

111TH CONGRESS  
1ST SESSION

# S. 809

To establish a program to provide tuition assistance to individuals who have lost their jobs as a result of the economic downturn.

---

IN THE SENATE OF THE UNITED STATES

APRIL 2, 2009

Mr. CASEY introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

---

## A BILL

To establish a program to provide tuition assistance to individuals who have lost their jobs as a result of the economic downturn.

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 “Assistance for Work-  
5       force Recovery Program Act”.

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

7       (a) FINDINGS.—Congress makes the following find-  
8       ings:

1           (1) In today's global economy, employees must  
2           possess the education and training necessary to  
3           adapt to change and learn new skills.

4           (2) Community colleges provide high quality  
5           education to students and support to businesses and  
6           employers.

7           (3) Community colleges collaborate with local  
8           and regional businesses, industry, workforce invest-  
9           ment boards, and economic development organiza-  
10          tions to tailor their educational programs to deliver  
11          employers a workforce with the skills employers  
12          need. Workers receiving customized training have in-  
13          creased job performance productivity and the work-  
14          force is stronger and more competitive as a result.

15          (4) Community-based job training grants were  
16          created as part of the fiscal year 2005 budget of the  
17          President.

18          (5) The purpose of community-based job train-  
19          ing grants is to assist community colleges in training  
20          workers to develop the skills required by employers  
21          in high-growth industries and occupations where de-  
22          mand for qualified workers outstrips the supply.

23          (6) Given the high level of unemployment as a  
24          result of the economic downturn, the supply of labor  
25          now greatly outpaces demand in many industries.

1           (7) According to the National Bureau of Eco-  
2           nomic Research, the current economic recession  
3           began in December of 2007.

4           (b) PURPOSE.—It is the purpose of this Act to estab-  
5           lish a tuition assistance program for qualifying workers  
6           who become unemployed as a result of the recent economic  
7           recession to enable those workers to obtain education and  
8           training to contribute to the economic recovery.

9           **SEC. 3. WORKFORCE RECOVERY PROGRAM.**

10          Section 171 of the Workforce Investment Act of 1988  
11          (29 U.S.C. 2916) is amended by adding at the end the  
12          following:

13          “(f) UNEMPLOYMENT TUITION ASSISTANCE PRO-  
14          GRAM.—

15                 “(1) DEFINITIONS.—In this subsection:

16                         “(A) COMMUNITY COLLEGE.—The term  
17                         ‘community college’ means a 2-year institution  
18                         of higher education as defined in section 101 of  
19                         the Higher Education Act of 1965 (20 U.S.C.  
20                         1001).

21                         “(B) ECONOMIC DOWNTURN.—The term  
22                         ‘economic downturn’ means the recession that  
23                         the National Bureau of Economic Research de-  
24                         termined began on December 1, 2007 in the  
25                         United States.

1           “(C) PROGRAM.—The term ‘Program’  
2 means the Unemployment Tuition Assistance  
3 Program established under paragraph (2).

4           “(D) SECRETARY.—The term ‘Secretary’  
5 means the Secretary of Labor.

6           “(2) UNEMPLOYMENT TUITION ASSISTANCE.—

7           “(A) ESTABLISHMENT.—Not later than 60  
8 days after the date of enactment of this sub-  
9 section, the Secretary shall establish a vol-  
10 untary pilot program under this section to be  
11 known as the ‘Unemployment Tuition Assist-  
12 ance Program’ to provide tuition assistance to  
13 eligible individuals to enable such individuals to  
14 obtain education and job training assistance.

15           “(B) NOTIFICATION.—

16           “(i) IN GENERAL.—The Secretary  
17 shall ensure that each State agency re-  
18 sponsible for the administration of the  
19 State unemployment compensation pro-  
20 gram distribute to any individual in the  
21 State who submits an application for un-  
22 employment insurance a notification that  
23 such individual may be eligible for partici-  
24 pation in the Program and information on  
25 how to apply for such participation.

1           “(ii) INTERNET WEBSITE.—The Sec-  
2           retary shall maintain a public Internet  
3           website that contains information about  
4           the Program, including a list of partici-  
5           pating community colleges.

6           “(iii) PARTICIPATING COMMUNITY  
7           COLLEGES.—Nothing in clause (i) shall be  
8           construed to prevent a participating com-  
9           munity college from advertising the exist-  
10          ence of the Program or otherwise inform-  
11          ing individuals of such Program.

