

111TH CONGRESS
1ST SESSION

S. 1647

To provide for additional emergency unemployment compensation, and for other purposes.

IN THE SENATE OF THE UNITED STATES

AUGUST 7, 2009

Mr. REED (for himself, Mr. DURBIN, Mr. SCHUMER, Mrs. BOXER, Mr. LAUTENBERG, Mr. LEVIN, Ms. STABENOW, Mr. WHITEHOUSE, Mr. KERRY, Mr. MENENDEZ, Mr. CARDIN, Mr. BROWN, Mr. BEGICH, Mr. BURRIS, and Mr. FRANKEN) introduced the following bill; which was read twice and referred to the Committee on Finance

A BILL

To provide for additional emergency unemployment compensation, 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 “Assistance for Unem-
5 ployed Workers Extension Act”.

6 **SEC. 2. EXTENSION OF EMERGENCY UNEMPLOYMENT COM-**
7 **PENSATION PROGRAM.**

8 (a) IN GENERAL.—Section 4007 of the Supplemental
9 Appropriations Act, 2008 (Public Law 110–252; 26

1 U.S.C. 3304 note), as amended by section 4 of the Unem-
 2 ployment Compensation Extension Act of 2008 (Public
 3 Law 110–449; 122 Stat. 5015) and section 2001(a) of the
 4 Assistance for Unemployed Workers and Struggling Fami-
 5 lies Act (Public Law 111–5; 123 Stat. 436), is amended—

6 (1) by striking “December 31, 2009” each
 7 place it appears and inserting “December 31,
 8 2010”;

9 (2) in the heading for subsection (b)(2), by
 10 striking “DECEMBER 31, 2009” and inserting “DE-
 11 CEMBER 31, 2010”; and

12 (3) in subsection (b)(3), by striking “May 31,
 13 2010” and inserting “May 31, 2011”.

14 (b) FINANCING PROVISIONS.—Section 4004(e)(1) of
 15 such Act, as added by section 2001(b) of the Assistance
 16 for Unemployed Workers and Struggling Families Act
 17 (Public Law 111–5; 26 U.S.C. 3304 note), is amended
 18 by inserting “and section 2(a) of the Assistance for Unem-
 19 ployed Workers Extension Act” after “Act”.

20 (c) EFFECTIVE DATE.—The amendments made by
 21 this section shall take effect as if included in the enact-
 22 ment of the Supplemental Appropriations Act, 2008.

1 **SEC. 3. EXTENSION OF INCREASE IN UNEMPLOYMENT COM-**
 2 **PENSATION BENEFITS.**

3 (a) IN GENERAL.—Section 2002(e) of the Assistance
 4 for Unemployed Workers and Struggling Families Act
 5 (Public Law 111–5; 123 Stat. 438) is amended—

6 (1) in paragraph (1)(B), by striking “January
 7 1, 2010” and inserting “January 1, 2011”;

8 (2) in the heading for paragraph (2), by strik-
 9 ing “JANUARY 1, 2010” and inserting “JANUARY 1,
 10 2011”; and

11 (3) in paragraph (3), by striking “June 30,
 12 2010” and inserting “June 30, 2011”.

13 (b) EFFECTIVE DATE.—The amendments made by
 14 this section shall take effect as if included in the enact-
 15 ment of the Assistance for Unemployed Workers and
 16 Struggling Families Act.

17 **SEC. 4. THIRD-TIER BENEFITS.**

18 (a) IN GENERAL.—Section 4002 of the Supplemental
 19 Appropriations Act, 2008 (Public Law 110–252; 26
 20 U.S.C. 3304 note), as amended by section 3 of the Unem-
 21 ployment Compensation Extension Act of 2008 (Public
 22 Law 110–449; 122 Stat. 5014), is amended by adding at
 23 the end the following new subsection:

24 “(d) THIRD TIER OF BENEFITS.—

25 “(1) IN GENERAL.—If, at the time that the
 26 amount added to an individual’s account under sub-

1 section (c)(1) (in this subsection referred to as ‘addi-
 2 tional emergency unemployment compensation’) is
 3 exhausted or at any time thereafter, such individ-
 4 ual’s State is in an extended benefit period (as de-
 5 termined under paragraph (2)), such account shall
 6 be further augmented by an amount (in this sub-
 7 section referred to as ‘further additional emergency
 8 unemployment compensation’) equal to the lesser
 9 of—

10 “(A) 50 percent of the total amount of
 11 regular compensation (including dependents’ al-
 12 lowances) payable to the individual during the
 13 individual’s benefit year under the State law; or

14 “(B) 13 times the individual’s average
 15 weekly benefit amount (as determined under
 16 subsection (b)(2)) for the benefit year.

17 “(2) EXTENDED BENEFIT PERIOD.—For pur-
 18 poses of paragraph (1), a State shall be considered
 19 to be in an extended benefit period, as of any given
 20 time, if—

21 “(A) such a period would then be in effect
 22 for such State under the Federal-State Ex-
 23 tended Unemployment Compensation Act of
 24 1970 if section 203(d) of such Act—

1 “(i) were applied by substituting ‘6’
 2 for ‘5’ each place it appears; and

3 “(ii) did not include the requirement
 4 under paragraph (1)(A) thereof; or

5 “(B) such a period would then be in effect
 6 for such State under such Act if—

7 “(i) section 203(f) of such Act were
 8 applied to such State (regardless of wheth-
 9 er the State by law had provided for such
 10 application); and

11 “(ii) such section 203(f)—

12 “(I) were applied by substituting
 13 ‘8.5’ for ‘6.5’ in paragraph (1)(A)(i)
 14 thereof; and

15 “(II) did not include the require-
 16 ment under paragraph (1)(A)(ii)
 17 thereof.

