

112TH CONGRESS
2D SESSION

S. 2081

To require participation in public service and engagement in an active job search as conditions for receipt of extended unemployment benefits.

IN THE SENATE OF THE UNITED STATES

FEBRUARY 9, 2012

Mr. BURR (for himself, Mr. McCONNELL, Mr. COCHRAN, Mrs. HUTCHISON, Mr. CORNYN, Mr. PAUL, Mr. GRAHAM, Mr. ENZI, Mr. JOHNSON of Wisconsin, Mr. BARRASSO, Mr. WICKER, Mr. RISCH, Ms. AYOTTE, Mr. BOOZMAN, Mr. COBURN, Mr. DEMINT, Mr. THUNE, and Mr. CHAMBLISS) introduced the following bill; which was read twice and referred to the Committee on Finance

A BILL

To require participation in public service and engagement in an active job search as conditions for receipt of extended unemployment benefits.

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 “Extended Unemploy-
5 ment Benefits Reform Act of 2012”.

6 **SEC. 2. FINDINGS.**

7 Congress makes the following findings:

1 (1) The Founding Fathers of this Nation held
2 the value and virtue of work to be an integral part
3 of the American spirit of freedom and unity.

4 (2) Honest work of an individual's choice,
5 whether paid or unpaid, benefits both the individual
6 and society as a whole.

7 (3) The betterment of communities through
8 public service should be encouraged by the Federal
9 Government.

10 (4) After the first months of eligibility for un-
11 employment benefits, involvement by an individual in
12 public service will not infringe on such individual's
13 readiness to work or their ability to search for em-
14 ployment.

15 **SEC. 3. ADDITIONAL REQUIREMENTS FOR RECEIPT OF EX-**
16 **TENDED UNEMPLOYMENT BENEFITS.**

17 (a) IN GENERAL.—Section 3304 of the Internal Rev-
18 enue Code of 1986 (relating to approval of State unem-
19 ployment compensation laws) is amended—

20 (1) in subsection (a)—

21 (A) in paragraph (18), by striking “and”
22 at the end;

23 (B) by redesignating paragraph (19) as
24 paragraph (20); and

1 (C) by inserting after paragraph (18) the
 2 following new paragraph:

3 “(19) extended compensation, including any
 4 such compensation under a temporary program,
 5 shall not be payable to an individual for any week
 6 in which such individual does not—

7 “(A) perform at least 20 hours of public
 8 service (as described in subsection (g)); and

9 “(B) engage in at least 20 hours of active
 10 job searching (as described in subsection (h));
 11 and”; and

12 (2) by adding at the end the following new sub-
 13 sections:

14 “(g) PUBLIC SERVICE.—

15 “(1) IN GENERAL.—For purposes of subsection
 16 (a)(19)(A), the term ‘public service’ means unpaid
 17 service by an individual to an organization described
 18 in section 501(c)(3), or a Federal, State, or local
 19 agency (as permitted in accordance with applicable
 20 Federal, State, and local law), with tangible evidence
 21 to be provided to the State agency by the individual
 22 on a weekly basis demonstrating that the individual
 23 has performed such service during the previous
 24 week.

1 “(2) EXCEPTIONS.—For purposes of the public
2 service requirement under subsection (a)(19)(A), an
3 individual shall be deemed to have satisfied such re-
4 quirement for that week if the individual—

5 “(A) provides tangible evidence to the
6 State agency demonstrating that such indi-
7 vidual was unable to perform the required pub-
8 lic service for that week due to an illness or
9 family emergency;

10 “(B) is a parent of a qualifying child (as
11 defined in section 152(c)) and provides tangible
12 evidence to the State agency demonstrating an
13 inability to perform the required number of
14 hours of public service due to responsibility for
15 child care;

16 “(C) provides tangible evidence to the
17 State agency demonstrating an inability to per-
18 form the required number of hours of public
19 service due to a lack of available transportation,
20 telephone, or internet services; or

21 “(D) provides tangible evidence of a bona
22 fide attempt to perform public service and, pur-
23 suant to such criteria as is determined appro-
24 priate by the State agency, is determined to be
25 unable to perform such service due to a lack of

1 available public service opportunities in the area
2 in which the individual resides.

3 “(3) PERFORMANCE OF WORK ACTIVITIES.—

4 “(A) IN GENERAL.—Subject to subpara-
5 graph (B), the total number of hours of public
6 service required under subsection (a)(19)(A)
7 shall be reduced by 1 hour for each hour during
8 that week that an individual performs work ac-
9 tivities.

10 “(B) MINIMUM PUBLIC SERVICE REQUIRE-
11 MENT.—For purposes of subparagraph (A), any
12 reduction in the total number of hours of public
13 service required under subsection (a)(19)(A)
14 based upon performance of work activities shall
15 not be greater than 15 hours for each week.

16 “(C) DEFINITION OF WORK ACTIVITIES.—
17 For purposes of this paragraph, the term ‘work
18 activities’ has the same meaning as provided
19 under subsection (d) of section 407 of the So-
20 cial Security Act (42 U.S.C. 607), except that
21 such activities shall not include job searching,
22 as described in paragraph (6) of such sub-
23 section.

24 “(h) ACTIVE SEARCH FOR EMPLOYMENT.—

1 “(1) IN GENERAL.—For purposes of subsection
 2 (a)(19)(B), the term ‘active job searching’ means an
 3 active and ongoing search for employment by an in-
 4 dividual, with tangible evidence of such search to be
 5 provided to the State agency by the individual on a
 6 weekly basis, which shall include a record of poten-
 7 tial employers contacted by the individual (including
 8 relevant contact information for such employers) and
 9 such other information as determined appropriate by
 10 the State agency.

11 “(2) ALTERNATIVE JOB SEARCH REQUIRE-
 12 MENTS.—The State agency may reduce the total
 13 number of hours of active job searching required
 14 under subparagraph (A) of subsection (a)(19) and
 15 provide alternative job search requirements for an
 16 individual who has met the requirements under sub-
 17 paragraphs (A) and (B) of such subsection for a pe-
 18 riod of not less than 12 weeks.”.

19 (b) EFFECTIVE DATE.—

20 (1) IN GENERAL.—Except as provided in para-
 21 graph (2), the amendments made by this section
 22 shall take effect on July 1, 2012.

23 (2) DELAY PERMITTED IF STATE LEGISLATION
 24 REQUIRED.—In the case of a State which the Sec-
 25 retary of Labor determines requires State legislation

1 (other than legislation appropriating funds) in order
2 for the State law to meet the additional require-
3 ments imposed by the amendments made by sub-
4 section (a), the State law shall not be regarded as
5 failing to comply with the requirements of such sec-
6 tion 3304(a)(19) of the Internal Revenue Code of
7 1986, as added by such amendments, solely on the
8 basis of the failure of the State law to meet such ad-
9 ditional requirements before the 1st day of the 1st
10 calendar quarter beginning after the close of the 1st
11 regular session of the State legislature that begins
12 after the date of enactment of this Act. For pur-
13 poses of the previous sentence, in the case of a State
14 that has a 2-year legislative session, each year of
15 such session shall be deemed to be a separate reg-
16 ular session of the State legislature.

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