

108TH CONGRESS  
1ST SESSION

# H. R. 3276

To establish an emergency program to provide immediate education assistance for unemployed workers, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

OCTOBER 8, 2003

Mr. GEORGE MILLER of California (for himself, Mr. KILDEE, Mr. RYAN of Ohio, Mr. DAVIS of Illinois, Mr. SCOTT of Virginia, Mr. GRIJALVA, Mr. PAYNE, Mrs. MCCARTHY of New York, and Mr. KUCINICH) introduced the following bill; which was referred to the Committee on Education and the Workforce

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## A BILL

To establish an emergency program to provide immediate education assistance for unemployed workers, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “21st Century Job Op-  
5 portunities Act”.

6 **SEC. 2. FINDINGS AND PURPOSE.**

7 (a) FINDINGS.—The Congress finds the following:

1           (1) Since the beginning of 2001, the private  
2 sector has lost more than 3 million jobs.

3           (2) The number of unemployed has risen in 49  
4 states and national unemployment levels are over 6  
5 percent, the highest in nearly a decade.

6           (3) Today, 9.4 million people are out of work  
7 and an additional 4.5 million people work part-time  
8 because they are unable to find a full-time job.

9           (4) In addition, by the year 2010 there will be  
10 an estimated shortage of 12 million workers with at  
11 least some college education.

12           (5) Sixty-eight percent of the fastest growing  
13 jobs require at least some college education.

14       (b) PURPOSE.—It is the purpose of this Act to estab-  
15 lish a temporary emergency program to assist workers who  
16 have been laid off and who require immediate education  
17 and training to successfully re-enter the workforce.

18 **SEC. 3. POSTSECONDARY EDUCATION BENEFITS FOR DIS-**  
19 **LOCATED WORKERS.**

20       Subpart 1 of part A of title IV of the Higher Edu-  
21 cation Act of 1965 is amended by inserting after section  
22 401 (20 U.S.C. 1070a) the following new section:

1 **“SEC. 401A. JOB OPPORTUNITY GRANTS.**

2 “(a) DEFINITIONS.—For purposes of this section, the  
3 term ‘eligible unemployed individual’ means an individual  
4 who—

5 “(1) was, on or after March 1, 2001, employed  
6 full-time or part-time;

7 “(2) became unemployed after such date; and

8 “(3) on the date of application for a grant  
9 under this section, has been unemployed for at least  
10 3 months in the preceding 6 months.

11 “(b) BENEFITS AUTHORIZED.—

12 “(1) PROGRAM AUTHORITY AND METHOD OF  
13 DISTRIBUTION.—For each fiscal year through fiscal  
14 year 2009, the Secretary shall pay to each eligible  
15 institution such sums as may be necessary to pay to  
16 each eligible unemployed individual for each aca-  
17 demic year during which that individual is in attend-  
18 ance at an institution of higher education, as an un-  
19 dergraduate, a Job Assistance Grant in the amount  
20 for which that individual is eligible, as determined  
21 pursuant to subsection (c). Not less than 85 percent  
22 of such sums shall be advanced to eligible institu-  
23 tions prior to the start of each payment period and  
24 shall be based upon an amount requested by the in-  
25 stitution as needed to pay eligible unemployed indi-  
26 viduals until such time as the Secretary determines

1 and publishes in the Federal Register with an oppor-  
2 tunity for comment, an alternative payment system  
3 that provides payments to institutions in an accurate  
4 and timely manner, except that this sentence shall  
5 not be construed to limit the authority of the Sec-  
6 retary to place an institution on a reimbursement  
7 system of payment.

8 “(2) DIRECT PAYMENTS PERMITTED.—Nothing  
9 in this section shall be interpreted to prohibit the  
10 Secretary from paying directly to eligible unem-  
11 ployed individuals, in advance of the beginning of  
12 the academic term, an amount for which they are el-  
13 igible, in cases where the eligible institution elects  
14 not to participate in the disbursement system re-  
15 quired by paragraph (1).

16 “(3) NAME OF GRANTS.—Grants made under  
17 this section shall be known as ‘Job Opportunities  
18 Grants’.

19 “(c) PURPOSE AND AMOUNT OF GRANTS.—

20 “(1) PURPOSE.—The Jobs Opportunities  
21 Grants program is a temporary emergency program  
22 established to assist American workers who have  
23 been laid off and who require additional education  
24 and training to successfully re-enter the workforce.

25 “(2) MAXIMUM GRANTS.—

1           “(A) IN GENERAL.—The amount of the  
2 Job Assistance Grant for an eligible unem-  
3 ployed individual under this section shall be the  
4 sum of the individual’s tuition and fees not to  
5 exceed for any award year the maximum Pell  
6 Grant under section 401(b)(2)(A) of the Higher  
7 Education Act of 1965 (20 U.S.C.  
8 1070a(b)(2)(A)) for such award year.

