p><a href="https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=202120220AB835">https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=202120220AB835</a></p>	<p>Support</p>	<p>26-AUG-21 In Committee: Held Under Submission</p>

BILL	TITLE	DESCRIPTION / COMMENTS	RECOMMENDED POSITION	STATUS
AB 1038 (Gipson)	California Health Equity Program	This bill would establish the California Health Equity Program, a competitive grant program administered by the Office of Health Equity to community-based nonprofit organizations, community clinics, local health departments, and tribal organizations to take actions related to health equity. The bill would establish the California Health Equity Fund.  <a href="https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202120220AB1038">https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202120220AB1038</a>	Support	26-AUG-21 In Committee: Held Under Submission
AB 1344 (Arambula)	State Department of Public Health: needle and syringe exchange services	This bill would expressly exempt needle and syringe exchange services application submissions, authorizations, and operations from review under the California Environmental Quality Act. Further, the bill would provide that the services provided by an entity authorized to provide those needle and syringe exchange services, and any foreseeable and reasonable consequences of providing those services, do not constitute a public nuisance under specified existing law.  <a href="https://leginfo.legislature.ca.gov/faces/billStatusClient.xhtml?bill_id=202120220AB1344">https://leginfo.legislature.ca.gov/faces/billStatusClient.xhtml?bill_id=202120220AB1344</a>	Support	05-OCT-21 Approved by the Governor Chaptered by Secretary of State - Chapter 480, Statutes of 2021
AB 1400 (Kalra)	Guaranteed Health Care for All	This bill, the California Guaranteed Health Care for All Act, would create the California Guaranteed Health Care for All program, or CalCare, to provide comprehensive universal single-payer health care coverage and a health care cost control system for the benefit of all residents of the state.  <a href="https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202120220AB1400">https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202120220AB1400</a>	Support	22-FEB-21 Read First Time.
AB 1407 (Burke)	Nurses: implicit bias courses.	This bill would state the intent of the Legislature to enact legislation that would address discrimination in health care.  <a href="https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202120220AB1407">https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202120220AB1407</a>	Support	01-OCT-21 Approved by the Governor Chaptered by Secretary of State - Chapter 445, Statutes of 2021
AB 2218 (Santiago) (Formerly)	Transgender Wellness and Equity Fund	This law establishes the Transgender Wellness and Equity Fund to organizations serving people that identify as transgender, gender nonconforming, or intersex (TGI), to create or fund TGI-specific housing programs and partnerships with hospitals, health care clinics, and other medical providers to provide TGI-focused health care, as defined, and related education programs for health care providers.	In Support of Transgender Wellness Fund	26-SEP-20 Approved by the Governor

BILL	TITLE	DESCRIPTION / COMMENTS	RECOMMENDED POSITION	STATUS
SB 17 (Pan)	<i>Office of Racial Equity</i>	This bill would state the intent of the Legislature to enact legislation to require the department to address racism as a public health crisis. <a href="https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202120220SB17">https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202120220SB17</a>	Support	26-AUG-21 Set for First Hearing Canceled at the Request of Author.
SB 56 (Durazo)	Medi-Cal: eligibility	This bill would, subject to an appropriation by the Legislature, and effective July 1, 2022, extend eligibility for full-scope Medi-Cal benefits to individuals who are 65 years of age or older, and who are otherwise eligible for those benefits but for their immigration status. <a href="http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202120220SB56">http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202120220SB56</a>	Support	23-June-21 From Committee: Do Pass and Re-refer to Committee on Appropriation
SB 57 (Wiener)	Controlled Substances: Overdose Prevention Program	This bill would, until January 1, 2027, authorize the City and County of San Francisco, the County of Los Angeles, and the City of Oakland to approve entities to operate overdose prevention programs for persons that satisfy specified requirements, including, among other things, providing a hygienic space supervised by trained staff where people who use drugs can consume preobtained drugs, providing sterile consumption supplies, and providing access or referrals to substance use disorder treatment. <a href="http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202120220SB57">http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202120220SB57</a>  <i>The City of Los Angeles approved a pilot site for this program and requested a bill amendment to include the City of Los Angeles. The sponsor held the bill for this legislative session and will continue the legislative process in January 2022 (Legislative Session 2022-23).</i>	Support	05-July-21 From Committee with Author's Amendments. Read Second Time and Amended. Re-referred to Committee on Health
SB 110 (Weiner)	Substance use disorder services: contingency management services	This bill will expand substance use disorder services to include contingency management services, as specified, subject to utilization controls. <a href="http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202120220SB110">http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202120220SB110</a>	Support	08-OCT-21 Vetoed by the Governor

BILL	TITLE	DESCRIPTION / COMMENTS	RECOMMENDED POSITION	STATUS
SB 217 (Dahle)	Comprehensive sexual health education and human immunodeficiency virus (HIV) prevention education.	<p>This bill would require the governing board of a school district to adopt a policy at a publicly noticed meeting specifying how parents and guardians of pupils may inspect the written and audiovisual educational materials used in comprehensive sexual health education.</p> <p><a href="https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202120220SB217">https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202120220SB217</a></p>	Opposed Unless Amended	20-MAY-21 May 20 hearing: Held in committee and under submission. <sup>(3)</sup>
SB 221 (Wiener)	Health care coverage: timely access to care	<p>The bill would require both a health care service plan and a health insurer to ensure that appointments with nonphysician mental health and substance use disorder providers are subject to the timely access requirements. The bill would additionally require a health care service plan or a health insurer to ensure that an enrollee or insured that is undergoing a course of treatment for an ongoing mental health or substance use disorder condition is able to get a follow up appointment with a nonphysician mental health care or substance use disorder provider within 10 business days of the prior appointment. By imposing new requirements on health care service plans, the willful violation of which would be a crime, the bill would impose a state-mandated local program.</p> <p><a href="https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202120220SB221">https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202120220SB221</a></p>	Support	08-OCT-21 Approved by the Governor Chaptered by Secretary of State. Chapter 724, Statutes of 2021
SB 225 (Wiener)	Medical procedures: individuals born with variations in their physical sex characteristics	<p>This bill would prohibit a physician and surgeon from performing certain sex organ modification procedures on an individual born with variations in their physical sex characteristics who is under 12 years of age unless the procedure is a surgery required to address an immediate risk of physical harm, as specified.</p> <p><a href="https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202120220SB225">https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202120220SB225</a></p>	Support	05-APR-21 April 5 Set for First Hearing Canceled at the Request of the Author.
SB 258 (Laird)	Aging	<p>The bill would revise this definition "greatest social need" to include human immunodeficiency virus (HIV) status as a specified noneconomic factor.</p> <p><a href="http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202120220SB258">http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202120220SB258</a></p>	Support	23-JULY-21 Chaptered by Secretary of State. Chapter 132, Statues of 2021.



BILL	TITLE	DESCRIPTION / COMMENTS	RECOMMENDED POSITION	STATUS
SB 306 (Pan)	Sexually transmitted disease: testing	This bill would require a health care provider to include "expedited partner therapy" on a prescription if the practitioner is unable to obtain the name of a patient's sexual partner.  <a href="https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202120220SB306">https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202120220SB306</a>	Support	04-OCT-21 Approved by the Governor.
SB 316 (Eggman)	Medi-Cal: federally qualified health centers and rural health clinics	This bill would authorize reimbursement for a maximum of 2 visits taking place on the same day at a single location if after the first visit the patient suffers illness or injury requiring additional diagnosis or treatment, or if the patient has a medical visit and a mental health visit or a dental visit, as defined.  <a href="https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202120220SB316">https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202120220SB316</a>	Support	09-SEP-21 Ordered to Inactive File on Request of Assembly Member Reyes.
SB 357 (Wiener)	Crimes: loitering for the purpose of engaging in a prostitution offense	Existing law prohibits soliciting or engaging in an act of prostitution. This bill would repeal those provisions related to loitering with the intent to commit prostitution and would make other conforming changes.  <a href="https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=202120220SB357">https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=202120220SB357</a>	Support	10-SEP-21 Ordered Held at the Desk.
SB 464 (Hurtado)	California Food Assistance Program: eligibility <i>and</i> benefits	This bill, commencing January 1, 2023, would instead make a noncitizen applicant eligible for the California Food Assistance Program if the noncitizen satisfies all eligibility criteria for participation in the CalFresh program except any requirements related to immigration status.  <a href="https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202120220SB464">https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202120220SB464</a>	Support	01-July-21 From Committee: Do Pass and Re-refer to Committee on Appropriation. Re-referred to Committee Appropriation
SB 523 (Leyva)	Health care coverage: contraceptives	This bill would make various changes to expand coverage of contraceptives by a health care service plan contract or health insurance policy issues, amended, renewed, or delivered on and after January 1, 2022.  <a href="https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=202120220SB523">https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=202120220SB523</a>	Support	26-AUG-21 August 26 Hearing Postponed by Committee.

BILL	TITLE	DESCRIPTION / COMMENTS	RECOMMENDED POSITION	STATUS
SB 803 (Beall)  (Formerly)	Mental health services: peer support specialist certification	<p>This law requires the department, by July 1, 2022, to establish statewide requirements for counties to use in developing certification programs for the certification of peer support specialists.</p> <p><a href="https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201920200SB803">https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201920200SB803</a></p>	Requires funding to implement. The State has proposed \$4.7 million for 22-23 fiscal year. LAC is in support of the proposal.	25-SEP-20 Approved by the Governor
<b>FEDERAL BILLS</b>				
H.R.5 (Cicilline)	Equality Act	<p>This bill prohibits discrimination based on sex, sexual orientation, and gender identity in areas including public accommodations and facilities, education, federal funding, employment, housing, credit, and the jury system.</p> <p><a href="https://www.congress.gov/bill/117th-congress/house-bill/5">https://www.congress.gov/bill/117th-congress/house-bill/5</a></p>	Support	17-March-2021 Senate Committee on the Judiciary Hearings Held
H.R. 1201 (Lowenthal-Markey)	International Human 5 Rights Defense Act of 2021	<p>The bill is to establish in the Bureau of Democracy, Human Rights, and Labor of the Department of State a Special Envoy for the Human Rights of LGBTQI Peoples. The Special Envoy shall serve as the principal advisor to the Secretary of State regarding human rights for LGBTQI people internationally.</p> <p><a href="https://www.congress.gov/bill/117th-congress/house-bill/1201/text">https://www.congress.gov/bill/117th-congress/house-bill/1201/text</a></p>	Support	02-APRIL-21 Referred to the Subcommittee on Africa, Global Health and Global Human Rights

BILL	TITLE	DESCRIPTION / COMMENTS	RECOMMENDED POSITION	STATUS
H.R. 1280** (Bass)	George Floyd Justice and Policing Act of 2021	<p><i>This bill addresses a wide range of policies and issues regarding policing practices and law enforcement accountability. It increases accountability for law enforcement misconduct, restricts the use of certain policing practices, enhances transparency and data collection, and establishes best practices and training requirements.</i></p> <p><i>The Commission on HIV refer this bill back to the Committee because funding for the police is included in the bill. This is at odds with the movement for Black Lives which opposes the bill.</i></p> <p><a href="https://www.congress.gov/bill/117th-congress/house-bill/1280?q=%7B%22search%22%3A%5B%22George+Floyd+Justice+and+Policing+Act+of+2021%22%5D%7D&amp;s=2&amp;r=1">https://www.congress.gov/bill/117th-congress/house-bill/1280?q=%7B%22search%22%3A%5B%22George+Floyd+Justice+and+Policing+Act+of+2021%22%5D%7D&amp;s=2&amp;r=1</a></p>	Referred Back to Committee in Discussion	09-March-21 Received in the Senate
Federal Bill*** Proposal (Sponsored Movement for Black Lives)	The BREATHE Act	<p><i>Divesting Federal Resources from Policing and Incarceration &amp; Ending Federal Criminal-Legal System Harms</i></p> <p><i>Investing in New Approaches to Community Safety Utilizing Funding Incentives</i></p> <p><i>Allocating New Money to Build Healthy, Sustainable &amp; Equitable Communities for All People</i></p> <p><i>Holding Officials Accountable &amp; Enhancing Self-Determination of Black Communities</i></p> <p><a href="file:///S:/2021%20Calendar%20Year%20-%20Meetings/Committees/Public%20Policy/07%20-%20July/Packet/The-BREATHE-Act-V.16.pdf">file:///S:/2021%20Calendar%20Year%20-%20Meetings/Committees/Public%20Policy/07%20-%20July/Packet/The-BREATHE-Act-V.16 .pdf</a></p>	Referred Back to Committee in Discussion	
S.1 (Merkley)	For the People Act	<p>This bill addresses voter access, election integrity and security, campaign finance, and ethics for the three branches of government.</p> <p><a href="https://www.congress.gov/bill/117th-congress/senate-bill/1?q=%7B%22search%22%3A%5B%22S+1%22%5D%7D&amp;s=1&amp;r=1">https://www.congress.gov/bill/117th-congress/senate-bill/1?q=%7B%22search%22%3A%5B%22S+1%22%5D%7D&amp;s=1&amp;r=1</a></p>	Support	11-AUG-21 Placed on Senate Legislative Calendar Under General Orders.

BILL	TITLE	DESCRIPTION / COMMENTS	RECOMMENDED POSITION	STATUS
S.4263/ H.R.4 (Leahy)	John Lewis Voting Rights Advancement Act 2021	To amend the Voting Rights Act of 1965 to revise the criteria for determining which States and political subdivisions are subject to section 4 of the Act, and for other purposes.  <a href="https://www.congress.gov/bill/117th-congress/house-bill/4?q=%7B%22search%22%3A%5B%22H.4%22%2C%22H.4%22%5D%7D&amp;r=1&amp;s=4">https://www.congress.gov/bill/117th-congress/house-bill/4?q=%7B%22search%22%3A%5B%22H.4%22%2C%22H.4%22%5D%7D&amp;r=1&amp;s=4</a>	Support	14-SEP-20 Received in the Senate.

\* Includes bills not approved by the Commission on HIV on July 8

\*\* The bill was not approved by the Commission on HIV on July 8

\*\*\* Commission on HIV recommended bill for the Legislative docket

**Footnotes:**

(1) Senate Rule 28.8 means if the Chair determines that any state costs of a bill are not significant, the measure will be sent directly to the Senate Floor for Second Reading without a hearing in the committee.

(2) Assembly Rule 97, a motion to re-refer a bill or resolution that is on the Assembly Daily File to committee may be made during the regular order of business. The motion is debatable only as to the propriety of that bill being referred to committee and the motion requires an affirmative recorded vote of 41 or more Assembly Members to be successful.

(3) Status correction 10/27/2021.

# 2021 ETE Priority Bills

Bill Number	Title	Description	Status	Notes/Comments
<b>AB 265</b>	Medi-Cal Reimbursement Rates	This bill would have removed a restriction that caps laboratory rates in the fee-for-service Medi-Cal program at 80% of the rate the federal Medicare program pays.	Held in Assembly Appropriations Committee	This issue was resolved in the FY 2021-22 Budget.
<b>AB 789</b>	HBV & HCV Screening	This bill will require adult patients who receive primary care services to be offered a hepatitis B and C screening test according to the latest recommendations from the United States Preventive Services Task Force.	<b>SIGNED</b>	
<b>AB 1344</b>	Syringe Service Programs	This bill will protect syringe services programs from misuse of the California Environmental Quality Act (CEQA) and ensure that these programs can continue to provide lifesaving services for people who use drugs.	<b>SIGNED</b>	
<b>SB 57</b>	Overdose Prevention Programs	This bill will permit the City and County of San Francisco, the City and County of Los Angeles, and the City of Oakland to approve entities to establish and operate overdose prevention programs until January 1, 2027	Converted to a 2 year bill, eligible for consideration in January 2022	
<b>SB 110</b>	Contingency Management	This bill would have required Medi-Cal to include contingency management services as an optional benefit and clarified that these programs are not in violation of state law that prohibits kickbacks from courses of treatment.	<b>VETOED</b>	According to the Governor's veto message, "The 2021-22 Budget includes funding to support a pilot contingency management Medi-Cal benefit from January 2022 through March 2024. The outcomes and lessons learned from the pilot project should be evaluated before permanently extending the Medi-Cal benefit."
<b>SB 258</b>	HIV & Aging Act	The bill will include older people with HIV as part of the population of "greatest social need" to improve access to programs and services administered by the California Department of Aging.	<b>SIGNED</b>	
<b>SB 306</b>	STI Testing + Treatment	This bill will expand access to STI testing and treatment by: (1) requiring health plans to cover at-home test kits for HIV and STIs; (2) allowing HIV test counselors to provide rapid STI testing in the community; (3) supporting the delivery of expedited partner therapy; (4) requiring syphilis screening during both the first and third trimester of pregnancy.	<b>SIGNED</b>	

## Other Significant Bills

<b>AB 4</b>	Health4All	This bill will expand eligibility for full scope Medi-Cal regardless of age and immigration status.	Held in Senate Appropriations Committee	The FY 2021-22 Budget expanded eligibility for full-scope Medi-Cal to adults age 50 and over regardless of immigration status starting in May 2022.
<b>AB 14</b>	Broadband	This bill will extend the California Advanced Services Fund (CASF) program and its funding through the 2032 calendar year to encourage deployment of broadband service to unserved Californians.	<b>SIGNED</b>	
<b>AB 32</b>	Telehealth	This bill will maintain all COVID-19 telehealth and telephonic flexibilities and reimbursement indefinitely.	Held in Senate Health Committee	The FY 2021-22 Budget extended all COVID-19 telehealth and telephonic flexibilities through December 31, 2022. DHCS has convened a stakeholder workgroup to establish billing and utilization management protocols for telehealth modalities for January 2023 and beyond.
<b>AB 218</b>	Affirming Records	This bill will codify and streamline the process for transgender Californians to update their marriage certificates and the birth certificates of their children to accurately reflect their legal name and gender while protecting their privacy.	<b>SIGNED</b>	
<b>AB 245</b>	Affirming Transgender & Nonbinary Students' Names in College	This bill will ensure that California's public colleges and universities allow transgender and nonbinary former students to have their name and gender accurately reflected on their academic records such as transcripts and diplomas.	<b>SIGNED</b>	
<b>AB 263</b>	Private Detention Facilities	This bill will require private detention facilities to comply with all local and state public health orders and occupational safety and health regulations.	<b>SIGNED</b>	
<b>AB 347</b>	Step Therapy	This bill will require health plans to expeditiously grant step therapy exceptions if specified criteria are met.	<b>SIGNED</b>	
<b>AB 369</b>	Street Medicine	This bill would have would increased access to health and social services for people experiencing homelessness by allowing care to be provided outside the walls of a traditional medical clinic, including through street medicine, shelter-based care, and within transitional housing.	<b>VETOED</b>	According to the Governor's veto message, "Creating a 'carve out' for persons experiencing homelessness, on the eve of the CalAIM transformation, will cut out these patients from services that are being created specifically to support their health, housing stability, and overall well-being."
<b>AB 381</b>	Naloxone	This bill will require alcohol and other drug residential treatment facilities to maintain at least two unexpired doses of naloxone and have at least one staff member on the premises who has been trained to administer naloxone for treatment of an opioid overdose.	<b>SIGNED</b>	
<b>AB 439</b>	Nonbinary Option for Death Certificates	This bill will add "nonbinary" as an option for gender identity on death certificates. Codifying inclusive gender identity options on death certificates brings these documents in line with California's existing nonbinary options on driver's licenses and birth certificates.	<b>SIGNED</b>	

<b>AB 453</b>	Stealthling	This bill will amend the Civil Code to clarify that that nonconsensual condom removal – also known as "stealthling" – constitutes sexual battery.	<b>SIGNED</b>	This bill does not expressly criminalize stealthling as a form of sexual assault or sexual battery. Instead, this bill takes the more modest step of expressly including stealthling within the civil tort of sexual battery, thereby allowing a victim of stealthling to bring a civil suit for damages against the perpetrator. While the civil sexual battery statute arguably could be read to include stealthling already, this bill will provide clarity and avoid the need to litigate over whether this behavior is sexual battery as a matter of law.
<b>AB 457</b>	Third-Party Corporate Telehealth Providers	This bill will require health plans to comply with specified notice and consent requirements if the plan offers a service via telehealth through a third-party corporate telehealth provider.	<b>SIGNED</b>	
<b>AB 465</b>	Cultural Competency Training for Professional Fiduciaries	This bill will ensure that professional fiduciaries are equipped to provide LGBTQ+ older adults and people with disabilities with supportive and respectful care by requiring LGBTQ+ cultural competency and sensitivity training during the education and licensing process.	<b>SIGNED</b>	
<b>AB 570</b>	Dependent Parent Health Coverage	This bill will enable individuals to enroll their dependent parents in their health insurance coverage.	<b>SIGNED</b>	
<b>AB 1041</b>	Leave for Chosen Families	This bill will expand the definition of "family member" for purposes of family caregiving and sick leave to allow workers to use existing time off to care for a "designated person," thereby creating equitable access to job protected family caregiving and sick leave for all of California's working families.	<b>SIGNED</b>	
<b>AB 1094</b>	SOGI Data Collection Pilot Project	This bill will require CDPH to establish a three-year pilot program in up to six counties for the identification and collection by coroners and medical examiners of gender identity and sexual orientation in cases of violent death.	<b>SIGNED</b>	
<b>AB 1184</b>	Confidentiality Protections	This bill will ensure patient information is protected by establishing automatic confidentiality when accessing sensitive services, putting the responsibility on the insurer rather than the patient.	<b>SIGNED</b>	
<b>AB 1358</b>	Demographic Data	This bill will expand the groups that specified state agencies are required to collect disaggregated demographic data on and require CDPH to establish standards for the collection of demographic information by local health officers and health care providers.	Held in Senate Appropriations Committee	

<b>AB 1542</b>	Residential treatment programs	This bill would have would have created a pilot program in Yolo County to divert people convicted of broadly defined "drug motivated crimes" to substance use disorder treatment in secured facilities.	<b>VETOED</b>	According to the Governor's veto message, "While this pilot would give a person the choice between incarceration and treatment, I am concerned that this is a false choice that effectively leads to forced treatment. I am especially concerned about the effects of such treatment, given that evidence has shown coerced treatment hinders participants' long-term recovery from their substance use disorder."
<b>SB 4</b>	Broadband	This bill will extend the operation of the California Advanced Services Fund (CASF) through 2032, increase the annual funding cap for the CASF, and expand projects eligible for CASF grants to fund broadband deployment at unserved locations.	<b>SIGNED</b>	
<b>SB 17</b>	Office of Racial Equity	This bill will establish the Office of Racial Equity to develop a statewide Racial Equity Framework in consultation with state agencies.	Converted to a 2 year bill, eligible for consideration in January 2022	
<b>SB 56</b>	Health4All	This bill will extend eligibility for full-scope Medi-Cal to undocumented adults age 60 and older who are otherwise eligible for those benefits but for their immigration status.	Held in Assembly Appropriations Committee	The FY 2021-22 Budget expanded eligibility for full-scope Medi-Cal to adults age 50 and over regardless of immigration status starting in May 2022.
<b>SB 65</b>	Momnibus Act	This bill will codify and strengthen the work of the Pregnancy-Associated Mortality Review Committee; improve data collection in the Fetal and Infant Mortality Review process; create a fund to support the midwifery workforce; establish a stakeholder workgroup to support implementation of the new Medi-Cal doula benefit; and reduce CalWORKs paperwork requirements for pregnant women.	<b>SIGNED</b>	
<b>SB 73</b>	Mandatory Minimum Sentences	This bill will end mandatory minimum prison and jail sentences for nonviolent drug offenses. The bill will give judges sentencing discretion, allowing them to sentence those convicted of these offenses to probation and rehabilitative programs rather than jail time, if appropriate.	<b>SIGNED</b>	
<b>SB 221</b>	Timely Access to Care	This bill will require health plans to provide patients with timely follow-up care for mental health issues and substance use disorders, including follow-up appointments and other forms of care within ten business days, unless a provider believes a longer gap is appropriate.	<b>SIGNED</b>	
<b>SB 283</b>	Life Insurance	This bill will strengthen the Equal Insurance HIV Act of 2020 via clarifying and technical changes. The Equal Insurance HIV Act of 2020 prohibits an insurer from declining an insurance application or enrollment solely based on an applicant's positive HIV test.	<b>SIGNED</b>	



<b>SB 357</b>	Safer Streets for All	This bill will repeal California Penal Code Section 653.22, the law that criminalizes loitering for the intent to engage in sex work. The bill will also enable people who have been convicted of loitering with the intent to commit prostitution to seal their records.	Passed on the Assembly Floor; awaiting a final concurrence vote in the Senate before advancing to Governor Newsom's desk.	
<b>SB 368</b>	Deductibles and Out-of-Pocket Costs	This bill will require health plans to track enrollee accrual towards their deductibles and maximum out-of-pocket limits, and communicate accrual to enrollees monthly for any month health benefits were used.	<b>SIGNED</b>	
<b>SB 523</b>	Contraceptive Equity Act	This bill will expand and modernize birth control access in California, and ensure greater contraceptive equity statewide, regardless of an individual's gender or insurance coverage status.	Converted to a 2 year bill, eligible for consideration in January 2022	
<b>SB 524</b>	Patient Steering	This bill would have limited the practice known as patient steering, which is used by some health plans and pharmacy benefit managers (PBMs) to steer patients from their established in-network pharmacy to a pharmacy that is owned by the insurer or PBM.	<b>VETOED</b>	According to the Governor's veto message, "While offering consumers a choice in pharmacies within their health plan or insurer networks is a worthwhile goal, the bill lacks clarity in key areas which may render it subject to misinterpretation or a lack of enforceability."



## OFFICE OF THE GOVERNOR

**OCT 08 2021**

To the Members of the California State Assembly:

I am returning Assembly Bill 369 without my signature.

This bill would direct the Department of Health Care Services (DHCS) to establish a Presumptive Eligibility Program for persons experiencing homelessness, authorize all off-premises services under Medi-Cal, remove care authorization and coordination strategies typically provided by Primary Care Physicians, and deduct capitation payments made to Medi-Cal Managed Care Plans if a person experiencing homelessness does not utilize services within 60 days of enrollment.

From day one, my Administration has made treating and housing those experiencing homelessness a top priority. Understanding that homeless individuals face unique challenges in receiving the health care they need, California designed its Presumptive Eligibility program so that individuals experiencing homelessness can easily enroll in Medi-Cal and access timely health care. In addition, enrolled Medi-Cal providers can be reimbursed for street-based medicine or services provided outside the office to their patients. Additionally, Medi-Cal Managed Care Plans are responsible for coordinating and providing health care services to their members, including beneficiaries experiencing homelessness.

We can and must do much better than today. To that end, the California Advancing and Innovating Medi-Cal (CalAIM) initiative, authorized in the 2021 Budget, will provide a whole-person approach to care and include expanded



benefits to address clinical and non-clinical needs of Medi-Cal beneficiaries. A new enhanced care management benefit and housing support services, delivered by community-based providers, will provide needed services to individuals experiencing homelessness. Creating a "carve out" for persons experiencing homelessness, on the eve of the CalAIM transformation, will cut out these patients from services that are being created specifically to support their health, housing stability, and overall well-being.

Given that providing individuals experiencing homelessness timely access to critical services and ultimately are permanently housed is a priority, and the timing of CalAIM implementation, I am directing DHCS to identify any interim gaps that can be imminently addressed and act quickly to close these gaps. Such actions may include providing temporary resources to street medicine providers across the state, providing additional technical assistance to street medicine providers who seek to provide services through managed Medi-Cal, and promptly implementing the CalAIM opportunities that will soon be rolling out.

Sincerely,



Gavin Newsom



OFFICE OF THE GOVERNOR

OCT 08 2021

To Members of the California State Senate:

I am returning Senate Bill 110 without my signature.

This bill would require Medi-Cal substance use disorder services to include contingency management services as an optional benefit under the Drug Medi-Cal organized delivery system, subject to utilization controls.

Given the promise of contingency management as a treatment for stimulant use disorders, the 2021-22 Budget includes funding to support a pilot contingency management Medi-Cal benefit from January 2022 through March 2024. The Department of Health Care Services has sought federal approval for this pilot project and will work expeditiously to implement it once it is authorized.

The outcomes and lessons learned from the pilot project should be evaluated before permanently extending the Medi-Cal benefit. As such, this bill is premature, and I am returning it without my signature.

Sincerely,

Gavin Newsom



**The BREATHE Act**  
**Federal Bill Proposal**

- **Section 1:** Divesting Federal Resources from Policing and Incarceration & Ending Federal Criminal-Legal System Harms
- **Section 2:** Investing in New Approaches to Community Safety Utilizing Funding Incentives
- **Section 3:** Allocating New Money to Build Healthy, Sustainable & Equitable Communities for All People
- **Section 4:** Holding Officials Accountable & Enhancing Self-Determination of Black Communities

Key Definitions [here](#).

**Section 1 – Divesting Federal Resources from Policing and Incarceration & Ending Federal Criminal-Legal System Harms**

**SUBSECTION 1: DIVESTMENT FROM THE FEDERAL CRIMINAL-LEGAL SYSTEM**  
**1A: Repeal of Federal Programs**

- REPEAL OF FEDERAL PROGRAMS.—
  - As of the first fiscal year (FY) beginning after the date that is one year after this Act becomes law, any existing budget authorizations and appropriations to the following programs and agencies are repealed, except as to the extent that is necessary to implement the Employee Transition Plan:
    - **Programs within the Department of Defense (DOD):**
      - DOD 1033 program (10 USC §2576); and
      - DOD 1122 program.
    - **Programs within the Department of Justice (DOJ):**
      - DOJ Office of Justice Programs State and Local Law Enforcement Assistance, including:
        - The Edward Byrne-Justice Assistance Grant Program (Title I of Pub. L. No. 90-351 codified at 34 USC §10101-10726);
        - The Patrick Leahy Bulletproof Vest Partnership (42 USC §3711); Project Safe Neighborhoods (34 USC §10101 & 34 USC §60701); and
        - The Community Trust Initiative (28 USC §530C);

- DOJ Community Oriented Policing Services, including such programs as Operation Relentless Pursuit;
- DOJ Office of Juvenile Justice and Delinquency Prevention, pending the transference provisions described in Subsection 1E;
- DOJ Drug Enforcement Administration (DEA);
- DOJ Denaturalization Section;
- DOJ Narcotic and Dangerous Drug Section;
- DOJ National Gang Center;
- DOJ Organized Crime and Gang Section;
- Federal Bureau of Investigation (FBI) surveillance programs that target individuals and communities based on race, color, ethnicity, national origin, immigration status, age, religion, gender identity or expression, sexual orientation, or mental or physical disability, including (but not limited to) “Iron Fist” and the Safe Streets and Gang Unit;
- FBI Joint Terrorism Task Forces (JTTF); and
- FBI Transnational Anti-Gang Task Forces.
- **Programs within the Department of Homeland Security (DHS):**
  - Department of Homeland Security (DHS) Immigration and Customs Enforcement (ICE), including:
    - Homeland Security Investigations (HSI);
    - Enforcement and Removal Operations (ERO); and
    - Border Enforcement Security Task Force (BEST);
  - DHS National Vetting Center;
  - DHS Homeland Security Grant Program (HSGP), which includes:
    - The State Homeland Security Grant Program;
    - The Urban Area Security Initiative; and
    - Operation Stonegarden;
    - *Note: This does not include the Tribal Homeland Security Grant Program or grants to nonprofit organizations.*
  - DHS Countering Violent Extremism (CVE) Program;
  - DHS Targeted Violence and Terrorism Prevention (TVTP) Grant Program;
  - DHS Office of Biometric Identity Management (OBIM);
  - DHS fusion centers;
  - DHS Nationwide Suspicious Activity Reporting (SAR) Initiative (NSI); and
  - DHS United States Citizenship and Immigration Services (USCIS) Denaturalization Task Force Office.
- **Programs within Other Departments:**
  - Department of Agriculture Community Facilities Program, as spent on construction of jails, prisons, and police facilities;
  - Department of State Bureau of International Narcotics and Law Enforcement Affairs (INCLE), including the Police Professionalization Exchange Program (PPEP) and the International Law Enforcement Academies (ILEAs); and
  - Department of Treasury Forfeiture Fund Equitable Sharing Program.

- REPEAL PROCESS.—
  - REQUIREMENT FOR NON-CARCERAL PROGRAMMING REPORT.—
    - As of the first fiscal year (FY) beginning after the date that is one year after this Act becomes law, the overseeing Department of each repealed program or agency must submit a written report to Congress for approval and publicly post the report (aside from the Employee Transition Plan) to each overseeing Department website.
  - REPORT CONTENTS.—
    - Such report must include the following information:
      - Any non-carceral, non-punitive programming supported by the program or agency, as well as the consideration factors that led to this classification;
      - For any non-carceral, non-punitive programming identified, identification of other federal agencies and programs that, as of the fiscal year that begins one year after this Act becomes law, could be an alternative source of funding;
      - A plan for how the Department will transition the non-carceral, non-punitive programming to another federal agency or program;
      - A plan for how the Department will wind down the repealed services, programs, operations, and staffing to meet the timeline in this Act;
      - Any projected issues with the repeal process; and
      - An Employee Transition Plan that includes:
        - Identification of all federal employees whose jobs will be terminated;
        - Data on and consideration of the impact that terminations will have on various demographic groups, including considerations based on race, sex, gender, and disability;
        - A transition plan for these employees, which may include (but is not limited to):
          - Re-employment elsewhere within the Department, subject to continued training;
          - Buy-out;
          - Fully paid career path training allowing individuals to enter a new, non-law enforcement field; or
          - For individuals that are within 5 years of retirement, the option of early retirement.
  - PROCESS.—
    - In producing this report, the overseeing Department must directly consult:
      - Community-based organizations that are currently providing non-carceral, non-punitive programming or advocacy using grant funds; and
      - Individuals who are receiving non-carceral, non-punitive programming funded under Department grants.
    - In the report, the Department must state:
      - The nature of consultation;
      - A summary of the feedback received; and
      - A summary of how the feedback was incorporated.

- **CONTROLLED SUBSTANCES ACT.—**
  - Beginning one year after this Act becomes law, the National Institutes of Health (NIH) shall become the agency responsible for classifying drugs, as required by the Controlled Substance Act (CSA).

**1B: Deauthorization of Certain Spending Purposes**

- **BUREAU OF ALCOHOL, TOBACCO, & FIREARMS.—**
  - As of the first fiscal year (FY) beginning after the date that is one year after this Act becomes law, the DOJ Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) (28 USC §599A) is no longer authorized to provide any funding that serves to train, equip, increase hiring capacity for, or otherwise support the activities of law enforcement.
- **DRUG-RELATED INTERVENTIONS.—**
  - As of the first fiscal year (FY) beginning after the date that is one year after this Act becomes law no federal programs and agencies are authorized to provide any funding that serves to:
    - Further international drug interdiction efforts; and
    - Provide drug enforcement support to other Nation States in the form of funding, military equipment, training, intelligence sharing, or the deployment of troops.
- **CARCERAL FUNDING TO STATES AND LOCALITIES.—**
  - As of the first fiscal year (FY) beginning after the date that is one year after this Act becomes law, no federal agency shall be authorized to:
    - Make any grants, whether under a new or existing program, that support local or State carceral programs, services, or activities, including new loans for constructing carceral facilities, except where such funding is necessary for the activities that are noted in this Subsection;
    - Enforce any existing loan requirements that would prevent the demolition or repurposing of carceral facilities; or
    - Increase funding for any federal activities that primarily serve carceral purposes, except where such funding is necessary for the activities that are noted in this Subsection.
  - Notwithstanding any other language in this Subsection, the prohibitions in this Subsection shall not be construed to prevent or prohibit activities that require collaboration with local, State, or federal law enforcement to provide post-conviction, civil, immigration, family reunification, or reentry legal services and supports, including:
    - Case review;
    - Investigation;
    - Forensic testing;
    - Representation; or
    - Other relevant activities conducted by post-conviction innocence programs or other entities representing the interests of wrongfully convicted people;
    - Other relevant activities conducted by programs or other entities representing the interests of immigrants at risk of deportation or recently-arrived immigrants, including refugees; or
    - Activities that serve to:



- Settle a wrongful conviction or innocence claim;
- Support a “clean slate” program; and/or
- Support legal services provided by post-conviction innocence programs or other entities representing the interests of wrongfully convicted people.