12          “(C) ELIGIBILITY.—

13               “(i) ELIGIBILITY OF INDIVIDUALS.—

14                       “(I) GENERAL ELIGIBILITY.—To  
15                       be eligible to receive a certification of  
16                       eligibility from a participating commu-  
17                       nity college for tuition assistance  
18                       under the Program, an individual  
19                       shall—

20                               “(aa) submit to the partici-  
21                               pating community college an ap-  
22                               plication, in a manner prescribed  
23                               by the Secretary;

24                               “(bb) be an individual and  
25                               who became unemployed (as de-

1                   scribed in subclause (II)(aa)) on  
 2                   or after December 1, 2007, and  
 3                   whose employment loss resulted  
 4                   from the economic downturn;

5                   “(cc) be determined to be el-  
 6                   igible by a participating commu-  
 7                   nity college as provided for in  
 8                   subclause (II); and

9                   “(dd) comply with any  
 10                  guidelines issued by the Sec-  
 11                  retary (in consultation with the  
 12                  Secretary of Education) or the  
 13                  participating community college  
 14                  involved, so long as such guide-  
 15                  lines are not inconsistent with  
 16                  the requirements of subclause  
 17                  (II).

18                  “(II) DETERMINATIONS BY COL-  
 19                  LEGE.—An individual shall not be cer-  
 20                  tified as an eligible individual under  
 21                  subclause (I)(cc) unless the partici-  
 22                  pating community college involved de-  
 23                  termines that—

24                  “(aa) the individual has  
 25                  been involuntarily terminated,

1 laid off, or has had his or her  
2 work hours reduced to zero;

3 “(bb) the termination, layoff  
4 or reduction in hours described in  
5 item (aa) occurred on or after  
6 December 1, 2007; and

7 “(cc) the termination, layoff  
8 or reduction in hours described in  
9 item (aa) is the result of job loss  
10 related to the economic down-  
11 turn.

12 “(ii) ELIGIBILITY OF ENTITIES.—To  
13 be eligible to be a participating community  
14 college under the program, an entity  
15 shall—

16 “(I) be a community college; and

17 “(II) submit to the Secretary an  
18 application for a certification of par-  
19 ticipation at such time, in such man-  
20 ner, and containing such information  
21 as the Secretary may require.

22 “(iii) ADDITIONAL ASSISTANCE.—The  
23 Secretary may provide additional assist-  
24 ance to a community college submitting an  
25 application under clause (ii) if the Sec-

1           retary determines, as soon as practicable  
2           after receipt of the application, that the  
3           college—

4                   “(I) is located in a high need  
5                   area (as determined by the Secretary);  
6                   and

7                   “(II) is located in an underserved  
8                   area (as determined by the Secretary).

9           “(D) USE OF ASSISTANCE.—Assistance re-  
10          ceived under the Program shall be used to pay  
11          the costs for enrollment in classes or job train-  
12          ing programs offered at a participating commu-  
13          nity college.

14          “(E) AMOUNT OF ASSISTANCE.—

15                   “(i) IN GENERAL.—Subject to clause  
16                   (ii), an individual participating in the Pro-  
17                   gram shall receive tuition assistance in an  
18                   amount that does not exceed—

19                           “(I) the tuition costs for enroll-  
20                           ment in one semester of classes of-  
21                           fered by a participating community  
22                           college; or

23                           “(II) the cost of participation in  
24                           a job training program offered by a  
25                           participating community college.

1           “(ii) LIMITATION.—The amount of as-  
2           sistance provided under clause (i) (whether  
3           for enrollment in classes or a job training  
4           program) shall not exceed an amount equal  
5           to the cost of enrollment in 12 credits  
6           worth of classes at the participating com-  
7           munity college but in no event to exceed  
8           \$1,000.

9           “(iii) ADDITIONAL BENEFITS.—The  
10          Secretary may provide for the awarding of  
11          additional assistance to individuals or par-  
12          ticipating community colleges under the  
13          Program for use in areas of high unem-  
14          ployment or in underserved rural popu-  
15          lations, as determined by the Secretary.

16          “(F) PAYMENT.—The Secretary shall es-  
17          tablish guidelines for making assistance pay-  
18          ments under the Program. Such guidelines shall  
19          provide that payments shall be made directly to  
20          the participating community college involved  
21          based on the number of eligible individuals cer-  
22          tified by such college for the period involved.

23          “(G) PROVISION FOR QUALITY EDU-  
24          CATION.—The Secretary shall issue guidelines  
25          to participating community colleges that are de-

1 signed to ensure the quality of education and  
2 job training for which eligible individuals will be  
3 awarded credit under the program under this  
4 Act.

5 “(H) REPORTING REQUIREMENTS.—Not  
6 later than February 1, and July 1, of each year  
7 in which this subsection is in effect, the Sec-  
8 retary shall submit to Congress a report con-  
9 cerning the program under this subsection that  
10 includes—

11 “(i) the names and locations of par-  
12 ticipating community colleges;

13 “(ii) the number of students partici-  
14 pating at each such college;

15 “(iii) the number of credits awarded  
16 by each such college under the program;  
17 and

18 “(iv) the amount of expenditures by  
19 the Secretary under such program.

20 “(3) FUNDING.—The Secretary shall use  
21 amounts available under section 414(c) of the Amer-  
22 ican Competitiveness and Workforce Improvement  
23 Act of 1998 (29 U.S.C. 2916a) to carry out this  
24 subsection.

1           “(4) SUNSET.—The Program shall terminate  
2           on December 31, 2011.”.

○