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”.

SEC. 2. EXTENSION OF PANDEMIC UNEMPLOYMENT ASSISTANCE.

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

(1) in paragraph (1)(A)(ii), by striking “September 6, 2021” and inserting “February 1, 2022”; and

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

(b) INCREASE IN NUMBER OF WEEKS.—Section 2102(c)(2) of such Act (15 U.S.C. 9021(c)(2)) is amended—

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

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

(c) HOLD HARMLESS FOR PROPER ADMINISTRATION.—In the case of an individual who is eligible to receive pandemic unemployment assistance under section 2102 of the CARES Act (15 U.S.C. 9021) as of the most recent week ending on or before September 6 and on the date of enactment of this Act becomes eligible for pandemic emergency unemployment compensation under section 2107 of the CARES Act (15 U.S.C. 9025) by reason of the amendments made by this Act, any payment of pandemic unemployment assistance under such section 2102
made after the date of enactment of this Act to such indi-
vidual during an appropriate period of time, as determined
by the Secretary of Labor, that should have been made
under such section 2107 shall not be considered to be an
overpayment of assistance under such section 2102, except
that an individual may not receive payment for assistance
under section 2102 and a payment for assistance under
section 2107 for the same week of unemployment.

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

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

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

SEC. 4. EXTENSION OF FEDERAL PANDEMIC UNEMPLOY-
MENT COMPENSATION.

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

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

SEC. 5. EXTENSION OF FULL FEDERAL FUNDING OF THE FIRST WEEK OF COMPENSABLE REGULAR UNEMPLOYMENT FOR STATES WITH NO WAITING WEEK.

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

SEC. 6. EXTENSION OF EMERGENCY STATE STAFFING FLEXIBILITY.

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

SEC. 7. EXTENSION OF PANDEMIC EMERGENCY UNEMPLOYMENT COMPENSATION.

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

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

(c) COORDINATION OF PANDEMIC EMERGENCY UNEMPLOYMENT COMPENSATION WITH EXTENDED COMPEN-
Section 2107(a)(5)(B) of such Act (15 U.S.C. 9025(a)(5)(B)) is amended by inserting “or for the week that includes the date of enactment of the Extend Unemployment Assistance Act of 2021 (without regard to the amendments made by subsections (a) and (b) of section 7 of such Act)” after “such Act”).

(d) Special Rule for Extended Compensation.—Section 2107(a)(8) of such Act (15 U.S.C. 9025(a)(8)) is amended by striking “September 6, 2021” and inserting “February 1, 2022”.

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

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

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

Section 2109(d)(2) of the CARES Act (15 U.S.C. 9027(d)(2)) is amended by striking “September 6, 2021” and inserting “February 1, 2022”.
SEC. 10. EXTENSION OF TEMPORARY ASSISTANCE FOR STATES WITH ADVANCES.

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

SEC. 11. EXTENSION OF FULL FEDERAL FUNDING OF EXTENDED UNEMPLOYMENT COMPENSATION.

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

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

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

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

(1) in the first sentence, by striking “September 6, 2021” and inserting “February 1, 2022”;

and

(2) in the fourth sentence, by striking “September 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”;
(2) in clause (ii)—

(A) by striking “265 days of unemployment” and inserting “370 days of unemployment”;

(B) by striking “27 consecutive 14-day periods” and inserting “37 consecutive 14-day periods”; and

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

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

(b) Clarification on Authority to Use Funds.—Funds appropriated under the first, second, or third sentence of clause (v) of section 2(c)(2)(D) of the Railroad Unemployment Insurance Act shall be available to cover the cost of additional extended unemployment benefits provided under such section 2(c)(2)(D) by reason of the amendments made by subsection (a) as well as to cover the cost of such benefits provided under such section 2(c)(2)(D) as in effect on the day before the date of enactment of this Act.
SEC. 14. EXTENSION OF WAIVER OF THE 7-DAY WAITING PERIOD FOR BENEFITS UNDER THE RAILROAD UNEMPLOYMENT INSURANCE ACT.

(a) In General.—Section 2112(a) of the CARES Act (15 U.S.C. 9030(a)) is amended by striking “September 6, 2021” and inserting “February 1, 2022”.

(b) Clarification on Authority To Use Funds.—Funds appropriated under section 2112(c) of the CARES Act (15 U.S.C. 9030(c)) shall be available to cover the cost of additional benefits payable due to section 2112(a) of such Act by reason of the amendments made by subsection (a) as well as to cover the cost of such benefits payable due to such section 2112(a) as in effect on the day before the date of enactment of this Act.

SEC. 15. RAILROAD RETIREMENT BOARD FUNDING.

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

SEC. 16. BUDGETARY EFFECTS.

Each Federal payment made to a State as a result of the amendments made by this Act, and any additional benefits paid as a result of such amendments, shall be ex-
empt from any sequestration order issued under the Balanced Budget and Emergency Deficit Control Act of 1985.

SEC. 17. EFFECTIVE DATE.

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