### **1C: Transfer of Tribal Funding**

- ESTABLISHMENT OF GRANT PROGRAM.—
  - As of the first fiscal year (FY) beginning after the date that is one year after this Act becomes law, the Office of Self Governance within the Department of the Interior (DOI) shall establish a grant program that fulfills the United States Government treaty and trust obligations to Tribal Nations.
- FUNDING AUTHORIZATION.—
  - Such grant program shall have authority to appropriate money that:
    - Is equal to the amounts that were previously allocated to Tribal Nations through those programs repealed in Subsection 1A; and
    - Beyond such sums, amounts sufficient to fulfill the United States Government treaty and trust obligations to Tribal Nations.

### **1D: Transfer of Survivor Funding Programs**

- ESTABLISHMENT OF OFFICE.—
  - There is established an Office of Survivor Support & Harm Prevention (“Office”) within the Community Public Safety Agency (see Section 2, Subsection 1) of the Department of Health and Human Services (HHS).
- ELIGIBLE FUNDING PURPOSES.—
  - The Office shall fund non-carceral, non-punitive, prevention-oriented programs that:
    - Support survivors;
    - Address domestic violence and sexual violence, including rape; or
    - Otherwise support individuals who have experienced violence of any nature.
  - Such programs include, but are not limited to:
    - All non-carceral, non-punitive programming that was previously funded by the programs in Section 1A, which serve the purposes enumerated above;
    - Voluntary, non-coercive trauma-informed, health services and healing supports for communities so that they can recover from exposure to violence, abuse, and/or harmful interactions with police;
    - Vouchers, provided in collaboration with the Secretary for Housing and Urban Development (HUD), open to individuals who do not have safe places to go, including individuals experiencing domestic and/or sexual abuse, individuals who have been victims of human trafficking, and individuals who have experienced housing discrimination due to being or having been a sex worker; and
    - Programming related to abuse interruption, intervention, and prevention.
- FUNDING RESTRICTION.—
  - All programs and services provided and/or funded by the grant program must be:
    - Accessible to all people who have disabilities;
    - Accessible to non-citizens and undocumented individuals;

- Non-discriminatory;
  - Non-coercive;
  - Non-carceral, including no connection to law enforcement; and
  - Non-punitive.
- ELIGIBLE RECIPIENTS.—
  - PREFERENCE FOR COMMUNITY-BASED ORGANIZATION SERVICE PROVIDERS.—
    - Eligible recipients shall be community-based organizations, including a preference for organizations that:
      - Are led by individuals who have proven ties to the community, as demonstrated by, but not limited to:
        - Having lived in, as well as currently living in, the specified community;
        - Participation and membership in local organizations, associations, and commissions; and/or
        - Having been raised in the specified community or having loved ones who continue to reside there;
      - Have a demonstrated track record in administering the specified programming or service;
      - Have a leadership that reflects the racial diversity of the community wherein the organization operates; and
      - Are led by or employ directly impacted persons (with “directly impacted” defined based on the programming that is provided by the organization).

### **1E: Transfer of Youth Funding Programs**

- ESTABLISHMENT OF OFFICE.—
  - There is established an Office of Youth Support & Harm Prevention Programs (“Office”) within the Community Public Safety Agency (see Section 2, Subsection 1) of the Department of Health and Human Services (HHS).
- ELIGIBLE FUNDING PURPOSES.—
  - The Office shall fund non-carceral, non-punitive programs that serve to promote youth safety, including prevention of harm. Such programs include (but are not limited to) all non-carceral, non-punitive programming that was previously funded by the Office of Juvenile Justice and Delinquency Prevention.
- FUNDING RESTRICTION.—
  - All programs and services provided and/or funded by the grant program must be:
    - Accessible to all people who have disabilities;
    - Accessible to non-citizens and undocumented individuals;
    - Non-discriminatory;
    - Non-coercive;
    - Non-carceral, including no connection to law enforcement; and
    - Non-punitive.
- ELIGIBLE RECIPIENTS.—
  - Eligible recipients shall be community-based organizations, including a preference for organizations that:

- Are led by individuals who have proven ties to the community, as demonstrated by, but not limited to:
  - Having lived in, as well as currently living in, the specified community;
  - Participation and membership in local organizations, associations, and commissions; and/or
  - Having been raised in the specified community or having loved ones who continue to reside there;
- Have a demonstrated track record in administering the specified programming or service;
- Have a leadership that reflects the racial diversity of the community wherein the organization operates; and
- Are led by or employ directly impacted persons (with “directly impacted” defined based on the programming that is provided by the organization).

### **1F: Reducing the Defense Budget**

- REPEAL OF OVERSEAS CONTINGENCY OPERATIONS ACCOUNT.—
  - Upon enactment of this Act, the Overseas Contingency Operations (OCO) mechanism is terminated and shall not be authorized to receive new appropriations.
- TEN PERCENT BUDGET REDUCTION.—
  - As of the first fiscal year (FY) beginning after the date that is one year after this Act becomes law, budget function 050 shall be capped to enact a 10 percent budget reduction from its fiscal year 2021 enacted level.
- CREATION OF INDEPENDENT COMMISSION.—
  - There is established an independent Commission (“Commission”) to study how to reduce the Department of Defense budget.
- COMMISSION DUTIES.—
  - OVERALL.—
    - Within one year of the date that this Act becomes law, the Commission shall submit a plan to Congress that will reduce, within 4 years following the beginning of plan implementation, 50% of the current Department of Defense (DOD) and Department of Energy (DOE) budget from:
      - The total DOD budget and staffing; and
      - The affiliated nuclear weapons budget and staffing at the DOE.
  - GUIDELINES.—
    - When designing these proposed reductions, the Commission shall recommend cuts that align with the following priorities:
      - Ending endless wars, including through cuts to the U.S. armed forces that will reduce by not fewer than 50% overseas troop deployments;
      - Creating a pathway to eliminating nuclear weapons, including through immediate actions that stop the development of new weapons;
      - Reducing spending on private contractors;
      - Eliminating the Space Force, which will militarize U.S. space policy and increase the possibility of unnecessary wars;
      - Defunding unnecessary, unworkable, and unaffordable aircrafts, such as the F-35;

- Ending the construction of new aircrafts that are a tool for military intervention worldwide;
- Ending involvement overseas, including by eliminating:
  - The United States African Command (AfriCom) and other military operations in Africa, Latin America, the Middle East and the Caribbean; and
  - Foreign Military Funding; and
- Eliminating military funds that are not serving a clear, specific, high-priority purpose, examples of which funds include the European Deterrence Initiative, the Pacific Deterrence Initiative, Defense Emergency Response Fund, and the Base Operations Support.
- POWERS.—
  - HEARINGS AND EVIDENCE.—
    - The Commission or, on the authority of the Commission, any portion thereof, may, for the purpose of carrying out this Subsection—
      - Hold such hearings;
      - Sit and act at such times and places;
      - Take such testimony;
      - Receive such evidence;
      - Administer such oaths (provided that the quorum for a hearing shall be three members of the Commission); and
      - Provide for the attendance and testimony of such witnesses and the production of such books, records, correspondence, memoranda, papers, and documents that the Commission, or such portion thereof, may determine advisable.
  - INABILITY TO OBTAIN DOCUMENTS OR TESTIMONY.—
    - In the event that the Commission is unable to obtain testimony or documents that are needed to conduct its work, the Commission shall notify the committees of Congress of jurisdiction and appropriate investigative authorities.
  - ACCESS TO INFORMATION.—
    - The Commission may secure directly from the DOD and any other department or agency of the Federal Government any information or assistance that the Commission considers necessary to enable the Commission to carry out the requirements of this section.
    - Upon request of the Commission, the head of such Department or agency shall furnish such information expeditiously to the Commission.
    - Whenever information or assistance requested by the Commission is unreasonably refused or not provided, the Commission shall report the circumstances to Congress without delay.
  - PERSONNEL.—
    - The Commission shall have the authorities provided in Section 3161 of Title 5, United States Code, and shall be subject to the conditions that are set forth in such section, except to the extent that such conditions would be inconsistent with this Section.
  - DETAILEES.—

- Any employee of the Federal Government may be detailed to the Commission without reimbursement from the Commission, and such detailee shall retain the rights, status, and privileges of his or her regular employment without interruption.
    - SECURITY CLEARANCES.—
      - The appropriate departments or agencies of the Federal Government shall cooperate with the Commission in expeditiously providing the Commission members and staff appropriate security clearances to the extent that is possible pursuant to existing procedures and requirements, except that no person shall be provided access to classified information without the appropriate security clearances.
  - MEMBERSHIP.—
    - The Commission shall be comprised of 13 members, who are appointed within 90 days after the date of enactment of this Act, as follows:
      - 3 members shall be appointed by the President;
      - 2 members shall be appointed by the Senate President Pro Tempore;
      - 2 members shall be appointed by the Speaker of the House.
      - 6 members shall be selected from the major civil society and organizations that have historically championed the cause of demilitarization and peacebuilding and who have no formal military or defense industry affiliation.
    - Not more than 7 members may be from the same political party.
    - No member shall be a current defense industry employee or any individual who has worked within the defense industry within the last 10 years.
  - TERMS.—
    - The term of office for members shall be for two years.
    - A vacancy in the Commission shall not affect the powers of the Commission and shall be filled in the same manner in which the original appointment was made.
  - FIRST MEETING.—
    - The President shall call the first meeting of the Commission within 120 days after the date of the enactment of this Act or within 30 days after the date on which legislation is enacted making appropriations to carry out this Act, whichever date is later.
  - QUORUM.—
    - Seven members of the Commission shall constitute a quorum, but a lesser number may hold hearings.
  - CHAIR AND VICE CHAIR.—
    - The Commission shall elect a Chair and Vice Chair from among its members.
    - The term of office of each shall be for two years.
  - COMPENSATION.—
    - Each member of the Commission shall receive compensation at the daily equivalent of the annual rate of basic pay payable for GS-18 of the General Schedule under section 5332 of title 5, United States Code, for each day, including travel time, during which he or she is engaged in the actual performance of duties vested in the Commission.
    - A member of the Commission who is a full-time officer or employee of the United States or a Member of Congress shall receive no additional pay, allowances, or benefits by reason of his or her service to the Commission.

- All members of the Commission shall be reimbursed for travel, subsistence, and other necessary expenses incurred by them in the performance of their duties to the extent authorized by chapter 57 of title 5, United States Code.
- PRESENTATION OF FINDINGS.—
  - The Commission shall submit a written plan of its findings and recommendations to the Congress not later than the date which is one year after the date of the first meeting of the Commission.
  - The Commission shall present their findings to Congress through:
    - A series of public hearings that allow for public comments; and
    - The copies of the original and final plan that is posted online and easily accessible.
- APPROVAL OF PLAN.—
  - HEARINGS.—
    - Within 90 days of the Commission submitting its plan to Congress, the Commission shall hold a series of not fewer than four (4) hearings that are open to public viewing and comment. These hearings shall include government officials, current or former, and witnesses from civil society.
    - Within 60 days of holding these hearings, the Commission shall incorporate feedback received and resubmit the Plan to Congress.
  - GOVERNMENT ACCOUNTABILITY OFFICE REVIEW.—
    - On Plan submission, the Government Accountability Office (GAO) shall review and certify all DOD and other data for accuracy.
  - APPROVAL.—
    - Plan implementation shall follow the procedures of the Base Realignment and Approval process.
    - The President may either accept the Plan in its entirety or seek to modify the Plan by indicating disapproval and returning the Plan to the Commission for further evaluation.
    - If the President accepts the Plan recommendations, they shall be forwarded to Congress.
    - Plan implementation begins by default 60 days after Plan submission unless Congress passes a joint resolution that rejects the Plan recommendations in their entirety.
  - IMPLEMENTATION.—
    - After Congress approves the Plan, the Office of Management and Budget (OMB), working with the DOD and relevant bureaus at the DOE, shall begin implementation of the Plan.
    - On a biannual basis, through 4 years, the OMB, DOD, and relevant bureaus at the DOE shall report on progress to the Independent Commission.
    - The Commission shall publicly report on progress to Congress annually.
    - The Plan must be fully implemented within 4 years from the date it is approved by the President.
- TERMINATION OF COMMISSION.—
  - The Commission shall terminate 90 days after the date on which the Commission provides its final progress report to Congress after 4 years of implementation.
- AUTHORIZATION OF APPROPRIATIONS.—

- To carry out the provisions of this subsection, there are authorized to be appropriated \$12,000,000.

## **SUBSECTION 2: FEDERAL CRIMINAL-LEGAL SYSTEM POLICY CHANGES**

### **2A: Policing**

- **ITEMS PROHIBITED TO LAW ENFORCEMENT.—**
  - Categorically prohibit federal law enforcement from using or contracting the use of:
    - Tear gas, rubber bullets, pepper bullets, pepper spray, flash bangs, long range acoustic devices (LRADs), Stingrays, lasers, and any other “less than lethal” forms of crowd control;
    - Military-grade:
      - Weaponry;
      - Vehicles; and
      - Stun grenades;
    - Predictive policing and predictive policing software;
    - Facial recognition technologies;
    - International Mobile Subscriber Identity (IMSI) catchers;
    - Any tool used to collect biometric data;
    - Sedatives, such as ketamine;
    - TASERs;
    - Microchip implants;
    - Aerial surveillance;
    - Drones used for surveillance or other carceral purposes; and
    - Body cameras.
- **ADDITIONAL LIMITATIONS ON SURVEILLANCE TECHNOLOGIES.—**
  - The Federal Government shall not expend any funds for procuring, deploying, developing, or otherwise using and/or facilitating the State or local use of surveillance technologies and systems that include:
    - Predictive policing and predictive policing software;
    - Facial recognition technologies;
    - International Mobile Subscriber Identity (IMSI) catchers;
    - Any tool that requires access to a source code; or
    - Any tool used to collect biometric data.
  - Whenever contemplating the use of new surveillance technologies, the Federal Government must employ a process that has the following components:
    - Before deployment, the Federal Government shall conduct an analysis of surveillance technology so as to determine:
      - The likelihood that certain racial, religious, ethnic, or other groups will be disproportionately targeted;
      - The ethical, legal, social, and/or racial implications of such disproportionate targeting; and
      - Alternative measures that would eliminate such disproportionate targeting.
    - Once deployed, the Federal Government must:
      - Publicly disclose the deployment of such new technology; and

- Use a process that incorporates deep community involvement to assess the use of the surveillance technology, including its impacts on racial, religious, ethnic, or other groups.
- END CIVIL ASSET FORFEITURE.—
  - End civil asset forfeiture by all federal agencies, including through the following provisions:
    - Repeal 19 US Code §1607, ending administrative forfeiture by Customs and Border Protection.
    - Repeal the following code sections to effectively end civil asset forfeiture by DOJ agencies:
      - 18 U.S. Code § 3051;
      - 18 U.S. Code § 982(a)(6)(A);
      - 18 U.S. Code § 981;
      - 18 U.S. Code § 3061(a);
      - 21 U.S. Code § 881;
      - 21 U.S. Code § 301-97 Title 21 Statutes related to FFDCA;
      - 28 U.S. Code § 566;
      - 46 U.S. Code § 70507;
      - 49 U.S. Code § 46306; and
      - 28 C.F.R. § 8.3(a).
- PRACTICES PROHIBITED TO LAW ENFORCEMENT.—
  - Prohibit federal law enforcement agents, acting under color of law, from the following:
    - Engaging in violence, assault, sexual harassment, or extortion against any member of the public;
    - Engaging in any sexual act with a member of the public who is under arrest, detained, or in custody;
    - Chemical restraints, such as ketamine;
    - The use of physical restraints that are life threatening or that restrict breathing;
    - Requesting any warrant that permits no-knock or short-knock entries;
    - Conducting SWAT raids;
    - Conducting body cavity searches, visual cavity searches, or strip searches;
    - Performing more frequent or more intrusive searches of transgender, gender nonconforming, or non-binary people;
    - Conducting searches that are performed to assign gender based on anatomy or to harass, humiliate, or sexually degrade an individual;
    - Executing consent searches;
    - Allowing “cooling-off” periods defined as a period of time following an officer-involved shooting, during which individuals investigating the shooting are prohibited from communicating with any officer involved in the shooting;
    - Executing canine drug sniffs in order to establish probable cause;
    - Enforcing gang injunctions; and
    - Creating and enforcing watchlists including but not limited to, counter-terrorism, counter-intelligence, and transnational crime-related watchlists.
- U.S. MARSHAL SERVICE PROHIBITIONS. —
  - U.S. Marshal Service (USMS) marshals and deputies are prohibited from engaging in the following practices:



- Using intergovernmental agreements under which the USMS pays local and State agencies for the use of their jails and prisons to house people in USMS custody;
  - Using USMS funds for local jail construction or expansion; and
  - Communicating with local law enforcement and governmental agencies about increasing jail capacity.
- FEDERAL DATABASES.—
  - Abolish, expunge all records within, and immediately terminate federal, State, and local law enforcement access to federal gang, terrorist, and extremist databases, including those databases that contain personal identifying information—
    - In which a person may be designated as a suspected gang member, associate, affiliate, suspected terrorist, or extremist; or
    - For which entry reflects a designation that the person is a suspected gang member, associate, affiliate, suspected terrorist, or extremist.
  - Ban federal law enforcement from selling, or seeking profit from, the sale of personal data.
- NONDISCLOSURE AGREEMENTS.—
  - End non-disclosure agreements between federal and local law enforcement agencies.
- NO JOINT TASK FORCES.—
  - Prohibit federal law enforcement agencies from participating in drug enforcement task forces, border enforcement task forces, and gang task forces.
- NO CONTROLLED EQUIPMENT.—
  - Prohibit the possession of “controlled equipment” by non-military entities.
- NO LAW ENFORCEMENT IN SPECIFIED LOCATIONS.—
  - Prohibit federal law enforcement agencies, on or off-duty in a contracted capacity, armed security, metal detectors, and other surveillance equipment from Federal Government offices that provide social services.
  - Prohibit the presence of federal law enforcement agents at or within 1,000 feet of any of the following locations:
    - Public and private preschools;
    - Public and private elementary or secondary schools;
    - Postsecondary schools, including colleges and universities;
    - Other institutions of learning, including trade and vocational schools;
    - Scholastic or education-related activities or events;
    - Bus stops;
    - Licensed adult or child day care facilities;
    - Any medical treatment or health care facility, including hospitals, community health centers, and health clinics;
    - Federal, State, or local courthouses, including the office of an individual's legal counsel or representative, and probation offices;
    - Congressional district offices;
    - Public assistance offices;
    - Social Security offices;
    - U.S. Citizenship and Immigration Services Offices;
    - Locations of any organization that assists children, pregnant women, victims of crime or abuse, or individuals with significant mental or physical disabilities,

- including domestic violence shelters, rape crisis centers, supervised visitation centers, family justice centers, and victims services providers;
  - Locations of organizations that provide disaster or emergency social services and assistance, including food banks and homeless shelters;
  - Sites of funerals, weddings, or other public religious ceremonies;
  - Places of religious worship, including but not limited to churches, synagogues, mosques, gurdwaras, and buildings rented for the purpose of religious services;
  - Indoor and outdoor premises of departments of motor vehicles;
  - Community centers;
  - Sites of public demonstration, such as a march, rally, or parade;
  - Sites of other public gatherings where parents and children are in attendance, such as a festival or fair; and
  - Any other location that could reasonably be viewed as sensitive in nature.
- Prohibit the use of federal law enforcement agents, including but not limited to, ICE, CBP, DHS, DEA, and ATF agents to be deployed in response to a mass gathering on non-federal property.
- ESTABLISHMENT OF POLITICAL FREEDOM COMMISSION.—
  - ESTABLISHMENT AND DUTIES.—
    - There is established the independent Political Freedom Commission.
  - DUTIES.—
    - The Commission shall perform the following duties:
      - Review petitions for commutation from people claiming political incarceration at the federal level;
      - Review petitions for commutation from people serving sentences repealed by this Act;
      - Review complaints of political retaliation while incarcerated;
      - Refer qualified petitions to the President with a recommendation for commutation; and
      - Work with the Bureau of Prisons (BOP) and activists to proactively identify people eligible for commutation on the basis of political imprisonment.
    - There shall be a requirement that a recommendation for release by the Political Freedom Commission creates a presumption for post-conviction relief under a new or existing post-conviction relief statute.
  - MEMBERSHIP.—
    - The Commission shall be made up of 13 members, who are appointed within 90 days after the date of enactment of this Act, as follows:
      - 3 members shall be appointed by the President;
      - 2 members shall be appointed by the Senate President Pro Tempore;
      - 2 members shall be appointed by the Speaker of the House; and
      - 6 members shall be selected from the major civil society and organizations that have historically championed the cause of political freedom.
    - Not more than 7 members may be from the same political party.
  - TERMS.—
    - The term of office for members shall be for two years.

- A vacancy in the Commission shall not affect the powers of the Commission and shall be filled in the same manner in which the original appointment was made.
  - FIRST MEETING.—
    - The President shall call the first meeting of the Commission within 120 days after the date of the enactment of this Act or within 30 days after the date on which legislation is enacted making appropriations to carry out this Act, whichever date is later.
  - QUORUM.—
    - Seven members of the Commission shall constitute a quorum, but a lesser number may hold hearings.
  - CHAIR AND VICE CHAIR.—
    - The Commission shall elect a Chair and Vice Chair from among its members. The term of office of each shall be for two years.
  - COMPENSATION.—
    - Each member of the Commission shall receive compensation at the daily equivalent of the annual rate of basic pay payable for GS–18 of the General Schedule under section 5332 of title 5, United States Code, for each day, including travel time, during which he or she is engaged in the actual performance of duties vested in the Commission.
    - A member of the Commission who is a full-time officer or employee of the United States or a Member of Congress shall receive no additional pay, allowances, or benefits by reason of his or her service to the Commission.
    - All members of the Commission shall be reimbursed for travel, subsistence, and other necessary expenses incurred by them in the performance of their duties to the extent authorized by chapter 57 of title 5, United States Code.
  - PRESENTATION OF FINDINGS.—
    - The Commission shall submit an annual written report of its work and progress to Congress.
    - The Commission shall present their annual report to Congress through:
      - A public hearing that allows for public comments; and
      - A report that is posted online and easily accessible.
  - AUTHORIZATION OF APPROPRIATIONS.—
    - There are authorized to be appropriated to the Commission such sums as are necessary for the Commission to make recommendations pursuant to this Subsection.

## **2B: Decriminalization & War on Drugs**

- REPEAL OF PROSTITUTION-RELATED LAWS.—
  - Repeal the [Fight Online Sex Trafficking Act](#).
  - Repeal the [Stop Enabling Sex Traffickers Act](#).
  - Repeal the [Mann Act](#) (18 U.S.C. § 2421 et seq).
- REPEAL OF POVERTY-RELATED OFFENSES.—
  - Decriminalize failure to pay child support obligations (18 U.S.C. §228).
- REPEAL OF CONSPIRACY & GANG OFFENSES.—

- Repeal the following conspiracy offenses: 18 U.S.C. § 371, 18 U.S.C. § 372, and 18 U.S.C. § 373.
- Repeal law banning material support for terrorism (18 U.S.C. § 2339A).
- Repeal gang-related offenses including, but not limited to 18 U.S.C. § 521.
- REPEAL OF YOUTH OFFENSES.—
  - Repeal the Juvenile Justice and Delinquency Prevention Act (42 U.S.C. § 5601).
  - Repeal the Federal Juvenile Delinquency Act (18 U.S.C. §§ 5037, 5032).
- ENDING THE WAR ON DRUGS.—
  - ESTABLISHMENT OF RULEMAKING TASK FORCE.—
    - ESTABLISHMENT.—
      - There is established a Rule Making Task Force (“Task Force”) led by the National Institutes of Health (NIH).
    - MEMBERSHIP.—
      - The Task Force shall be composed of 12 members, not fewer than 50% of whom must be:
        - Persons who use drugs;
        - Individuals with co-occurring conditions, such as Hepatitis B/C or HIV;
        - Advocates for communities that have been disparately impacted by past prohibitionist policies;
        - Organizations representing public defenders;
        - Substance Use Disorder (SUD) treatment professionals;
        - Representatives of harm reduction service providers; and
        - Drug policy experts.
      - The NIH Director shall serve as the chair of the Task Force.
      - The NIH Principal Deputy Director shall serve as the co-chair of the Task Force.
      - A member of the Task Force shall serve the duration of the Task Force.
    - COMPENSATION OF MEMBERS. —
      - Members of the Task Force may be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for employees of agencies under subchapter I of chapter 57 of title 5, United States Code, while away from their homes or regular places of business in the performance of services for the Task Force.
    - FIRST MEETING.—
      - Not later than 1 month after the date of enactment of this Act, the Chair shall establish and convene the Task Force.
    - DUTIES OF THE TASK FORCE.—
      - The functions of the Task Force shall be to:
        - Draft a rule defining “personal use quantities” and procedures that facilitate voluntary access to harm-reduction, evidence-based services, including (but not limited to) those seeking SUD treatment; and
        - Submit a publicly available report to Congress within one year of its first meeting, outlining the proposed rule.

- Any rule developed pursuant to this Subsection shall meet the following criteria:
  - Any qualifying thresholds and criteria shall not categorically disqualify circumstances involving the presence of scales, individual packaging, currency, “cutting” agents, and similar items; and
  - Such thresholds and criteria must be regularly reviewed and updated based on peer reviewed scientific analysis.
- TERMINATION OF TASK FORCE.—
  - The Task Force shall terminate no later than 2 months after the Task Force submits its final report to Congress.
- FUNDING. —
  - There are authorized such sums as may be necessary to be appropriated to carry out this Section.
- REPEAL PENALTIES FOR SIMPLE POSSESSION, POSSESSION WITH INTENT TO DISTRIBUTE, AND POSSESSION OF CERTAIN TOOLS.—
  - Repeal criminal penalties for simple possession of a controlled substance (amend 21 U.S.C. § 844, strike 21 U.S.C. § 844a);
  - Repeal criminal and civil penalties for possession with intent to distribute personal use quantities of a controlled substance (as defined in rules promulgated by the personal-use task force created herein) (amend 21 U.S.C. § 841(b) to eliminate all carceral and monetary sentences and replace with thresholds established by the task force rulemaking body);
  - Repeal separate offenses for criminalizing the possession of certain tools for manufacturing controlled substances, use of communications equipment and advertising for sales of controlled substances, and fraudulent representations in the sale of controlled substances (21 U.S.C. § 843);
  - Repeal criminal and civil penalties for attempt and conspiracy (21 U.S.C. 846), “continuing criminal enterprise” (21 U.S.C. § 848), and specified transportation offenses (21 U.S.C. §849); and
  - Repeal mandatory minimum sentencing (21 U.S.C. § 851) and sentencing enhancements (34 U.S.C. § 12522, §12521 (“drug-free” zones).
- REPEAL LAND USE PROHIBITIONS.—
  - Repeal the code criminalizing “maintaining drug-involved premises.”
- MODIFY SUD PREVENTION AND TREATMENT PROGRAMS.—
  - Shift all Substance Use Disorder (SUD) prevention and treatment programs within the jurisdiction of the Department of Justice (DOJ) to the Department of Health and Human Services (HHS) and explicitly proscribe the Department of Justice from using appropriated funds for “drug education” programs.
- PROMOTE MARIJUANA JUSTICE.—
  - DESCHEDULE MARIJUANA.—
    - Require, within 180 days of enactment, the Attorney General to remove marijuana and tetrahydrocannabinols from Schedule I of the Controlled Substances Act (CSA).
    - Ensure that such changes are retroactive, including for cases that involve juvenile adjudications.

- COLLECT DEMOGRAPHIC DATA.—
  - Require the Bureau of Labor Statistics to compile, maintain, and make public data regarding the individuals who are participating in the cannabis industry, provided that such data keeps private any personally identifiable information.
- ESTABLISHMENT OF OPPORTUNITY TRUST FUND.—
  - Impose a 5% excise tax on cannabis products that are manufactured in or imported into the United States. Such tax shall require all manufacturers to:
    - Register with the Treasury Department;
    - File a surety bond relating to tax liability that accrues from their cannabis products; and
    - Pay an annual occupational tax.
  - Establish an Opportunity Trust Fund within the Treasury that will receive all revenues from this tax.
  - Revenue from this Opportunity Trust Fund shall be apportioned as follows:
    - 50% shall go to the Director of the Community Public Safety Agency within the Department of Health and Human Services so that the Agency may make grants to eligible non-profit community organizations that administer services to those individuals most adversely impacted by the War on Drugs;
    - 10% shall go to the Director of Community Public Safety Agency within the Department of Health and Human Services for eligible non-profit community organizations to administer substance use treatment services for individuals most adversely impacted by the War on Drugs;
    - 20% to the Small Business Administration to allow eligible States or localities to make loans that assist small business concerns owned and controlled by socially and economically disadvantaged individuals that operate in the cannabis industry; and
    - 20% to the Small Business Administration to allow States and localities to develop and implement equitable licensing programs that minimize barriers to cannabis licensing and employment for those individuals and communities that were most adversely impacted by the War on Drugs.
  - Establish a Cannabis Justice Office (CJO) within the Community Public Safety Agency of the Department of Health and Human Services, which shall administer a Community Reinvestment Grant Program that funds eligible non-profit community organizations to:
    - Provide services that benefit those individuals most adversely impacted by the War on Drugs; and
    - Administer substance use treatment services for individuals most adversely impacted by the War on Drugs.
  - Direct the SBA to implement a Cannabis Opportunity Program and an Equitable Licensing Grant Program, which have the following characteristics:
    - ELIGIBILITY.—
      - The programs are open to States or localities that have taken steps to:

- Create an automatic process for the expungement, destruction, or sealing of criminal records that came from cannabis offenses; and
  - Eliminate violations or other penalties for persons who are still under State or local criminal supervision for a cannabis-related offense.
- GRANT PURPOSES.—
  - Under the Cannabis Opportunity Program, eligible States and localities may use funds to make loans that assist small business concerns owned and controlled by socially and economically disadvantaged individuals that operate in the cannabis industry.
  - Under the Equitable Licensing Grant Program, eligible States and localities may use funds to develop and implement equitable cannabis licensing programs that minimize barriers to cannabis licensing and employment for individuals most adversely impacted by the War on Drugs.
- ENSURE ACCESS TO SBA PROGRAMS AND SERVICES.—
  - Prohibit any bars on cannabis-related legitimate businesses and service providers that would preclude their access to:
    - Services from Small Business Development Centers;
    - Services from Women’s Business Centers;
    - Services from the SCORE program;
    - Services from Veterans Business Outreach Centers;
    - Loan guarantees under the 7(a) Loan Guaranty Program;
    - Assistance under SBA’s Disaster Assistance Program; and
    - Assistance under SBA’s Microloan program from intermediaries participating in SBA’s Microloan program.
  - Prohibit the SBA from declining to provide a loan guarantee under the 504/Certified Development Company to an otherwise eligible State or local development company solely because such State or local development company provides financing to an entity that is a cannabis-related legitimate business or service provider.
- LANGUAGE MODIFICATION.—
  - Inserts the term “cannabis” wherever the term “marijuana” (or “marihuana”) appears in existing law.
- EXPUNGEMENT OF DECRIMINALIZED OFFENSES.—
  - Expunge all convictions of offenses that were decriminalized under this Act, whether or not the individual has fulfilled every obligation of the individual’s sentence. Reverse, vacate, expunge, or otherwise remedy any civil or other collateral consequence resulting from such conviction.
- PROHIBITION ON FOREIGN SUPPORT.—
  - Prohibit the U.S. government from providing drug enforcement support to other nation states in the form of funding, military equipment, training, intelligence sharing, or the deployment of troops.
- AUTHORIZATION OF RESENTENCING & EARLY SENTENCE TERMINATION.—

- Authorize the immediate resentencing and early sentence termination of sentences for any person who was convicted solely of a drug offense.
- Require the BOP to release individuals who are serving sentences for drug and prostitution-related convictions within 1 year of the enactment of this Act.
- REPEAL ANTI-PROSTITUTION PLEDGE.—
  - Repeal the “anti-prostitution pledge.”
  - Repeal 22 U.S.C. § 7631(e) - (f).

## **2C: Pretrial Detention**

- END EXISTING PRESUMPTIONS.—
  - Eliminate all existing “presumptions” of pretrial detention in the Bail Reform Act, 18 U.S.C. § 3142(e)(2)-(3) (e.g., the “previous violator presumption” and “drug and firearm offender presumption”).
- RESTRICTIONS ON PRETRIAL DETENTION.—
  - Amend the Bail Reform Act to categorically eliminate pretrial detention:
    - For any Class C, D, or E felony (18 U.S.C. §3581); and
    - For any misdemeanor (18 U.S.C. §3581).

## **2D: Sentencing**

- BAN ON RISK ASSESSMENT.—
  - Ban the use of algorithm-based “risk-assessment” tools during pretrial or sentencing determinations, including in immigration proceedings.
- END MANDATORY MINIMUMS.—
  - Abolish all mandatory minimum sentencing laws.
- END “THREE STRIKES” LAW.—
  - Abolish the “three strikes” (18 U.S.C. §3559(c)).
- AGE OF CRIMINAL LIABILITY.—
  - Raise the age to 24 years old to be tried as an adult.
  - Categorically end the practice of incarcerating individuals under 24.
- END SENTENCING ENHANCEMENTS.—
  - End all sentencing enhancements.
- END DEATH PENALTY.—
  - Abolish the federal death penalty. *Note: [H.R. 4052](#) [Pressley].*
- END LIFE SENTENCES.—
  - End life sentences, including life sentences without the possibility of parole, and *de facto* life sentences.
- SENTENCING GUIDELINE REFORMS
  - Repeal USSG 5K1, which is the substantial assistance cooperation provision; and
  - Repeal USSG 5H.10 and 5H.12, which bar consideration of socio-economic status at sentencing.
- RETROACTIVITY.—
  - Ensure all sentencing changes are retroactive so that they apply to currently incarcerated individuals.
- PREFERENCE FOR NON-CUSTODIAL SENTENCING.—
  - Require that, before imposing a custodial sentence, judges find by clear and convincing evidence that non-custodial and maximally non-restrictive and maximally non-



restrictive sentencing options are unavailable, and that the sentence imposed does not impose fees, fines, financial conditions, and costs.

## **2E: Decarceration & Prisons**

- **BUREAU OF PRISONS POPULATION REDUCTION.—**
  - **MORATORIUM ON CONSTRUCTION.—**
    - Beginning on the date that this Act becomes law, the Bureau of Prisons (BOP) shall immediately enact a moratorium on all new federal prison, jail, immigrant, and youth criminal-legal detention center construction.
  - **DECARCERATION REQUIREMENTS.—**
    - The Attorney General of the U.S. Department of Justice (DOJ), consulting with the Secretary of the Department of Health and Human Services (HHS), shall do the following:
      - Begin a process of BOP facility closure that produces at least a fifty percent (50%) population reduction within five (5) years of the date that this Act becomes law and complete decarceration within ten (10) years of the date that this Act becomes law;
      - Not later than one year after the date that this Act becomes law, submit to Congress a clear, time-bound Population Reduction Plan that explains how DOJ will fully decarcerate all BOP prisons within ten (10) years of the date that this Act becomes law, which plan does not increase the population on probation, parole, or criminal or civil supervision of any kind; and
      - Not later than one year after a facility is closed, demolish or repurpose current BOP facilities to serve non-carceral, non-punitive purposes.
  - **PLAN ELEMENTS.—**
    - The Population Reduction Plan must include the following:
      - The exact timeline, interim steps, and interim milestones that the BOP will use to close all federal prisons;
      - A list of population categories that will be eligible for immediate, categorical release;
      - A plan for comprehensively assessing the needs of individuals who are currently detained, so that the BOP can match these individuals with the appropriate non-punitive, voluntary, harm reduction-based, and non-carceral reentry services;
      - A release process that ensures people are released during daylight hours and have transportation to their destination;
      - An Employee Transition Plan for all BOP employees, which includes:
        - Identification of all federal employees whose jobs will be terminated;
        - Data on and consideration of the impact that terminations will have on various demographic groups, including considerations based on race, sex, gender, and disability;
        - A transition plan for these employees, which may include (but is not limited to):

- Re-employment elsewhere within the Department, subject to the continued training;
    - Buy-out;
    - Fully paid career path training allowing individuals to enter a non-law enforcement field; or
    - For individuals that are within 5 years of retirement, the option of early retirement; and
  - A plan for physically closing all federal prisons, which may include demolishing or repurposing current BOP facilities to serve non-carceral, non-punitive purposes.
    - The Population Reduction Plan shall be made publicly accessible, including via posting on both the DOJ and HHS websites.
- PROHIBITION ON FOR-PROFIT PROVIDERS.—
  - Prohibit the Federal Government from renewing or entering into new contracts with a private, for-profit detention facility, including immigrant detention facilities, Criminal Alien Requirement (CAR) prisons, and behavioral health care facilities.
  - Prohibit the Federal Government from leasing detention facilities (including immigration detention facilities) from or to private companies, States, and localities.
  - End the privatization of surveillance programs and community corrections, including probation, parole, halfway houses, electronic monitoring, geofencing, drug testing, home breathalyzers, and Substance Use Disorder treatment centers.
- FULLY FUND ANCILLARY JAIL, PRISON, AND OTHER SERVICES.—
  - Prohibit all so-called “offender-funded” contracts in the federal system and fund all ancillary prison, jail, supervision, and surveillance services using government funding, including medical services, educational programs, phone and video call rates and fees (for all parties), and all emails and books that are used on tablets.
  - End the Bureau of Prisons Inmate Financial Responsibility Program and pause any legal financial obligations during a period of incarceration and supervision.
- FACILITATE LEGAL ACTIONS BY PRISONERS.—
  - Repeal the Prison Litigation Reform Act.
- POST-CONVICTION RELIEF.—
  - Ensure access, including through the appointment of counsel, to legal representation, upon request by a person with an innocence claim in federal prison.
  - Ensure access to DNA testing of forensic evidence in cases where convictions are based on evidence that was previously untested or new technology could get better results from previously inconclusive tests..
  - Ensure legal representation and a mechanism for post-conviction relief for individuals whose convictions are based in whole or in part on newly available evidence including, but not limited to:
    - Evidence that includes opinions of experts that have either been repudiated or that have been undermined by later scientific research or technological advances;
    - Police or prosecutor misconduct;
    - Recantation by a witness;
    - Additional evidence of third party guilt (without time limits) (without time limits); or

- Where a person was not advised of immigration consequences as required by the Supreme Court.
- END TO SOLITARY CONFINEMENT.—
  - End solitary confinement in all federal detention contexts.
- END YOUTH INCARCERATION.—
  - Categorically end the practice of incarcerating youth.
- LABOR PROTECTIONS FOR INCARCERATED INDIVIDUALS.—
  - Ensure that the employment rights, including wages, of incarcerated or detained workers in federal prisons and detention centers are protected as provided under the Federal Labor Standards Act and Title VII of the Civil Rights Act of 1964.
  - Ensure that the employment rights, including wages, of incarcerated or detained workers in federal prisons and detention centers are regulated by the respective labor authority in the jurisdiction. All workers should be paid the prevailing wage in the jurisdiction for their industry.

