

117TH CONGRESS
1ST SESSION

H. R. 5285

To amend the CARES Act to extend certain unemployment compensation provisions, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 17, 2021

Ms. OCASIO-CORTEZ (for herself, Ms. BUSH, Mr. BOWMAN, Ms. PRESSLEY, Mr. GARCÍA of Illinois, Ms. JACKSON LEE, Ms. LEE of California, Ms. JACOBS of California, Ms. TLAIB, Ms. NORTON, Mr. BLUMENAUER, Ms. OMAR, Mr. JONES, Mr. ESPAILLAT, Ms. BASS, Mr. SAN NICOLAS, Mr. CARSON, Mr. NADLER, Ms. MENG, Ms. ESCOBAR, Ms. JAYAPAL, Mr. RASKIN, Mr. PAYNE, Mrs. WATSON COLEMAN, Mr. RUSH, and Ms. SCHAKOWSKY) introduced the following bill; which was referred to the Committee on Ways and Means, and in addition to the Committees on Transportation and Infrastructure, and the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To amend the CARES Act to extend certain unemployment compensation provisions, 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 “Extend Unemployment
5 Assistance Act of 2021”.

1 **SEC. 2. EXTENSION OF PANDEMIC UNEMPLOYMENT ASSIST-**
2 **ANCE.**

3 (a) IN GENERAL.—Section 2102(c) of the CARES
4 Act (15 U.S.C. 9021(c)) is amended—

5 (1) in paragraph (1)(A)(ii), by striking “Sep-
6 tember 6, 2021” and inserting “February 1, 2022”;
7 and

8 (2) by redesignating paragraphs (5) and (6) as
9 paragraphs (4) and (5), respectively.

10 (b) INCREASE IN NUMBER OF WEEKS.—Section
11 2102(c)(2) of such Act (15 U.S.C. 9021(c)(2)) is amend-
12 ed—

13 (1) by striking “79 weeks” and inserting “100
14 weeks”; and

15 (2) by striking “79-week period” and inserting
16 “100-week period”.

17 (c) HOLD HARMLESS FOR PROPER ADMINISTRA-
18 TION.—In the case of an individual who is eligible to re-
19 ceive pandemic unemployment assistance under section
20 2102 of the CARES Act (15 U.S.C. 9021) as of the most
21 recent week ending on or before September 6 and on the
22 date of enactment of this Act becomes eligible for pan-
23 demic emergency unemployment compensation under sec-
24 tion 2107 of the CARES Act (15 U.S.C. 9025) by reason
25 of the amendments made by this Act, any payment of pan-
26 demic unemployment assistance under such section 2102

1 made after the date of enactment of this Act to such indi-
 2 vidual during an appropriate period of time, as determined
 3 by the Secretary of Labor, that should have been made
 4 under such section 2107 shall not be considered to be an
 5 overpayment of assistance under such section 2102, except
 6 that an individual may not receive payment for assistance
 7 under section 2102 and a payment for assistance under
 8 section 2107 for the same week of unemployment.

9 **SEC. 3. EXTENSION OF EMERGENCY UNEMPLOYMENT RE-**
 10 **LIEF FOR GOVERNMENTAL ENTITIES AND**
 11 **NONPROFIT ORGANIZATIONS.**

12 (a) IN GENERAL.—Section 903(i)(1)(D) of the Social
 13 Security Act (42 U.S.C. 1103(i)(1)(D)) is amended by
 14 striking “September 6, 2021” and inserting “February 1,
 15 2022”.

16 (b) INCREASE IN REIMBURSEMENT RATE.—Section
 17 903(i)(1)(B) of such Act (42 U.S.C. 1103(i)(1)(B)) is
 18 amended by striking “September 6, 2021” and inserting
 19 “February 1, 2022”.

20 **SEC. 4. EXTENSION OF FEDERAL PANDEMIC UNEMPLOY-**
 21 **MENT COMPENSATION.**

22 (a) IN GENERAL.—Section 2104(e)(2) of the CARES
 23 Act (15 U.S.C. 9023(e)(2)) is amended by striking “Sep-
 24 tember 6, 2021” and inserting “February 1, 2022”.

1 (b) AMOUNT.—Section 2104(b)(3)(A)(ii) of such Act
 2 (15 U.S.C. 9023(b)(3)(A)(ii)) is amended by striking
 3 “September 6, 2021” and inserting “February 1, 2022”.