9           “(B) PART TIME ATTENDANCE.—In any  
10 case where an eligible unemployed individual at-  
11 tends an institution of higher education on less  
12 than a full-time basis (including an individual  
13 who attends an institution of higher education  
14 on less than a half-time basis) during any aca-  
15 demic year, the amount of the Job Assistance  
16 Grant to which that student is entitled shall be  
17 reduced in proportion to the degree to which  
18 that student is not so attending on a full-time  
19 basis, in accordance with a schedule of reduc-  
20 tions established by the Secretary for the pur-  
21 poses of this division, computed in accordance  
22 with this section. Such schedule of reductions  
23 shall be established by regulation and published  
24 in the Federal Register.

1           “(3) MINIMUM GRANT.—No Job Assistance  
2 Grant shall be awarded to an individual under this  
3 section if the amount of that grant for that student  
4 as determined under this subsection for any aca-  
5 demic year is less than \$400, except that an indi-  
6 vidual who is eligible for a Job Assistance Grant  
7 that is equal to or greater than \$200 but less than  
8 \$400 shall be awarded a Job Assistance Grant of  
9 \$400.

10           “(4) MULTIPLE GRANTS.—

11           “(A) The Secretary may allow, on a case-  
12 by-case basis, an individual to receive 2 Job Op-  
13 portunities Grants during a single award year,  
14 if—

15           “(i) the student is enrolled full-time in  
16 an associate or baccalaureate degree pro-  
17 gram of study that is 2 years or longer at  
18 an eligible institution that is computed in  
19 credit hours; and

20           “(ii) the student completes course  
21 work toward completion of an associate or  
22 baccalaureate degree that exceeds the re-  
23 quirements for a full academic year as de-  
24 fined by the institution.

1                   “(B) The Secretary shall promulgate regu-  
2                   lations implementing this paragraph.

3                   “(d) PERIOD OF ELIGIBILITY FOR GRANTS.—

4                   “(1) IN GENERAL.—The period during which  
5                   an individual may receive Job Opportunities Grants  
6                   shall be the 5 academic years.

7                   “(2) MULTIPLE INSTITUTION GRANTS PROHIB-  
8                   ITED.—No student is entitled to receive Job Assist-  
9                   ance Grant payments concurrently from more than  
10                  one institution or from the Secretary and an institu-  
11                  tion.

12                  “(e) APPLICATIONS FOR GRANTS.—The Secretary  
13                  shall from time to time set dates by which eligible unem-  
14                  ployed individuals shall file applications for Job Opportu-  
15                  nities Grants under this section. Each such individual de-  
16                  siring a Job Assistance Grant for any year shall file an  
17                  application therefor containing such information and as-  
18                  surances as the Secretary may deem necessary to enable  
19                  the Secretary to carry out the functions and responsibil-  
20                  ities of this section. The Secretary shall grant or deny an  
21                  application for a Job Assistance Grant within 3 months  
22                  after the date on which it is submitted.

23                  “(f) DISTRIBUTION OF GRANTS TO STUDENTS.—  
24                  Payments under this section shall be made in accordance  
25                  with regulations promulgated by the Secretary for such

1 purpose, in such manner as will best accomplish the pur-  
2 pose of this section. Any disbursement allowed to be made  
3 by crediting the eligible unemployed individual's account  
4 shall be limited to tuition and fees and, in the case of insti-  
5 tutionally owned housing, room and board. The student  
6 may elect to have the institution provide other such goods  
7 and services by crediting the student's account.

8       “(g) INSUFFICIENT APPROPRIATIONS.—If, for any  
9 fiscal year, the funds appropriated for payments under  
10 this section are insufficient to satisfy fully all entitlements,  
11 as calculated under subsection (c) (but at the maximum  
12 grant level specified in such appropriation), the Secretary  
13 shall promptly transmit a notice of such insufficiency to  
14 each House of the Congress, and identify in such notice  
15 the additional amount that would be required to be appro-  
16 priated to satisfy fully all entitlements (as so calculated  
17 at such maximum grant level).

18       “(h) USE OF EXCESS FUNDS.—

19               “(1) If, at the end of a fiscal year, the funds  
20 available for making payments under this section ex-  
21 ceed the amount necessary to make the payments re-  
22 quired under this section to eligible students by 15  
23 percent or less, then all of the excess funds shall re-  
24 main available for making payments under this sec-  
25 tion during the next succeeding fiscal year.

1           “(2) If, at the end of a fiscal year, the funds  
2           available for making payments under this section ex-  
3           ceed the amount necessary to make the payments re-  
4           quired under this section to eligible students by  
5           more than 15 percent, then all of such funds shall  
6           remain available for making such payments but pay-  
7           ments may be made under this paragraph only with  
8           respect to entitlements for that fiscal year.”.

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