## **2F: Immigration**

- END IMMIGRANT DETENTION.—
  - MORATORIUM ON DETENTION. —
    - Beginning on the date that this Act becomes law, the Department of Homeland Security (DHS) shall enact a moratorium on new immigration detention.
  - DHS AND DOJ REQUIREMENTS.—
    - The Secretary of DHS, working with the Director of Immigration and Customs Enforcement (ICE), the Commissioner of Customs and Border Patrol (CBP), and the Attorney General of the U.S. Department of Justice (DOJ) shall:
      - Upon the passage of this Act, initiate a process to terminate existing contracts between DHS and private corporations and contractors and State and local jurisdictions to the maximum extent possible by law or negotiation.
      - Not later than 6 months after the date that this Act becomes law, release all persons currently held in immigration custody, both public and private, which requires:
        - A fast-tracked process to review cases and arrange the release of all detained immigrants and their families;
        - A comprehensive assessment of the needs of individuals who are currently detained so that facilities can match these individuals with the appropriate non-punitive, voluntary, harm reduction-based, and non-carceral reentry services, including referrals that connect people to community-based service providers when they are released, provided that:
          - Participation in reentry services is not a condition of release; and
          - Reentry providers do not serve a reporting or supervision function for DHS;
        - Release of individuals shall ensure people are released during daylight hours and have transportation to their destination; and

- Release of individuals shall not involve the use of deportation, electronic monitoring, and bond.
- Not later than 6 months after the date that this Act becomes law, develop a plan for minors in ORR custody to ensure the “best interest of the child” standard is used in all decisions regarding migrant children, prioritizing the placement of unaccompanied children in family based locations, and ending the use of secure detention for children.
- Not later than one year after this Act becomes law:
  - Achieve a complete end to immigration detention; and
  - Permanently close all federal facilities that are currently used for such detention.
- END DEPORTATIONS DUE TO CRIMINAL-LEGAL CONTACT.—
  - Eliminate all immigration penalties and consequences for any allegations of criminal conduct, suspected criminal activity or for arrests, convictions, or other contact with the criminal legal, juvenile or family court systems.
  - Make all repeals and changes retroactive, so they apply to people arrested or convicted before, on, or after the date of passage of this bill and also apply to people who have been placed in removal proceedings or have submitted an immigration application before, on or after the date of passage of this bill.
  - Incorporate the [New Way Forward Act](#) [Garcia], which eliminates many criminalization provisions in immigration law.
  - Repeal the Antiterrorism and Effective Death Penalty Act of 1996 (AEDPA) and the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (IIRIRA), which make detention and deportation virtually a mandatory minimum for contact with the criminal system.
  - Repeal 8 USC 1325 and 8 USC 1326, which criminalize human movement by creating federal crimes of “unlawful entry” and “unlawful re-entry.”
  - Repeal civil denaturalization provisions.
- ENSURE DUE PROCESS.—
  - Ensure due process for immigrants seeking lawful status and citizenship by:
    - Ending DOJ and DHS’s Operation Streamline and mass hearings in criminal immigration cases;
    - Eliminating bars to judicial review for orders of removal and other administrative agency decisions;
    - Repealing 8 USC 1253, which makes it a federal crime for failure to depart following a deportation order;
    - Ensure algorithmic tools are not used to determine eligibility under immigration statuses and/or risk;
    - Guarantee the right to free government-appointed counsel during immigration proceedings and unless and until a person has government appointed counsel, their case should be administratively closed and they should be released from detention (if they are detained in that wind-down period); and
    - Until immigration detention centers close, require that ICE ensure that anyone detained under the repealed INA 236(c) or any other mandatory detention provision is released or receives a custody bond hearing in front of an

immigration judge within 72 hours of the custody determination (with extension granted upon request to the detained person to prepare).

- ESTABLISHMENT OF AN IMMIGRATION COURT SYSTEM TASK FORCE.—
  - ESTABLISHMENT.—
    - There is established an Immigration Court System Task Force (“Task Force”).
  - MEMBERSHIP.—
    - The Task Force shall be composed of 12 members, of whom:
      - 1 member shall be appointed by the Majority Leader of the Senate and the Speaker of the House of Representatives, who shall serve as co-chair of the Task Force;
      - 1 member shall be appointed by the Minority Leader of the Senate and the Minority Leader of the House of Representatives, who shall serve as co-chair of the Task Force;
      - Not fewer than 50% of Task Force members must be:
        - Individuals who have had a range of immigration statuses, adjudication experiences, and enforcement experiences, including (but not limited to):
          - Asylum seekers;
          - Legal Permanent Residents (LPRs);
          - Participants in the Deferred Action for Childhood Arrivals program; and
          - Longtime residents who are undocumented;
        - Advocates, civil rights lawyers, and community leaders representing individuals who have directly been impacted by a range of immigration adjudication, including the categories listed above, including;
        - Family members of individuals who have directly been impacted by immigration adjudication, including the categories listed above; and
        - Immigration defense attorneys who represent people in a range of substantive adjudications, including defense from deportation, before the current Executive Office of Immigration Review.
    - A member of the Task Force shall be appointed for the life of the Task Force.
  - COMPENSATION OF MEMBERS. —
    - Members of the Task Force may be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for employees of agencies under subchapter I of chapter 57 of title 5, United States Code, while away from their homes or regular places of business in the performance of services for the Task Force.
  - FIRST MEETING.—
    - Not later than 1 month after the date of enactment of this Act, the Co-Chairs shall establish and convene the task force.
  - DUTIES OF THE TASK FORCE.—
    - The functions of the Task Force shall be to:

- Develop a written report to create a new mechanism that serves to adjudicate immigration cases and has the following elements:
      - Sufficient resources to conduct its work efficiently, ensuring no backlog of immigration cases;
      - Appropriate safeguards to ensure that decision-making is impartial and bias-free; and
      - Appropriate opportunities for further judicial review.
    - The Task Force shall submit a publicly available report to Congress within one year of its first meeting.
  - TERMINATION OF TASK FORCE.—
    - This section shall terminate no later than 60 days after the Task Force submits its final report to Congress.
  - FUNDING. —
    - There are authorized such sums as may be necessary to be appropriated to carry out this Section for the fiscal year following enactment of this Act.
- DISMANTLE LOCAL LAW ENFORCEMENT AGENCY (LEA) ENFORCEMENT PIPELINE TO DEPORTATION.—
  - Until ICE and Border Patrol are fully abolished, end all cooperation and coordination between State and local LEAs and immigration authorities and revoke all agreements that serve to facilitate detention and deportation. For these purposes, such cooperation and coordination shall include:
    - Prohibit information sharing, database sharing and access, and task force participation;
    - End all existing agreements or contracts providing ICE access to state or local government databases (e.g., driver’s license databases);
    - End cooperation between USCIS and ICE, EOIR, HSI, and Border Patrol;
    - End the use of Form I-247 (immigration detainers) or any other form of detainer, transfer, interview or notification request from ICE to state and local facilities and revoke all such existing forms and guidance;
    - Prohibit performance of immigration-enforcement functions by state and local officers and employees, including by repealing 287(g) and ending all 287(g) agreements;
    - End ICE’s Criminal Alien Program (CAP);
    - Terminate ICE’s Secure Communities program by repealing 8 U.S.C. § 1722(a)(2) and (5); and
    - Repeal 8 USC § 1373.
- FACILITATE ACCESS TO U, S, AND T VISAS.—
  - Eradicate the requirement that survivors of violence must obtain certification from or collaborate with law enforcement and/or child protective services to apply for U, S, and T visas and allow any State or community services agency to provide the necessary certification.
  - Eliminate the cap on U visas and T visas.
- ENSURE LANGUAGE ACCESSIBILITY.—
  - Require real-time interpretation in a person’s native language for all immigrants in removal proceedings. If this is not provided, disallow a person’s removal proceedings from moving forward.

- Make all applications for immigration benefits available in a person’s native language.
- END DISCRIMINATORY BANS.—
  - Amend INA § 212(a)(4) to:
    - Eliminate bans to entry and immigration status consequences for people who have health conditions, disability, or risk of becoming a “public charge”; and
    - Eliminate immigration status consequences for people who have health conditions, disability, or risk of becoming a “public charge.”
  - Repeal INA § 212(a)(9)(B)(i)(I) and (II) to:
    - Eliminate the 3- and 10-year bars to inadmissibility, which discriminate against undocumented low-income people (particularly people from Mexico & Central America) who are barred from family sponsorship.
  - Provide waivers of “other grounds of inadmissibility,” allowing undocumented and already deported people to be sponsored again, specifically by (language from the Reuniting Families Act):
    - (c) WAIVERS OF INADMISSIBILITY.—Section 212 of the Immigration and Nationality Act (8 U.S.C. § 1182) is amended by inserting after subsection (b) the following:
      - “(c) Notwithstanding any other provision of law, the Secretary of Homeland Security or the Attorney General may waive the operation of any one or more grounds of inadmissibility set forth in this section for humanitarian purposes, to assure family unity, or when it is otherwise in the public interest. This waiver shall be available to individuals eligible for relief under subsection (h).”
  - End discrimination in healthcare, specifically by:
    - Amending healthcare laws so that undocumented immigrants are allowed to access the ACA exchanges, remove Social Security Number and immigration status restrictions from tax credits, and Medicaid through federal funding.
      - *Note: Repeal of IRIRRA would eliminate the 5-year bar for LPRs and other limitations on lawfully present immigrants’ access to Medicaid.*
- BAR COOPERATION WITH THE MILITARY.—
  - Ban the use of the U.S. military for immigration control.
  - Ban the deployment and use of federal immigration authorities, including (but not limited to) ICE and Border Patrol, in response to a mass gathering of individuals exercising their First Amendment rights, regardless of the individuals’ immigration statuses.
- ELIMINATE BARS TO ASYLUM AND WITHHOLDING OF REMOVAL.—
  - Eliminate bars to obtaining asylum and withholding of removal, including the one year application requirement for asylum, the bars for conviction of a so-called “particularly serious crime,” and any associated fees, and enshrine the right to seek asylum and withholding of removal based on domestic violence, sexual, homophobic, transphobic, reproductive, ableist and gang violence into law.
  - Eliminate any bars based on a person’s manner of entry and criminal history.
- REDESIGN OF CUSTOMS AND BORDER PROTECTION.—
  - PLAN FOR RESTRUCTURING.—
    - By [insert date that is two years after enactment], the Secretary of the Department of Homeland Security (“Secretary”) shall develop a plan for

restructuring and realignment of Customs and Border Protection (CBP) so as to accomplish the following:

- Refocus CBP on environmental protection, humanitarian aid, and as a border rescue group;
  - Prohibit the use of CBP agents as part of any law enforcement;
  - Abolish CBP Border Patrol;
  - Abolish CBP Air and Marine Operations; and
  - Ensure that any border management fully respects U.S. commitments under international law, including respect for the dignity, humanity, and autonomy of all individuals.
- REDUCED AUTHORITY.—
    - CBP shall no longer be authorized to undertake:
      - Any activities beyond 15 miles from the United States international land borders, including but not limited to, roving patrols, interior checkpoints, and search and seizures without probable cause or a warrant;
      - Any domestic law enforcement activities including collaboration with State and local law enforcement agencies; and
      - Custodial detention of any persons.
  - ENHANCED ACCOUNTABILITY.—
    - The Department of Justice Civil Rights Division shall have authority to oversee Customs and Border Protection agents, including through pattern and practice investigations.

## **2G: Prosecution**

- END TO ABSOLUTE IMMUNITY.—
  - End “absolute immunity” for prosecutors.
- REQUIREMENTS FOR FEDERAL PROSECUTORS.—
  - Mandate open file discovery in all federal criminal cases and require that all discovery be provided to the defense at least five days before a plea offer is conveyed and require an in-court proffer of the same, under penalty of perjury.
  - Require prosecutors to document, in writing, all plea offers made in each case.
  - Require prosecutors to proffer on the record, under penalty of perjury, a justification for all charges, changes to charges, plea offers, and changes to plea offers and explain why all of the above satisfy due process.
  - Barring a material change of facts, cap sentence/recommendation/next plea offer at last plea offer.
  - Prohibit federal prosecutors from using coercive tactics against a survivor in order to force their cooperation in criminal domestic violence, rape, or sexual assault-related investigations or trials. Such tactics include, but are not limited to:
    - Holding survivors in contempt for not testifying against their harm-doer/cooperating with prosecutors;
    - Retaliating against survivors or other witnesses for not cooperating;
    - Using fraudulent subpoenas to threaten survivors and other witnesses;
    - Threatening to prosecute a witness, including survivors, for perjury if their testimony was not consistent with their original statement or for recantation;



- Issuing material witness warrants and holding survivors in jail until they testify;
  - Dismissing a survivor’s desire to drop criminal charges against their harm-doer; and
  - Ignoring, disregarding, and misleading survivors.
- CATEGORICAL BANS.—
  - Prohibit prosecutors from rewarding suspects or defendants with leniency, or the promise thereof, in exchange for cooperation or information at any stage of an investigation, case, sentencing, or term of incarceration.
  - Repeal the trial tax (USSG 3E1.1 “Acceptance of Responsibility”).
  - Prohibit prosecutors from charging both attempt and completion of the same substantive offense against a person.

## **2H: Community Corrections**

- CATEGORICAL BANS.—
  - Categorically eliminate misdemeanor probation.
  - Categorically eliminate “pay only” probation and parole, which refers to any situation in which an individual must remain under supervision solely due to an inability to pay legal financial obligations.
  - Categorically eliminate arrest and re-incarceration over technical violations of probation and parole or other conditions of community service or supervision.
  - Eliminate the use of electronic monitoring, including ankle monitors, smartphone applications, and any other tool used to track location. This should also apply to circumstances of release from immigrant detention centers.
  - Ban the use of devices that gather biometric data.
  - Eliminate drug testing as a condition of federal probation and parole.
  - Categorically ban community corrections agencies from selling, or seeking profit from, the sale of personal data.
- ESTABLISH NEW PRESUMPTIONS.—
  - Create a presumption against probation, parole, or home arrest.
  - Eliminate the presumption of probation in the majority of cases, and the imposition of standard conditions of probation.
  - Require judges imposing probation conditions to provide a detailed, individualized written justification for the imposition of particular conditions and the public safety interest that such conditions are intended to serve, as well as the supports that will be offered to individuals to enable them to meet the conditions of probation, including (but not limited to) support with transportation, child care, and flexibility to accommodate employment, family, and other obligations.
  - Prohibit failure to meet conditions of probation due to unavailability of employment, programs, or suitable, safe, and affirming community service options, or due to harassment or violence experienced in educational, treatment, employment, and community service settings, from resulting in violation of or extension of probation.

## **2I: Reentry**

- HEALTHCARE.—

- Incorporate the [Medicaid Reentry Act](#) [Tonko], which allows Medicaid payments for medical services furnished to an incarcerated individual during the 30-day period preceding the individual’s release.
- Mandate that State Medicaid programs may not terminate Medicaid coverage for any individual entering a detention facility.
- Mandate that State Medicaid programs not require medical co-pays for incarcerated individuals.
- EMPLOYMENT PROTECTIONS.—
  - Incorporate the [Fairness and Accuracy in Employment Background Checks Act of 2019](#) [Scott], requiring the FBI to update and correct all arrest and conviction records before they are released for employment or licensing purposes.
  - Incorporate the [Fair Chance Licensing Act](#) (Title VII of the Next Step Act of 2019 (S.697/HR1893) [Booker], requiring all federal, State, and local licensing boards and agencies to adopt fair chance licensing protections.
- ACCESS TO PUBLIC ASSISTANCE.—
  - Prohibit States from banning receipt of federally-funded public assistance based on prior criminal convictions or drug use.
  - Repeal 21 U.S. Code § 862a, which bans or otherwise limits access to federal SNAP and TANF benefits for individuals who have certain felony drug convictions.
  - Repeal 7 U.S.C. § 2015(k), which prohibits “fleeing felons,” including those with outstanding bench warrants, from accessing SNAP benefits.
  - Repeal 7 U.S.C. § 2015(r), which disqualifies those who have been convicted of certain offenses from receiving SNAP benefits.
  - Repeal 21 U.S.C. 862(b), which allows States to drug test TANF recipients and to make receipt of TANF benefits contingent on a negative drug screen.
  - Amend 42 U.S.C. § 602 and 42 U.S.C. § 1315(a) to clarify that States may not, through a waiver or any other means, apply a “family cap” provision to federal TANF grants.
  - Remove any limitations for or bans on individuals or business owners with past criminal history applying for any federal loans or relief, including Small Business Administration loans.
- ACCESS TO EDUCATION.—
  - Incorporate the [Beyond the Box for Higher Education Act](#) (S.1338) [Schatz].
  - Incorporate the [Expanding Educational Opportunities for Justice-Impacted Communities Act](#) [Trone], which—
    - Establishes and expands access to Pell Grants by eliminating the ban on eligibility for individuals held in prisons, including the lifetime ban, and eliminating the ban on selective service registration; and
    - Eliminates questions about drug convictions from the Free Application for Federal Student Aid (FAFSA).
  - Repeal restrictions on educational benefits for individuals with drug convictions (20 USC § 1091(r)).
- ENFORCEMENT OF EMPLOYMENT ANTIDISCRIMINATION LAWS.—
  - Authorize the appropriation of \$200,000,000 for the Equal Employment Opportunity Commission to aggressively enforce federal anti-discrimination laws, including:
    - Education and litigation to protect people of color against discrimination based on criminal history; and

- [The Fair Chance Act to Compete for Jobs Act](#) (S. 387), which forbade Federal agencies, Federal civilian contractors, and Federal defense contractors from requesting information on arrest and/or conviction history until a conditional job offer has been extended.
- REENTRY HOUSING VOUCHER PROGRAM.—
  - ESTABLISHMENT.—
    - The Secretary of Housing and Urban Development shall establish a Reentry Housing Voucher Assistance Program, which provides housing vouchers for individuals who are being released from local, State, or federal criminal-legal facilities.
  - USE OF FUNDS.—
    - The amounts made available under this Subsection shall be used only in connection with tenant-based assistance under this Section on behalf of individuals who:
      - Are being released from local, State, or federal criminal-legal facilities or who will leave such facility within 90 days; and
      - Are homeless or are at risk of becoming homeless.
  - ELIGIBLE APPLICANTS.—
    - Any local or State public housing agency or authority may apply for funding.
  - ALLOCATION.—
    - The amounts made available under this Subsection shall be allocated by the Secretary through a national competitive grant process, which prioritizes applicants based on their demonstrated need for assistance.
    - Applicants shall submit to the Secretary a written proposal containing a report from the Secretary of Housing and Urban Development serving the jurisdiction, working with the Secretary of Corrections serving the jurisdiction, which report describes how a lack of adequate, affordable housing in the jurisdiction is causing homelessness and/or housing instability among re-entering individuals.
    - The applicant must also demonstrate how the applicant will coordinate with the Department of Corrections serving the jurisdiction to identify eligible re-entering individuals and provide those individuals with voucher assistance.
  - COORDINATION BETWEEN PUBLIC HOUSING AGENCIES AND DEPARTMENTS OF CORRECTION.—
    - The Secretary shall, within 6 months of the date that this Act becomes law, and after consultation with other appropriate Federal agencies, issue guidance to improve inter-agency coordination between State Departments of Housing and Urban Development, public housing agencies, and State Departments of Correction to implement the programs that are authorized under this Subsection. Such guidance shall include recommendations on—
      - Identifying eligible recipients for assistance under this subsection;
      - Coordinating with other re-entry and/or housing providers in the community and participating in the Continuum of Care program established under subtitle C of title IV of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11381 et seq.);
      - Implementing housing strategies to assist eligible re-entering individuals;

- Aligning system goals to improve outcomes for re-entering individuals and reducing lapses in housing for re-entering individuals; and
    - Identifying resources that are available to re-entering individuals.
  - FUNDING AUTHORIZATION.—
    - From funds in the Treasury not otherwise appropriated, there are appropriated to the Secretary such sums as may be necessary to implement this Subsection.
- WARM HANDOFF REENTRY PROGRAM.—
  - OVERVIEW.—
    - The Attorney General shall establish a Warm Handoff Reentry Program that maximizes employment, health, and educational outcomes of individuals recently released from prisons and jails.
  - ELIGIBILITY.—
    - Individuals who have been released from any Bureau of Prisons facilities, beginning immediately when they exit and lasting until such time that they:
      - Are either employed or qualify for unemployment;
      - Are food-secure independently or qualify for SNAP, TANF, or other means-tested food assistance programs; and
      - Have secured stable housing.
    - Youth who have become too old for system-based care, beginning immediately when they exit and lasting until such time that they:
      - Are either employed or qualify for unemployment;
      - Are food-secure independently or qualify for SNAP, TANF, or other means-tested food assistance programs; and
      - Have secured stable housing.
  - STIPENDS.—
    - DIRECT STIPEND.—
      - The program will provide a supplemental monthly benefit that covers the average cost of housing, transportation, and food in the individual’s geographic area.
    - CARETAKING STIPEND.—
      - Provide a supplemental monthly care stipend to individuals who provide food, lodging, caregiving, and/or other financial support to their formerly incarcerated family members or loved ones, which stipend:
        - Is made available to caretaking individuals who do not qualify for any other assistance currently available; and
        - Is provided until the recently released individual:
          - Is either employed or qualifies for unemployment;
          - Is food-secure independently or qualifies for SNAP, TANF, or other means-tested food assistance programs; and
          - Has secured stable housing.
      - Neither of these stipends may be garnished for payment of child support.
    - FUNDING AUTHORIZATION.—
      - From funds in the Treasury not otherwise appropriated, there are appropriated to the Secretary such sums as may be necessary to implement this Subsection.
  - REENTRY EMPLOYMENT OPPORTUNITIES.—

- OVERVIEW.—
  - The Reentry Employment Opportunities Program in the Employment and Training Administration at the Department of Labor (“Department”) shall establish a program that provides reentry and workforce development services for individuals who have criminal and/or juvenile records.
- PROGRAM COMPONENTS.—
  - The program will fund:
    - CAREER PATHWAY EMPLOYMENT.—
      - Career pathway employment, especially in paid pre-apprenticeships and paid apprenticeships that employ people in sectors experiencing economic growth and/or unmet workforce needs.
    - LEGAL SERVICES.—
      - Programs that provide legal services to help participants correct, seal, or expunge their records.
- FUNDING AUTHORIZATION.—
  - From funds in the Treasury not otherwise appropriated, there are appropriated to the Secretary such sums as may be necessary to implement this Subsection.

**2J: End the War on Black Families**

- CHILD WELFARE SYSTEM REFORMS.—
  - Repeal the Adoption and Safe Families Act (ASFA).
  - Repeal the Child Abuse Prevention and Treatment Act (CAPTA).
- PROTECTION FOR SURVIVORS.—
  - Amend the Fair and Accurate Credit Transactions Act (FACTA) to remove all police report requirements to help survivors recover from coerced and fraudulent debt.
  - Ban police report requirements related to an individual’s eligibility for safety net program waivers / exemptions.
  - Ban the Victims of Crime Act (VOCA) compensation eligibility requirements that mandate reporting to and / or require survivors to cooperate with law enforcement. All obligations of law enforcement to survivors shall remain intact.

**Section 2 – Investing in New Approaches to Community Safety Utilizing Funding Incentives**

**SUBSECTION 1: COMMUNITY PUBLIC SAFETY AGENCY**

- OVERVIEW.—
  - There shall be established a Community Public Safety Agency (“Agency”) within the Department of Health and Human Services (HHS).
- AGENCY GOALS.—
  - RESEARCH.—
    - The Agency will conduct and promote research, through collaboration with scholars, non-profits, and other non-governmental actors, on non-carceral, non-punitive mechanisms to promote public safety. Such research will:
      - Identify model programs, policies, and best practices; and

- Identify where government funding should be directed.
- Such research shall include:
  - Research on policies that take a preventive, non-carceral, non-punitive approach to effectively reduce violence and increase community safety;
  - Research on the various programs that are listed in Subsection 2 of this section, including their efficacy for increasing community safety and support;
  - Research on those participatory processes that are best designed to ensure that all community members, including those who are directly impacted by the criminal-legal system, are able to provide feedback and shape policy plans and priorities;
  - Surveys of innovative, non-carceral public safety-focused programs that are being implemented in communities nationwide, including:
    - Research on healing practices that advance community safety;
    - Research on those justice-oriented processes that are currently being used and have historically been used by Native American tribes;
    - Research on non-punitive initiatives that increase safety from domestic and sexual violence, including from rape, assault, harassment, stalking, lethal threats, and other forms of gender violence;
  - Research on non-punitive initiatives that will particularly protect those groups that have most been harmed by the United States criminal-legal system, including Black transgender people, Black women, Native women, Black mothers, and Black children; and
  - Research on developing third party restitution funds and potential alternatives to restitution.
- The Agency shall have authority to compel the production of records from State, local, federal, and private entities that have a carceral purpose, so long as these requests are made in furtherance of the Agency’s research mission.
- GRANTS.—
  - PURPOSE.—
    - The Agency will make grants for non-carceral, non-punitive interventions and demonstration programs, including through:
      - Grants to Community-Based Organizations (Subsection 2A);
      - Grants to Establish Local Community Safety Offices (Subsection 2B);
      - The Reimagining Public Safety Grant Program (Subsection 3);
      - The Free Them All Matching Grant Program (Subsection 4);
      - The Just Communities Grant Program (Subsection 5); and
      - The Neighborhood Demilitarization Grant Program (Subsection 6);
      - The Office of Survivor Support & Harm Prevention (Section 1, Subsection 1D);
      - The Office of Youth Support & Harm Prevention Programs (Section 1, Subsection 1E); and

- The Cannabis Justice Office (Section 1, Subsection 2).
- PREFERENCE FOR COMMUNITY-BASED ORGANIZATION SERVICE PROVIDERS.—
  - Grant preferences for programs that are directly funded by the Agency, or programs that are funded with Agency dollars, shall give preference to community-based organizations, except where:
    - The program is primarily administrative, rather than focused on advocacy, education, programs, and/or service delivery;
    - The grant administrator is able to certify that no community-based organization is available to adequately perform this function in the specified area; and/or
    - There are no community-based organizations presently located in the specified area or capable, with or without grant assistance, of establishing operations in the specified area.
- PRIORITY COMMUNITY-BASED ORGANIZATIONS.—
  - When selecting community-based organizations, the Agency and all grantees must give priority to organizations that:
    - Are led by individuals who have proven ties to the community, as demonstrated by, but not limited to:
      - Having lived in, as well as currently living in, the specified community;
      - Participation and membership in local organizations, associations, and commissions; and/or
      - Having been raised in the specified community or having loved ones who continue to reside there;
    - Have a demonstrated track record in administering the specified programming or service;
    - Have a leadership that reflects the racial diversity of the community wherein the organization operates; and
    - Are led by and/or employ directly impacted persons (with “directly impacted” defined based on the programming that is provided by the organization).
- TECHNICAL ASSISTANCE.—
  - The Agency will provide technical assistance to the following entities as they implement non-carceral, non-punitive interventions, pilot programs, and demonstration programs funded through Agency grant programs:
    - Local governments;
    - Community-based organizations; and
    - Local Community Safety Offices.
- FUNDING RESTRICTION.—
  - All programs and services provided and/or funded by the Agency must be:
    - ACCESSIBLE.—
      - Accessible to all people who have disabilities; and
      - Accessible to non-citizens and undocumented individuals;
    - NON-CARCERAL.—
      - Non-carceral;

- Non-discriminatory;
  - Non-coercive; and
  - Non-punitive.
- ADVISORY COMMISSION.—
  - OVERALL.—
    - No later than the date that is six months after this Act becomes law, the Agency shall establish an Advisory Commission (“Commission”).
    - All activities of the Commission shall be made accessible to the public, including through online publication of all reports and proceedings subject to the Freedom of Information Act.
  - COMPOSITION OF ADVISORY COMMISSION.—
    - Not fewer than 50% of individuals appointed to the Commission must have personal experience with the criminal-legal system, including the following:
      - Individuals who have been detained or incarcerated within the past five years;
      - Individuals who are currently on community supervision (i.e., probation or parole) or who have been on community supervision within the past two years;
      - Individuals who have been arrested or cited by law enforcement within the past year;
      - Individuals who have been directly impacted by police violence or other forms of violence within the past five years;
      - Immediate family members of individuals who have been directly impacted by police violence;
      - Individuals who have experienced sexual harrasment, sexual assault, rape, or other sexual violence within the past five years; and
      - Activists and grassroots organizers working to dismantle mass incarceration.
    - Membership of the Commission shall reflect the racial, religious, ethnic, gender, sexual orientation, disability status, immigration status, and other diversities of the United States, including representation for Black people, Latinx people, Indigenous people, LGBT and queer people, women, youth, and other groups that have been disproportionately disadvantaged by the criminal-legal system.
    - The Agency shall compensate Advisory Commission members who are not paid by an employer for their time on the Commission at a competitive rate.
  - DIRECTOR.—
    - The Secretary of Health and Human Services shall appoint the Director of the Community Public Safety Agency (“Director”).
    - The Director shall be responsible for:
      - Overseeing all research, grantmaking, and other functions of the agency;
      - Hiring Advisory Commission members through a publicly available and accessible process; and
      - Ensuring all positions on the Advisory Commission are filled according to the requirements as outlined in this Subsection.



- RESPONSIBILITIES.—The Advisory Commission will be responsible for the following:
  - Developing and providing final consent, via majority vote, to the process that will be used to evaluate grant applicants;
  - Conducting annual reviews of, and recommendations for, Agency grants, including the way that these grant dollars benefit specific populations and serve to enhance racial equity;
  - Approving annual priorities for research and technical assistance and evaluating Agency research and technical assistance via an annual review; and
  - Based on these analyses, producing annual recommendations on:
    - Whether current Agency activities are adequately reflecting the specific needs and interests of all individuals, including Black transgender people, Black women, Black mothers, and Black youth;
    - Whether Agency dollars are sufficiently flowing to priority community-based organizations;
    - Whether Agency programs are adequately reducing incarcerated populations and shrinking the criminal-legal system; and
    - Changes that the Agency could make to address any issues uncovered, including ways to ensure that Agency grants are serving to enhance racial equity and benefit community-based organizations that have diverse leadership and composition.
- AGENCY RESPONSIBILITIES TO COMMISSION.—
  - Following receipt of this Commission report, the Agency will submit a report to Congress within 60 days, which details:
    - Steps it has taken and/or steps it plans to take to implement the Commission recommendations; or
    - For any recommendations not implemented or not planned to be implemented, an explanation as to why such recommendation was infeasible or conflicted with the Agency’s statutory obligations.
- FUNDING AUTHORIZATION.—
  - There is authorized to be appropriated \$25,000,000, per fiscal year, to implement this Subsection.

## **SUBSECTION 2. FUNDING COMMUNITY-BASED PUBLIC SAFETY**

### **2A: Grants to Community-Based Organizations**

- OVERVIEW.—
  - The Community Public Safety Agency shall create a competitive grant program that provides non-carceral, non-punitive projects and programs to:
    - Improve community safety; and/or
    - Meet the specific needs, including reentry needs, of particular criminalized groups that include:
      - Disabled people;
      - Indigenous people;
      - Black, Latinx, and Indigenous women and other women of color;
      - Survivors of gender-based violence;
      - LGBTQ people;

- Gender non-conforming and non-binary people;
- Pregnant people and parents;
- Black, Latinx, and Indigenous youth and other youth of color;
- Migrants and non-English speakers, including undocumented migrants, and non-Christian people of faith; and
- Other communities of color impacted by the criminal-legal system.
- GRANT GOALS.—
  - All grants must be targeted to programs and services that will improve safety in the local community.
- ELIGIBLE FUNDING AREAS.—
  - Eligible funding can be used for the following purposes, including but not limited to:
    - NON-CARCERAL ACCOUNTABILITY.—
      - Transformative justice programs (i.e., which establish community-based systems of accountability while seeking collective liberation through voluntary means); and
      - Healing justice programs (i.e., which establish spaces where healers can process trauma with the community and within themselves);
    - VIOLENCE REDUCTION.—
      - Violence interruption and intervention, which may include violence and conflict prevention and mitigation;
      - Abuse interruption, intervention, and prevention;
      - Infrastructure investments that are designed to improve community safety, including (but not limited to):
        - Park redevelopment;
        - Streetlights;
        - Public transportation;
        - Community centers; and
        - Grocery stores/access to food and nutrition;
      - Neighborhood mediation programs;
      - Safe passage to school programs;
      - Mentorship programs; and
      - Afterschool and enrichment programs for youth, including programs focused on music, dance, theater, and other creative and performing arts.
    - PUBLIC HEALTH.—
      - Health services, including (but not limited to):
        - Preventative, non-punitive, non-coercive, patient-driven mental health care;
        - Communicable disease services; and
        - Non-mandatory, non-coercive, harm-reduction based Substance Use Disorder (SUD) treatment programs, including medications for SUD treatment and peer support programs; and
        - Voluntary harm reduction programs.
    - HOUSING.—
      - Quality, accessible, and long-term supportive housing for those experiencing temporary or chronic homelessness, housing insecurity or

risk of homelessness, and/or a disability or health issue, as well as for their families.

■ NON-CARCERAL CRISIS INTERVENTION.—

- Accessible methods of processing 911 calls that reduce contact between law enforcement and community members;
- Non-punitive, unarmed first-responder agencies;
- Non-law enforcement personnel and partnerships to solve problems that do not require criminal enforcement;
- Programs identifying and providing skills, resources, and community engagement infrastructure to reduce communities' reliance on first-responders, including through conflict resolution, de-escalation, first aid, and other community-building skills; and
- The designation of an accessible emergency response number that can be used to dispatch non-punitive crisis and trauma intervention teams.

■ HEALING.—

- Funding for community-based organizations that provide voluntary, non-coercive, trauma-informed health services and healing supports for individuals and communities, so that they can recover from exposure to violence, abuse, and/or harmful interactions with police;
- Funding for community-based organizations that provide healing-centered and culturally responsive engagement; and
- Reparations (e.g., for individuals who have experienced any harm from the police or mass criminalization), as such reparations are described in Section 4, Subsection 1.