18 “(3) COORDINATION RULE.—Notwithstanding
 19 an election under section 4001(e) by a State to pro-
 20 vide for the payment of emergency unemployment
 21 compensation prior to extended compensation, such
 22 State may pay extended compensation to an other-
 23 wise eligible individual prior to any further addi-
 24 tional emergency unemployment compensation, if
 25 such individual claimed extended compensation for

1 at least 1 week of unemployment after the exhaus-
 2 tion of additional emergency unemployment com-
 3 pensation.

4 “(4) LIMITATION.—The account of an indi-
 5 vidual may be augmented not more than once under
 6 this subsection.”.

7 (b) CONFORMING AMENDMENTS.—Section
 8 4007(b)(2) of such Act, as amended by section 3, is
 9 amended—

10 (1) by striking “then section 4002(c)” and in-
 11 serting “then subsections (c) and (d) of section
 12 4002”; and

13 (2) by striking “paragraph (2) of such section)”
 14 and inserting “paragraph (2) of such subsection (c)
 15 or (d) (as the case may be))”.

16 (c) EFFECTIVE DATE.—

17 (1) IN GENERAL.—Subject to paragraph (2),
 18 the amendments made by this section shall take ef-
 19 fect as if included in the enactment of the Supple-
 20 mental Appropriations Act, 2008.

21 (2) ADDITIONAL BENEFITS.—In applying the
 22 amendments made by this section, any additional
 23 emergency unemployment compensation made pay-
 24 able by such amendment (which would not otherwise
 25 have been payable if such amendment had not been

1 enacted) shall be payable only with respect to any
 2 week of unemployment beginning on or after the
 3 date of the enactment of this Act.

4 **SEC. 5. EXTENSION OF FULL FEDERAL FUNDING OF EX-**
 5 **TENDED UNEMPLOYMENT COMPENSATION**
 6 **FOR A LIMITED PERIOD.**

7 (a) IN GENERAL.—Section 2005 of the Assistance for
 8 Unemployed Workers and Struggling Families Act (Public
 9 Law 111–5; 26 U.S.C. 3304 note) is amended—

10 (1) by striking “January 1, 2010” each place
 11 it appears and inserting “January 1, 2011”; and

12 (2) in subsection (c), by striking “June 1,
 13 2010” and inserting “June 1, 2011”.

14 (b) EXTENSION OF TEMPORARY FEDERAL MATCH-
 15 ING FOR THE FIRST WEEK OF EXTENDED BENEFITS FOR
 16 STATES WITH NO WAITING WEEK.—Section 5 of the Un-
 17 employment Compensation Extension Act of 2008 (Public
 18 Law 110–449; 26 U.S.C. 3304 note), as amended by sec-
 19 tion 2005(d) of the Assistance for Unemployed Workers
 20 and Struggling Families Act (Public Law 111–5; 26
 21 U.S.C. 3304 note), is amended by striking “May 30,
 22 2010” and inserting “May 30, 2011”.

23 (c) EFFECTIVE DATES.—

24 (1) IN GENERAL.—The amendments made by
 25 subsection (a) shall take effect as if included in the

1 enactment of the Assistance for Unemployed Work-
 2 ers and Struggling Families Act.

3 (2) FIRST WEEK.—The amendment made by
 4 subsection (b) shall take effect as if included in the
 5 enactment of the Unemployment Compensation Ex-
 6 tension Act of 2008.

7 **SEC. 6. ADDITIONAL EXTENDED UNEMPLOYMENT BENE-**
 8 **FITS UNDER THE RAILROAD UNEMPLOY-**
 9 **MENT INSURANCE ACT.**

10 (a) BENEFITS.—Section 2(c)(2)(D) of the Railroad
 11 Unemployment Insurance Act, as added by section 2006
 12 of the Assistance for Unemployed Workers and Struggling
 13 Families Act (Public Law 111–5; 123 Stat. 445), is
 14 amended—

15 (1) in clause (iii)—

16 (A) by striking “June 30, 2009” and in-
 17 serting “June 30, 2010”;

18 (B) by striking “December 31, 2009” and
 19 inserting “December 31, 2010”; and

20 (2) by adding at the end of clause (iv) the fol-
 21 lowing: “In addition to the amount appropriated by
 22 the preceding sentence, out of any funds in the
 23 Treasury not otherwise appropriated, there are ap-
 24 propriated \$175,000,000 to cover the cost of addi-
 25 tional extended unemployment benefits provided

1 under this subparagraph, to remain available until
2 expended.”.

3 (b) ADMINISTRATIVE EXPENSES.—Section 2006(b)
4 of the Assistance for Unemployed Workers and Struggling
5 Families Act (Public Law 111–5; 123 Stat. 445) is
6 amended by adding at the end the following: “In addition
7 to funds appropriated by the preceding sentence, out of
8 any funds in the Treasury not otherwise appropriated,
9 there are appropriated to the Railroad Retirement Board
10 \$807,000 to cover the administrative expenses associated
11 with the payment of additional extended unemployment
12 benefits under section 2(c)(2)(D) of the Railroad Unem-
13 ployment Insurance Act, to remain available until ex-
14 pended.”.

15 (c) EFFECTIVE DATE.—The amendments made by
16 this section shall take effect as if included in the enact-
17 ment of the Assistance for Unemployed Workers and
18 Struggling Families Act.

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