4 **SEC. 5. EXTENSION OF FULL FEDERAL FUNDING OF THE**
 5 **FIRST WEEK OF COMPENSABLE REGULAR**
 6 **UNEMPLOYMENT FOR STATES WITH NO WAIT-**
 7 **ING WEEK.**

8 Section 2105(e)(2) of the CARES Act (15 U.S.C.
 9 9024(e)(2)) is amended by striking “September 6, 2021”
 10 and inserting “February 1, 2022”.

11 **SEC. 6. EXTENSION OF EMERGENCY STATE STAFFING**
 12 **FLEXIBILITY.**

13 Section 9015 of the American Rescue Plan Act of
 14 2021 is amended by striking “September 6, 2021” and
 15 inserting “February 1, 2022”.

16 **SEC. 7. EXTENSION OF PANDEMIC EMERGENCY UNEMPLOY-**
 17 **MENT COMPENSATION.**

18 (a) IN GENERAL.—Section 2107(g)(2) of the CARES
 19 Act (15 U.S.C. 9025(g)(2)) is amended by striking “Sep-
 20 tember 6, 2021” and inserting “February 1, 2022”.

21 (b) INCREASE IN NUMBER OF WEEKS.—Section
 22 2107(b)(2) of such Act (15 U.S.C. 9025(b)(2)) is amend-
 23 ed by striking “53” and inserting “74”.

24 (c) COORDINATION OF PANDEMIC EMERGENCY UN-
 25 EMPLOYMENT COMPENSATION WITH EXTENDED COM-

1 PENSATION.—Section 2107(a)(5)(B) of such Act (15
 2 U.S.C. 9025(a)(5)(B)) is amended by inserting “or for the
 3 week that includes the date of enactment of the Extend
 4 Unemployment Assistance Act of 2021 (without regard to
 5 the amendments made by subsections (a) and (b) of sec-
 6 tion 7 of such Act)” after “such Act)”.

7 (d) SPECIAL RULE FOR EXTENDED COMPENSA-
 8 TION.—Section 2107(a)(8) of such Act (15 U.S.C.
 9 9025(a)(8)) is amended by striking “September 6, 2021”
 10 and inserting “February 1, 2022”.

11 **SEC. 8. EXTENSION OF TEMPORARY FINANCING OF SHORT-**
 12 **TIME COMPENSATION PAYMENTS IN STATES**
 13 **WITH PROGRAMS IN LAW.**

14 Section 2108(b)(2) of the CARES Act (15 U.S.C.
 15 9026(b)(2)) is amended by striking “September 6, 2021”
 16 and inserting “February 1, 2022”.

17 **SEC. 9. EXTENSION OF TEMPORARY FINANCING OF SHORT-**
 18 **TIME COMPENSATION AGREEMENTS FOR**
 19 **STATES WITHOUT PROGRAMS IN LAW.**

20 Section 2109(d)(2) of the CARES Act (15 U.S.C.
 21 9027(d)(2)) is amended by striking “September 6, 2021”
 22 and inserting “February 1, 2022”.

1 **SEC. 10. EXTENSION OF TEMPORARY ASSISTANCE FOR**
2 **STATES WITH ADVANCES.**

3 Section 1202(b)(10)(A) of the Social Security Act
4 (42 U.S.C. 1322(b)(10)(A)) is amended by striking “Sep-
5 tember 6, 2021” and inserting “February 1, 2022”.

6 **SEC. 11. EXTENSION OF FULL FEDERAL FUNDING OF EX-**
7 **TENDED UNEMPLOYMENT COMPENSATION.**

8 (a) IN GENERAL.—Section 4105 of the Families
9 First Coronavirus Response Act (26 U.S.C. 3304 note)
10 is amended by striking “September 6, 2021” and inserting
11 “February 1, 2022”.

12 (b) EFFECTIVE DATE.—The amendment made by
13 subsection (a) shall apply as if included in the enactment
14 of the Families First Coronavirus Response Act (Public
15 Law 116–127).

16 **SEC. 12. ADDITIONAL ENHANCED BENEFITS UNDER THE**
17 **RAILROAD UNEMPLOYMENT INSURANCE ACT.**

18 (a) IN GENERAL.—Section 2(a)(5)(A) of the Railroad
19 Unemployment Insurance Act (45 U.S.C. 352(a)(5)(A)) is
20 amended—

21 (1) in the first sentence, by striking “Sep-
22 tember 6, 2021” and inserting “February 1, 2022”;
23 and

24 (2) in the fourth sentence, by striking “Sep-
25 tember 6, 2021” and inserting “February 1, 2022”.