■ REENTRY.—

- Educational and workforce development programs and/or pathways that work with formerly incarcerated individuals, including youth, helping them to secure secondary and/or post-secondary credentials;
- For formerly incarcerated youth and youth exiting the foster system, reentry and/or transition supports, including transition coordinators who will ensure that youth participants:
  - Can return to school following incarceration; and
  - Have their credits transfer so that they can progress toward secondary credential attainment; and
- Employment opportunities that benefit formerly incarcerated individuals, including:
  - Grants for entrepreneurship;
  - Technical assistance and financial incentives to businesses that hire formerly incarcerated individuals;
  - State-led affirmative hiring programs;
  - Subsidized and transitional employment opportunities for formerly incarcerated people, including “earn and learn” opportunities;
  - Worker cooperatives operated by formerly incarcerated people; and

- Workforce development and training programs that specifically serve formerly incarcerated people and people with criminal-legal histories.
- **CAPACITY-BUILDING.—**
  - Capacity-building funding to local nonprofits, advocates, and community-based organizations, including:
    - Fellowships to individual community-based leaders so that they can develop an advocacy infrastructure to meet the specific community’s needs;
    - Investments in fiscal agency, fiscal sponsorship, program evaluation, and shared administrative infrastructure amongst community-based organizations;
    - Technical assistance; and
    - Professional services (including lawyers who have expertise on contracts, risk management specialists, financial managers, and accountants) and marketing and/or promotion for community-based organizations.
- **VOLUNTARY PRETRIAL SUPPORTS.—**
  - Providing voluntary pretrial services to help accused individuals successfully navigate the pretrial process and appear at court dates, including:
    - Text-message reminders about court dates;
    - Transportation assistance to help accused persons get to and from the courthouse; and
    - Childcare assistance during court appointments.
- **FUNDING AUTHORIZATION.—**
  - There is authorized to be appropriated \$500,000,000, per fiscal year, to implement this Subsection.

**2B: Grants to Establish Local Community Safety Offices**

- **OVERVIEW.—**
  - The Community Public Safety Agency will provide a formula grant to local governments and Tribal Nations that seek to establish Community Safety Offices (CSO).
- **RESPONSIBILITIES OF COMMUNITY SAFETY OFFICE.—**
  - Under this Act, a CSO is a governmental body that is responsible for:
    - Identifying non-carceral, non-punitive projects and programs that will improve community safety;
    - Prioritizing projects and programs given available funding;
    - Vetting new projects, programs, and service providers;
    - Distributing grants to select programs and projects;
    - Evaluating projects and programs funded by the CSO; and
    - Providing capacity-building to organizers, local advocates, and other community-based organizations.
- **FORMULA GRANT FOR LOCALITIES.—**

- By the date that is 6 months after this Act becomes law, the Community Public Safety Agency will issue a formula for localities applying for these grants. Such formula may reference, but is not limited to referencing:
  - The population size of the jurisdiction;
  - The extent to which the jurisdiction has been negatively impacted by policing and incarceration;
  - The poverty rate in the jurisdiction;
  - The child poverty rate in the jurisdiction; and
  - The gap in services that is evident in the jurisdiction, including services related to mental health and/or substance use.
- The formula shall reflect the projected programming of the CSO and the required budget of the CSO, including the cost of its oversight commission.
- FORMULA GRANT FOR TRIBAL GOVERNMENTS.—
  - By the date that is 6 months after this Act becomes law, the Secretary shall determine, in consultation with the Secretary of the Interior and with Tribal Nations, a formula for distributing grant dollars, which formula is designed to:
    - Fulfill the United States treaty and trust obligations to Tribal Nations; and
    - Uphold the rights of Indigenous peoples set forth by UNDRIP.
  - Eligible applicants under the formula grant shall be Tribal governments.
- REQUIREMENTS OF LOCAL COMMUNITY SAFETY OFFICES.—
  - NON-CARCERAL CHARACTER.—CSO must be fully non-carceral, meaning that:
    - The CSO operates fully outside of any criminal-legal agencies, including law enforcement, the Department of Child and Family Services, and agencies that undertake civil commitments; and
    - No employees of the LCSO may have previously served as law enforcement, private security, or correctional staff.
  - PREFERENTIAL HIRING.—
    - Hiring for the CSO must be open to all, regardless of race, sex, sexual orientation, gender identity, religion, ethnicity, immigration status, or disability status, but shall show a preference for:
      - Individuals who are formerly incarcerated;
      - Family members of individuals who are currently or formerly incarcerated; and
      - Grassroots organizers and advocates working to dismantle mass incarceration.
  - PARTICIPATORY PROCESS.—
    - COMMUNITY OVERSIGHT.—
      - Ultimate governance for the CSO shall lie with a Commission, not fewer than 50% of the members of whom must be directly impacted, including (but not limited to) the following:
        - Individuals who have been detained or incarcerated within the State in the past five years;
        - Individuals who are currently on community supervision (i.e., probation or parole) in the State or who have been on community supervision within the past two years;
        - Individuals who have been arrested within the past year;

- Individuals who have experienced police violence within the past five years;
- Individuals who have experienced violence;
- Immediate family members of individuals who have experienced police violence within the past five years;
- Individuals who have been subject to child protective service investigations;
- Individuals who use drugs;
- Individuals who have been homeless and/or faced housing insecurity;
- Black, Latinx, and Indigenous youth and other youth of color;
- Public defenders;
- Police misconduct attorneys representing plaintiffs;
- Local advocates who work on racial justice, educational equity, health equity, housing equity, and/or ending mass incarceration;
- Community health workers;
- Teachers; and/or
- Legal services attorneys.
- The Commission shall be responsible for hiring and firing the Director of the LCSO.
- STAGED INPUT.—
  - Meaningful input from individuals who have been directly impacted (“impacted individuals”) by policing and/or incarceration, including input at the following stages:
    - Designing the process for decision-making during plan development;
    - Brainstorming ideas for plan elements;
    - Developing plan proposals;
    - Voting on plan proposals; and
    - In the event that the applicant pursues this plan, monitoring plan implementation.
- FINANCIAL COMPENSATION.—
  - Financial compensation to impacted individuals provide guidance, serve in mentorship roles, or serve on the governing commission.
- FUNDING AUTHORIZATION.—
  - From funds in the Treasury not otherwise appropriated, there are appropriated to the Secretary such sums as may be necessary to implement this Subsection.

### **SUBSECTION 3: REIMAGINING PUBLIC SAFETY GRANT PROGRAM**

- OVERVIEW.—
  - The Community Public Safety Agency shall create a competitive Reimagining Public Safety Grant that has the characteristics described in this Subsection.
- ELIGIBILITY.—
  - Any local government may apply for the discretionary Reimagining Public Safety Grant Program.
- GRANT REQUIREMENTS.—

- OVERALL.—
  - The Reimagining Public Safety Grant shall require jurisdictions to develop and implement either:
    - A Decarceration Track, as defined in this Subsection; or
    - A Decriminalization Track, as defined in this Subsection.
- CERTIFICATION.—
  - Applicant jurisdictions must certify that they will not construct, contract for the construction, or complete the ongoing construction of any new detention facilities or police facilities during the grant term.
  - Applicant jurisdictions must certify that all law enforcement agencies within the jurisdiction are not engaging in any of the policies and practices that are described in Section 1, Subsection 2A.
- DESCRIPTION OF PROCESS.—
  - A description of how the locality has engaged, and will continue to engage, in a public, participatory process during the design, implementation, monitoring, and evaluation of the services that will be delivered under this grant program.
  - Such process shall include input from:
    - People who have lived expertise and who would be eligible for services that are funded through this grant program, including, but not limited to:
      - Individuals who are currently or formerly incarcerated;
      - Individuals who have been arrested in the past five years;
      - Individuals who have experienced police violence;
      - Family members of individuals who are currently or formerly incarcerated;
      - Family members of people who have experienced police violence;
      - Individuals who have been subject to child protective service investigations;
      - Individuals who use drugs;
      - Individuals who have been homeless and/or faced housing insecurity;
      - Families of such individuals; and
      - Community-based organizations that serve such individuals.
  - The application shall include a summary of public input, including:
    - The issues that were raised during the public engagement process; and
    - How the State addressed the issues raised in its final application.
- PHASES.—
  - The grant shall include funding for:
    - A planning phase, where the applicant develops a plan for achieving the clear, time-bound goals set forth in the grant application; and
    - An implementation phase, where the applicant completes the actions identified in the planning phase.
- DECARCERATION TRACK.—
  - The Decarceration Track is designed to help jurisdictions:

- Reduce jail, prison, other incarcerated populations, and populations in civil commitment facilities, including facilities for youth in the juvenile criminal-legal system, and ultimately empty these facilities entirely;
- Reduce populations, in the adult criminal-legal and juvenile criminal-legal systems, under probation, parole, and other forms of community supervision, and ultimately end these programs entirely;
- Shrink the overall size of the State and/or local adult and juvenile criminal-legal systems, as measured by budgets, staffing, and other resources allocated, and ultimately defund these systems entirely; and
- Understand the core, systemic needs of the community supervision and jail populations, such as through a survey that examines issues including:
  - Access to affordable housing;
  - Access to social services, including services related to health;
  - Legal financial obligations;
  - Access to education;
  - Access to high-quality childcare;
  - Access to public transportation; and
  - Access to job training and placement in career-pathway jobs.
- **DECRIMINALIZATION TRACK.**—
  - The Decriminalization Track is designed to help jurisdictions:
    - Reduce the number of officers who are employed by local LEAs;
    - Reduce the amount of contact that individuals, particularly individuals who have been most harmed by the United States criminal-legal system, have with law enforcement;
    - Eradicate local laws and policies that increase contact with police and/or are primarily designed to raise revenue;
    - Reduce the number of stops, tickets, arrests, citations, and civil proceedings initiated against individuals by no less than 50%;
    - Eliminate all fees in the criminal-legal system; and
    - End racial and economic disparities in arrest, incarceration, probation, and parole.
- **COMPETITIVENESS FRAMEWORK.**—
  - No later than the date that is six months after this Act becomes law, the Community Public Safety Agency shall develop a framework for evaluating applicants. Such framework shall include points for:
    - **PARTICIPATORY PROCESS.**—
      - Having a clear, comprehensive plan for a participatory process that includes:
        - Meaningful input from a broad range of individuals who have been directly impacted by the criminal-legal system;
        - Input at all stages, including those required in the grant application; and
        - Financial compensation to those individuals who offer their time and labor to provide input.
    - **REINVESTMENT.**—



- Designing a reinvestment plan that will:
  - Calculate the carceral money no longer being spent by the local jurisdiction as it achieves decarceral and defunding goals, including the closure or partial closure of detention facilities; and
  - Commit that all savings shall be applied toward non-carceral, non-punitive interventions that will improve public safety, as outlined in Section 2A.
- EQUITY TARGETING.—
  - Points based on whether the community has been disproportionately subject to high arrest, incarceration, and community supervision rates.
- FUNDING AUTHORIZATION.—
  - There is authorized to be appropriated \$4,000,000,000 to implement this Subsection, which funds shall remain available until expended.

#### **SUBSECTION 4: “FREE THEM ALL” MATCHING GRANT PROGRAM**

- OVERVIEW.—
  - The Community Public Safety Agency shall create a “Free Them All” formula grant.
- FUNDING MATCH.—
  - The “Free Them All” formula grant shall offer a 50% federal match for savings that States or localities project when they close detention facilities, including local jails, youth prisons, juvenile detention facilities, or other detention facilities, provided that:
    - The jurisdiction does not replace them with increased use of probation, parole, community service, civil fines or penalties, mandated treatment, services, classes, or other forms of surveillance, policing, or punishment; and
    - The locality agrees to invest all resources saved and State grants received in:
      - The non-punitive, non-carceral programs and services outlined in Section 2A; and
      - The repurposing or complete destruction of closed facilities, including through:
        - Transformation into agricultural or gardening spaces;
        - Transformation into art spaces or cooperatives;
        - Transformation into memorials that commemorate the harms caused by these facilities; and
        - Transformation into social services facilities that support non-punitive, noncarceral programs and services.
- VERIFICATION.—
  - The Community Public Safety Agency will be responsible for verifying that the financial projections are reasonable.
- CERTIFICATION.—
  - Applicant jurisdictions must certify that all law enforcement agencies within the jurisdiction are not engaging in any of the policies and practices that are described in Section 1, Subsection 2A.
- DISQUALIFICATION OF FUNDING.—
  - If a locality transfers custody and control of individuals to a facility that is run by another locality, the locality is disqualified from receiving funds.

- If a locality constructs, contracts for the construction, or completes the ongoing construction of any new detention facilities or police facilities during the grant term, the locality is disqualified from receiving funds.
- **FUNDING AUTHORIZATION.—**
  - From funds in the Treasury not otherwise appropriated, there are appropriated to the Secretary such sums as may be necessary to implement this Subsection.

## **SUBSECTION 5: JUST COMMUNITIES GRANT PROGRAM**

- **OVERVIEW.—**
  - The Community Public Safety Agency shall create:
    - A competitive Just Communities Grant Program for State governments; and
    - A formula Just Communities Grant Program that is specific to Tribal Nations.
- **FORMULA GRANT FRAMEWORK.—**
  - Eligible applicants under the formula grant shall be Tribal governments.
  - The Secretary of Health and Human Services (“Secretary”) shall determine, in consultation with the Secretary of the Interior and Tribal Nations, a formula for distributing grant dollars. Such formula shall be designed to:
    - Fulfill the United States treaty and trust obligations to Tribal Nations; and
    - Uphold the rights of Indigenous peoples that are set forth by the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP).
  - Under this grant, funding is authorized for any purpose that:
    - Advances public safety using a non-carceral, non-punitive approach, including the approaches and program set forth for the competitive grant; and
    - Meets the Agency grant requirements in Section 1.
- **COMPETITIVE STATE GRANT REQUIREMENTS.—**
  - **DESCRIPTION OF PROCESS.—**
    - A description of how the State has engaged, and will continue to engage, in a public process during the design, implementation, monitoring, and evaluation of the services that will be delivered under this grant program.
    - Such process shall include input from:
      - People who have lived expertise and who would be eligible for services that are funded through this grant program, including, but not limited to:
        - Individuals who are currently or formerly incarcerated;
        - Individuals who have been arrested in the past five years;
        - Individuals who have been directly impacted by police violence;
        - Family members of individuals who are currently or formerly incarcerated;
        - Family members of people who have experienced police violence;
        - Families of such individuals; and
        - Community-based organizations that serve such individuals.
    - The application shall include a summary of public input, including:
      - The issues that were raised during the public engagement process; and
      - How the State addressed the issues raised in its final application.
- **COMPETITIVENESS FRAMEWORK.—**

- OVERALL.—
  - No later than the date that is six months after this Act becomes law, the Community Public Safety Agency shall develop a framework for evaluating State grant applicants. Such framework shall include points for having enacted policy changes that have already or are projected to:
    - EXPAND LIBERTY.—
    - Reduce jail, prison, other incarcerated populations, and populations in civil commitment facilities, including facilities for youth in the juvenile criminal-legal system, and ultimately empty these facilities entirely;
      - Reduce populations, in the adult criminal-legal and juvenile criminal-legal systems, under probation, parole, and other forms of community supervision, including immediate end to any probation or parole practices that allow reincarceration for technical violations, and ultimately end these programs entirely; and
      - Shrink the overall size of the State and/or local adult and juvenile criminal-legal systems, as measured by budgets, staffing, and other resources allocated, and ultimately defund these systems entirely.
    - REDUCE CRIMINALIZATION.—
      - Reduce the amount of contact that individuals, particularly individuals who have been most harmed by the United States criminal-legal system, have with law enforcement;
      - Eradicate local laws and policies that cause unnecessary contact with police and/or are primarily designed to raise revenue;
      - Repeal a wide range of laws, immediately including (among many others) laws criminalizing—
        - Public order and “quality of life” offenses;
        - Offenses that primarily stem from homelessness, poverty and unmet health needs;
        - Offenses that involve inability to control other people’s actions when there were conditions of violence, such as “failure to protect;”
        - Laws criminalizing prostitution;
        - Laws penalizing failure to pay;
        - State traffic offenses;
        - Laws penalizing drug possession and sale;
        - Conspiracy offenses and accessorial conduct offenses; and
        - Juvenile offenses;
        - Membership or affiliation offenses;
        - Reduce the number of stops, tickets, arrests, citations, and civil proceedings initiated against individuals; and
      - End racial and economic disparities in arrest, incarceration, probation, and parole.
    - DECRIMINALIZE POVERTY.—

- Forgive debt from criminal-legal fees; and
- Eliminate all fees within the criminal-legal systems, as well as criminal and civil penalties (e.g., driver’s license suspension or voting barriers) linked to nonpayment.
- PROTECT DUE PROCESS RIGHTS.—
  - Dramatically reduce pretrial detention, including through reforms that ensure swift, automatic release for most individuals and prohibit detention solely because a person cannot make a monetary payment; and
  - Ensure sufficient funding to ensure that all individuals have access to high-quality indigent defense and ensure spending parity between indigent defense and prosecution; and
  - End absolute immunity for prosecutors.
- REDUCE POLICING.—
  - Require all localities to develop plans that will significantly reduce the size of, funding for, and activities permissible by law enforcement, while shifting saved resources to non-carceral, non-punitive approaches to public safety;
  - Require localities to eradicate local laws and policies that increase contact with police and/or are primarily designed to raise revenue; and
  - Require and incentivize localities to reduce stops, tickets, arrests, citations, and civil proceedings initiated against individuals while ending racial and economic disparities in policing practices.
- PARTICIPATORY PROCESS.—
  - Having a clear, comprehensive plan for a participatory process that includes:
    - Meaningful input from a broad range of individuals who have been directly impacted (“impacted individuals”) by the criminal-legal system;
    - Input at all stages, including those required in the grant application; and
    - Financial compensation to those individuals who offer their time and labor to provide input.
  - PERFORMANCE INCENTIVES.—
    - The competitive framework shall include an option for incentive payments that are contingent on performance metrics, which are tied to the following outcomes:
      - Significantly reducing the jurisdiction-wide correctional population and population on probation, parole, community supervision or service, and the number of people assessed civil penalties; and
      - Significantly reducing the funding, scope of operation, contacts, and equipment that is allocated to law enforcement offices.
- CERTIFICATIONS.—
  - COMPETITIVE GRANT.—

- CERTIFICATION OF POLICY CHANGES.—
  - The applicant jurisdiction must indicate, via formal certification by the Chief Executive of State government:
    - What policy changes have been enacted; and
    - How those policy changes are being enforced.
- HUMAN RIGHTS COMPLIANCE.—
  - The applicant jurisdiction must indicate, via formal certification by the Chief Executive of the State government, that it—
    - Is not engaging in the following criminal-legal practices, as pertains to any adult or youth detention facility within its jurisdiction:
      - Solitary confinement;
      - The payment of substandard wages (e.g., any wage below the prevailing wage in the jurisdiction for the industry) to incarcerated individuals;
      - Bans on in-person, contact visits;
      - Bans on media and books;
      - The shackling of pregnant women during childbirth;
      - Separation of newborns from parents who give birth while incarcerated;
      - The shackling of D/deaf, pregnant, and disabled people;
      - Strip searches and body cavity searches;
      - Making any gender-based restrictions on property, clothing, or hair style and length;
      - The punishment of incarcerated people for consensual physical intimacy or for not matching gender norms; and
      - Eliminating the practice of sterilizing imprisoned and criminalized people.
    - Is adhering to the following standards, as pertains to any detention facility within its jurisdiction:
      - Ensuring that transgender people incarcerated in State prisons, jails, police facilities, drug treatment facilities, immigration detention, State hospitals, and civil commitment facilities are placed based on individualized assessments of their own safety. In all cases, individual prisoners must also be allowed to specify the housing preference that is safest for them and have that preference respected, whether it is consistent with or differs from their gender identity; and
      - Ensuring that incarcerated LGBTQ+ people and people living with HIV receive the highest standards of gender affirming healthcare that they request from specialists, including medical providers who are not on jail or prison staff, without requiring that they have been receiving any kind of gender affirming health care before entering the facility.

- Has a provision stating that:
  - Every person or public entity including judicial officers, prosecutors, and corrections officers, and notwithstanding 42 U.S.C. § 1983 or any other provision of State or federal law, who, under color of any statute, ordinance, regulation, custom, or usage, engages in a pattern or practice that subjects, or causes to be subjected, any person in a detention facility in said jurisdiction to the criminal-legal practices in this subsection or non-compliance with the standards in this subsection, shall be liable to the party affected in an action at law for damages, suit in equity, or other proper proceeding for redress.
- NO NEW JAILS.—
  - Applicant jurisdictions must certify that they will not construct, contract for the construction, or complete the ongoing construction of any new detention facilities or police facilities during the grant term.
- POLICING PRACTICES.—
  - Applicant jurisdictions must certify that all law enforcement agencies within the jurisdiction are not engaging in any of the policies and practices that are described in Section 1, Subsection 2A.
- ELIGIBLE USE OF PROGRAM FUNDS.—
  - For both the competitive and formula grants, grant awards shall only be used for non-carceral, public safety-focused interventions, which interventions meet the requirements in Subsection 1 and are directly distributed via:
    - Community Safety Offices, meeting the definition in Subsection 2A; or
    - Another participatory, community-based process, which is approved by the Agency.
- FUNDING AUTHORIZATION.—
  - There is authorized to be appropriated \$6,000,000,000 to implement this Subsection, which funds shall remain available until expended.

## **SUBSECTION 6: NEIGHBORHOOD DEMILITARIZATION PROGRAM**

- OVERVIEW.—
  - The Community Public Safety Agency shall create a Neighborhood Demilitarization formula grant.
- ELIGIBILITY.—
  - All State, local, and Tribal governments are eligible for this grant program, provided that they agree to:
    - Collect all military-grade equipment that is currently possessed by those law enforcement agencies (LEAs) that are under their jurisdiction; and
    - Make all collected equipment unusable according to the standards that have been set forth by the Bureau of Alcohol, Tobacco, Firearms and Explosives.
- REQUIREMENTS FOR EQUIPMENT DESTRUCTION.—
  - All equipment collected pursuant to the Neighborhood Demilitarization Program must be rendered unusable using a process that:

- Produces no net greenhouse gas emissions;
    - Meets the Bureau of Alcohol, Tobacco, Firearms and Explosives standards for weapons destruction; and
    - Does not pose a meaningful risk to physical health in communities near to the destruction.
  - Equipment collected pursuant to the Neighborhood Demilitarization Program may be destroyed by processes that include:
    - Subgrants to nonprofit organizations that can turn these weapons into tools or instruments, such as gardening tools or musical instruments;
    - Subgrants to nonprofit organizations that can turn these weapons into art installations, jewelry, or other art pieces or projects; or
    - Any other means of destruction that meets the requirements in this Subsection.
- ELIGIBLE USES OF FUNDING.—
  - Grant dollars received through the Neighborhood Demilitarization Program may be used for completing the equipment collection, destruction, or repurposing described in this Subsection.
- FUNDING AUTHORIZATION.—
  - From funds in the Treasury not otherwise appropriated, there are appropriated to the Secretary such sums as may be necessary to implement this Subsection.

<p><b><u>Section 3 – Allocating New Money to Build Healthy, Sustainable &amp; Equitable Communities for All People</u></b></p>
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**SUBSECTION 1: GRANT FUNDING RESTRICTIONS & PREFERENCES**

- OVERVIEW.—
  - This Subsection details funding specifications and preferences for any dollars that are authorized pursuant to this Section.
- ELIGIBLE SPENDING.—
  - Grantees under any grant program that is described in this Section may use their grant awards for any activities that are described in their grant application, provided that all programs are—
    - ACCESSIBLE.—
      - Non-discriminatory; and
      - Accessible to all individuals, including undocumented individuals.
    - NON-CARCERAL.—
      - Non-coercive;
      - Non-carceral, including no connection to law enforcement; and
      - Non-punitive.
- GRANT PREFERENCES.—
  - Where funding authorized under this Section is subgranted or contracted to a local organization, the grantee must be selected pursuant to the following preferences:
    - PREFERENCE FOR COMMUNITY-BASED ORGANIZATION SERVICE PROVIDERS.—
      - All grants shall give preference to community-based organizations, except where:

- The program is primarily administrative, rather than focused on advocacy, education, programs, and/or service delivery;
- The grant administrator is able to certify that no community-based organization is available to adequately perform this function; and
- There are no community-based organizations presently located in the specified area or capable, with or without grant funding, of establishing operations in the specified area.
- **PRIORITY COMMUNITY-BASED ORGANIZATIONS.—**
  - When selecting community-based organizations, the Agency and all grantees must preference organizations that:
    - Are led by individuals who have proven ties to the community, as demonstrated by, but not limited to:
      - Having lived in, as well as currently living in, the specified community;
      - Participation and membership in local organizations, associations, and commissions; and/or
      - Having been raised in the specified community or having loved ones who continue to reside there;
    - Have a demonstrated track record in administering the specified programming or service;
    - Have a leadership that reflects the racial diversity of the community wherein the organization operates; and
    - Are led by or employ directly impacted persons (with “directly impacted” defined based on the programming that is provided by the organization).

## **SUBSECTION 2: EDUCATION JUSTICE**

### **2A: Sense of Congress**

- It is the sense of Congress that:
  - Education is a fundamental right that has for too long been put out-of-reach for Black, Latinx, Indigenous, and other communities of color; and
  - The Federal Government must ensure that all people have access to a free, high-quality, equitable system of education that guarantees:
    - Human rights protections for queer and transgender students;
    - Wraparound services and supports that address students’ material needs;
    - Free, high-quality health services, including mental health;
    - A curriculum that addresses students’ cultural needs;
    - Physical activity and recreation;
    - Free, high-quality food; and
    - Freedom from criminalization, including freedom from search, seizure, and arrest; and
  - The following programs are a first and important step toward realizing this objective.

### **2B: Expand & Secure Funding for Low-Income Schools and Other Education Priorities**

- TITLE 1.—



- SECURE & EXPAND TITLE I FUNDING.—
  - Title I funding shall be:
    - Set at \$60 billion per year, which is quadruple the funding for Fiscal Year 2020;
    - Pegged to inflation; and
    - Made into mandatory funding that is not subject to appropriations.
- MODIFY FUNDING FORMULA.—
  - Explicitly allow Title I funding to address funding inequities that reflect differences in the local tax base.
  - By the date that is six months after this Act becomes law, the Secretary of Education shall issue a revised formula for distributing Title I dollars that conditions receipt of Title 1 funds on States increasing funding equity, including by:
    - Increasing direct funding for low-resourced schools;
    - Adopting more progressive funding formulas; and
    - Creating a clear, transparent mechanism to ensure that funding is allocated consistently with these formulas.
- INDIVIDUALS WITH DISABILITIES EDUCATION ACT.—
  - Change funding for the Individuals with Disabilities Education Act (IDEA) to be mandatory rather than discretionary.
- PELL GRANTS.—
  - Change funding full PELL grants to be mandatory rather than discretionary.

## **2C: Ensure College is Accessible and Affordable for All**

- COLLEGE FOR ALL.—
  - Incorporate the [College for All Act](#) [Sanders / Omar / Jayapal].
- SUPPORT STUDENTS' BASIC NEEDS.—
  - OVERVIEW.—
    - Authorize \$500,000,000 in competitive grant fundings, to be administered by the Department of Education, to support institutions of higher education in meeting students basic needs.
  - PRIORITY INSTITUTIONS.—
    - In awarding grants under this Subsection, the Secretary of Education shall give priority to the following institutions:
      - Institutions where 25 percent or more of enrolled students are eligible for Pell Grants;
      - Historically Black Colleges and Universities (HBCUs);
      - Predominantly Black Institutions (PBI);
      - Hispanic Serving Institutions (HSIs);
      - Tribal colleges and universities; and
      - Institutions that enroll high proportions of historically underserved students.
  - ELIGIBLE USES OF FUNDING.—
    - Grant funding shall be used to allow eligible institutions to create and execute clear, time-bound plans to ensure that 100% of enrolled students have their basic needs met, either through the establishment and provision of services by

the institution or through connections to existing services and supports. Such basic needs include:

- Food;
  - Housing;
  - Transportation;
  - Healthcare; and
  - Technology.
- SUPPORT STUDENT RETENTION AND SUCCESS.—
    - Incorporate the [Community College Student Success Act](#) [Meng].

## **2D: Education Justice Grant**

- OVERVIEW.—
  - The Department of Education (“Department”) shall establish an Education Justice competitive and formula grant.
- FORMULA GRANT FRAMEWORK.—
  - Eligible applicants under the formula grant shall be Tribal governments.
  - The Secretary of Education (“Secretary”) shall determine, in consultation with the Secretary of the Interior and with Tribal Nations, a formula for distributing grant dollars. Such formula shall be designed to:
    - Fulfill the United States treaty and trust obligations to Tribal Nations; and
    - Uphold the rights of Indigenous peoples set forth by UNDRIP.
  - Under this grant, funding is authorized for any purpose that:
    - Advances one or more goals set forth in the competitive grant; and
    - Meets the Agency grant requirements in Section 2, Subsection 1.
- APPLICATION REQUIREMENTS FOR COMPETITIVE GRANT.—
  - ELIGIBILITY.—
    - State and local governments shall be eligible for this grant.
  - STATE APPLICANTS.—
    - A State seeking a grant award under this Subsection shall submit to the Secretary, in such manner as the Secretary requires, an application that meets the following requirements and contains such additional information, provisions, and assurances as the Secretary may require:
      - DESCRIPTION OF PROCESS.—
        - A description of how the State has engaged, and will continue to engage, in a public process during the design, implementation, monitoring, and evaluation of the services that will be delivered under this grant program.
        - Such process shall include input from:
          - People who have lived expertise and who would be eligible for services that are funded through this grant program, including youth;
          - Families of such individuals; and
          - Community-based organizations that serve such individuals.
        - The application shall include a summary of public input, including:

- The issues that were raised during the public engagement process; and
    - How the State addressed the issues raised in its final application.
- LOCAL APPLICANTS.—
  - Under this section, a locality may be either a city or county government, provided that this government is partnering with one or more local education associations (LEA) or local school districts (LSD) located within the jurisdiction.
  - A locality seeking a grant award under this Subsection shall submit to the Secretary, in such manner as the Secretary requires, an application that meets the following requirements and contains such additional information, provisions, and assurances as the Secretary may require:
    - DESCRIPTION OF PROCESS.—
      - A description of how the locality has engaged, and will continue to engage, in a public process during the design, implementation, monitoring, and evaluation of the services that will be delivered under this grant program.
      - Such process shall include input from:
        - People who have lived expertise and who would be eligible for services that are funded through this grant program, including youth;
        - Families of such individuals; and
        - Community-based organizations that serve such individuals.
      - The application shall include a summary of public input, including:
        - The issues that were raised during the public engagement process; and
        - How the locality addressed the issues raised in its final application.
- COMPETITIVENESS FRAMEWORK.—
  - No later than six months after this Act becomes law, the Department shall develop a framework for evaluating competitive applicants. This framework shall award points for:
    - ENSURING EDUCATIONAL EQUITY.—
      - Enacting policy changes that ensure educational equity across the jurisdiction, including (but not limited to) equity for Black, Latinx, AA, NHPI, Indigenous, LGBTQ, disabled, low-income, homeless, English language learners, out-of-school youth, and undocumented students. Such changes may include, but are not limited to:
        - Ensuring that all schools with more than 40% Free and Reduced Price Lunch have access to trauma-informed, healing-centered and culturally responsive practices and non-coercive, non-punitive wraparound supports;

- For State applicants, altering the State school funding formulas so that there is funding parity between schools jurisdiction-wide *before* Title I funds are taken into account and so that all programs for special student populations (including English learners and students with disabilities) are fully funded according to reliable cost studies;
- Limiting the expansion of educational programs that encourage school privatization and/or deplete resources from public school systems; and/or
- ENDING YOUTH CRIMINALIZATION.—
  - Abolishing status offenses (i.e., curfew, truancy, and runaway law), and school-based offenses, including disorderly conduct, assaults, and thefts that criminalize youth or their parents;
  - Eliminating fees and fines in juvenile criminal-legal systems, including by passing laws that prohibit youth in the juvenile criminal-legal system (or their families) from facing requirements that they pay fines or fees related to:
    - Probation supervision;
    - Diversion programs;
    - Court-appointed attorneys or public defenders;
    - Prosecution;
    - Child support or any costs for detention or placement programs; or
    - Any other court administrative costs.
  - Creating a clear, time-bound plan for:
    - Closing all youth detention facilities within the jurisdiction; and
    - Replacing youth detention facilities with community-based, rehabilitation-focused continua of care.
  - Creating a process for preventing the foster care-to-prison pipeline, which includes:
    - Ensuring that foster care youth are receiving adequate education;
    - Connecting Native foster youth with their Native cultures;
    - Ensuring that foster youth are being properly identified for special education services by non-carceral, community-based providers;
    - Ensuring foster care youth are receiving required healthcare screenings and services, including counseling and services related to mental health;
    - Ensuring that foster youth are being properly identified for other supports and services within their schools, including accelerated programs and advanced course placement;
    - Ensuring that foster youth are not being unnecessarily housed in congregate/residential placements; and
    - Providing additional coordination and services for youth who are involved in both the foster care and criminal-legal or juvenile-legal systems.

- Decriminalizing schools, such as by:
  - Removing police, School Resource Officers (SROs), ICE, probation, armed security, metal detectors, and other surveillance equipment and practices from school campuses, including college and university campuses;
  - Disbanding school district police departments and ending contracts between school districts and local law enforcement agencies;
  - Ending contracts between public colleges and universities and local law enforcement agencies;
  - Prohibiting the arming of school teachers or staff;
  - Instituting Positive Behavioral Interventions and Supports systems, social and emotional learning programs, mediators, and trauma-informed practices at schools, including colleges and universities;
  - Increasing the number of nurses, school counselors, school psychologists, specialists in behavior planning and intervention, and individuals who can provide services that relate to mental health and trauma-informed care at schools, including colleges and universities;
  - Providing trainings to teachers and school personnel that equip these individuals with resources that they can use to create safe, stable, inclusive environments for student learning and for identifying student needs at schools, including colleges and universities;
  - Demonstrating a blueprint for collecting and reporting clear, disaggregated data on discipline, student interactions with police, and school climate; and
  - Creating guidance for local school district(s) (LSD) that would:
    - Ban zero-tolerance policies, corporal punishment, exclusionary discipline at all levels, punishment for truancy, and subjective infractions (e.g., for disruption, disobedience, disrespect, disorderly conduct, defiance, dress code violations, or grooming code violations);
    - Ban the use of any police or other law enforcement officers to address student disciplinary issues;
    - Eliminate the use, by any staff or other individual who is employed to work within the school, of strip searches, restraint, and seclusion on any student;
    - Codify Due Process protections for public school suspensions and expulsions; and
    - Adopt protections related to rape, sexual assault, harassment, and other forms of gender violence to prevent school pushout.

