

United States Senate

WASHINGTON, DC 20510

July 8, 2021

The Honorable Patty Murray
Chair
Subcommittee on Labor, Health and Human
Services, Education, and Related Agencies
U.S. Senate Committee on Appropriations
136 Dirksen Senate Office Building
Washington, DC 20510

The Honorable Roy Blunt
Ranking Member
Subcommittee on Labor, Health and Human
Services, Education, and Related Agencies
U.S. Senate Committee on Appropriations
125 Hart Senate Office Building
Washington, DC 20510

Dear Chair Murray and Ranking Member Blunt:

As you consider funding for fiscal year (FY) 2022, we respectfully ask that you include report language urging the Department of Education to implement the Pell Grant restoration provision of the *Consolidated Appropriations Act, 2021* (P.L. 116-260) and supporting existing Second Chance Pell Pilot sites.

In December 2020, Congress reversed the 26-year ban on Pell Grant eligibility for incarcerated people. Restoring access to Pell Grants was a significant bipartisan achievement that will strengthen communities, improve reentry outcomes, promote economic well-being, increase labor force participation, and meet workforce demands. Empirical research demonstrates that postsecondary correctional education is greatly needed, has tremendous effectiveness, and saves taxpayers money. For example, a study by the Rand Corporation found that correctional education participants recidivate at a rate that is 48% lower than those who do not participate.ⁱ A 2014 study in Minnesota found that earning a postsecondary degree while in prison could decrease re-arrest by 14% and prison return by 24%.ⁱⁱ

In addition, a 2019 report by the Vera Institute of Justice and Georgetown University Center on Poverty and Inequality estimated that restoring Pell for people in prison would increase state labor force participation rates of formerly-incarcerated workers by nearly 10% and dramatically boost their earnings after release by about \$45.3 million in the first year alone, as well as save states a combined \$365.8 million a year on incarceration costs.ⁱⁱⁱ Given that the average annual cost of incarceration is between \$25,500 and \$26,000 per person in prison^{iv} and that 40% of formerly-incarcerated people return to prison within 3 years,^v providing higher education within prisons promises to be a cost-effective investment of taxpayer dollars.

In the interim, the Second Chance Pell Pilot program—initially started under the Obama Administration and expanded under the Trump Administration—selected institutions of higher education to provide Pell grants to incarcerated people in state and federal prisons. There are currently 130 colleges and universities in 42 states and D.C. offering prison education programs through the Second Chance Pell Pilot. Working through the process of applying to be a pilot site, being reviewed and selected by the Department of Education, and implementing a prison

education program has created a wealth of best practices and available resources for other colleges and universities to set up new programs following the change in the law. The Department should continue the pilot sites until final regulations put in place. And the Department should use the lessons learned from the Second Chance Pell Pilot to inform those final regulations.

For these purposes, we request the following report language:


Pell Grant Restoration and Prison Education Programs.—The Committee recognizes the significance of restoring Pell Grant access for incarcerated individuals and the impact that will have on reestablishing effective prison education programs across the country. Prison education programs have shown to be successful in reducing recidivism rates and saving taxpayer dollars by reducing the overall cost of incarceration. To restore Pell Grant eligibility to incarcerated people without delay, the Committee directs the Department to implement as soon as practicable the provision of the amendment to the Higher Education Act of 1965 concerning “Confined or Incarcerated Individuals” in the Consolidated Appropriations Act (P.L. 116-260). Within 30 days of enactment of this Act, the Committee requests a report on the Department’s progress, including the Department’s decision to implement the amendment prior to the July 1, 2023 deadline.

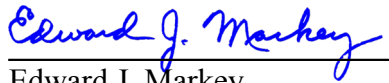
In addition, the Committee directs the Department to continue the Second Chance Pell Pilot program and ensure that pilot sites continue to receive Pell Grant funds as the Department finalizes implementation of the full Pell Grant reinstatement. The Committee recommends the Department to use the expertise and best practices from the Pilot to develop regulations for full Pell Grant reinstatement. The Committee further directs the Department to work with Second Chance Pell Pilot sites as they transition to the new statutory requirements to ensure that incarcerated students do not experience a gap in their educational programming.

Promoting successful reentry has been a bipartisan effort. We thank you for your consideration of this request. Increased educational opportunities in prisons is a smart federal investment that makes communities safer and our country stronger while reducing taxpayer costs.

Sincerely,


Brian Schatz
United States Senator


Benjamin L. Cardin
United States Senator



Edward J. Markey
United States Senator



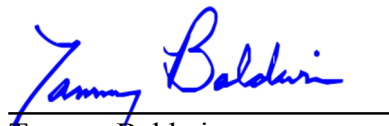
Sheldon Whitehouse
United States Senator



Chris Van Hollen
United States Senator



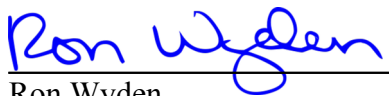
Richard Blumenthal
United States Senator



Tammy Baldwin
United States Senator



Cory A. Booker
United States Senator



Ron Wyden
United States Senator



Sherrod Brown
United States Senator



Jon Ossoff
United States Senator



Elizabeth Warren
United States Senator



Bernard Sanders
United States Senator

- ⁱ Lois M. Davis, Robert Bozick, Jennifer L. Steele, Jessica Saunders, Jeremy N. V. Miles, “Evaluating the Effectiveness of Correctional Education,” (Rand Corporation, 2013), https://www.bja.gov/Publications/RAND_Correctional-Education-Meta-Analysis.pdf.
- ⁱⁱ Grant Duwe and Valeria Clark, “The Effects of Prison-Based Educational Programming on Recidivism and Employment,” (The Prison Journal, 2014). <https://journals.sagepub.com/doi/10.1177/0032885514548009>.
- ⁱⁱⁱ Patrick Oakford, Cara Brumfield, Casey Goldvale, Laura Tatum, Margaret diZerega, and Fred Patrick, “Investing in Futures: Economic and Fiscal Benefits of Postsecondary Education in Prison,” (Vera Institute of Justice and Georgetown Center on Poverty and Inequality, 2019), <https://www.vera.org/publications/investing-in-futures-education-in-prison>.
- ^{iv} Schmitt, J., Warner, K., & Gupta, S. (June 2010). *The High Budgetary Cost of Incarceration*. Washington, DC: Center for Economic and Policy Research.
- ^v Pew Center on the States (April 2011). *State of Recidivism: The revolving Door of America’s Prisons*. Washington, DC: The Pew Charitable Trusts.