(b) CLARIFICATION ON AUTHORITY TO USE FUNDS.—Funds appropriated under subparagraph (B) of section 2(a)(5) of the Railroad Unemployment Insurance Act (45 U.S.C. 352(a)(5)) shall be available to cover the cost of recovery benefits provided under such section 2(a)(5) by reason of the amendments made by subsection (a) as well as to cover the cost of such benefits provided under such section 2(a)(5) as in effect on the day before the date of enactment of this Act.

**SEC. 13. EXTENDED UNEMPLOYMENT BENEFITS UNDER
THE RAILROAD UNEMPLOYMENT INSURANCE
ACT.**

(a) IN GENERAL.—Section 2(c)(2)(D) of the Railroad Unemployment Insurance Act (45 U.S.C. 352(c)(2)(D)) is amended—

(1) in clause (i)—

(A) in subclause (I), by striking “330 days” and inserting “435 days”; and

(B) in subclause (II)—

(i) by striking “33 consecutive 14-day periods” and inserting “44 consecutive 14-day periods”; and

(ii) by striking “20 consecutive 14-day periods” and inserting “31 consecutive 14-day periods”;

1 (2) in clause (ii)—

2 (A) by striking “265 days of unemploy-
3 ment” and inserting “370 days of unemploy-
4 ment”;

5 (B) by striking “27 consecutive 14-day pe-
6 riods” and inserting “37 consecutive 14-day pe-
7 riods”; and

8 (C) by striking “20 consecutive 14-day pe-
9 riods” and inserting “31 consecutive 14-day pe-
10 riods”; and

11 (3) in clause (iii), by striking “September 6,
12 2021” and inserting “February 1, 2022”.

13 (b) CLARIFICATION ON AUTHORITY TO USE
14 FUNDS.—Funds appropriated under the first, second, or
15 third sentence of clause (v) of section 2(c)(2)(D) of the
16 Railroad Unemployment Insurance Act shall be available
17 to cover the cost of additional extended unemployment
18 benefits provided under such section 2(c)(2)(D) by reason
19 of the amendments made by subsection (a) as well as to
20 cover the cost of such benefits provided under such section
21 2(c)(2)(D) as in effect on the day before the date of enact-
22 ment of this Act.

1 **SEC. 14. EXTENSION OF WAIVER OF THE 7-DAY WAITING PE-**
2 **RIOD FOR BENEFITS UNDER THE RAILROAD**
3 **UNEMPLOYMENT INSURANCE ACT.**

4 (a) IN GENERAL.—Section 2112(a) of the CARES
5 Act (15 U.S.C. 9030(a)) is amended by striking “Sep-
6 tember 6, 2021” and inserting “February 1, 2022”.

7 (b) CLARIFICATION ON AUTHORITY TO USE
8 FUNDS.—Funds appropriated under section 2112(c) of
9 the CARES Act (15 U.S.C. 9030(c)) shall be available to
10 cover the cost of additional benefits payable due to section
11 2112(a) of such Act by reason of the amendments made
12 by subsection (a) as well as to cover the cost of such bene-
13 fits payable due to such section 2112(a) as in effect on
14 the day before the date of enactment of this Act.

15 **SEC. 15. RAILROAD RETIREMENT BOARD FUNDING.**

16 In addition to amounts otherwise made available,
17 there are appropriated for fiscal year 2021, out of any
18 money in the Treasury not otherwise appropriated,
19 \$2,000,000, to remain available until expended, for the
20 Railroad Retirement Board, for additional hiring and
21 overtime bonuses as needed to administer the Railroad
22 Unemployment Insurance Act.

23 **SEC. 16. BUDGETARY EFFECTS.**

24 Each Federal payment made to a State as a result
25 of the amendments made by this Act, and any additional
26 benefits paid as a result of such amendments, shall be ex-

1 empt from any sequestration order issued under the Bal-
2 anced Budget and Emergency Deficit Control Act of 1985.

3 **SEC. 17. EFFECTIVE DATE.**

4 Except where otherwise provided, the amendments
5 made by this Act shall apply as if included in the enact-
6 ment of the CARES Act (Public Law 116–136), except
7 that no amount shall be payable by virtue of such amend-
8 ments with respect to any week of unemployment ending
9 on or before September 6, 2021.

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