■ INCREASING ACCESSIBILITY.—

- Explaining how the applicant will ensure that all schools within the jurisdiction are accessible to all students, as well as fully inclusive as that term is defined by the Americans with Disabilities Act (ADA) and the Individuals with Disabilities Education Act (IDEA).
- EQUITY TARGETING.—
  - Local applicants shall be awarded additional points based on whether the school district has:
    - Low high school graduation rates;
    - High percentage of students receiving free and reduced lunches;
    - High proportion of Title 1 Schools within a district;
    - High dropout rates;
    - High average age of the school facilities within a district; and
    - High arrest and incarceration rates.
- PARTICIPATORY PROCESS.—
  - Using a participatory process to develop the grant application and create the clear, time-bound action plans contained therein, where such process includes:
    - Meaningful input from youth who have been directly impacted by education disparities;
    - Input at all stages, including those required in the grant application; and
    - Financial compensation to those individuals who offer their time and labor to provide input.
- EXAMPLE PROGRAMS.—
  - Example programs that may be funded through the Education Justice Innovation Grant include, but are not limited to:
    - STUDENT SUPPORTS & HEALTH SERVICES.—
      - Providing voluntary, non-coercive wraparound services, including social workers and counselors, at schools and/or at nearby centers that provide voluntary, non-coercive wraparound health, educational, and other services to students and families;
      - Providing free, high-quality health services, including mental health services, at schools (including colleges and universities) and/or at nearby student- and family-focused resource centers, which provide services that include reproductive body autonomy;
      - Providing free, high-quality physical activity and recreation programming in schools;
      - Ensuring all students have access to WiFi at home;
      - Funding community-based organizations to provide Adverse Childhood Experiences screenings or similar culturally-responsive screenings;
      - Providing supports for students who are in foster care or who for any reason were removed from their homes;
      - Providing supports for students who are or have been involved in the criminal- or juvenile-legal system;
      - Providing supports for students who have incarcerated parents;
      - Providing supports for homeless students;

- Providing academic counseling and mentoring for historically underserved students;
- Providing supports for parents, which may include material supports, money for rental arrears, or other services identified by the parents as needed to stabilize or support the family;
- Providing afterschool and enrichment programs for youth, including programs focused on music, dance, theater, and other creative and performing arts; and
- Providing pathway-to-careers programs for youth.
- NUTRITION.—
  - Providing high-quality and healthy food to students.
- CURRICULA & TEACHER TRAINING.—
  - Developing curricula that critically examine the political, economic, and social impacts of colonialism, imperialism, capitalism, racism, white supremacy, genocide against Indigenous peoples, patriarchy, and slavery, while acknowledging and addressing students’ material and cultural needs;
  - Training educators, including preschool and early childhood educators, in voluntary, non-coercive restorative practices and trauma-informed approaches; and
  - Supporting access to certification programs that will address teacher shortages, including programs that support certification of teachers and paraprofessionals of color who can teach English learners and students with disabilities.
- TRANSPORTATION.—
  - Providing free transportation to students, so that they can attend both school and school-related activities.
- VIOLENCE REDUCTION & GENDER JUSTICE.—
  - Developing robust, non-carceral, non-coercive advocacy and prevention services to:
    - Reduce domestic violence, sexual violence (including rape, assault, and child sexual abuse), and harassment;
    - Effectively support survivors in pre-K, K-12, and higher education contexts; and
    - Prevent rape and sexual assault survivors from being pushed out of school; and
  - Developing transformative justice programs in schools to prevent and address violence, such as bullying, sexual violence, and dating violence, including bullying, harassment, and violence committed online.
- INFRASTRUCTURE.—
  - Modernizing, renovating, or repairing facilities used by public early childhood education centers, public elementary schools, public secondary schools, and public institutions of higher education, including modernization, renovation, and repairs that—
    - Promote physical, sensory, and environmental accessibility; and
    - Are consistent with a recognized green building rating system.

- **FUNDING AUTHORIZATION.**—
  - There is authorized to be appropriated \$15,000,000,000 to implement this Subsection, which funds shall remain available until expended.

## **2E: Office of Racial and Economic Equity**

- **ESTABLISHMENT.**—
  - There is established within the United States Department of Education (DOE) an Undersecretary for Racial and Economic Equity.
- **DUTIES OF THE UNDERSECRETARY.**—
  - The Undersecretary shall be authorized to conduct an annual review of DOE programs that provide funding to individuals, organizations, and local, State, and Tribal jurisdictions, so as to:
    - Assess the equity impact of current DOE grant programs, including how grant dollars are currently serving to reduce or widen education disparities based on race, gender, disability, or socioeconomic status;
    - Where grant dollars are available to community-based organizations and nonprofits, the extent to which Agency grant dollars are being awarded to racially and geographically diverse organizations;
    - Using the data gathered in the equity and grant-making assessments, offer recommendations on ways that application requirements, spending restrictions, provision of technical assistance, or other grant-making characteristics could better serve to advance equity goals and benefit diverse organizations; and
    - Submit these recommendations directly to the Secretary of the DOE via an Equity Impact Report.
- **OVERSIGHT.**—
  - Not later than 60 days after receiving the annual Equity Impact Report that is described in this Subsection, the Secretary must report to Congress:
    - Key findings from the Equity Impact report;
    - Changes made, or planned to be made, pursuant to the report recommendations; and
    - For any changes not pursued, an explanation as to why such changes were unfeasible or incompatible with the authorizing statutory language.
- **AUTHORIZATION OF APPROPRIATIONS.**—
  - From funds in the Treasury not otherwise appropriated, there are appropriated to the Secretary such sums as may be necessary to implement this Subsection.

## **SUBSECTION 3: HEALTH & FAMILY JUSTICE**

### **3A: Sense of Congress**

- It is the sense of Congress that:
  - A history of systemic racism, ableism, medical violence, and neglect within the healthcare system, combined with denial of universal, affordable, competent and quality care, has placed access to medical care out-of-reach for the majority of Black people;
  - All people must have access to high-quality, equitable, and universal healthcare, including through a Medicare-for-All system that guarantees:
    - Access to high-quality, comprehensive, community-based health centers;



- Culturally competent services;
  - Specific services for queer, gender nonforming, and transgender people;
  - Full bodily autonomy;
  - Full reproductive services; and
  - Services related to mental health and substance use;
- Federal social policy, including child welfare policy, should support families, not punish and separate them;
- All working people are entitled to robust workplace protections, including paid sick days, fair scheduling practices, and the right to organize; and
- The following programs are a first and important step toward realizing this objective.

### **3B: Universal Child Benefit**

- REPLACE CHILD TAX CREDIT WITH UNIVERSAL CHILD BENEFIT.—
  - This section shall establish a universal child benefit of:
    - \$400 per month (indexed to inflation) for children who are ages six through eighteen; and
    - \$500 per month (indexed to inflation), per minor child, for children are five or under.
  - Such benefit shall be delivered to the child’s primary caretaker and administered by the Social Security Administration.
  - ITIN filers shall be eligible for these benefits.
  - The Child Benefit may not count as earnings or income for determining eligibility for any federal, state, or local means-tested programs.
  - Extend full eligibility of the Universal Child Benefit to children in Puerto Rico and the territories.
- REPEAL OF CHILD TAX CREDIT.—
  - Repeal the Child Tax Credit for children who are under the age of seventeen.
- FUNDING AUTHORIZATION.—
  - From funds in the Treasury not otherwise appropriated, there are appropriated to the Secretary such sums as may be necessary to implement this Subsection.

### **3C: Paid Health and Family Leave**

- OVERVIEW.—
  - ESTABLISHMENT OF OFFICE.—
    - This Subsection establishes an office within the Social Security Administration that will administer an income benefit for all U.S. employees who are taking sick, medical, caregiving, or parental leave.
  - ELIGIBILITY.—
    - All employees, as such term is defined in the Fair Labor Standards Act, shall be eligible for this program. Under this program, employees shall include:
      - An individual performing any paid services or labor for an employer, part-time or full-time, regardless of whether the individual is an independent contractor or is classified as an independent contractor by the employer;
      - Employees of the federal and State/local governments; and
      - Anyone who is eligible for Medicare (HI).



- Such protections include, but are not limited to, as requirement that the employee:
  - Following leave, must be restored to his or her original job or to an equivalent job with equivalent pay, benefits, and other terms and conditions of employment;
  - Cannot have use of leave counted against the employee under a “no-fault” attendance policy; and
  - Must continue to receive group health insurance coverage, just as if the employee had not taken leave.
- An employer may not retaliate against an employee who exercises his or her rights under this law, or opposes or complains about any practice that is made unlawful under this Act. For these purposes, employer retaliation shall have the meaning provided in the Family Medical Leave Act.
- FUNDING AUTHORIZATION.—
  - From funds in the Treasury not otherwise appropriated, there are appropriated to the Secretary such sums as may be necessary to carry out this section.

### **3D: Federal Funding of Universal Childcare and Pre-Kindergarten**

- Incorporate the [Universal Childcare and Early Learning Act](#) [Warren / Haaland], with the following modifications:
  - Make the program universal and free for all, regardless of income (eliminating the sliding scale in Sec. 114(f));
  - Provide for two-generational services:
    - Create a provision prioritizing federal support for providers that are co-located with high-quality programming and services offered to adults.
      - Such co-location shall create two-generational programming to serve parents/guardians and children on-site together and to help participating parents or guardians access employment, school, or entrepreneurship.
      - Such programming for adults may include, but is not limited to:
        - Job training, career pathways programs, and other workforce development strategies;
        - Mental health treatment;
        - Family support services;
        - Partnerships with local employers;
        - Access to adult education, including high school equivalency classes, and postsecondary education;
        - Voluntary wraparound services;
        - English as a Second or Other Language classes;
        - Financial education; and
        - Computer and digital literacy.
    - Establish a fund to support providers that seek to establish or expand existing two-generational programming.
    - By the date that is six months after this Act becomes law, the Secretary shall create a formula for prioritizing grant applicants, which includes prioritization based on whether the community:
      - Was historically redlined;

- Was historically required to attend Indian Boarding Schools;
- Has high rates of unemployment and/or underemployment;
- Has high rates of child poverty and/or child mortality;
- Has low life expectancy rates; and/or
- Has been disproportionately subject to high arrest and incarceration rates.
- Ensure there is no gap in coverage:
  - Create a provision such that in any jurisdiction where there is no local sponsor or provider available, the Federal Government can be the direct sponsor of childcare.
- **OPTION FOR PARENT CARE.—**
  - Parents or guardians who prefer to provide childcare directly, at home, may receive a home childcare cash benefit that is paid by the Social Security Administration. Such weekly benefit shall be roughly equal to the per-child wages of childcare workers.
- **INFRASTRUCTURE GRANTS.—**
  - Incorporate Sec. 410 and 418A of H.R. 7327 (2020) (“Child Care for Economic Recovery Act”).
- **FUNDING AUTHORIZATION.—**
  - From funds in the Treasury not otherwise appropriated, there are appropriated to the Secretary such sums as may be necessary to carry out this section.

### **3E: Universal School Meals**

- **OVERVIEW.—**
  - The United States Department of Agriculture shall be authorized to expand the free and reduced-price lunch program so that all children in public child care, public pre–k, and public k–12 schools will be eligible to receive free breakfast, lunch, and snacks during the school day and in after care programs.
  - Under this program, schools run by the Bureau of Indian Education are also eligible for funding.
- **FUNDING AUTHORIZATION.—**
  - From funds in the Treasury not otherwise appropriated, there are appropriated to the Secretary such sums as may be necessary to carry out this section.

[See [Universal School Meals Program Act](#) of 2019 (Sanders / Omar).]

### **3F: Baby Boxes Program**

- **ESTABLISHMENT OF BABY BOX GRANT PROGRAM.—**
  - The Department of Health and Human Services (HHS) shall establish a formula grant for State and Tribal governments that funds such governments to provide “baby boxes” to their constituents.
- **PROVISION OF SERVICES.—**
  - All State or Tribal governments shall be eligible for the Baby Box Grant Program, provided that they submit a State Plan specifying:
    - The specific items that the baby box shall include, including any items that go beyond the federal requirements; and
    - Any other information required by the Secretary.

- Where a State or Tribal government is unable or unwilling to administer a Baby Box program, HHS may directly supply baby boxes to parents and guardians who live in such jurisdiction. In these cases, the baby boxes provided shall:
  - Conform to the federal guidelines; and
  - Be supplied by third-party vendors.
- DEVELOPMENT OF FORMULA.—
  - By the date that is six months after this Act becomes law, HHS shall:
    - Determine which items, and of what quantity, are essential for newborn babies and must be included; and
    - Develop a formula for distributing grant dollars such that all eligible parents and guardians in a State or Tribe may receive a baby box.
- REQUIREMENTS FOR BABY BOX PROGRAMS.—
  - CONTENTS.—
    - All boxes provided via the Baby Box Grant Program shall:
      - Contain a set of specific items that are defined by HHS, provided that all items meet the mandatory consumer protection safety standards set forth by the Consumer Product Safety Commission; and
      - Arrive approximately three months before the expected birth.
    - Nothing in this Section shall preclude a State or Tribe from submitting a State Plan that specifies box items beyond what HHS requires.
  - ELIGIBILITY.—
    - Any individual who is an expectant or current parent or custodial guardian of a newborn child (i.e., under the age of 6 months) shall be eligible for the Baby Box Program.
    - To receive a baby box, individuals must submit:
      - A certification of pregnancy that is signed by a health professional (including a physician, physician assistant, nurse, nurse practitioner, midwife, or doula);
      - A birth certificate; or
      - A certificate of surrogacy.
    - Such certificate process must not be burdensome for individuals who have disabilities.
- FUNDING AUTHORIZATION.—
  - From funds in the Treasury not otherwise appropriated, there are appropriated to the Secretary such sums as may be necessary to carry out this section.

### **3G: Reproductive Justice for All Women**

- Incorporate the [Each Woman Act](#) [Lee / Duckworth], which reverses the Hyde Amendment and:
  - Ensures that anyone who receives care or insurance through the Federal Government will have coverage for abortion services; and
  - Prohibits federal, State, and local policymakers from interfering with private insurers' decisions to provide abortion coverage, including through the Affordable Care Act insurance marketplaces.

### **3H: Health & Family Justice Grant Program**

- OVERVIEW.—
  - The Department of Health and Human Services (“Department” or “HHS”) shall establish a Health & Family Justice competitive and formula grant.
  - No funding through the Health and Family Justice grant programs shall be allocated through the Substance Abuse and Mental Health Services Administration (SAMHSA).
- FORMULA GRANT FRAMEWORK.—
  - Eligible applicants under the formula grant shall be Tribal governments.
  - The Secretary shall determine, in consultation with the Secretary of the Interior and with Tribal Nations, a formula for distributing grant dollars. Such formula shall be designed to:
    - Fulfill the United States treaty and trust obligations to Tribal Nations; and
    - Uphold the rights of Indigenous peoples set forth by UNDRIP.
  - Under this grant, funding is authorized for any purpose that:
    - Advances one or more goals set forth in the competitive grant; and
    - Meets the Agency grant requirements in Section 2, Subsection 1.
- APPLICATION REQUIREMENTS FOR COMPETITIVE GRANT.—
  - ELIGIBILITY.—
    - Eligible applicants under the formula grant shall be State or local governments.
  - STATE APPLICATION.—
    - A State seeking a grant award under this Subsection shall submit to the Secretary, in such manner as the Secretary requires, an application that meets the following requirements and contains such additional information, provisions, and assurances as the Secretary may require:
      - DESCRIPTION OF PROCESS.—
        - A description of how the State has engaged, and will continue to engage, in a public process during the design, implementation, monitoring, and evaluation of the services that will be delivered under this grant program.
        - Such process shall include input from:
          - People who have lived expertise and who would be eligible for services that are funded through this grant program;
          - Families of such individuals;
          - Community-based organizations that serve such individuals;
          - The State medical care advisory committee as defined under 42 CFR § 431.12; and
          - Other interested stakeholders.
        - The application shall include a summary of public input, including:
          - The issues raised during the public engagement process; and
          - How the State addressed the issues raised in its final application.
      - UTILIZING MEDICAID TO IMPROVE ACCESS TO CARE.—

- The application shall describe how the State will improve access to community-based services for Medicaid enrollees, including, but not limited to:
  - Covering a full continuum of community-based, non-coercive mental health and substance use-related services in its Medicaid State plan, including crisis response and stabilization services, tenancy support services, supported employment, and the outpatient services listed under 42 U.S.C. § 1396n(l)(4)(i)[AB2];
  - Increasing the capacity of providers to provide non-coercive treatment and recovery services that meet the needs of people enrolled in the State’s Medicaid program;
  - Maximizing its school-based health services program to ensure that children enrolled in Medicaid have access to health care;
  - Maximizing the opportunities to leverage funding authorized under 42 U.S.C. § 671(e) to maximize prevention services for foster care youth enrolled in Medicaid and their families; and
  - Expanding options for delivery of HCBS services, expanding eligible populations, and ensuring the workers can be adequately paid for their labor, including overtime.
- LOCAL APPLICATION.—
  - A locality seeking a grant award under this Subsection shall submit to the Secretary, in such manner as the Secretary requires, an application that meets the following requirements and contains such additional information, provisions, and assurances as the Secretary may require:
    - DESCRIPTION OF PROCESS.—
      - A description of how the locality has engaged, and will continue to engage, in a public process during the design, implementation, monitoring, and evaluation of the services that will be delivered under this grant program.
      - Such process shall include input from:
        - People who have lived expertise and who would be eligible for services that are funded through this grant program;
        - Families of such individuals; and
        - Community-based organizations that serve such individuals.
      - The application shall include a summary of public input, including:
        - The issues raised during the public engagement process; and

- How the locality addressed the issues raised in its final application.
- COMPETITIVENESS FRAMEWORK.—
  - No later than six months after this Act becomes law, HHS shall develop a framework for evaluating applicants. This framework shall include points for:
    - ENSURING HEALTH EQUITY.—
      - Enacting policy changes that ensure health equity within the jurisdiction, including equity for Black, Latinx, AAPI, Indigenous, LGBT, low-income, homeless, disabled, and undocumented individuals, including changes that—
        - Expand access to health clinics, including mobile clinics, school-based clinics, and support navigators and social workers;
        - Address lead contamination and improve access to clean drinking water; and
        - Ensure access to affordable, nutritious food and exercise.
    - EXPANDING HEALTHCARE ACCESS.—
      - For State applicants, ensuring that all State residents (regardless of immigration status) have universal access to healthcare, such as by expanding Medicaid as offered under the Affordable Care Act *without* work requirements or any burdensome administrative and/or financial requirements during enrollment;
      - Ensuring free access to the preventive services that are denoted by USPSTF/ACIP;
      - Supporting community health workers, including (but not limited to) Doulas, health coaches, patient navigators, peer support specialists, and outreach workers; and
      - Supporting partnerships with community organizations that can assist with applications for nutrition assistance and other public assistance programs.
    - MAINTAINING FAMILY BONDS.—
      - Helping incarcerated individuals maintain the parent-child bond, such as by:
        - For State applicants, eliminating any State laws that bar formerly incarcerated people from serving as guardians to their own children and/or others in their community;
        - For State applicants, ensuring that incarcerated parents who have children in the child welfare system have free-of-charge, unencumbered access to case workers, legal advocates, and visits with their children.
      - Preserving family unity, such as by:
        - For State applicants, reducing the termination of parental rights and/or expanding alternatives to terminating parental rights, including guardianship and custodial arrangements, power of attorney, and procedures so that parents can petition to reinstate parental rights;



- For State applicants, expanding access to alternative caretaking supports for parents who are involved in the child welfare system, including subsidized kinship support that does not rely on foster care;
- For State applicants, creating an accessible, affordable legal program and/or mechanism that lets parents seek restoration of parental rights and “re-adoption”;
- Maximizing non-carceral supports and material resources that help families stay together; and
- Prohibiting youth placement outside-of-home for scenarios that include (but are not limited to) technical probation violations, misdemeanor offenses, any situations involving youth who are under 14, and any situations involving youth who do not pose an imminent risk of harm.
- **PARTICIPATORY PROCESS.—**
  - Using a participatory and accessible process to develop the grant application and create the clear, time-bound action plans contained therein, where such process includes:
    - Meaningful input from individuals who have been directly impacted by health disparities;
    - Input at all stages, including those required in the grant application; and
    - Financial compensation to those individuals who offer their time and labor to provide input.
- **EQUITY TARGETING.—**
  - Local applicants shall be awarded additional points based on whether the community:
    - Is in the lowest 10% in the State, as measured by:
      - Life expectancy;
      - Mortality rate (including maternal deaths in childbirth);
      - Limited English Proficiency rate;
      - Poverty rate;
      - Child poverty rate; and/or
    - Has been disproportionately subject to high arrest and incarceration rates.
- **ELIGIBLE GRANT ACTIVITIES.—**
  - Example programs that may be funded through the Health & Family Justice Innovation Grant include, but are not limited:
    - **NUTRITION ACCESS.—**
      - Developing and sustaining food cooperatives and urban gardens;
      - Incentivizing the location of grocery stores, farmers’ markets, and/or other fresh, nutritious food providers in areas that are experiencing food apartheid; and
      - Offering children of color, including Indigenous youth, access to ancestral foods, such as through gardens or school lunch programs.
    - **HEALTHCARE ACCESS.—**

- Expanding or enhancing the services offered at neighborhood-based health centers, which include:
  - Culturally responsive services for all people;
  - Accessible services for all people;
  - Voluntary, noncoercive, trauma-informed, wellness-focused services for all people;
  - Specific services for women, girls, pregnant people, people living with HIV/AIDS and/or hepatitis, survivors of violence, and LGBTQ, gender nonconforming, and non-binary people;
  - Comprehensive, non-coercive care for disabled people;
  - Comprehensive sexual and reproductive healthcare, including contraception, abortion, STI prevention and care, maternal care, and gender affirming care for transgender, gender nonconforming, non-binary, and intersex people; and
  - Non-coercive health services, including harm reduction services; and
- Providing specialized, independent health and advocacy services for all people who are incarcerated in jails, prisons, ICE detention centers, psychiatric facilities, juvenile detention centers, and other carceral institutions, including advocacy services that are for (and informed by) incarcerated survivors of domestic and sexual violence, including rape and other forms of sexual assault;
- Developing and operating birthing centers;
- Subsidizing midwife and doula services;
- Running outreach programs to facilitate Medicaid and Children’s Health Insurance Program enrollment; and
- Subsidizing alternative approaches to health and wellness and/or human services that use culturally-based, holistic, community-based, asset-based approaches to services.
- **BUILDING THE CARE ECONOMY.—**
  - Providing comprehensive, high-quality elder care;
  - Providing out-of-school time care, including care before school, after school, during vacations, or during any holidays or in-service days when school is not in session;
  - Providing financial assistance for families with an incarcerated parent; and
  - Providing enhanced “baby boxes” for expectant parents, including, for Indigenous parents and caretakers, cultural forms of care.
- **FUNDING AUTHORIZATION.—**
  - There is authorized to be appropriated \$15,000,000,000 to implement this Subsection, which funds shall remain available until expended.

### **3I: Commission to Redesign the Child Welfare System**

- **ESTABLISHMENT.—**
  - There is established the independent Child Welfare Commission Establish a Child Welfare Commission (“Commission”), having the characteristics outlined in this

Subsection, that will audit federal child welfare policies and federal funding streams financing State child welfare systems.

- PARTICIPATORY PROCESS.—
  - The Commission shall use a participatory process that includes:
    - Listening sessions in jurisdictions nationwide;
    - An open, transparent process that includes public access to Commission proceedings and documents; and
  - A comment period that allows individuals and organizations nationwide to express their feedback.
- DUTIES OF COMMISSION.—
  - STUDY.—
    - The Commission will study and report on the following:
      - To what degree federal child welfare policies are incentivizing family separation and the termination of parental rights nationally;
      - To what degree federal child welfare funding streams—including, but not limited to, Title IV-E, Title IV-B, and Social Services Block Grant funding—are driving family separation and the termination of parental rights at the state level;
      - The racially disparate impact of child welfare practices nationally, including the impact on Black, Latinx, and Native American families;
      - The disparate impact of child welfare practices on other marginalized groups that have faced historic discrimination based on race, gender, ethnicity, disability status, sexual orientation, status of having a criminal conviction, or any other protected characteristics;
      - The disproportionate impact of child welfare practices on low-income families nationally;
      - The extent to which federal child welfare policies governing child neglect are punishing low-income parents for a lack of material resources;
      - The ways that proactive State policies, including the provision of supports and services, could address family’s material needs that are leading to involvement in the child welfare system;
      - The degree to which federal child welfare policies are harming child development and other measures of child well-being;
      - The degree to which federal child welfare policies are harming maternal health; and
      - Alternative caretaking supports and family supports services offered outside of the child welfare system that could maintain parent-child bonds by reducing entry into the child welfare system.
  - RECOMMENDATIONS.—
    - The Commission shall identify ways that federal child welfare policies and funding priorities could be restructured to:
      - Protect the parent-child relationship;
      - Dramatically reduce federal funding for child removal, family separation, and the termination of parental rights;

- Dramatically reduce the incidence of child removal, family separation, the termination of parental rights, and supervision by child protective services;
  - Ensure that all families have sufficient resources to meet their economic needs and maintain stability;
  - Reduce any deficiencies that are identified pursuant to this audit; and
  - Ensure adequate oversight of federal grants funding state child welfare agencies.
- MEMBERSHIP.—
  - The Commission shall be comprised of 13 members, all appointed by the Secretary of the Department of Health and Human Services within 90 days after this Act becomes law, provided that:
    - Not more than 7 members are from the same political party;
    - Not less than 25% of individuals on the Commission are individuals who have been subject to child protective service investigations and/or child removals within the past five years;
    - Not less than 25% of individuals on the Commission must be comprised of:
      - Family defense attorneys;
      - Civil rights plaintiffs’ lawyers;
      - Social workers;
      - Community health workers;
      - Local advocates who work on racial justice; and/or
      - Youth.
  - Membership of the Commission shall reflect the racial, religious, ethnic, gender, sexual orientation, disability status, immigration status, and other diversities of the United States, including representation for Black people, Latinx people, Indigenous people, LGBT and queer people, women, youth, and other groups that have been disproportionately disadvantaged by the child welfare system.
- TERMS.—
  - The term of office for members shall be for the life of the Commission. A vacancy in the Commission shall not affect the powers of the Commission and shall be filled in the same manner in which the original appointment was made.
- FIRST MEETING.—
  - The Secretary of DHHS shall call the first meeting of the Commission within 120 days after the date of the enactment of this Act or within 30 days after the date on which legislation is enacted making appropriations to carry out this Act, whichever date is later.
- QUORUM.—
  - Seven members of the Commission shall constitute a quorum, but a lesser number may hold hearings.
- CHAIR AND VICE CHAIR.—
  - The Commission shall elect a Chair and Vice Chair from among its members. The term of office of each shall be for the life of the Commission.
- COMPENSATION.—
  - Each member of the Commission shall receive compensation at the daily equivalent of the annual rate of basic pay payable for GS–18 of the General Schedule under section

- 5332 of title 5, United States Code, for each day, including travel time, during which he or she is engaged in the actual performance of duties vested in the Commission.
- A member of the Commission who is a full-time officer or employee of the United States or a Member of Congress shall receive no additional pay, allowances, or benefits by reason of his or her service to the Commission.
  - All members of the Commission shall be reimbursed for travel, subsistence, and other necessary expenses incurred by them in the performance of their duties to the extent authorized by chapter 57 of title 5, United States Code.
  - **PRESENTATION OF FINDINGS.—**
    - The Commission shall submit a written report of its findings and recommendations to the Congress not later than the date which is 1 year after the date of the first meeting of the Commission.
    - The Commission shall present their findings to Congress through:
      - A public hearing that allows for public comments; and
      - A report that is posted online and easily accessible.
    - Following the public hearing, the Commission shall have 3 months to revise and resubmit the report and recommendations, either incorporating the relevant feedback or providing a written explanation as to why such feedback does not advance the Commission goals set forth in this Subsection.
  - **TERMINATION.—**
    - The Commission shall terminate 90 days after the date on which the Commission submits its report to the Congress.
  - **AUTHORIZATION OF APPROPRIATIONS.—**
    - To carry out the provisions of this Section, there are authorized to be appropriated \$12,000,000.

### **3J: Office of Racial and Economic Equity**

- **ESTABLISHMENT.—**
  - There is established within the United States Department of Health and Human Services (HHS) an Undersecretary for Economic Equity.
- **DUTIES OF THE UNDERSECRETARY.—**
  - The Undersecretary shall be authorized to conduct an annual review of HHS programs that provide funding to individuals, organizations, and local, State, and Tribal jurisdictions, so as to:
    - Assess the equity impact of current HHS grant programs, including how grant dollars are currently serving to reduce or widen health disparities based on race, gender, disability, or socioeconomic status;
    - Where grant dollars are available to community-based organizations and nonprofits, the extent to which Agency grant dollars are being awarded to racially and geographically diverse organizations;
    - Using the data gathered in the equity and grant-making assessments, offer recommendations on ways that application requirements, spending restrictions, provision of technical assistance, or other grant-making characteristics could better serve to advance equity goals and benefit diverse organizations; and
    - Submit these recommendations directly to the Secretary of the HHS via an Equity Impact Report.

- **OVERSIGHT.—**
  - Not later than 60 days after receiving the annual Equity Impact Report that is described in this Subsection, the Secretary must report to Congress:
    - Key findings from the Equity Impact report;
    - Changes made, or planned to be made, pursuant to the report recommendations; and
    - For any changes not pursued, an explanation as to why such changes were unfeasible or incompatible with the authorizing statutory language.
- **AUTHORIZATION OF APPROPRIATIONS.—**
  - From funds in the Treasury not otherwise appropriated, there are appropriated to the Secretary such sums as may be necessary to implement this Subsection.

## **SUBSECTION 4: ENVIRONMENTAL & CLIMATE JUSTICE**

### **4A: Sense of Congress**

- It is the sense of the Congress that—
  - The Federal Government should enact a Green New Deal that dramatically reduces greenhouse gas emissions nationally and invests in transformative, equitable solutions to address the racial injustice and climate crises, including through:
    - A plan for achieving net-zero emissions nationally by 2050;
    - The creation of high-quality jobs that pay family-sustaining wages, particularly in low-carbon and green industries;
    - An investment in green infrastructure;
    - A guarantee of clean air and water, healthy food, access to nature, and a sustainable environment for all people; and
    - A commitment to racial and socioeconomic equity across all the foregoing measures.

### **4B: Equity Impact Mapping Initiative & Equity Screen**

- **EQUITY IMPACT MAPPING INITIATIVE.—**
  - No later than six months after this Act becomes law, require the Environmental Protection Agency (EPA) to present a plan that describes a cross-agency Equity Impact Mapping initiative that tracks cumulative environmental and health impacts, pollution hotspots, public health-related data, and income inequality.
- **EQUITY SCREEN.—**
  - Require an Equity Screen on major actions by federal agencies, using the mapping and scoring initiative in this Subsection, through which federal agencies' climate, energy, and environmental investments, regulations, permitting decisions, and other actions will be evaluated.
  - Such screen shall be:
    - Modeled after the economic scores that are provided by the Congressional Budget Office;
    - Developed through a consultation process that involves experts and leaders from frontline communities, including both health and environmental experts; and
    - Updated periodically.
- **CLIMATE-RELATED SPENDING GUARANTEES.—**

- Guarantee that 40% of all federal climate-related spending, including funding through the Environmental & Climate Justice grant, will be invested in “Environmental Justice” communities, as these communities are defined through the State Equity Mapping Initiative.
- These investments should include, but not be limited to:
  - Deploying clean energy and energy efficiency;
  - Building sustainable energy, transportation, and water infrastructure;
  - Remediating pollution;
  - Electrifying and retrofitting housing and buildings, prioritizing public housing and low-income housing;
  - Supporting clean and competitive American manufacturing industries;
  - Supporting a green agricultural industry;
  - Catalyzing clean-tech innovation; and
  - Achieving a just transition that ensures workers and communities living on the frontlines of poverty, racial inequality, and pollution are prioritized.
- Guarantee that all jobs created through federal climate-related spending, including the Green Communities Grant Program, meet the following specifications:
  - Be unionized or able to unionize; and
  - Pay a living wage, as defined in this bill.

#### **4C: Environmental & Climate Justice Grant Program**

- OVERVIEW.—
  - The Environmental Protection Agency shall create a Environmental & Climate Justice formula and competitive grants.
- FORMULA GRANT FRAMEWORK.—
  - Eligible applicants under the formula grant shall be Tribal governments.
  - The Secretary of the Environmental Protection Agency (“Secretary”) shall determine, in consultation with the Secretary of the Interior and with Tribal Nations, a formula for distributing grant dollars. Such formula shall be designed to:
    - Fulfill the United States treaty and trust obligations to Tribal Nations; and
    - Uphold the rights of Indigenous peoples set forth by UNDRIP.
  - Under this grant, funding is authorized for any purpose that:
    - Advances one or more goals set forth in the competitive grant; and
    - Meets the Agency grant requirements in Section 1.
- APPLICATION REQUIREMENTS FOR COMPETITIVE GRANT.—
  - Eligible applicants under the competitive grant shall be State and local governments.
  - A State or local government seeking a grant award under this Subsection shall submit to the Secretary, in such manner as the Secretary requires, an application that meets the following requirements and contains such additional information, provisions, and assurances as the Secretary may require:
    - A description of how the jurisdiction has engaged, and will continue to engage, in a public process during the design, implementation, monitoring, and evaluation of the services that will be delivered under this grant program.
  - Such process shall include input from:
    - People who have lived expertise and who would be eligible for services that are funded through this grant program;

- Families of such individuals;
    - Community-based organizations that serve such individuals; and
    - Other interested stakeholders.
  - The application shall include a summary of public input, including:
    - The issues raised during the public engagement process; and
    - How the State addressed the issues raised in its final application.
- **COMPETITIVENESS FRAMEWORK.—**
  - No later than six months after this Act becomes law, EPA shall develop a framework for evaluating applicants. This framework shall include points for:
    - **ADDRESSING CLIMATE VULNERABILITY.—**
      - Addressing the primary issues that are causing increased vulnerability to climate change, including (but not limited to) barriers for Black, Latinx, Indigenous, low-income, and immigrant communities; and
      - For State applicants, creating a clear, time-bound plan for meeting 100 percent of the State power demand using clean, renewable, and zero-emission energy sources.
    - **ENSURING A JUST TRANSITION.—**
      - For State applicants, ensuring that climate- and energy-related spending reaches those communities that are most vulnerable to climate change, including by:
        - Requiring an Equity Screen on major State policy actions, using the mapping initiative in this Subsection, through which federal agencies’ climate, energy, and environmental investments, regulations, permitting decisions, and other major actions would be evaluated; and
        - Guaranteeing that at least 40% of all State climate-related spending, including funding through this State Environmental Justice grant, will be invested in “Environmental Justice” communities, as these communities are defined either through the federal Equity Mapping Initiative or through a State equivalent approved by the Environmental Protection Agency; and
      - Building a sustainable, livable Green Economy, such as by guaranteeing that all jobs created from these grants uphold “high road” labor standards and benefit the community;
    - **WATER JUSTICE.—**
      - Ensuring access to safe, clean water for housing, drinking, sanitation, and food production for all communities, including Black, Latinx, Indigenous, low-income, and immigrant communities; and
      - Providing lead abatement for families and schools, especially in communities that have historically faced disinvestment and discrimination.
    - **ADDRESSING POLLUTION & ENVIRONMENTAL DESTRUCTION.—**
      - Taking efforts to curb and remediate land pollution;
      - Ensuring that all communities have access to breathable air within EPA safety limits;



- Protecting natural resources, including forests, wetlands, and bodies of freshwater; and
- Remediate the previous destruction of Indigenous lands through military testing, resource extraction, and environmental destruction that was incurred during military engagements.
- PARTICIPATORY PROCESS.—
  - Using a participatory process to develop the grant application and create the clear, time-bound action plans contained therein, where such process includes:
    - Meaningful input from individuals who have been directly impacted by environmental disparities, including (but not limited to):
      - Individuals who have experienced limitations on access to clean water or air within the last two years;
      - Individuals who have been displaced or who are expected to be displaced within ten years due to climate change;
      - Black, Latinx, and Indigenous individuals; and
      - Low-income individuals.
    - Input at all stages, including those required in the grant application; and
    - Financial compensation to those individuals who offer their time and labor to provide input.
- EQUITY TARGETING.—
  - Local applicants shall be given additional points based on whether the community is:
    - An Environmental Justice community, as defined in the federal Equity Mapping Initiative;
    - Has the majority of residents residing near a factory, landfill, oil well, and any other high-risk pollutants linked to deteriorating health impacts; and/or
    - Has been disproportionately subject to high arrest and incarceration rates.
- EXAMPLE PROGRAMS.—
  - Programs that may be funded through the Environmental & Climate Justice Grant may include, but are not limited to:
    - ENERGY JUSTICE.—
      - Subsidizing community-owned sustainable energy solutions, including projects by community-based organizations;
      - Increasing funding for green jobs building renewable energy (such as wind and solar) and infrastructure (excluding combustion-based energy, like biomass), including programming that has a focus on employing people who are formerly incarcerated;
      - Increasing funding to support green agriculture, which programs include a focus on small family farms;

- Building or upgrading to energy-efficient, distributed, and “smart” power grids and microgrids, including community-owned grids;
- Creating programs that invest in reducing energy costs, specifically in public housing, multi-family housing, and aging housing; and
- Upgrading existing buildings and building new buildings to maximize energy efficiency, water efficiency, safety, affordability, comfort, accessibility, and durability, including through electrification.
- CLIMATE RESILIENCE.—
  - Funding climate resilience to prepare for climate change-fueled disasters (such as hurricanes, floods, droughts, and wildfires); and
  - Establishing and/or supporting conservation corps that will undertake land restoration, restoration and preservation of sacred sites, and other activities related to conservation.
- TRANSPORTATION JUSTICE.—
  - Overhauling transportation systems to eliminate pollution and greenhouse gas emissions as much as is technologically feasible, even while rendering transit affordable and accessible to all.
- ACCOUNTABILITY.—
  - Developing a complaint office that will provide stipends to residents who had to cover medical bills for any detrimental health impacts on a person’s life due to the local jurisdiction’s oversight or actions (i.e., City failed to notify residents of risk, etc.); and
  - Addressing the previous destruction of Native American lands through military testing and environmental destruction that was incurred during military engagements, including funding the cleanup of Native Hawaiian lands, transferring this property into Indian Trust land, and providing resources to address health effects that were caused by these programs.
- FUNDING AUTHORIZATION.—
  - There is authorized to be appropriated \$15,000,000,000 to implement this Subsection, which funds shall remain available until expended.

