

112TH CONGRESS  
2D SESSION

# S. 2095

To ensure that individuals who are in an authorized job training program or completing work for a degree or certificate remain eligible for regular unemployment compensation.

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## IN THE SENATE OF THE UNITED STATES

FEBRUARY 9, 2012

Mr. FRANKEN introduced the following bill; which was read twice and referred to the Committee on Finance

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## A BILL

To ensure that individuals who are in an authorized job training program or completing work for a degree or certificate remain eligible for regular unemployment compensation.

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 “Expanding Training  
5 Opportunities Act of 2012”.

6 **SEC. 2. FINDINGS.**

7 Congress finds that—

1           (1) in the United States, hundreds of thousands  
 2           of high-quality jobs are unfilled because workers lack  
 3           the skills or credentials required for employment in  
 4           those positions;

5           (2) innovative education programs, such as the  
 6           “Right Skills Now” pilot program in Minnesota, are  
 7           essential to rapidly re-training the American work-  
 8           force to match a changing economy, both now and  
 9           in the future;

10          (3) the promotion of nationally portable, indus-  
 11          try-recognized credentials will be a key component in  
 12          the re-education of the American workforce; and

13          (4) with unemployment rates at record levels, it  
 14          is critical to ensure that unemployed workers have  
 15          the opportunity to learn new skills and pursue edu-  
 16          cational opportunities while maintaining their eligi-  
 17          bility for unemployment benefits.

18 **SEC. 3. APPROVED TRAINING.**

19          (a) IN GENERAL.—Section 3304 of the Internal Rev-  
 20          enue Code of 1986 (26 U.S.C. 3304) is amended by add-  
 21          ing at the end the following new subsection:

22          “(g) APPROVED TRAINING.—

23                 “(1) IN GENERAL.—For purposes of subsection  
 24          (a)(8), the term ‘training’ shall include any of the  
 25          educational or job training programs described in

1 paragraph (2), with the programs described in such  
 2 paragraph to be deemed approved by the State agen-  
 3 cy.

4 “(2) EDUCATIONAL OR JOB TRAINING PRO-  
 5 GRAMS.—For purposes of paragraph (1), the pro-  
 6 grams described in this paragraph are—

7 “(A) a job training program authorized  
 8 under the Workforce Investment Act of 1998  
 9 for which an individual has been determined to  
 10 be eligible to participate; or

11 “(B) for purposes of an individual who has  
 12 been identified as likely to exhaust regular com-  
 13 pensation, any coursework necessary to attain a  
 14 recognized postsecondary credential, provided  
 15 that such credential can be attained by the indi-  
 16 vidual prior to the end of the individual’s ben-  
 17 efit year or the end of such period as is deter-  
 18 mined appropriate by the State agency, which-  
 19 ever is greater.

20 “(3) RECOGNIZED POSTSECONDARY CREDEN-  
 21 TIAL.—For purposes of this subsection, the term  
 22 ‘recognized postsecondary credential’ means a cre-  
 23 dential consisting of an industry-recognized certifi-  
 24 cate, a certificate of completion of an apprenticeship,  
 25 or an associate or baccalaureate degree.”.

1       (b) EXTENDED COMPENSATION.—Section 202(a) of  
 2 the Federal-State Extended Unemployment Compensation  
 3 Act of 1970 (26 U.S.C. 3304 note) is amended by insert-  
 4 ing at the end the following new paragraph:

5           “(8) Notwithstanding the provisions of para-  
 6 graph (2), a State agency may elect to approve pro-  
 7 grams described in subsection (g)(2) of section 3304  
 8 of the Internal Revenue Code of 1986 for purposes  
 9 of training included under subsection (a)(8) of such  
 10 section.”.

11       (c) EMERGENCY UNEMPLOYMENT COMPENSATION.—  
 12 Section 4001(d)(2) of the Supplemental Appropriations  
 13 Act, 2008 (Public Law 110–252; 26 U.S.C. 3304 note)  
 14 is amended—

15           (1) in subparagraph (A), by striking “and” at  
 16 the end; and

17           (2) by inserting at the end the following new  
 18 subparagraph:

19           “(C) that a State agency may elect to ap-  
 20 prove programs described in subsection (g)(2)  
 21 of section 3304 of the Internal Revenue Code of  
 22 1986 for purposes of training included under  
 23 subsection (a)(8) of such section; and”.

1       (d) **EFFECTIVE DATE.**—The amendments made by  
2 this section shall take effect 2 years after the date of the  
3 enactment of this Act.

4 **SEC. 4. NOTIFICATION TO UNEMPLOYED INDIVIDUALS.**

5       (a) **IN GENERAL.**—To the extent feasible and prac-  
6 ticable, the State agency shall provide that applications  
7 for regular compensation include information regarding  
8 the availability of such compensation during periods in  
9 which an individual is engaged in training that has been  
10 approved by the State agency, as described in section  
11 3304(a)(8) of the Internal Revenue Code of 1986 (26  
12 U.S.C. 3304(a)(8)).

13       (b) **DEFINITIONS.**—For purposes of this section, the  
14 terms “regular compensation” and “State agency” have  
15 the same meanings as in section 205 of the Federal-State  
16 Extended Unemployment Compensation Act of 1970.

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