#### **4D: Office of Racial and Economic Equity**

- ESTABLISHMENT.—
  - There is established within the United States Environmental Protection Agency (EPA) an Undersecretary for Racial and Economic Equity.
- DUTIES OF THE UNDERSECRETARY.—
  - The Undersecretary shall be authorized to conduct an annual review of EPA programs that provide funding to individuals, organizations, and local, State, and Tribal jurisdictions, so as to:
    - Assess the equity impact of current EPA grant programs, including how grant dollars are currently serving to reduce or widen environmental disparities based on race, gender, disability, or socioeconomic status;
    - Where grant dollars are available to community-based organizations and nonprofits, the extent to which Agency grant dollars are being awarded to racially and geographically diverse organizations;

- Using the data gathered in the equity and grant-making assessments, offer recommendations on ways that application requirements, spending restrictions, provision of technical assistance, or other grant-making characteristics could better serve to advance equity goals and benefit diverse organizations; and
    - Submit these recommendations directly to the Secretary of the EPA via an Equity Impact Report.
- OVERSIGHT.—
  - Not later than 60 days after receiving the annual Equity Impact Report that is described in this Subsection, the Secretary must report to Congress:
    - Key findings from the Equity Impact report;
    - Changes made, or planned to be made, pursuant to the report recommendations; and
    - For any changes not pursued, an explanation as to why such changes were unfeasible or incompatible with the authorizing statutory language.
- AUTHORIZATION OF APPROPRIATIONS.—
  - From funds in the Treasury not otherwise appropriated, there are appropriated to the Secretary such sums as may be necessary to implement this Subsection.

## **SUBSECTION 5: ECONOMIC JUSTICE**

### **5A: Sense of Congress**

- It is the sense of Congress that:
  - The current unprecedented levels of income and wealth inequality are an economic, moral, and racial injustice crisis;
  - The tax code must be fundamentally restructured to combat the consolidation of wealth and power in the hands of the few;
  - The economy at large must be reconstructed to ensure that:
    - All workers have the right to dignity in labor, including a job that:
      - Pays a living wage;
      - Includes strong employee protections;
      - Preserves the right to organize; and
      - Is free from discrimination; and
    - No American is denied economic opportunity based on any characteristic, including skin color; and
    - Public welfare and assistance programs are meeting the needs of all low-income individuals and are free from discrimination; and
  - The following programs are a first and important step toward realizing this objective.

### **5B: Earned Income Tax Credit**

- MODIFICATIONS TO EARNED INCOME TAX CREDIT.—
  - This section amends the Earned Income Credit established at 26 USC 32 to do the following:
    - ENSURE EQUITY AND NONDISCRIMINATION.—
      - Expand the EITC for Puerto Rico, funded in full by the Federal Government.
      - Extend credits to ITIN filers.
    - ESTABLISH A UNIVERSAL BASIC INCOME.—

- Eliminate the child-related components of the EITC, establishing a universal benefit for all taxpayers.
- Set the maximum EITC benefit to \$2,000.
- Eliminate the phase-in so that tax units with \$0 of earnings receive the maximum benefit.
- Change the phaseout percentage to 15 percent for all taxpayers.
- Change the phaseout amount to \$20,000 for all taxpayers.
- In the case of a joint return filed by an eligible individual and such individual’s spouse, the phaseout amount will be increased by \$5,000.
- ENSURE RESPONSIVENESS TO ECONOMIC NEEDS.—
  - Require the amount of the credit to be adjusted annually for inflation.
- ENSURE EASE OF ACCESS.
  - Require the Department of the Treasury to make the credit advanceable and require the Social Security Administration to administer all EITC payments on a monthly basis.

### **5C: Federal “Baby Bonds” Program**

- Incorporate the [American Opportunity Accounts Act](#) [Booker / Pressley] to establish a universal federal “baby bonds” program for all American children.

### **5D: Federal Jobs Guarantee Pilot Program**

- Incorporate the [Federal Jobs Guarantee Development Act](#) [Booker / Omar] to establish a three-year pilot program for a federal jobs guarantee in 15 high-need communities.

### **5E: Postal Banking**

- Incorporate the [Postal Banking Act](#) [Gillibrand], which grants the U.S. Postal Service (USPS) the power to provide basic financial services, including:
  - Low-cost, small-dollar loans, in specified amounts;
  - Small checking accounts and interest-bearing savings accounts in specified amounts, alone or in partnership with depository institutions and federal credit unions;
  - Transactional and remittance services; and
  - Other basic financial services in the public interest.

### **5F: Fair Share Tax System**

- REPEAL THE WORST GIVEAWAYS TO WEALTHY HOUSEHOLDS.—
  - Repeal the Tax Cuts and Jobs Act (i.e., Trump-GOP tax cuts), which will:
    - Restore the tax rates on ordinary income for earners above the \$250,000 level, bringing the top tax rate back to 39.6%.
    - Phase out the 20% business income tax deduction that applies to “pass-through” businesses for earners above \$250,000.
  - Maintain those provisions that:
    - Increased the size of the standard deduction;
    - Allowed a tax credit for paid family and medical leave; and
    - Allowed a tax exemption for parking and public transportation that is provided to employees.

- *Note: This repeal should be harmonized with the following changes (e.g., modification and/or imposition of a wealth tax, estate tax, offshoring loopholes, and corporate taxes), as well as the Child Tax Credit reform in Section 3, Subsection 2.*
- WEALTH TAX.—
  - Establish a wealth tax for households that have a net worth of \$32 million or more. Such tax shall include:
    - For married couples:
      - A 1% tax on household net worth between \$32 million and \$50 million;
      - A 2% tax on household net worth between \$50 million and \$250 million; and
      - A 3% tax on household net worth between \$250 million and \$500 million; and
      - A 4% tax on household net worth between \$500 million and \$1 billion; and
      - A 5% tax on household net worth between \$1 billion and \$2.5 billion; and
      - A 6% tax on household net worth between \$2.5 billion and \$5 billion; and
      - A 7% tax on household net worth between \$5 billion and \$10 billion; and
      - An 8% tax on household net worth above \$10 billion.
    - For single individuals:
      - A 1% tax on household net worth between \$16 million and \$25 million;
      - A 2% tax on household net worth between \$25 million and \$125 million; and
      - A 3% tax on household net worth between \$125 million and \$250 million; and
      - A 4% tax on household net worth between \$250 million and \$500 million; and
      - A 5% tax on household net worth between \$500 million and \$1.25 billion; and
      - A 6% tax on household net worth between \$1.25 billion and \$2.5 billion; and
      - A 7% tax on household net worth between \$2.5 billion and \$5 billion; and
      - An 8% tax on household net worth above \$5 billion; and
    - A national wealth registry with stringent third-party reporting requirements.
- TAX WEALTH INCOME LIKE WORK INCOME.—
  - Establish the following taxes:
    - For top earners with incomes above \$250,000, equalize the tax rates paid on long term capital gains from the sale of investments (such as stocks, businesses, and real estate) and dividend income with the rates that they pay on wages and salaries by raising the top tax rate of 20% on capital gains to match the top tax rate on wages and salaries.
    - Close the loophole that lets the wealthy pass trust fund assets, such as stock, to their kids without paying taxes on the increase in the value of those assets. End

the stepped-up basis loophole and require the wealthy to pay income tax on previously untaxed capital gains at the time of transfer to heirs.

- ESTATE TAX REFORM.—
  - Incorporate the [For the 99.8 Percent Act](#) [Sanders], which:
    - Taxes estates valued at over \$1 billion at a rate of 77 percent;
    - Lowers the exclusion amount for estates to \$3.5 million;
    - Ends tax breaks for dynasty trusts;
    - Closes other loopholes in the estate and gift tax; and
    - Protects farmland and conservation easements.
- ESTABLISH A MILLIONAIRES SURTAX.—
  - Establish a 10% surtax on adjusted gross income over \$2 million for couples and \$1 million for individuals, applied to all income, including work and investments.
- CORPORATE TAX REFORM.—
  - Restore the corporate income tax rate to 35%; and
  - Assess a 7% surtax on reported corporate profits that exceed \$100 million.
- END SPECIAL BREAKS FOR BIG BUSINESSES.—
  - Eliminate tax breaks for the real estate industry, including “like-kind exchange,” which would require capital gains taxes to be paid when an asset is sold for a profit, rather than exchanged with a similar asset to indefinitely delay paying taxes.
  - Close loopholes allowing wealthy business owners to avoid taxes that fund Medicare and the Affordable Care Act, which will apply a 3.8% Medicare tax to all business profits of high-income taxpayers and ensure owners of professional services businesses pay self-employment taxes.
  - Close the carried interest loophole that allows general partners in wealthy investment funds to pay the lower 20% capital-gains tax on “carried interest” and raise the rate to 37%, which is the income tax rate.
- MAKE WALL STREET PAY ITS FAIR SHARE.—
  - WALL STREET SALES TAX.—
    - Incorporate the [Wall Street Tax Act](#) [Schatz].
  - FEE ON BIG BANKS.—
    - Large financial institutions, those with at least \$50 billion in assets, shall be assessed a tax of 0.15% on all uninsured liabilities—riskier than customer deposits, which are insured by the FDIC.
- CLOSE OFFSHORE LOOPHOLES.—
  - Incorporate the [Corporate Tax Dodging Prevention Act](#) [Sanders], which would ensure that offshore profits are taxed at the same 35% rate as domestic profits; and
  - Raise the Base Erosion and Anti-abuse Rate (BEAT) to 17.5% and eliminate the tax preference for Foreign Derived Intangible Income (FDII).
- ENFORCE TAX COMPLIANCE BY THE WEALTHY AND CORPORATIONS.—
  - MANDATORY AUDITS.—
    - Mandate minimum audit levels for high-income individuals as well as high gross-income corporations:
      - Audit at least 50% of individuals who earn \$100 million or more;
      - Audit at least 35% of individuals who earn no less than \$10 million or no more than \$100 million;

- Audit at least 20% of individuals who earn no less than \$5 million or no more than \$10 million;
  - Audit at least 10% of individuals who earn no less than \$1 million or no more than \$5 million;
  - Audit at least 90% of corporations with gross income more than \$20 billion; and
  - Audit at least 50% of corporations with gross income between \$1 billion and \$20 billion.
- FUNDING AUTHORIZATION.—
  - Significantly increase IRS funding levels over the next decade to ensure the agency has the funding it needs to ramp up enforcement, hire and retain additional staff, modernize a dated IT infrastructure, and increase taxpayer support services. The following sums shall be authorized for appropriation:
    - \$5 billion in additional funding (on top of annual appropriations) for ENFORCEMENT for Fiscal Years 2021 through 2030.
    - \$3.8 billion in additional funding (on top of annual appropriations) for OPERATIONS SUPPORT for Fiscal Years 2021 through 2030;
    - \$500 million in additional funding (on top of annual appropriations) for BUSINESS SYSTEM MODERNIZATION for Fiscal Years 2021 through 2030; and
    - \$2.5 billion in additional funding (on top of annual appropriations) for TAXPAYER SERVICES for Fiscal Years 2021 through 2030.
- EQUITY AUDIT.—
  - Require the Statistics of Income Division of the IRS and the Office of Tax Analysis at Treasury to include race and ethnicity as part of their tax data analysis, which includes requiring those offices to produce studies on how the “upside-down” tax expenditures related to wealth building—including savings incentives, homeownership subsidies, and preferential tax rates on investment income—affect the racial wealth gap.
  - Require the IRS Commissioner to document, in consultation with the Office of the Taxpayer Advocate and the Department of Justice (DOJ) Office of Civil Rights, that tax enforcement actions do not vary by race or ethnicity.
    - This analysis should include the rates and amounts of settlements reached in disputes with taxpayers by the race and ethnicity of the taxpayers involved, as recorded by the IRS Chief Counsel.
- FEDERAL TAX COMMISSION.—
  - ESTABLISHMENT.—
    - There is established an independent Tax Justice Commission (“Commission”) to study and propose policies that will further reform the tax code in specifically enumerated ways.
  - DUTIES.—
    - The Commission shall propose changes to tax policy that:
      - Increase racial and economic equity, including through reforms that increase the top marginal tax rate to levels that are commensurate with historical highs and comparable nations abroad;
      - Eliminate the racial wealth gap;

- Reduce overall income and wealth inequality to a degree that is no greater than the level found in the United States in 1967;
- Reduce income and wealth inequality between zip codes;
- Curb deductions that let the wealthy reduce their taxes, including mortgage interest deductions;
- Tax carbon at levels that are necessary for achieving environmental goals; and
- Ensure a complete end to childhood poverty.
- HEARINGS AND RESEARCH METHODS.—
  - The Commission shall use a participatory process that includes:
    - Listening sessions in jurisdictions nationwide, not fewer than fifty percent (50%) of which must be:
      - In zip codes that were previously redlined;
      - In zip codes that have been disproportionately subject to arrest and incarceration; and
      - In zip codes that are in the lowest tenth socioeconomically, as measured by community poverty rate;
    - An open, transparent process that includes public access to Commission proceedings and documents; and
    - A comment period that allows individuals and organizations nationwide to express their feedback.
  - The Commission may, for the purpose of carrying out the provisions of this section, hold such hearings and sit and act at such times and at such places in the United States, and request the attendance and testimony of such witnesses and the production of such books, records, correspondence, memoranda, papers, and documents, as the Commission considers appropriate. The Commission may invoke the aid of an appropriate United States district court to require, by subpoena or otherwise, such attendance, testimony, or production.
- MEMBERSHIP.—
  - The Commission shall be made up of 13 members, who are appointed within 90 days after the date of enactment of this Act, as follows:
    - 3 members shall be appointed by the President;
    - 2 members shall be appointed by the Senate President Pro Tempore;
    - 2 members shall be appointed by the Speaker of the House; and
    - 6 members shall be selected from the major civil society and reparations organizations that have historically championed the cause of tax justice.
  - Not more than 7 members may be from the same political party.
  - The Commission shall be composed of members who represent the diversity of the United States population, including diversity based on racial, ethnic, class, gender, sex (including sexual orientation and gender identity), disability status, and membership in a Tribal Nation.
- TERMS.—
  - The term of office for members shall be for the life of the Commission. A vacancy in the Commission shall not affect the powers of the Commission and shall be filled in the same manner in which the original appointment was made.
- FIRST MEETING.—



- The President shall call the first meeting of the Commission within 120 days after the date of the enactment of this Act or within 30 days after the date on which legislation is enacted making appropriations to carry out this Act, whichever date is later.
- QUORUM.—
  - Seven members of the Commission shall constitute a quorum, but a lesser number may hold hearings.
- CHAIR AND VICE CHAIR.—
  - The Commission shall elect a Chair and Vice Chair from among its members. The term of office of each shall be for the life of the Commission.
- COMPENSATION.—
  - Each member of the Commission shall receive compensation at the daily equivalent of the annual rate of basic pay payable for GS–18 of the General Schedule under section 5332 of title 5, United States Code, for each day, including travel time, during which he or she is engaged in the actual performance of duties vested in the Commission.
  - A member of the Commission who is a full-time officer or employee of the United States or a Member of Congress shall receive no additional pay, allowances, or benefits by reason of his or her service to the Commission.
  - All members of the Commission shall be reimbursed for travel, subsistence, and other necessary expenses incurred by them in the performance of their duties to the extent authorized by chapter 57 of title 5, United States Code.
- PRESENTATION OF FINDINGS.—
  - The Commission shall submit a written report of its findings and recommendations to the Congress not later than the date which is six months after the date of the first meeting of the Commission.
  - The Commission shall present their findings to Congress through:
    - A public hearing that allows for public comments; and
    - A report that is posted online and easily accessible.
- TERMINATION.—
  - The Commission shall terminate 90 days after the date on which the Commission submits its report to the Congress.
- AUTHORIZATION OF APPROPRIATIONS.—
  - To implement this Subsection, there are authorized to be appropriated \$12,000,000.

**5G: Programs to Address Occupational Segregation**

- REQUIREMENT OF FEDERAL AUDIT OF WORKFORCE INNOVATION AND OPPORTUNITY ACT FUNDING.—
  - Require an audit of funds that are authorized pursuant to the Workforce Innovation and Opportunity Act, with the goal that this audit:
    - Examine to what degree WIOA funding is enabling, furthering, or failing to address occupational segregation, including segregation based on race, gender, ethnicity, disability status, sexual orientation, any other protected characteristics, or status of having a criminal conviction; and

- Identify ways that WOIA funding could be restructured to advance racial equity;
    - Identify ways that WOIA funding could be restructured to reduce any occupational segregation that is identified pursuant to this audit.
  - AUTHORIZATION OF GRANTS ADDRESSING OCCUPATIONAL SEGREGATION.—
    - ESTABLISHMENT.—
      - The Department of Labor shall create a formula grant that will allow recipient jurisdictions to:
        - Examine occupational segregation within their jurisdictions, including segregation based on race, gender, ethnicity, disability status, sexual orientation, any other protected characteristics, or status of having a criminal conviction; and
        - Implement a plan that will address such segregation.
    - ELIGIBLE RECIPIENTS.—
      - State governments, local governments, and Tribal Nations shall be eligible for this grant.
    - ELIGIBLE USES OF FUNDING.—
      - Funding under this grant shall subsidize the following phases:
        - PLANNING PHASE.—
          - During the planning phase, recipient jurisdictions must:
            - Conduct a survey of occupational segregation within their jurisdictions; and
            - Create a redress plan to address this segregation.
        - IMPLEMENTATION PHASE.—
          - Jurisdictions that successfully complete the planning phase may apply for funding that will enable implementation of the redress plan developed.
  - FUNDING AUTHORIZATION.—
    - From funds in the Treasury not otherwise appropriated, there are appropriated to the Secretary such sums as may be necessary to implement this Subsection.

#### **5H: Racial and Historical Equity for Farmers**

- ESTABLISHMENT.—
  - There is established within the United States Department of Agriculture (USDA) an Undersecretary for Racial and Historical Equity.
- DUTIES OF THE UNDERSECRETARY.—
  - The Undersecretary shall be authorized to establish and oversee policies and programs that advance racial and historical equity for Black farmers, Latinx farmers, Indigenous farmers, and other groups who have faced systemic discrimination by the USDA. Such programs shall include, but are not limited to:
    - DEBT FORGIVENESS.—
      - The Undersecretary shall develop a debt and tax liability forgiveness program to forgive the debt—including both private and public tax debt—of Black farmers, Latinx farmers, and Indigenous farmers who

- owned, leased, or attempted to own or lease, farmland in a district where there is evidence of USDA discrimination. Such plan must:
- Suggest a requested funding authorization for the following five years, as necessary to effectuate the program;
  - Include a suggested formula for calculating dollars owed;
  - Include a suggested mechanism for identifying program beneficiaries; and
  - Include a suggested mechanism for dispensing the dollars owed.
- **ACCESS TO LAND.—**
- The Undersecretary shall:
    - Develop a land trust within the USDA that will:
      - Explore all options for purchasing farmland in such a way that furthers racial equity in the industry;
      - Sell this farmland to beginning farmers who come from marginalized or under-represented communities, allowing these farmers to purchase the land interest free and at a reduced and/or subsidized rate; and
      - Include specific benchmarks for sales to Black farmers;
    - Develop and execute a plan to ensure new and diverse farmers, including those who are Black, Latinx, and Indigenous, have adequate access to the Farm Credit System; and
    - Require that no less than 10 percent of Farm Credit System profits be allocated towards supporting new and diverse farmers through regional lending mechanisms.
- **EXPANDED ACCESS TO ESTATE PLANNING.—**
- The Undersecretary shall develop a USDA program to support new and diverse farmers who have no living will, including those who are Black, Latinx, and Indigenous, with estate planning, including access to free legal aid.
- **OVERSIGHT OF PARTITIONED LAND SALES AND HEIRS' PROPERTY.—**
- The Undersecretary shall develop a program within the USDA that:
    - Provides free legal assistance to farmers of heirs' property;
    - Ensure heirs' property farmers have access to federal programs, including programs at FEMA and HUD; and
    - Catalogues and monitors data on sales of partitioned land.
- **RESEARCH AND TECHNICAL ASSISTANCE.—**
- The Undersecretary shall:
    - Establish and/or expand research and technical assistance programs at the USDA to identify and resolve challenges that are unique to Black farmers and other farmers from marginalized or under-represented communities, including challenges related to mental health;
    - Design a localized outreach plan to ensure Black farmers are informed about and able to access federal programs;

- Allocate additional funding to 1890 land-grant institutions and other programs dedicated to education, training, and research for Black and marginalized farmers;
  - Create a fund to assist farmers with provenance deed analysis; and
  - Create a program to provide farmers with technical assistance with researching historical and/or genealogical claims to farmland.
- AUDITING.—
- The Undersecretary shall:
    - Conduct internal audits of the USDA to ensure that the Agency is approving loans to Black farmers at the same rate as white farmers;
    - Conduct an annual review of USDA programs that provide funding to individuals, organizations, and local, State, and Tribal jurisdictions, so as to:
      - Assess the equity impact of current USDA grant programs, including how grant dollars are currently serving to reduce or widen disparities based on race, gender, disability, or socioeconomic status;
      - Where grant dollars are available to community-based organizations and nonprofits, the extent to which Agency grant dollars are being awarded to racially and geographically diverse organizations;
      - Using the data gathered in the equity and grant-making assessments, offer recommendations on ways that application requirements, spending restrictions, provision of technical assistance, or other grant-making characteristics could better serve to advance equity goals and benefit diverse organizations; and
      - Submit these recommendations directly to the Secretary of the DOE via an Equity Impact Report.
    - Working with the Office of the Assistant Secretary for Civil Rights, establish an accessible, online civil rights complaint database and regularly publish statistics about:
      - The race, gender, and age of complainants;
      - The speed at which the complaints are processed;
      - The number of complaints found to have merit;
      - The number of pending complaints; and
      - The resolution of complaints.
    - Regularly publish reports that analyze the resolution of complaints, including statistics disaggregated by race, age, and gender; and
    - Appoint an ombudsman to assist Black farmers and farmers from other underrepresented groups in navigating the complaints process.

- **AUTHORIZATION OF APPROPRIATIONS.—**
  - From funds in the Treasury not otherwise appropriated, there are appropriated to the Secretary such sums as may be necessary to implement this Subsection.

**5I: Commission on Economic Security Program Redesign**

- **ESTABLISHMENT.—**
  - There is established the independent Commission to Study Economic Security Program Redesign, having the characteristics outlined in this Subsection, that will audit federal child welfare policies and federal funding streams financing State child welfare systems..
- **PARTICIPATORY PROCESS.—**
  - The Commission shall use a participatory process that includes:
    - Listening sessions in jurisdictions nationwide;
    - An open, transparent process that includes public access to Commission proceedings and documents; and
    - A comment period that allows individuals and organizations nationwide to express their feedback.
- **DUTIES OF THE COMMISSION.—**
  - **FEDERAL AUDITS.—**
    - **TEMPORARY ASSISTANCE FOR NEEDY FAMILY FUNDING.—**
      - The Commission will audit federal funds authorized pursuant to the Temporary Assistance for Needy Families (TANF) Program and report on the following:
        - The degree to which TANF funding is meeting the needs of low-income individuals, including specific attention to groups that have faced historic discrimination based on race, gender, ethnicity, disability status, sexual orientation, status of having a criminal conviction, or any other protected characteristics;
        - The degree to which TANF is capable of meeting specific needs that arise during periods of economic crisis, including financial recessions;
        - The degree to which TANF oversight is sufficiently ensuring that State restrictions are serving the goals of the TANF program;
        - The degree to which TANF is adequately serving all family structures, including both one-parent and two-parent households;
        - The degree to which TANF funding is used directly or indirectly to incentivize child removal through the child welfare system, including by subsidizing foster care services; and
        - The degree to which TANF is furthering economic disenfranchisement of groups that have faced historic discrimination based on race, gender, ethnicity, disability status, sexual orientation, status of having a criminal conviction, or any other protected characteristics.
    - **NUTRITIONAL PROGRAM FUNDING.—**

- The Commission will audit federal funds authorized pursuant to the Supplemental Nutrition Assistance Program (SNAP), Women, Infants and Children (WIC), and Child and Adult Food Care Programs (CAFCP) and report on the following:
  - The degree to which SNAP, WIC, and CAFCP are currently meeting the nutritional needs of U.S. families;
  - The degree to which SNAP, WIC, and CAFCP funding is meeting the needs of low-income individuals, including specific attention to groups that have faced historic discrimination based on race, gender, ethnicity, disability status, sexual orientation, status of having a criminal conviction, or any other protected characteristics;
  - The degree to which SNAP, WIC, and CAFCP are capable of meeting specific needs that arise during periods of economic crisis, including financial recessions; and
  - The degree to which any eligibility requirements other than income, including asset tests, are hindering access to SNAP, WIC, and CAFCP.
- EXAMINATION OF LOW-INCOME FAMILY NEEDS.—
  - The Commission shall review:
    - The poverty thresholds, the thresholds used under the supplemental poverty measure, and other measures of income that are needed to support families, including:
      - Families of different sizes;
      - Families inhabiting different areas of the country; and
      - Attention to housing and transportation costs;
    - How programs including Medicaid, SNAP, TANF, WIC, CAFCP, housing assistance, unemployment insurance, and refundable tax credits respond during periods of State or national economic crisis; and
    - How program responsiveness varies across States and programs.
- MAKE RECOMMENDATIONS.—
  - OVERALL.—
    - The Commission shall identify ways that poverty thresholds could be adjusted to better meet the needs of low-income individuals.
  - TANF.—
    - The Commission shall identify ways that TANF funding could be restructured to:
      - Reduce any deficiencies that are identified pursuant to this audit;
      - Ensure a basic income for communities that have faced historic discrimination from both the labor market and social programs, including discrimination based on race, gender, ethnicity, disability status, sexual orientation, status of having a criminal conviction, or any other protected characteristics;
      - Ensure that all families have sufficient resources to meet their economic needs and maintain stability; and

- Ensure adequate oversight of TANF funds, including the identification and prevention of State policies that structure TANF funds in ways that have a discriminatory effect based on race.
- NUTRITIONAL PROGRAMS.—
  - The Commission shall identify ways that SNAP, WIC, and CAFPC funding could be restructured to meet all families’ and communities’ nutritional needs, such as by:
    - Centralizing SNAP under the Social Security Administration as one uniform federal program;
    - Converting the programs into cash benefits;
    - Eliminating all eligibility requirements other than income;
    - Creating a new uniform, federal benefit formula for SNAP based solely on gross income rather than net income;
    - Revising the assumption rule in SNAP regarding what households can spend on food so that it reflects the current purchasing behaviors of U.S. households;
    - Increasing the value of benefits further in high-food-cost counties;
    - Expanding immigrant eligibility;
    - Increasing program uptake by extending waivers that have been shown to support participation, such as allowing telephonic signatures and removing the requirement for in-person visits; and
    - Repealing any time limits on SNAP benefits.
- MEMBERSHIP.—
  - The Commission shall be made up of 13 members, all appointed by the Secretary of the Department of Health and Human Services within 90 days after the date of enactment of this Act.
  - Not more than 7 members may be from the same political party.
  - Not less than 50% of individuals on the Commission must be comprised of:
    - Individuals who have received TANF, SNAP, WIC, CAFPC, Medicaid, or TANF within the last five years;
    - Low-income individuals who have not received public benefits within the last five years;
    - Social workers;
    - Local advocates who work on issues of racial and/or economic justice; and
    - Youth.
  - Membership of the Commission shall reflect the racial, religious, ethnic, gender, sexual orientation, disability status, immigration status, and other diversities of the United States, including representation for Black people, Latinx people, Indigenous people, LGBT and queer people, women, youth, and other groups that have been disproportionately impacted by the welfare system.
- TERMS.—

- The term of office for members shall be for the life of the Commission. A vacancy in the Commission shall not affect the powers of the Commission and shall be filled in the same manner in which the original appointment was made.
- **FIRST MEETING.—**
  - The Secretary of the Department of Health and Human Services shall call the first meeting of the Commission within 120 days after the date of the enactment of this Act or within 30 days after the date on which legislation is enacted making appropriations to carry out this Act, whichever date is later.
- **QUORUM.—**
  - Seven members of the Commission shall constitute a quorum, but a lesser number may hold hearings.
- **CHAIR AND VICE CHAIR.—**
  - The Commission shall elect a Chair and Vice Chair from among its members. The term of office of each shall be for the life of the Commission.
- **COMPENSATION.—**
  - Each member of the Commission shall receive compensation at the daily equivalent of the annual rate of basic pay payable for GS–18 of the General Schedule under section 5332 of title 5, United States Code, for each day, including travel time, during which he or she is engaged in the actual performance of duties vested in the Commission.
  - A member of the Commission who is a full-time officer or employee of the United States or a Member of Congress shall receive no additional pay, allowances, or benefits by reason of his or her service to the Commission.
  - All members of the Commission shall be reimbursed for travel, subsistence, and other necessary expenses incurred by them in the performance of their duties to the extent authorized by chapter 57 of title 5, United States Code.
- **PRESENTATION OF FINDINGS.—**
  - The Commission shall submit a written report of its findings and recommendations to the Congress not later than the date which is 1 year after the date of the first meeting of the Commission.
  - The Commission shall present their findings to Congress through:
    - A public hearing that allows for public comments; and
    - A report that is posted online and easily accessible.
  - Following the public hearing, the Commission shall have 3 months to revise and resubmit the report and recommendations, either incorporating the relevant feedback or providing a written explanation as to why such feedback does not advance the Commission goals set forth in this Subsection.
- **TERMINATION.—**
  - The Commission shall terminate 90 days after the date on which the Commission submits its report to the Congress.
- **AUTHORIZATION OF APPROPRIATIONS.—**
  - To implement this Subsection, there are authorized to be appropriated \$12,000,000.

## **5J: Economic Justice Grant Program**

- **OVERVIEW.—**
  - The Department of Labor (“Department” or “DOL”) shall establish Economic Justice competitive and formula grants.



- **FORMULA GRANT FRAMEWORK.—**
  - Eligible applicants under the formula grant shall be Tribal governments.
  - The Secretary shall determine, in consultation with the Secretary of the Interior and with Tribal Nations, a formula for distributing grant dollars,. Such formula shall be designed to:
    - Fulfill the United States treaty and trust obligations to Tribal Nations; and
    - Uphold the rights of Indigenous peoples that are set forth by UNDRIP.
  - Under this grant, funding is authorized for any purpose that:
    - Advances one or more goals set forth in the competitive grant; and
    - Meets the Agency grant requirements in Section 1.
- **APPLICATION REQUIREMENTS FOR COMPETITIVE GRANT.—**
  - The competitive grant shall be open to State and local governments.
  - A State or local government seeking a grant award under this Subsection shall submit to the Secretary, in such manner as the Secretary requires, an application that meets the following requirements and contains such additional information, provisions, and assurances as the Secretary may require:
    - A description of how the jurisdiction has engaged, and will continue to engage, in a public process during the design, implementation, monitoring, and evaluation of the services that will be delivered under this grant program.
  - Such process shall include input from:
    - People who have lived expertise and who would be eligible for services that are funded through this grant program, including currently or formerly incarcerated individuals;
    - Families of such individuals;
    - Community-based organizations that serve such individuals; and
    - Other interested stakeholders.
  - The application shall include a summary of public input, including:
    - The issues raised during the public engagement process; and
    - How the jurisdiction addressed the issues raised in its final application.
- **COMPETITIVENESS FRAMEWORK.—**
  - No later than six months after this Act becomes law, the DOL shall develop a framework for evaluating competitive applicants. This framework shall include points for:
    - **INCREASING ECONOMIC JUSTICE.—**
      - Addressing the primary issues that are causing wealth and income disparities jurisdiction-wide.
    - **PRESERVING THE DIGNITY OF LABOR.—**
      - Ensuring that domestic workers have access to a living wage, such as by:
        - Passing a Domestic Workers Bill of Rights; and
        - If applicable, establishing a \$24/hour minimum wage (pegged to inflation) and eliminate the subminimum tipped wage, as well as sub-minimum wages for work performed by people with disabilities.
      - Ensuring employers follow fair scheduling practices, such as by:
        - Requiring advance notice of work schedules;

- Ensuring employees are given additional compensation for unexpected schedule changes or “on-call” hours;
- Providing employees with the right to accept or decline added or lengthened shifts;
- Requiring mandatory “rest periods” between shifts; and
- Providing employees with the right to request scheduling accommodations.
- Preventing the erosion of labor standards, such as by:
  - Extending full workplace rights as defined in the Fair Labor Standards Act and Title VII of the Civil Rights Act to workers who are in industries that are excluded from labor protections, including domestic workers, childcare workers, home health aides, farm workers, garment workers, app-dispatched workers, tipped workers, and others typically mislabeled by their employers as “independent contractors,” interns, volunteers, trainees, and fellows; and
  - Establishing joint employer liability for companies that contract out work to temp agencies and other labor contractors, require equal pay for direct hires and contracted workers, and end government incentive programs like the WOTC that subsidize low-wage temp work and create an incarceration-to-temp pipeline.
- Strengthening union rights, such as by:
  - Ensuring that all workers in public and private sectors, including workers in “On Demand Economy” jobs, can fully access their right to unionize.
- Addressing historical injustices, such as by:
  - Subsidized job programs, such as transitional jobs and apprenticeships, that specifically target the most economically disadvantaged individuals, including a preference for communities that were specifically targeted by redlining; and
  - Phasing out eligibility and use of tipped minimum wage certificates under Section 14(c) of the Fair Labor Standards Act of 1938, and moving toward a competitive integrated employment model.
- MEDICAID UTILIZATION.—
  - Explaining how the selected programs and services will maximize use of Medicaid dollars
- PARTICIPATORY PROCESS.—
  - Using a participatory process to develop the grant application and create the clear, time-bound action plans contained therein, where such process includes:
    - Meaningful input from individuals who have been directly impacted by income and wealth disparities;
    - Input at all stages, including those required in the grant application; and

- Financial compensation to those individuals who offer their time and labor to provide input.
  - EQUITY TARGETING.—
    - Local applicants shall be given additional points based on whether the community:
      - Was historically redlined;
      - Is defined as a Disproportionately Impacted Area (DIA), where such definition exists;
      - Has employment that is reliant on prisons, jails, or immigrant detention centers;
      - Has high rates of unemployment;
      - Has high rates of eviction and/or foreclosure;
      - Has high rates of housing vacancies;
      - Has high rates of underemployment; and/or
      - Has been disproportionately subject to high arrest and incarceration rates.
- ELIGIBLE FUNDING USE.—
  - Selected applicants may use their grant awards toward programs that include, but are not limited to:
    - ENHANCING JOB OPPORTUNITIES.—
      - Career pathway, workforce development, and jobs training programs, that target the most economically disadvantaged individuals, including a preference for communities that were specifically targeted by redlining; and
      - Creating alternative high-quality job opportunities that are non-carceral and non-punitive in communities, particularly rural communities, whose economies revolve around the police, jails, prisons, the military, and Border Patrol as the only viable employment sectors.
    - BUILDING COMMUNITY WEALTH.—
      - Start-up funds for establishing worker-owned cooperatives and businesses that are being started by individuals who:
        - Have been directly impacted by the criminal-legal system (e.g. who have criminal convictions or are formerly incarcerated); and
        - Have experienced barriers accessing credit, loan, and other financing mechanisms, including due to racial and other discrimination.
    - BUILDING COMMUNITY INFRASTRUCTURE.—
      - Developing, building, and supporting organizational infrastructure for community-based, grassroots organizations, which may include (but is not limited to):
        - Investments in fiscal agency, fiscal sponsorship, program evaluation, and shared administrative infrastructure amongst community-based organizations;
        - Technical assistance; and

- Pro-bono professional services, including lawyers who have expertise on contracts, risk management, financial management, and accountants, etc) and marketing and/or promotion for community-based organizations.
- **FUNDING AUTHORIZATION.**—
  - There is authorized to be appropriated \$15,000,000,000 to implement this Subsection, which funds shall remain available until expended.

### **5K: Office of Racial and Economic Equity**

- **ESTABLISHMENT.**—
  - There is established within the United States Department of Labor (DOL) an Undersecretary for Racial and Economic Equity.
- **DUTIES OF THE UNDERSECRETARY.**—
  - The Undersecretary shall be authorized to conduct an annual review of DOL programs that provide funding to individuals, organizations, and local, State, and Tribal jurisdictions, so as to:
    - Assess the equity impact of current DOL grant programs, including how grant dollars are currently serving to reduce or widen economic disparities based on race, gender, and disability;
    - Where grant dollars are available to community-based organizations and nonprofits, the extent to which Agency grant dollars are being awarded to racially and geographically diverse organizations;
    - Using the data gathered in the equity and grant-making assessments, offer recommendations on ways that application requirements, spending restrictions, provision of technical assistance, or other grant-making characteristics could better serve to advance equity goals and benefit diverse organizations; and
    - Submit these recommendations directly to the Secretary of the DOL via an Equity Impact Report.
- **OVERSIGHT.**—
  - Not later than 60 days after receiving the annual Equity Impact Report that is described in this Subsection, the Secretary must report to Congress:
    - Key findings from the Equity Impact report;
    - Changes made, or planned to be made, pursuant to the report recommendations; and
    - For any changes not pursued, an explanation as to why such changes were unfeasible or incompatible with the authorizing statutory language.
- **AUTHORIZATION OF APPROPRIATIONS.**—
  - From funds in the Treasury not otherwise appropriated, there are appropriated to the Secretary such sums as may be necessary to implement this Subsection.

## **SUBSECTION 6: HOUSING JUSTICE**

### **6A: Sense of Congress**

- It is the sense of Congress that:
  - Housing is a fundamental right that has for too long been made out-of-reach to Black, Latinx, Indigenous, and other communities of color;

- The Federal Government must ensure that all people are guaranteed safe, accessible, sustainable, and affordable housing, without discrimination;
- Given its history of racially discriminatory housing policies and practices, the Federal Government must ensure that historically excluded groups have meaningful access to housing, including through community ownership; and
- Barriers to homeownership, including through redlining, have greatly exacerbated the racial wealth gap; and
- The following programs are a first and important step toward realizing a world where a home is a guarantee.

## **6B: Direct Investments in Housing**

- **FUNDING AUTHORIZATION.—**

- **SOCIAL HOUSING.—**

- **OVERVIEW.—**

- Authorize to be appropriated \$1,000,000,000,000 for fiscal years 2020 to 2029 to build at least 12,000,000 units of social housing. Such housing shall:
      - Exist permanently off the private housing market, and instead be owned and operated by local governments, non-profit providers, public housing authorities (PHAs), community land trusts, cooperatives, or mutual housing associations;
      - Be permanently affordable.

- **ADMINISTRATION.—**

- The Department of Housing and Urban Development (HUD) shall be authorized to administer this fund, including any grants made to PHAs and local governments pursuant to this subsection.
    - The Federal Government should issue bonds to create a new \$1 trillion revolving fund of subsidized-interest loans available to PHAs and municipalities, enabling them to borrow at low costs in exchange for building social housing.

- **RENTAL COSTS.—**

- Based on the operating and debt service costs of the development, the owner of a social housing development shall establish a nominal per-tenant rent based on residents' self-reported income.
    - Rent payments shall not exceed 25% of a resident's income or the nominal per-tenant rent, whichever is less.
    - Total rent should not exceed 95% of the market rate for comparable units in the area.
    - Tenants whose incomes increase after moving into the development will be protected by rent control.

- **PERMANENT SUPPORTIVE HOUSING.—**

- No less than 600,000 units of housing developed under this subsection shall be Permanent Supportive Housing. These units shall integrate free, non-coercive onsite support services for individuals experiencing chronic homelessness.

- **AFFORDABLE HOUSING INVESTMENTS.—**

- Incorporate the following provisions of Section 102 of the [Housing and Economic Mobility Act](#) [Warren], which authorized to be appropriated:
  - \$44,500,000,000 for each of fiscal 10 years 2020 through 2029 to the Housing Trust Fund;
  - \$2,500,000,000 for each of fiscal years 2020 through 2029 to Capital Magnet Fund;
  - \$2,500,000,000 for fiscal year 2020 and such sums as may be necessary for fiscal 7 years 2021 through 2029 to the Indian Housing Block Grant Program; and
  - \$8,000,000 for fiscal year 15 2020 to the Native Hawaiian Housing Block Grant Program.
- PUBLIC HOUSING.—
  - Authorize to be appropriated \$30,000,000,000, each year, for fiscal years 2020 through 2024 to the Public Housing Capital Fund. Turn this funding stream into mandatory, rather than discretionary, spending.
  - Repeal the Faircloth Amendment (Section 9(g)(3) of the Housing Act of 1937), which limits the Department of Housing and Urban Development from investing in new publicly owned homes.
  - Issue a moratorium on the loss of public housing, including ending the sale or transfer of public housing, “expiring use” developments, and public land to private owners.
  - End for-profit management of public housing, conversion of public housing into “mixed income” buildings, and demolition of public housing.
  - End the Rental Assistance Demonstration (RAD) program and any other program which would privatize public housing, carrying out the euphemistic “repositioning” of public housing units.
  - Transition for-profit management of public housing units to a public management over three years.
- COMMUNITY CONTROL AND ANTI-DISPLACEMENT.—
  - ESTABLISHMENT.—
    - The Secretary of Housing and Urban Development shall establish a program to be known as the “Community Control and Anti-Displacement Fund” to provide grants to local governments for the purposes of combating gentrification and neighborhood destabilization.
  - PRIORITY.—
    - The Secretary shall prioritize awards to local governments that propose projects or programs that encourage alternative ownership housing models that give renters agency over how the housing is operated and that protect housing affordability.
  - AUTHORIZATION OF APPROPRIATIONS.—
    - There is authorized to be appropriated to the Secretary of Housing and Urban Development \$200,000,000,000 for fiscal years 2021 through 2031 to carry out this section.
- SECTION 8 VOUCHERS.—

- Authorize such sums as necessary so that the Department of Housing and Urban Development (HUD) can fund Section 8 vouchers for all eligible households.

### **6C: Tribal Housing Justice**

- Reauthorize NAHASDA to ensure American Indians, Alaska Natives, and Native Hawaiians have access to safe, accessible, and affordable housing. Include, as part of this reauthorization, authorization for grants that support building water and electricity infrastructure for homes currently lacking such access.

### **6D: Expanding Discrimination Protections**

- STAND-ALONE PROTECTIONS.—
  - Create stand-alone federal protections against housing discrimination that is based on:
    - Gender identity;
    - Sexual orientation;
    - Source of income;
    - Immigration status;
    - Marital status; and
    - Veteran status.
- PROTECTIONS BASED ON CRIMINAL RECORD AND RENTAL HISTORY.—
  - Bar public housing agencies (PHAs) from denying or terminating federally assisted housing based on criminal conduct by the applicant or tenant.
  - Ban blanket “1-strike” policies, which allow tenants to be evicted for a single incident of criminal activity, no matter how minor, in favor of a holistic review;
  - Ban “no-fault” policies, which allow an entire family to be evicted for criminal activity by a guest of a household member even without the knowledge of anyone in the household;
  - Bar public housing agencies (PHAs) from denying or terminating federally assisted housing based on rental history or prior evictions.
- INCREASED ENFORCEMENT OF HOUSING DISCRIMINATION LAWS.—
  - Authorize the appropriation of such sums as may be necessary for the Department of Housing and Urban Development to aggressively enforce federal anti-discrimination laws, including education and litigation to enforce the Fair Housing Act and protect people of color who face discrimination based on criminal history.

### **6E: Down Payment Assistance Program**

- OVERVIEW.—
  - The Department of Housing and Urban Development (HUD) shall develop a grant program that provides assistance with down payments and closing costs, specifically for communities that were historically redlined or subject to other housing discrimination, including discrimination against Indigenous communities. This program shall follow the framework in [Section 201 of the Housing and Economic Mobility Act](#) (Warren), but shall include the following modifications:
    - MAXIMUM PAYMENT.—
      - Increase the cap on the amount that can be provided in down payment assistance. Rather than 3.5% of the appraised value, the new cap would be 10% of the appraised value.

- ELIGIBLE RECIPIENTS.—
    - An eligible recipient shall be a person whose income is less than 200 percent of the Area Median Income.
- Note existing language defining targeting:
  - Not later than 1 year after this Act becomes law, the Secretary shall—
    - (1) in consultation with interested parties, including housing counseling agencies approved by the Secretary and individuals or groups with expertise in fair housing, finalize regulations relating to the use of the fund established under subsection (c), including defining the geographic areas in which residents are eligible to receive grants through the fund, which shall include—
      - (A) census tracts graded as “hazardous” or “definitely declining” in maps drawn by the Home Owners’ Loan Corporation that are, as of the date of enactment of this Act, low-income communities;
      - (B) census tracts that were designated for non-White citizens in jurisdictions that historically had racially segregated zoning codes and are, as of the date of enactment of this Act, low-income communities; and
      - (C) census tracts that are racially or ethnically concentrated areas of poverty, which shall mean a census tract—
        - (i) with a non-White population of 50 percent or more; and
        - (ii)(I) in which not less than 40 percent of families living in the census tract have incomes that are at or below the poverty line; or
        - (II) in which the average tract poverty rate is 3 or more times the average tract poverty tract for the metropolitan or micropolitan area.

## **6F: Housing Restoration Program**

- OVERVIEW.—
  - The Department of Housing and Urban Development (HUD) shall establish a pilot program called the Housing Restoration Fund (“Fund”), whereby federal funds will be used to buy, transfer, and restore abandoned properties in selected localities. These properties will be granted to local residents who have been impacted by redlining or racial segregation.
- ELIGIBLE COMMUNITIES.—
  - Localities eligible for the Housing Restoration Program shall be:
    - Localities eligible under the Down Payment Assistance Program; and
    - Localities experiencing economic decline and hyper-vacancies in the residential housing market.
  - Special attention shall be paid to promoting regional diversity when selecting pilot cities.
  - To be eligible, local governments must:



- Create a revitalization plan for the locality, including locally-funded investments in employment, education, infrastructure, and public resources. Special consideration will be paid to green revitalization plans that rely on wind, solar, or other renewable and sustainable sources of energy;
  - Create a financial plan for the city’s long-term sustainability;
  - Offer vacant properties held in land banks and create a plan to acquire other vacant or blighted properties; and
  - Outline a plan to purchase and transfer the properties, which meets the following requirements:
    - If abandoned properties have been purchased by outside investors not currently occupying them, the city may use its eminent domain powers to:
      - Take the properties for public use; and
      - Provide the purchasers just compensation.
- PROGRAM REQUIREMENTS.—
  - Once a locality is selected, the local government and the Federal Government shall take the following steps to establish a local Housing Restoration Grant Program:
    - HUD shall establish a special purpose trust with a limited charter that will purchase the pilot locality’s acquired properties from the city.
    - The pilot locality will establish a local office to administer the housing program locally, so as to support community revitalization. Responsibilities shall include, but not be limited to, the following:
      - The Office shall develop a formula for evaluating applicants given the homeowner eligibility requirements, as outlined below.
      - Homes will be given through an absolute grant (a fee simple grant) to qualified residents with a condition, enforced through a forgivable lien, to hold and improve the property for 10 years.
      - A grant for property improvements will accompany the property grant.
      - The Office shall create a loan assistance fund to aid eligible borrowers who may experience hardship with the loan payments.
- HOMEOWNER GRANTEE ELIGIBILITY.—
  - An eligible grantee shall be a resident of the selected pilot locality who:
    - Has less than the area median income (AMI) over the last five years; and
    - A current resident of the pilot locality who has lived in the area for a period of at least three years during the previous decade; or
    - A current resident of any historically redlined or racially segregated locality, or a resident of such a locality for at least three years over the previous decade.
- ELIGIBLE USES OF FUNDING.—
  - Selected local governments may use their grant funds toward:
    - Establishing jobs programs that are suitable to the locality;
    - Offsetting the costs of the loan assistance fund;
    - Undertaking property improvements and public infrastructure projects meeting the following criteria:
      - Using up-to-date green technology;
      - Employing local contractors and minority-owned businesses to the extent possible;

- Accompanying improvements with other public facilities such as parks, libraries, schools, and recreation facilities; and
- Using the most cost-effective means of improvement.

*Additional details may be found [here](#).*

## **6G: State Housing Justice Innovation Grant Programs**

- OVERVIEW.—
  - The Department of Housing and Urban Development (HUD) shall establish a competitive State Housing Justice Innovation Grant.
  - State governments are eligible for this grant.
- APPLICATION REQUIREMENTS FOR COMPETITIVE GRANT.—
  - A government entity seeking a grant award under this Subsection shall submit to the Secretary, in such manner as the Secretary requires, an application that meets the following requirements and contains such additional information, provisions, and assurances as the Secretary may require:
    - DESCRIPTION OF PROCESS.—
      - A description of how the State has engaged, and will continue to engage, in a public process during the design, implementation, monitoring, and evaluation of the services that will be delivered under this grant program.
      - Such process shall include input from:
        - People who have lived expertise and who would be eligible for services that are funded through this grant program;
        - Families of such individuals;
        - Community-based organizations that serve such individuals; and
        - Other interested stakeholders.
      - The application shall include a summary of public input, including:
        - The issues raised during the public engagement process; and
        - How the jurisdiction addressed the issues raised in its final application.
- COMPETITIVENESS FRAMEWORK.—
  - No later than six months after this Act becomes law, HUD shall develop a framework for evaluating applicants. This framework shall include points for:
    - ENDING DISCRIMINATION.—
      - Ending housing discrimination against survivors and individuals who are formerly incarcerated, such as by:
        - Codifying that survivors may not be denied housing by public housing authorities or private landlords because they have experienced violence or come into contact with police;
        - Issuing a moratorium on measures that cause the loss of public or other forms of subsidized housing, including ending the sale of public housing, “expiring use” developments, and public land to private owners;
        - Codifying a “ban the box” policy for individuals who are formerly incarcerated; and

- Establishing protections against “source of income” discrimination in public and private housing.
- ENSURING AFFORDABLE HOUSING FOR ALL.—
  - Ensuring affordable housing for all, such as by:
    - Modernizing and expanding the stock of quality, accessible, and affordable housing;
    - Providing assisted housing for disenfranchised residents, including but not limited to those who experience chronic homelessness and disabled people;
    - Addressing the impacts of gentrification, such as by:
      - Rehousing displaced people; and
      - Supporting the development of resident-run coops and Community Land Trusts.
- PARTICIPATORY PROCESS.—
  - Using a participatory process to develop the grant application and create the clear, time-bound action plans contained therein, where such process includes:
    - Meaningful input from individuals who have been directly impacted by homelessness, housing instability, or inability to access home ownership, or residence in a community that was historically redlined or is experiencing a high rate of vacancies;
    - Input at all stages, including those required in the grant application; and
    - Financial compensation to those individuals who offer their time and labor to provide input.
- ELIGIBLE SPENDING.—
  - Selected State governments may use their grant awards toward:
    - Modernizing and expanding the stock of quality accessible and affordable housing;
    - Providing assisted housing for disenfranchised residents, including but not limited to those who experience chronic homelessness and disabled people;
    - Expanding closing cost and down payment grants, specifically for low-income home buyers;
    - Supporting the development of Community Land Trusts;
    - Subsidizing broadband and Wi-Fi expansion in under-served communities; and
    - Making public transit free of cost.
- FUNDING AUTHORIZATION.—
  - There is authorized to be appropriated \$6,000,000,000 to implement this Subsection, which funds shall remain available until expended.

## **6H: Local Housing Justice Innovation Grant Program**

- OVERVIEW.—
  - The Department of Housing and Urban Development (HUD) shall establish a Local Housing Justice Innovation Grant Program.
  - Eligible applicants shall include:
    - Local governments; and

- Regional consortiums, which refer to two or more local governments (city or country) that apply jointly to develop coordinated housing and transit policies.
- COMPETITIVENESS FRAMEWORK.—
  - No later than six months after this Act becomes law, HUD shall develop a framework for evaluating applicants. This framework shall include points for:
    - ENSURING AFFORDABLE HOUSING FOR ALL.—
      - Ensuring affordable housing for all, and particularly for historically underserved residents, such as by:
        - Modernizing and expanding the stock of quality, accessible, and affordable housing;
        - Providing assisted housing for disenfranchised residents, including (but not limited to) those who experience chronic homelessness, those with mental illness, people returning from incarceration, and disabled people;
        - Addressing the impacts of gentrification, such as by:
          - Rehousing displaced people; and
          - Supporting the development of resident-run coops and Community Land Trusts; and
        - Ensuring safe, affordable housing for youth who have become too old for system-based care, including youth who were in foster care, were involved in the juvenile criminal-legal system, or were parenting.
    - ENSURING ACCESS TO OPPORTUNITY.—
      - Ensuring that all residents, and particularly historically underserved residents, have access to economic opportunity, including through:
        - An examination of transportation systems, both in the jurisdiction and regionally, so as to determine any transportation barriers that currently stymie low-income residents from accessing economic opportunities; and
        - The development of public transportation, bike routes, and street policies that more effectively link affordable housing options and economic opportunities.
    - ENDING RACIALLY DISCRIMINATORY ZONING.—
      - Improving the racial equity of housing accessibility and affordability, including (but not limited to) zoning changes that include:
        - In historically exclusionary neighborhoods, establishing “by-right” development, allowing those jurisdictions to administratively approve new developments that are consistent with their zoning code;
        - Revising or eliminating off-street parking requirements, which reduces the cost of housing production;
        - Instituting measures that incentivize owners of vacant land to redevelop the space into accessible affordable housing, childcare facilities, or other productive uses;

- Revising minimum lot size requirements and bans and/or limits on multifamily construction, allowing for denser and more affordable development;
- Instituting incentives to promote dense development, such as density bonuses;
- Passing inclusionary zoning ordinances that require a portion of newly developed units to be reserved for low- and moderate-income renters or homebuyers, including requirements that such reserved units remain affordable in perpetuity;
- Streamlining regulatory requirements and shortening processes, reforming zoning codes, or other initiatives that reduce barriers to housing supply elasticity and affordability;
- Allowing accessory dwelling units;
- Using local tax incentives to promote development of accessible affordable housing; and
- Implementing measures that protect tenants from harassment and displacement, including access to counsel for tenants facing eviction, the prohibition of eviction except for just cause, a warranty of habitability, and measures intended to prevent or mitigate sudden increases in rents.
- Such changes may not include activities that alter ordinances that govern wage and hour laws, family and medical leave laws, environmental protections, or protections for workers' health and safety, anti-discrimination, and right to organize.
- PARTICIPATORY PROCESS.—
  - Using a participatory process to develop the grant application and create the clear, time-bound action plans contained therein, where such process includes:
    - Meaningful input from individuals who have been directly impacted by limited access to housing, including individuals who have experienced discrimination due to having a criminal conviction;
    - Input at all stages, including those required in the grant application; and
    - Financial compensation to those individuals who offer their time and labor to provide input.
- EQUITY TARGETING.—Local applicants shall be given additional points based on whether the community:
  - Was historically redlined;
  - Is defined as a Disproportionately Impacted Area (DIA), where such definition exists;
  - Has employment that is reliant on prisons, jails, or immigrant detention centers;
  - Has high rates of unemployment;
  - Has high rates of eviction and/or foreclosure;
  - Has high rates of housing vacancies;

- Has high rates of underemployment; and/or
  - Has been disproportionately subject to high arrest and incarceration rates.
- ELIGIBLE SPENDING.—
  - Selected local governments or consortiums may use their grant awards toward:
    - Modernizing and expanding the stock of quality accessible and affordable housing;
    - Providing assisted housing for disenfranchised residents, including but not limited to those who experience chronic homelessness, people returning from incarceration, and disabled people;
    - Expanding closing cost and down payment grants, specifically for low-income home buyers;
    - Supporting the development of Community Land Trusts; and
    - Subsidizing broadband and Wi-Fi expansion in under-served communities;
    - Expanding access to transportation, including through policies that make public transit free of cost.

## **6I: Office of Racial and Economic Equity**

- ESTABLISHMENT.—
  - There is established within the United States Department of Housing and Urban Development (HUD) an Undersecretary for Racial and Economic Equity.
- DUTIES OF THE UNDERSECRETARY.—
  - The Undersecretary shall be authorized to conduct an annual review of HUD programs that provide funding to individuals, organizations, and local, State, and Tribal jurisdictions, so as to:
    - Assess the equity impact of current HUD grant programs, including how grant dollars are currently serving to reduce or widen housing disparities based on race, gender, disability, or socioeconomic status;
    - Where grant dollars are available to community-based organizations and nonprofits, the extent to which Agency grant dollars are being awarded to racially and geographically diverse organizations;
    - Using the data gathered in the equity and grant-making assessments, offer recommendations on ways that application requirements, spending restrictions, provision of technical assistance, or other grant-making characteristics could better serve to advance equity goals and benefit diverse organizations; and
    - Submit these recommendations directly to the Secretary of HUD via an Equity Impact Report.
- OVERSIGHT.—
  - Not later than 60 days after receiving the annual Equity Impact Report that is described in this Subsection, the Secretary must report to Congress:
    - Key findings from the Equity Impact report;
    - Changes made, or planned to be made, pursuant to the report recommendations; and
    - For any changes not pursued, an explanation as to why such changes were unfeasible or incompatible with the authorizing statutory language.
- AUTHORIZATION OF APPROPRIATIONS.—

- From funds in the Treasury not otherwise appropriated, there are appropriated to the Secretary such sums as may be necessary to implement this Subsection.

<p><b><u>Section 4 – Holding Officials Accountable &amp; Enhancing Self-Determination of Black Communities</u></b></p>
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**SUBSECTION 1: REPARATIONS**

**1A: Sense of Congress**

- It is the Sense of Congress that:
  - The government, responsible corporations, and other institutions that have profited from harming Black people—whether through colonialism, slavery, and institutional segregation or through through redlining, mass incarceration, and surveillance—must repair the harms done, including through passing the [“Commission to Study Reparation Proposals for African-Americans Act”](#) and creating other commissions that explicitly examine and repair harms from police violence, the War on Drugs, and the criminalization of people who engage in the sex trade; and
  - The government, responsible corporations, and other institutions must furthermore address the harms inflicted on Latinx, Indigenous, Asian, Muslim, Jewish, transgender, and disabled persons and peoples, including through programs that address historical and ongoing harms including violent immigration enforcement, genocide against Native Americans, and racist immigration policies.

**1B: War on Drugs & Mass Criminalization Reparations**

- ESTABLISHMENT.—
  - There is established a Commission to Study War on Drugs and Mass Criminalization Reparations.
- DUTIES.—
  - HEARINGS.—
    - OVERALL.—
      - The Commission shall, for the purpose of carrying out the provisions of this Section, hold such hearings and sit and act at such times and at such places in the United States, and request the attendance and testimony of such witnesses and the production of such books, records, correspondence, memoranda, papers, and documents, as the Commission considers appropriate. The Commission may invoke the aid of an appropriate United States district court to require, by subpoena or otherwise, such attendance, testimony, or production.
      - The Commission shall hold public hearings in appropriate cities of the United States that examine:
        - The War on Drugs; and
        - The rise of mass criminalization, including the criminalization of prostitution.

- These hearings shall allow people to publicly recount the harm that has been inflicted by the drug war, mass criminalization, and the criminalization of prostitution.
- WAR ON DRUGS HEARINGS.—
  - The War on Drugs hearings shall include the following groups of people:
    - Individuals and family members who have been directly impacted by drug criminalization, including through arrest, incarceration, deportation, and other collateral drug war harm;
    - Public health and legal scholars; and
    - Drug policy experts.
- MASS CRIMINALIZATION HEARINGS.—
  - The Mass Criminalization hearings shall include the following groups of people:
    - Individuals and family members who have been directly impacted by mass criminalization, including through arrest, incarceration, deportation, and other collateral effects;
    - Public health and legal scholars; and
    - Criminal-legal policy experts.
- DATA COLLECTION.—
  - The Commission shall collect the following types of data, documenting the ongoing and generational harms of the War on Drugs:
    - Arrest, conviction, incarceration, and deportation data at the federal, State, and local levels, including:
      - The number of people who were arrested for drug violations, disaggregated by drug type, race, gender, and decade beginning in the 1970s;
      - The number of people who were convicted of drug violations, disaggregated by drug type, race, gender, and decade beginning in the 1970s;
      - The number of people who were incarcerated for drug violations, disaggregated by drug type, race, gender, and decade beginning in the 1970s;
      - The number of people who served terms of community supervision, as well as any sentence following revocation of probation or parole, for drug violations, disaggregated by drug type, average term of probation, race, gender, and decade beginning in the 1970s; and
      - The number of people who were deported for drug violations, disaggregated by drug type, race, gender, and decade beginning in the 1970s.
    - Mass impact, including:
      - The number of people denied federal loans and/or made ineligible for federal loans;
      - The number of people denied the right to vote and/or rendered ineligible to vote;



- The number of people denied admission to public housing and/or ineligible for public housing;
- The number of number of people who lost driver's licenses or otherwise were precluded from getting driver's licenses;
- The number of people denied professional and occupational licenses;
- The number of people who applied for and were denied employment;
- The number of people blocked from SNAP and TANF due to drug offense, positive drug test, or refusal to take a test;
- The number of parents or families that had their babies or children taken away;
- The number of children with parents incarcerated for drug offenses;
- The number of people mandated and/or compelled to participate in treatment;
- The number of people denied the ability to serve on juries; and
- The total sum of fines and fees collected in connection with drug prosecutions.
- Funding streams, including:
  - Transparency and data on civil asset forfeiture, including uses of the seized property, for each decade beginning in the 1970s; and
  - Federal grants and earmarks provided to State and local governments and agencies specifically for drug enforcement for each decade beginning in the 1970s.
- Presidential and congressional memos and reports, including:
  - Any and all documents, including (but not limited to) reports, briefing materials, memoranda, and communications, provided to each presidential administration and Congressional session about the impact of drug prohibition; and
  - Any and all reports provided to each presidential administration and Congressional session about the race, gender, and class of people arrested, prosecuted, and sentenced for drug-related offenses.
- Drug use data, including:
  - Drug use by race in 70s, 80s, 90s, 00s, and 10s at state and federal level.
- Data and documentation showing how the Federal and State governments of the United States supported the War on Drugs and mass criminalization in constitutional and statutory provisions.
- Data and documentation showing the federal and State laws that discriminate against people impacted by the War on Drugs and mass criminalization, including (but not limited to) people with convictions.
- All data collected by the Commission must be publicly released and available for download, free of charge.

- If the reports and/or data do not exist, the Commission shall have authority to mandate that the relevant federal agencies begin collecting this data.
    - Where municipal and state governments have the data required, the Commission should identify this issue in their reports.
  - DEVELOPMENT OF A REPORT.—
    - Within one year of its first meeting, the War on Drugs & Mass Criminalization Reparations Commission shall develop a report that will:
      - Provide recommendations for reparations to those who have suffered as a result of—
        - The devastating impacts of the War on Drugs;
        - The criminalization of prostitution;
        - Mass criminalization and incarceration; and/or
        - Children and other family members left behind during mass criminalization, particularly children who have been placed in foster care as a result of their guardian’s incarceration.
      - Propose recommendations regarding—
        - The forms and amounts of redress that will be available under this reparations program;
        - The selection mechanism for determining who will receive these reparations payments and programs;
        - The proposed timing for beginning these reparations payments and programs; and
        - The oversight mechanism that will be used to verify that such payments and programs are delivered to the intended beneficiaries.
- REPARATIONS OPTIONS.—
  - This Commission must examine the following options for reparations, among others:
    - Direct compensation to people who were directly impacted by the War on Drugs and/or mass criminalization and incarceration, such as through an analysis of lost income and wealth to communities based on:
      - How many individuals were removed and incarcerated; and
      - Lost wages and wealth to individual families as the result of incarceration of a parent;
    - A federal fund to support community-based transformative justice, health, employment, and other programs for individuals and communities that were directly impacted by the War on Drugs and/or mass criminalization;
    - To the extent possible, returning or providing compensation for all assets that were seized from individuals using asset seizure, specifically connected to a drug or prostitution-related offense;
    - Financial redress for survivors who were negatively impacted by domestic violence provisions in the Violence Against Women Act, which increased domestic violence mandatory, pro-arrest and dual arrests, and other policies;
    - Financial redress for victims of state-sponsored forced sterilization;
    - Home principal forgiveness;
    - Grant funding and technical support for local, community-based organizations to provide or facilitate:

- Public education, engagement, and art works; and
    - Public memorials commemorating mass criminalization and struggles for justice;
  - Compensation shall be provided through a process that:
    - Is accessible to all (including undocumented individuals) and non-discriminatory;
    - Does not create insurmountable administrative, financial, or time burdens on individuals and their families to access reparations; and
    - Does not require accessing criminal, civil, or civilian oversight procedures;
- MEMBERSHIP.—
  - The Commission shall be made up of 13 members, who are appointed within 90 days after the date of enactment of this Act, as follows:
    - 3 members shall be appointed by the President;
    - 2 members shall be appointed by the Senate President Pro Tempore;
    - 2 members shall be appointed by the Speaker of the House; and
    - 6 members shall be selected from the major civil society and reparations organizations that have historically championed the cause of reparatory justice.
  - Not more than 7 members may be from the same political party.
  - Not less than fifty 50% of the members must be:
    - Civil rights plaintiffs’ lawyers;
    - Public defenders;
    - Individuals, including youth, who have been directly impacted by police violence, mass criminalization, and mass incarceration; and
    - Family members of individuals who have been directly impacted by mass criminalization.
  - All remaining members of the Commission must be elected by eligible recipients.
- TERMS.—
  - The term of office for members shall be for the life of the Commission. A vacancy in the Commission shall not affect the powers of the Commission and shall be filled in the same manner in which the original appointment was made.
- FIRST MEETING.—
  - The President shall call the first meeting of the Commission within 120 days after the date of the enactment of this Act or within 30 days after the date on which legislation is enacted making appropriations to carry out this Act, whichever date is later.
- QUORUM.—
  - Seven members of the Commission shall constitute a quorum, but a lesser number may hold hearings.
- CHAIR AND VICE CHAIR.—
  - The Commission shall elect a Chair and Vice Chair from among its members. The term of office of each shall be for the life of the Commission.
- COMPENSATION.—
  - Each member of the Commission shall receive compensation at the daily equivalent of the annual rate of basic pay payable for GS–18 of the General Schedule under section 5332 of title 5, United States Code, for each day, including travel time, during which he or she is engaged in the actual performance of duties vested in the Commission.

- A member of the Commission who is a full-time officer or employee of the United States or a Member of Congress shall receive no additional pay, allowances, or benefits by reason of his or her service to the Commission.
- All members of the Commission shall be reimbursed for travel, subsistence, and other necessary expenses incurred by them in the performance of their duties to the extent authorized by chapter 57 of title 5, United States Code.
- PRESENTATION OF FINDINGS.—
  - The Commission shall submit a written report of its findings and recommendations to the Congress not later than the date which is one year after the date of the first meeting of the Commission
  - The Commission shall present their findings to Congress through:
    - A public hearing that allows for public comments; and
    - A report that is posted online and easily accessible.
- TERMINATION.—
  - The Commission shall terminate 90 days after the date on which the Commission submits its report to the Congress.
- AUTHORIZATION OF APPROPRIATIONS.—
  - To implement this Subsection, there are authorized to be appropriated \$12,000,000.

### **1C: Police Violence Reparations**

- ESTABLISHMENT.—
  - There is established an independent Commission to Study Police Violence Reparations (“Commission”).
- DUTIES.—
  - The Commission shall perform the following duties:
    - HEARINGS.—
      - The Commission shall, for the purpose of carrying out the provisions of this Section, hold such hearings and sit and act at such times and at such places in the United States, and request the attendance and testimony of such witnesses and the production of such books, records, correspondence, memoranda, papers, and documents, as the Commission considers appropriate. The Commission may invoke the aid of an appropriate United States district court to require, by subpoena or otherwise, such attendance, testimony, or production.
    - RESEARCH.—
      - The Commission shall conduct research on—
        - The private entities, including corporations, which have profited from police violence and an estimation of the amount that these entities have profited from these activities;
        - Identify, compile, and synthesize the relevant corpus of evidentiary documentation of police violence in the United States;
        - The lingering effects on people who have experienced or witnessed police violence in the United States; and
        - The role which the Federal and State governments of the United States have played in supporting police violence and protecting

police officers who have engaged in police violence, including through constitutional and statutory provisions;

- DEVELOPMENT OF A REPORT.—
  - Within one year of its first meeting, the Commission shall develop a report that will:
    - Make recommendations to—
      - Provide recommendation on how to provide reparations to—
        - People who have survived State violence, including (but not limited to) violence by police, probation, parole, and court officers, Marshalls, National Guard, penal officers, and private security; and
        - The families of people who were killed by police, prisons, jails, juvenile detention centers, State hospitals, and other places of involuntary confinement (e.g., of disabled people).
    - Propose recommendations regarding—
      - The forms and amounts of redress that will be available under this reparations program;
      - The criteria for accessing reparations payments and programs;
      - The proposed timing for beginning these reparations payments and programs; and
      - The oversight mechanism that will be used to verify that such compensation is delivered to the intended beneficiaries and such programs are properly administered.
- REPARATIONS OPTIONS.—
  - In its report, the Commission must include one or more of the following options for reparations, among others that may be considered:
    - Direct financial compensation to survivors of State violence, using a process that:
    - Long-term grant funding to establish and operate community-based care and organizing centers nationwide, which serve survivors of State violence, their families, and their communities (see e.g., the Chicago Torture Justice Center) and which offer services, healing, and restoration to police violence survivors and their families;
    - Grant funding and technical support for local, community-based organizations to provide or facilitate:
      - Public education and engagement public art works; and
      - Public memorials commemorating State violence and struggles for justice;
    - Grant funding and technical support for local and Tribal jurisdictions so that they can establish meaningful and accessible education and employment opportunities for State violence survivors and their families;

- Grant funding and technical support for local and Tribal jurisdictions so that they can provide procedures for State violence survivors, such as:
      - Obtaining new hearings for people currently incarcerated; and
      - Criminal record expungement.
    - Grant funding and technical support for local and Tribal jurisdictions so that they can create procedures by which individual State actors who committed or contributed to State violence will be required to be accountable to and make amends and repair harms for the individuals, families, and communities to whom they have caused harm;
    - Grant funding and technical support for local and Tribal jurisdictions to ensure cessation and non-repetition of State violence through immediate termination and decertification of law enforcement agents and State employees who were involved in and contributed to State violence, and removal and prohibition from entering into any position that would enable them to perpetrate similar harm in the future;
    - Grant funding and technical support for local and Tribal jurisdictions to ensure cessation and non-repetition of State violence by reviewing policies and practices that contributed to and enabled the violence to occur, and taking immediate action to cease and preventing future actions pursuant to such policies and practices;
    - Grant funding and technical support for local and Tribal jurisdictions so that they can review and investigate evidence of excessive force or sexual violence against, surveillance of, or harassment of protestors and/or other individuals who are engaging in protected First Amendment activity.
  - Compensation shall be provided through a process that:
    - Is accessible to all (including undocumented individuals) and non-discriminatory;
    - Does not create insurmountable administrative, financial, or time burdens on individuals and their families to access reparations; and
    - Does not require accessing criminal, civil, or civilian oversight procedures;
- MEMBERSHIP.—
  - The Commission shall be made up of 13 members, who are appointed within 90 days after the date of enactment of this Act, as follows:
    - 3 members shall be appointed by the President;
    - 2 members shall be appointed by the Senate President Pro Tempore; and
    - 2 members shall be appointed by the Speaker of the House.
    - 6 members shall be selected from the major civil society and reparations organizations that have historically championed the cause of reparatory justice.
  - Not more than 7 members may be from the same political party.
  - Not less than fifty 50% of the members must be:
    - Police misconduct plaintiffs’ lawyers;
    - Public defenders;
    - Individuals, including youth, who have been directly impacted by police violence; and
    - Family members of individuals who have been directly impacted by police violence.

- TERMS.—
  - The term of office for members shall be for the life of the Commission. A vacancy in the Commission shall not affect the powers of the Commission and shall be filled in the same manner in which the original appointment was made.
- FIRST MEETING.—
  - The President shall call the first meeting of the Commission within 120 days after the date of the enactment of this Act or within 30 days after the date on which legislation is enacted making appropriations to carry out this Act, whichever date is later.
- QUORUM.—
  - Seven members of the Commission shall constitute a quorum, but a lesser number may hold hearings.
- CHAIR AND VICE CHAIR.—
  - The Commission shall elect a Chair and Vice Chair from among its members. The term of office of each shall be for the life of the Commission.
- COMPENSATION.—
  - Each member of the Commission shall receive compensation at the daily equivalent of the annual rate of basic pay payable for GS–18 of the General Schedule under section 5332 of title 5, United States Code, for each day, including travel time, during which he or she is engaged in the actual performance of duties vested in the Commission.
  - A member of the Commission who is a full-time officer or employee of the United States or a Member of Congress shall receive no additional pay, allowances, or benefits by reason of his or her service to the Commission.
  - All members of the Commission shall be reimbursed for travel, subsistence, and other necessary expenses incurred by them in the performance of their duties to the extent authorized by chapter 57 of title 5, United States Code.
- PRESENTATION OF FINDINGS.—
  - The Commission shall submit a written report of its findings and recommendations to the Congress not later than the date which is one year after the date of the first meeting of the Commission.
  - The Commission shall present their findings to Congress through:
    - A public hearing that allows for public comments; and
    - A report that is posted online and easily accessible.
- TERMINATION.—
  - The Commission shall terminate 90 days after the date on which the Commission submits its report to the Congress.
- AUTHORIZATION OF APPROPRIATIONS.—
  - To implement this Subsection, there are authorized to be appropriated \$12,000,000.

**1D: Reparations for Survivors of Immigration Enforcement, Border Militarization, and Deportation**

- ESTABLISHMENT.—
  - There is established an independent Commission to Study Immigration Enforcement Reparations.
- DUTIES.—
  - The Commission shall perform the following duties:
    - HEARINGS.—

- The Commission shall, for the purpose of carrying out the provisions of this Section, hold such hearings and sit and act at such times and at such places in the United States, and request the attendance and testimony of such witnesses and the production of such books, records, correspondence, memoranda, papers, and documents, as the Commission considers appropriate. The Commission may invoke the aid of an appropriate United States district court to require, by subpoena or otherwise, such attendance, testimony, or production.
- RESEARCH.—
  - The Commission shall conduct research on—
    - The private entities, including corporations, that have profited from immigration enforcement and/or border militarization and an estimation of the amount that these entities have profited from these activities;
    - The lingering effects on people who have experienced or witnessed immigration enforcement and/or border militarization in the United States;
    - The ways that the Federal and State governments of the United States support and have supported punitive and carceral forms of immigration enforcement and border militarization, including through constitutional and statutory provisions; and
    - The Federal and State laws that discriminate against immigrants, particularly undocumented immigrants and immigrants from specific countries.
- DEVELOPMENT OF A REPORT.—
  - Within one year of its first meeting, the Commission shall develop a report that will:
    - Make recommendations to—
      - Provide reparations to individuals and families who have been harmed by border militarization, immigration enforcement and immigration detention, and deportation; and
      - Create a process so that individuals can receive redress, such as through helping the affected individuals recover immigration bonds, recover U.S. property, and/or apply for the opportunity to come back to the United States.
    - Propose recommendations regarding—
      - The forms and amounts of redress that will be available under this reparations program;
      - The criteria for accessing reparations payments and programs;
      - The proposed timing for beginning these reparations payments and programs; and
      - The oversight mechanism that will be used to verify that such compensation is delivered to the intended



beneficiaries and such programs are properly administered.

- REPARATIONS OPTIONS.—
  - This Commission must examine the following options for reparations, among others:
    - Direct compensation to individuals and families that have been harmed by border enforcement, immigrant detention, and deportation;
    - Family reunification between all children and adults who are currently or were previously held in immigrant detention, or who have been separated as the result of immigration or border enforcement;
    - Long-term grant funding to establish and operate community-based care and organizing centers nationwide, which serve survivors of immigration and border enforcement violence, their families, and their communities (see e.g., the Chicago Torture Justice Center) and which offer services, healing, and restoration to survivors and their families;
    - Grant funding for legal services that support the immigrant community;
    - Grant funding and technical support for local, community-based organizations to provide or facilitate:
      - Public education, engagement programs, and public art works;
      - Public memorials commemorating immigration and border enforcement violence and struggles for justice; and
    - Grant funding and technical support for local jurisdictions so that they can establish education and employment opportunities for immigration enforcement and border violence survivors and their families.
  - Compensation shall be provided through a process that:
    - Is accessible to all (including undocumented individuals) and non-discriminatory;
    - Does not create insurmountable administrative, financial, or time burdens on individuals and their families to access reparations; and
    - Does not require accessing criminal, civil, or civilian oversight procedures;
- MEMBERSHIP.—
  - The Commission shall be made up of 13 members, who are appointed within 90 days after the date of enactment of this Act, as follows:
    - 3 members shall be appointed by the President;
    - 2 members shall be appointed by the Senate President Pro Tempore; and
    - 2 members shall be appointed by the Speaker of the House.
    - 6 members shall be selected from the major civil society and reparations organizations that have historically championed the cause of reparatory justice.
  - Not more than 7 members may be from the same political party.
  - Not less than fifty 50% of the members must be:
    - Civil rights lawyers and/or advocates who work on behalf of immigrant communities;
    - Immigration defense attorneys;
    - Individuals, including youth, who have been directly impacted by immigration and border enforcement and/or deportation; and
    - Family members of individuals who have been directly impacted by immigration and border enforcement and/or deportation.

- All remaining members of the Commission must be elected by eligible recipients.
- TERMS.—
  - The term of office for members shall be for the life of the Commission. A vacancy in the Commission shall not affect the powers of the Commission and shall be filled in the same manner in which the original appointment was made.
- FIRST MEETING.—
  - The President shall call the first meeting of the Commission within 120 days after the date of the enactment of this Act or within 30 days after the date on which legislation is enacted making appropriations to carry out this Act, whichever date is later.
- QUORUM.—
  - Seven members of the Commission shall constitute a quorum, but a lesser number may hold hearings.
- CHAIR AND VICE CHAIR.—
  - The Commission shall elect a Chair and Vice Chair from among its members. The term of office of each shall be for the life of the Commission.
- COMPENSATION.—
  - Each member of the Commission shall receive compensation at the daily equivalent of the annual rate of basic pay payable for GS–18 of the General Schedule under section 5332 of title 5, United States Code, for each day, including travel time, during which he or she is engaged in the actual performance of duties vested in the Commission.
  - A member of the Commission who is a full-time officer or employee of the United States or a Member of Congress shall receive no additional pay, allowances, or benefits by reason of his or her service to the Commission.
  - All members of the Commission shall be reimbursed for travel, subsistence, and other necessary expenses incurred by them in the performance of their duties to the extent authorized by chapter 57 of title 5, United States Code.
- PRESENTATION OF FINDINGS.—
  - The Commission shall submit a written report of its findings and recommendations to the Congress not later than the date which is one year after the date of the first meeting of the Commission.
  - The Commission shall present their findings to Congress through:
    - A public hearing that allows for public comments; and
    - A report that is posted online and easily accessible.
- TERMINATION.—
  - The Commission shall terminate 90 days after the date on which the Commission submits its report to the Congress.
- AUTHORIZATION OF APPROPRIATIONS.—
  - To carry out the provisions of this subsection, there are authorized to be appropriated \$12,000,000.

## **1E: Commission on Truth, Racial Healing, and Transformation**

- OVERVIEW.—
  - This subsection shall establish an independent United States Commission on Truth, Racial Healing, and Transformation.
  - The Commission shall properly acknowledge, memorialize, and be a catalyst for moving the United States toward:

- Jettisoning the belief in a hierarchy of human value;
    - Embracing our common humanity; and
    - Permanently eliminating persistent racial inequities.
- PARTICIPATORY PROCESS.—
  - The Commission shall use a participatory process that includes:
    - Listening sessions in jurisdictions nationwide;
    - An open, transparent process that includes public access to Commission proceedings and documents; and
    - A comment period that allows individuals and organizations nationwide to express their feedback.
- COMMISSION COMPOSITION.—
  - The commission shall be made up of 7 members:
    - 3 members shall be appointed by the President;
    - 2 members shall be appointed by the Senate President Pro Tempore; and
    - 2 members shall be appointed by the Speaker of the House.
  - Not more than 4 members may be from the same political party.
  - Not less than fifty 50% of the commission must be comprised of:
    - Advocates who work in the social justice field including, but not limited to issues of, racial justice, transformative justice, and economic justice;
    - Healing practitioners that are trauma informed;
    - Individuals, including youth, who have been directly impacted by U.S. government actions listed in this section; and
    - Family members of individuals who have been directly impacted by U.S. government actions listed in this Subsection.
- DUTIES OF COMMISSION.—
  - ACKNOWLEDGMENT.—
    - The Commission shall explain and acknowledge—
      - How the American institution of slavery, as well as other examples enumerated in this resolution, represents intentional and blatant violations of every American’s most basic right to a free and decent life;
      - How the consequences of these oppressions have cascaded for centuries, across generations, beyond the era of active enslavement, imperiling for descendants of slaves and other targets of oppression what should have otherwise been every American’s right to life, liberty, and the pursuit of happiness;
      - How Reconstruction, the civil rights movement, and other efforts to redress the grievances of marginalized people were sabotaged, both intentionally and unintentionally, by those in power, thus rendering the accomplishments of these efforts transitory and unsustainable, and further embedding the racial hierarchy in our society;
      - The ways that other countries have reckoned with historical injustice and its aftermath, including through forming Truth and Reconciliation Commissions to move toward restorative justice and to return dignity to its citizens; and
      - How contemporary social science, medical science, and the rapidly expanding use of artificial intelligence and social media reveal the costs

and potential threats to our democracy if we continue to allow unhealed, entrenched divisions to be ignored and exploited.

○ ASSESS GOVERNMENT POLICIES.—

- The Commission shall assess government actions directed against Black, Brown, Latinx, Indigenous, Asian, and other populations of color, including—
  - The creation of the Federal Housing Administration, which adopted specific policies designed to incentivize residential segregation;
  - The enactment of legislation creating the Social Security program, for which most African Americans were purposely rendered ineligible during its first two decades;
  - The GI bill, which left administration of its programs to the States, thus enabling blatant discrimination against African American GIs;
  - The Fair Labor Standards Act of 1938, which allowed labor unions to discriminate based on race;
  - Subprime lending aimed purposefully at families of color;
  - Disenfranchisement of Native Americans, who, until 1924, were denied citizenship on land they had occupied for millennia;
  - Federal Indian Boarding School policy during the 19th and 20th centuries, the purpose of which was to “civilize” Native children through methods intended to eradicate Native cultures, traditions, and languages;
  - Land policies toward Indian Tribes, such as the allotment policy, which caused the loss of over 90 million acres of Tribal lands, two-thirds of which were guaranteed to Tribes by treaties and other Federal laws, and similar unjustified land grabs from Tribes that occurred regionally throughout the late 1800s and into the Termination Era in the 1950s and 1960s;
  - The involuntary removal of Mexicans and United States citizens of Mexican descent through large-scale discriminatory deportation programs in the 1930s and 1950s;
  - The United States annexation of Puerto Rico, which made Puerto Ricans citizens of the United States without affording them voting rights;
  - Racial discrimination against Latino Americans, which has forced them to fight continuously for equal access to employment, housing, health, financial services, and education;
  - The Chinese Exclusion Act of 1882, which effectively halted immigration from China and barred Chinese immigrants from becoming citizens of the United States, and which was the first instance of xenophobic legislation signed into law specifically targeting a specific group of people based on ethnicity;
  - The treatment of Japanese Americans, despite no evidence of disloyalty, as suspect and traitorous in the very country they helped to build, leading most notably to the mass incarceration of Japanese Americans beginning in 1942;

- The conspiracy to overthrow the Kingdom of Hawaii and annex the land of the Kingdom of Hawaii, without the consent of or compensation to the Native Hawaiian people of Hawaii;
  - The refusal to support European Jews by raising immigration quotas during World War II, notwithstanding overwhelming evidence of Nazi genocide and the urgent need to modify immigration policies so as to save human life;
  - Decades of inaction and inattention regarding the crisis of Missing and Murdered Indigenous Women; and
  - The United States history of colonialism in the Pacific, which has resulted in economic, health, and educational disparities among other inequities, for people in United States territories, as well as independent nations with which it has treaty obligations;
- ANALYZE.—
    - The Commission shall analyze—
      - How these governmental actions, among other government policies that have had racially disparate impacts, have disproportionately barred African Americans and other people of color from building wealth, thus limiting potential capital and exacerbating the racial wealth gap;
      - How this persistent wealth gap has had a significant negative impact on other racial disparities, such as the achievement gap, school dropout rates, income gaps, home ownership rates, health outcome disparities, and incarceration rates; and
      - How much of the progress toward racial healing and racial equity in the United States has been limited or reversed by our failure to address the root cause of racism, the belief in the myth of a hierarchy of human value based on superficial physical characteristics such as skin color and facial features.
  - MAKE RECOMMENDATIONS.—
    - The Commission shall recommend ways that the U.S. Government can—
      - Begin to address the unhealed, entrenched divisions within the United States and advance racial healing, understanding, and transformation;
      - Address this legacy of government-led and government-sponsored injustices, including through reparations programs that target those communities most impacted by these historical injustices;
      - Address all outstanding Native American land claims; and
      - Repair harms caused by placing Native American children in Indian Boarding Schools.
- TERMS.—
    - The term of office for members shall be for the life of the Commission. A vacancy in the Commission shall not affect the powers of the Commission and shall be filled in the same manner in which the original appointment was made.
  - FIRST MEETING.—
    - The President shall call the first meeting of the Commission within 120 days after the date of the enactment of this Act or within 30 days after the date on which legislation is enacted making appropriations to carry out this Act, whichever date is later.

- QUORUM.—
  - Seven members of the Commission shall constitute a quorum, but a lesser number may hold hearings.
- CHAIR AND VICE CHAIR.—
  - The Commission shall elect a Chair and Vice Chair from among its members. The term of office of each shall be for the life of the Commission.
- COMPENSATION.—
  - Each member of the Commission shall receive compensation at the daily equivalent of the annual rate of basic pay payable for GS–18 of the General Schedule under section 5332 of title 5, United States Code, for each day, including travel time, during which he or she is engaged in the actual performance of duties vested in the Commission.
  - A member of the Commission who is a full-time officer or employee of the United States or a Member of Congress shall receive no additional pay, allowances, or benefits by reason of his or her service to the Commission.
  - All members of the Commission shall be reimbursed for travel, subsistence, and other necessary expenses incurred by them in the performance of their duties to the extent authorized by chapter 57 of title 5, United States Code.
- PRESENTATION OF RECOMMENDATIONS. —
  - Such Commission must propose, within one year, recommendations to the Department of Interior on:
    - The forms and amounts of redress that will be available;
    - The proposed timing for beginning these programs; and
    - The oversight mechanism that will be used to verify that such programs are delivered to the intended beneficiaries.
- TERMINATION.—
  - The Commission shall terminate 90 days after the date on which the Commission submits its report to the Congress.
- AUTHORIZATION OF APPROPRIATIONS.—
  - To carry out the provisions of this subsection, there are authorized to be appropriated \$12,000,000.

## **SUBSECTION 2: FULFILLING TREATY & TRUST COMMITMENTS**

### **2A: Free, Prior, Informed Consent**

- FREE, PRIOR, INFORMED CONSENT.—
  - All agencies within the Federal Government must secure free, prior, informed consent before the Federal Government makes any decision (including granting permits for projects or developments) that would affect a Tribal community, their lands, resources, members, or religious practices.
  - Within six months of the date that this Act becomes law, the Department of the Interior shall provide a mandate and process for ensuring such consent.

### **2B: First Refusal on Public Lands**

- RIGHT OF FIRST REFUSAL.—
  - Establish a process whereby Tribal Nations have a right of first refusal for purchasing any public lands that are put up for sale.

## **2C: Grant Program for Missing & Murdered Indigenous Women**

- **FEDERAL POLICY CHANGES.—**
  - The Community Public Safety Agency (see Section 2, Subsection 1) shall establish a grant program within the Office of Survivor Support & Harm Prevention that will support efforts to:
    - Gather, and coordinate efforts to gather, data on missing and murdered Indigenous women, girls, and two-spirit gender identities, including the production of reports that examine this issue in specific jurisdictions;
    - Provide compensation and supports to families that have been harmed by Missing and Murdered Indigenous Women crisis;
    - Provide safe shelter, counseling, and other services for Indigenous women who are experiencing the risk of displacement, abuse, or any other harm; and/or
    - Support programs administering transformative justice, healing justice, conflict resolution, and other traditional, non-carceral models of justice.
- **ELIGIBLE RECIPIENTS.—**
  - Eligible recipients shall be community-based organizations, or individual advocates who maintain some connection to a community-based organization, including a preference for people or organizations that:
    - Are led by or employ individuals who are Indigenous survivors of domestic violence, rape and other forms of sexual assault, police violence, sex trafficking, or have been otherwise directly impacted by the Missing and Murdered Women crisis;
    - Are led by individuals who have proven ties to the community, as demonstrated by, but not limited to:
      - Having lived in, as well as currently living in, the specified community;
      - Participation and membership in local organizations, associations, and commissions; and/or
      - Having been raised in the specified community or having loved ones who continue to reside there;
    - Are located in, or primarily serve, Native American communities on and off of reservations, including Urban Indian communities;
    - Have a demonstrated track record in administering the specified programming or service; and
    - Have a leadership that reflects the racial diversity of the community wherein the organization operates.
- **FUNDING RESTRICTION.—**
  - All programs and services provided and/or funded by the grant program must be:
    - Accessible to all people who have disabilities;
    - Accessible to non-citizens and undocumented individuals;
    - Non-discriminatory;
    - Non-coercive; and
    - Non-punitive.
  - No funding through this grant program shall go directly to, be reallocated to, or otherwise expand the budgets of law enforcement agencies.
- **FUNDING AUTHORIZATION.—**

- There is authorized to be appropriated \$25,000,000, per fiscal year, to implement this Subsection.

### **SUBSECTION 3: VOTING JUSTICE AND ELECTIONS ACCOUNTABILITY**

#### **3A: Sense of Congress**

- It is the sense of Congress that:
  - The vote is a fundamental right that has for too long been made inaccessible—and legally denied—to Black, Latinx, Indigenous, and other communities of color;
  - The Federal Government must protect the right to vote and guarantee free, secure, and accessible elections, including by passing the [Voting Rights Advancement Act](#) [Sewell], the [Washington, D.C. Admission Act](#) [Norton], and the critical supports for voting rights, voting accessibility, and voting infrastructure that are contained in the [For the People Act](#) (H.R.1) [Sarbanes]; and
  - The following programs are a first and important step toward realizing this objective.

#### **3B: Federal Funding of Federal, State, and Local Elections**

- PUBLIC FINANCING OF ELECTIONS.—
  - Create a public financing program for State and local campaigns that is powered by small dollar contributions. Such programs may be created through either:
    - A public financing program that gives a 6-1 match for donations less than \$200 (*See* Sec. 5213 of [For the People Act](#) (H.R.1) [Sarbanes]); or
    - A Democracy Voucher Program providing State or city residents a small amount of public money that may be donated to participating candidates.
- FEDERAL ELECTION STANDARDS.—
  - AUTHORIZATION.—
    - Authorize the U.S. Election Assistance Commission (“EAC”) to establish clear, uniform standards (“Federal Election Standards”) for all federal elections, using a note-and-comment rulemaking procedure.
  - COMPONENTS.—
    - Such standards shall incorporate the following components:
      - Standards for optimal ballot design, which reflect the results of an EAC report (*See* Sec. 1506 of [For the People Act](#) (H.R.1) [Sarbanes]);
      - Accessible, universal, and automatic voter registration processes, including pre-registration for 16-year-olds and a process that allows individuals to update their addresses easily when they move, as well as list PO boxes as their address of record (*See* Secs. 1011 - 1021 of [For the People Act](#) (H.R.1) [Sarbanes]);
      - Same-day voter registration processes and the possibility of Online Voter Registration (*See* Secs. 1001-1005, 1031 of [For the People Act](#) (H.R.1) [Sarbanes]);
      - Unhindered access to vote-by-mail (*See* Sec. 1621 of [For the People Act](#) (H.R.1) [Sarbanes]), including a universal system for tracking absentee/mail ballots, and ensure that this system is:
        - Is available to all eligible voters;
        - Does not require witness or notaries; and
        - Is a permanent vote-by-mail program that people can opt into;



- Designation of corrections institutions that incarcerate eligible voters as Voter Registration Agencies covered by the National Voter Registration Act;
- Provision of at least 15 days of early voting time during all federal elections (*See* Sec. 1611 of [For the People Act](#) (H.R.1) [Sarbanes]);
- Adequate voting hours at all polling locations (*See* Secs. 1611, 1907 of [For the People Act](#) (H.R.1)[Sarbanes]);
- Allowing voting using a sworn statement of identity, rather than a government-issued identification card (*See* Sec. 1903 of [For the People Act](#) (H.R.1) [Sarbanes]);
- A ban any “automatic” voter purge process based on non-voting, whereby an individual is removed from the voting rolls without having expressed a written desire to be removed, barring exceptional and extenuating circumstances that show objective evidence of a legitimate reason (e.g., death of the voter) to remove the voter (*See* Secs. 2501-2502 of [For the People Act](#) (H.R.1) [Sarbanes]);
- Enfranchise all formerly and presently incarcerated people;
- Create and implement policies sufficient to ensure that all eligible jailed or imprisoned voters within the jurisdiction can access their constitutional right to vote;
- Contingency voting plans for national or state-wide emergencies and/or lock-downs, such as public health crises or pandemics; and
- Except for polling locations that are designed to serve incarcerated individuals, the requirement that polling locations be at non-carceral facilities (e.g., not inside police stations or sheriffs’ offices) and accessible to people with disabilities.
- ENDING PRISON GERRYMANDERING.—
  - Incorporate Sec. 2701 of the [For the People Act](#) (H.R.1) [Sarbanes].
- OVERSIGHT OF ELECTION ADMINISTRATION.—
  - Authorize the appropriation of sufficient funding such that the EAC can:
    - Collect data on jurisdictions, evaluating their performance on:
      - Voter registration overall and disaggregated by race, ethnicity, age demographic, and gender (*See* Sec. 1051 of of [For the People Act](#) (H.R.1) [Sarbanes]);
      - Voter turnout overall and disaggregated by race, ethnicity, age demographic, English proficiency, and gender;
      - Average wait-times for in-person voting; and
      - Documented incidents of discrimination, using such data sources as are deemed to use a consistent, high-quality, uniform methodology;
    - Use data collected to identify jurisdictions that:
      - Pose particular barriers to voting access; and
      - Have below-average turnout differentials based on race, disability status, residence on a Tribal reservation, limited English proficiency, or any other protected characteristic;
    - Working with identified jurisdictions, collaboratively develop and provide funding for plans that will:

- Maximize voter turnout among all demographic groups, including an end to differentials that are based on race, disability status, residence on a Tribal reservation, limited English proficiency, or any other protected characteristic; and
    - Ensure that all jurisdictions are meeting the Federal Election Standards requirement described in this Subsection.
- FEDERAL ELECTION STANDARDS REQUIREMENT.—
  - REQUIREMENT TO FOLLOW FEDERAL STANDARDS.—
    - All States must follow the Federal Election Standards that are set forth by the EAC for all federal elections.
  - FUNDING AUTHORIZATION.—
    - The EAC shall operate a formula grant that awards States sufficient funding to cover all costs that are associated with meeting these Federal Election Standards in all federal elections that are conducted within the State.
- FUNDING OF STATE AND LOCAL ELECTIONS.—
  - ESTABLISHMENT OF COMPETITIVE GRANT.—
    - The EAC shall establish a competitive Voting Justice Grant Program that provides selected States and local governments full funding of local and State election administration costs (“full funding”), contingent on States meeting the competitiveness criteria.
  - COMPETITIVENESS FRAMEWORK.—
    - The EAC shall develop a competitiveness framework that awards full funding to State and local governments provided that they adhere to the Federal Election Standards in their State and/or local elections; and
    - The EAC may award additional, incentive-based funding to States and localities if they meet certain goals toward increasing overall turnout while eliminating registration, turnout, or access disparities between racial and ethnic groups.
- FUNDING AUTHORIZATION.—
  - From funds in the Treasury not otherwise appropriated, there are appropriated to the Secretary such sums as may be necessary to implement this Subsection.

## **SUBSECTION 4: DEMOCRATIC ACCOUNTABILITY**

### **4A: Federal Official Accountability**

- QUALIFIED IMMUNITY—CIVIL ACTION FOR DEPRIVATION OF RIGHTS.—
  - Guarantee a private right of action (PRA) for recovering damages for all constitutional violations by all *federal* officials by amending Section 1979 of the Revised Statutes (42 U.S.C. 4 1983) to insert “of the United States or” before “of any State.”
  - Incorporate the [Ending Qualified Immunity Act](#) [Pressley / Amash] to end qualified immunity.
- REPORTING REQUIREMENT.—
  - Require the Attorney General to produce an annual, anonymized report detailing:
    - The number, nature, context, and disposition of law enforcement misconduct complaints and substantiated allegations including (but not limited to):
      - Homicide;
      - Assault;
      - Sexual harassment;

- Extortion;
- Body cavity searches;
- Visual cavity searches;
- Strip searches;
- Searches conducted to assign gender using anatomy; or
- Any violation of a practice described in Section 1;
- The steps being taken to address and prevent future instances of such incidents; and
- Any redress provided to individual victims.

#### **4B: Police Accountability Grant Program**

- ESTABLISHMENT.—
  - The Department of Justice shall establish a competitive Police Accountability Grant Program that is open to all local and State governments.
- COMPETITIVENESS FRAMEWORK.—
  - No later than six months after this Act becomes law, the Attorney General shall develop a framework for evaluating grant applicants. Such framework shall include points for having enacted policy changes that have already or are projected to:
    - PROVIDE REDRESS FOR HARMS CAUSED.—
      - Create a Police Violence Reparations Program that has the characteristics described in Section 4, Subsection 1C; and
      - Facilitate the dissolution of police departments that have shown a pattern of police misconduct.
    - ENHANCE TRANSPARENCY.—
      - Ensure that all contracts between police unions and State and local governments, including school districts, are publicly available online and accessible;
      - Eliminating in State statutes, including Freedom of Information Laws and Right to Know laws, protections to law enforcement that allow allegations, complaints, and adjudications to remain confidential; and
      - Eliminate State statutes that protect officers from misconduct allegations and disciplinary proceedings, including nondisclosure and destruction of disciplinary records.
    - ENHANCE ACCOUNTABILITY.—
      - Abolish State Law Enforcement Officer Bills of Rights;
      - End the use of paid administrative leave when law enforcement officers and staff from any carceral institutions, including police forces, are being investigated for physical, sexual, or racial violence; and
      - Expressly prohibit police contracts from having any provisions that pertain to:
        - Ongoing investigations of misconduct (including waiting periods prior to interrogation, public disclosure of officers' names or pictures, or provisions limiting the scope of relevant investigations);

- Requiring that an officer receives paid administrative leave or modified duty during the course of an investigation, when such investigation involves serious misconduct or use of deadly force;
- Allowing the receipts of payment (including the use of vacation or discretionary time) during unpaid suspensions or following criminal charge with a felony offense;
- Allowing or requiring that officers be afforded a specific amount of time *before* being interviewed about alleged physical or sexual violence;
- The number of officers who are on the force, the budget of the police department, equipment requirements, or the structure of the police department;
- Limiting disciplinary authority to other sworn officers or police chiefs;
- Blocking or weakening the authority of civilian oversight agencies (including prohibitions that restrict the power to subpoena, interrogate, or discipline officers);
- Imposing time limitations on officer investigations;
- Use of polygraph tests to escape accountability following an alleged misconduct incident;
- Exemptions of police misconduct records from open public records laws; and
- Allowable expungement or destruction of disciplinary records.
- ELIGIBLE USE OF FUNDS.—
  - Grantees may use Police Accountability Grant funds for:
    - Paying reparations to individuals who have been the victims of police misconduct, as such reparations are described in Section 4, Subsection 1C; and
    - Investing in the non-carceral, non-punitive, prevention-oriented, public safety-focused interventions described in Section 2, Subsection 2.
- FUNDING AUTHORIZATION.—
  - There is authorized to be appropriated \$200,000,000, per fiscal year, to implement this Subsection.



3530 Wilshire Boulevard, Suite 1140 • Los Angeles, CA 90010 • TEL (213) 738-2816 • FAX (213) 637-4748  
HIVCOMM@LACHIV.ORG • <https://hiv.lacounty.gov>

**PUBLIC POLICY COMMITTEE (PPC)**  
**2021 POLICY PRIORITIES**  
(Approved 04/08/2021)

HIV has been raging in communities across the world for almost 40 years and with advancements in biomedical interventions, research and vaccines, the time for the HIV cure is now. With a renewed sense of optimism and urgency, the PPC remains steadfast in its commitment to universal health care, eradication of racism in all forms, and unfettered access to care and supportive services to ensure that all people living with HIV and communities most impacted by HIV and STDs, live, full, productive lives.

The COVID-19 global pandemic has demonstrated that with political will, funding, and most important of all, urgency, rapid and safe vaccine development is possible. The COVID-19 global pandemic is severely impacting the delivery of HIV prevention and care services. The PPC is compelled to encourage and support innovative efforts to reduce bureaucracy, increase funding and enhance HIV prevention and care service. This effort is to address negative impacts pre-COVID service levels, as well exceed the quantity and quality of HIV and prevention services.

The PPC recommends the Commission on HIV endorse the prioritization of the following issues. PPC will identify support legislation, local policies, procedures, and regulations that address Commission priorities in calendar year 2021: (Issues are in no particular order.)

**Racism**

- a. Health equity, the elimination of barriers and addressing of social determinants of health such as: implicit bias; access to care; education; social stigma, (i.e. homophobia, transphobia and misogyny); housing; mental health; substance abuse; and income/wealth gaps.
- b. Reduce and eliminate the disproportionate impact of HIV/AIDS and STIs in the Black/African American community. To include the identification of and rooting out of systemic and systematic racism as it affects Black/African American communities.

**Housing**

- a. Improve systems, strategies and proposals that expand affordable housing, as well as prioritize housing opportunities for people living with, affected by, or at risk of transmission of HIV/AIDS.



- b. Improve systems, strategies, and proposals that prevent homelessness for people living with, affected by, or at risk of contracting HIV/AIDS.
- c. Promote Family housing and emergency financial assistance as a strategy to maintain housing.

### **Mental Health**

- a. Mental health services for people living with, affected by, or at risk of contracting HIV/AIDS.

### **Sexual Health**

- a. Access to prevention, care and treatment and bio-medical intervention (such as PrEP and PEP) services. Promote the distribution of services to people at risk for acquiring HIV and people living with HIV/AIDS.
- b. Comprehensive HIV/STD counseling, testing, education, outreach, research, harm reduction services including syringe exchange, and social marketing programs.
- c. Maximize HIV prevention to reduce and eliminate syphilis and gonorrhea cases, among young MSM (YMSM), African American MSM, Latino MSM, transgender persons and women of color.
- d. Advance and enhance routine HIV testing and expanded linkage to care.
- e. Maintain and expand funding for access and availability of HIV, STD, and viral hepatitis services.
- f. Promote women centered prevention services to include domestic violence and family planning services for women living with and at high risk of acquiring HIV/AIDS.
- g. Preserve full funding and accessibility to Pre-Exposure Prophylaxis Assistance Program (PrEP-AP).

### **Substance Abuse**

- a. Advocate for substance abuse services to PLWHA.
- b. Advocate for services and programs associated with methamphetamine use and HIV transmission.

### **Consumers**

- a. Advocate and encourage the empowerment and engagement of People Living with HIV/AIDS (PLWHA) and those at risk of acquiring HIV. This includes young MSM (YMSM), African American MSM, Latino MSM, transgender persons and women of color, transgender and the aging.

### **Aging**

- a. Create and expand medical and supportive services for PLWHA ages 50 and over.



### **Women**

- a. Create and expand medical and supportive services for women living with HIV/AIDS. This includes services such as family housing, transportation, mental health, childcare and substance abuse.

### **Transgender**

- a. Create and expand medical and supportive services for transgender PLWHA.
- b. Promote and maintain funding for the Transgender Wellness Fund created by the passage of AB2218.

### **General Health Care**

- a. Provide access to and continuity of care for PLWHA focusing on communities at highest risk for the acquisition and transmission of HIV disease.
- b. Fund and expand eligibility for Medicaid, Medicare, and HIV/AIDS programs and health insurance coverage for individuals with pre-existing conditions.
- c. Increase and enhance compatibility and effectiveness between RWP, Medicaid, Medicare, and other health systems. This includes restructuring funding criteria to **not** disincentivize contractors from referring clients to other contractors.
- d. Expand access to and reduction of barriers (including costs) for HIV/AIDS, STD, and viral hepatitis prevention and treatment medications.
- e. Preserve full funding and accessibility to the AIDS Drug Assistance Program (ADAP), Office of AIDS Health Insurance Premium Payment (OA-HIPP) Assistance, Employer Based Health Insurance Premium Payment (EB-HIPP), and Medigap.

### **Service Delivery**

- a. Enhance the accountability of healthcare service deliverables. This would include a coordinated effort between federal, state, and local governments.
- b. Incorporate COVID strategies to reduce administrative barriers, increase access to health services and encourage the development of an HIV vaccine mirroring the COVID 19 vaccine process.

### **Criminalization**

- a. Eliminate discrimination against or the criminalization of people living with or at risk of HIV/AIDS.

### **Data**

- a. Use data, without risking personal privacy and health, with the intention of improving health outcomes and eliminating health disparities among PLWHA.
- b. Promote distribution of resources in accordance with the HIV burden within Los Angeles County.



The Public Policy Committee acts in accordance with the role of the Commission on HIV, as dictated by Los Angeles County Code 3.29.090. Consistent with Commission Bylaws Article VI, Section 2, no Ryan White resources are used to support Public Policy Committee activities.





## **Governor Newsom Signs Comprehensive Bill to Address Skyrocketing STI Rates**

*SB 306 will expand access to STI testing at home and in the community, increase access to STI treatment, and boost congenital syphilis screening*

Governor Newsom today signed [SB 306](#) – a comprehensive and innovative measure designed to tackle California’s skyrocketing rates of sexually transmitted infections (STIs). The bill was authored by Senator Dr. Richard Pan (D-Sacramento) and cosponsored by APLA Health, Black Women for Wellness Action Project, Essential Access Health, Fresno Barrios Unidos, Los Angeles LGBT Center, and San Francisco AIDS Foundation.

“California is facing an out-of-control STI crisis that was raging even before the pandemic – disproportionately impacting youth, people of color, and the LGBTQ+ community,” said APLA Health CEO Craig E. Thompson. “SB 306 provides a comprehensive approach to strengthen the state’s public health infrastructure and expand access to STI testing and treatment at a time when it is most desperately needed. We applaud Dr. Pan for taking on this urgent issue and thank Governor Newsom for signing the bill into law.”

For the past six years, STI rates in California have reached record highs. More than 325,000 Californians were diagnosed with syphilis, chlamydia, or gonorrhea in 2019 – up 40% since 2013. The COVID-19 pandemic has only exacerbated the epidemic, with STI testing and treatment rates sharply declining over the last year while new transmissions continued to increase.

In Los Angeles, cases of congenital syphilis have spiked since 2018 and continue to grow. Congenital syphilis rates increased over 1000% in the last decade, with 113 congenital syphilis cases reported in 2020 compared to just 10 in 2010. Fortunately, congenital syphilis can be prevented if pregnant people have access to testing and treatment in the first and third trimester of pregnancy.

SB 306 is an important step to addressing this ongoing public health crisis and achieving greater health equity statewide. The bill will expand access to STI testing and treatment by:

- Requiring health plans to cover at-home test kits for HIV and STIs

- Increasing the number of providers that can provide STI testing in the community
- Supporting the delivery of expedited partner therapy, which allows patients to obtain STI treatment for their partners
- Requiring syphilis screening during both the first and third trimester of pregnancy

*APLA Health offers fast and confidential HIV and STD testing across LA County. You can learn more about our services and how to schedule an appointment [here](#).*

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APLA Health | 611 S. Kingsley Dr., Los Angeles, CA 90005

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