

Calendar No. 296

113TH CONGRESS
2D SESSION

S. 1931

To provide for the extension of certain unemployment benefits, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JANUARY 15, 2014

Mr. HELLER (for himself, Ms. COLLINS, Mr. PORTMAN, Ms. AYOTTE, Mr. COATS, Ms. MURKOWSKI, Mr. ISAKSON, and Mr. HOEVEN) introduced the following bill; which was read the first time

JANUARY 16, 2014

Read the second time and placed on the calendar

A BILL

To provide for the extension of certain unemployment benefits, 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; TABLE OF CONTENTS.**

4 (a) SHORT TITLE.—This Act may be cited as the
5 “Responsible Unemployment Compensation Extension Act
6 of 2014”.

1 (b) TABLE OF CONTENTS.—The table of contents of
 2 this Act is as follows:

- Sec. 1. Short title; table of contents.
- Sec. 2. Extension and modification of emergency unemployment compensation program.
- Sec. 3. Temporary extension of extended benefit provisions.
- Sec. 4. Extension of funding for reemployment services and reemployment and eligibility assessment activities.
- Sec. 5. Additional extended unemployment benefits under the Railroad Unemployment Insurance Act.
- Sec. 6. Flexibility for unemployment program agreements.
- Sec. 7. Repeal of reductions made by Bipartisan Budget Act of 2013.
- Sec. 8. Reduction in benefits based on receipt of unemployment compensation.
- Sec. 9. Reduction of nonMedicare, nondefense direct spending.

3 **SEC. 2. EXTENSION AND MODIFICATION OF EMERGENCY**
 4 **UNEMPLOYMENT COMPENSATION PROGRAM.**

5 (a) EXTENSION.—Section 4007(a)(2) of the Supple-
 6 mental Appropriations Act, 2008 (Public Law 110–252;
 7 26 U.S.C. 3304 note) is amended by striking “January
 8 1, 2014” and inserting “April 1, 2014”.

9 (b) MODIFICATIONS RELATING TO WEEKS OF EMER-
 10 GENCY UNEMPLOYMENT COMPENSATION.—

11 (1) NUMBER OF WEEKS IN FIRST TIER BEGIN-
 12 NING AFTER DECEMBER 28, 2013.—Section 4002(b)
 13 of such Act is amended—

14 (A) by redesignating paragraph (3) as
 15 paragraph (4);

16 (B) in paragraph (2)—

17 (i) in the heading, by inserting “, AND
 18 WEEKS ENDING BEFORE DECEMBER 30,
 19 2013” after “2012”; and

1 (ii) in the matter preceding subpara-
 2 graph (A), by inserting “, and before De-
 3 cember 30, 2013” after “2012”; and

4 (C) by inserting after paragraph (2) the
 5 following:

6 “(3) SPECIAL RULE RELATING TO AMOUNTS ES-
 7 TABLISHED IN AN ACCOUNT AS OF A WEEK ENDING
 8 AFTER DECEMBER 29, 2013.—Notwithstanding any
 9 provision of paragraph (1), in the case of any ac-
 10 count established as of a week ending after Decem-
 11 ber 29, 2013—

12 “(A) paragraph (1)(A) shall be applied by
 13 substituting ‘24 percent’ for ‘80 percent’; and

14 “(B) paragraph (1)(B) shall be applied by
 15 substituting ‘6 times’ for ‘20 times’.”.

16 (2) NUMBER OF WEEKS IN SECOND TIER BE-
 17 GINNING AFTER DECEMBER 28, 2013.—Section
 18 4002(c) of such Act is amended by adding at the
 19 end the following:

20 “(5) SPECIAL RULE RELATING TO AMOUNTS
 21 ADDED TO AN ACCOUNT AS OF A WEEK ENDING
 22 AFTER DECEMBER 29, 2013.—Notwithstanding any
 23 provision of paragraph (1), if augmentation under
 24 this subsection occurs as of a week ending after De-
 25 cember 29, 2013—

1 “(A) paragraph (1)(A) shall be applied by
2 substituting ‘24 percent’ for ‘54 percent’; and

3 “(B) paragraph (1)(B) shall be applied by
4 substituting ‘6 times’ for ‘14 times.’”.

5 (c) FUNDING.—Section 4004(e)(1) of the Supple-
6 mental Appropriations Act, 2008 (Public Law 110–252;
7 26 U.S.C. 3304 note) is amended—

8 (1) in subparagraph (I), by striking “and” at
9 the end;

10 (2) in subparagraph (J), by inserting “and” at
11 the end; and

12 (3) by inserting after subparagraph (J) the fol-
13 lowing:

14 “(K) the amendments made by subsections
15 (a) and (b) of section 2 of the Responsible Un-
16 employment Compensation Extension Act of
17 2014;”.

18 (d) EFFECTIVE DATE.—The amendments made by
19 this section shall take effect as if included in the enact-
20 ment of the American Taxpayer Relief Act of 2012 (Public
21 Law 112–240).

22 **SEC. 3. TEMPORARY EXTENSION OF EXTENDED BENEFIT**
23 **PROVISIONS.**

24 (a) IN GENERAL.—Section 2005 of the Assistance for
25 Unemployed Workers and Struggling Families Act, as

1 contained in Public Law 111–5 (26 U.S.C. 3304 note),
2 is amended—

3 (1) by striking “December 31, 2013” each
4 place it appears and inserting “March 31, 2014”;
5 and

6 (2) in subsection (c), by striking “June 30,
7 2014” and inserting “September 30, 2014”.

8 (b) EXTENSION OF MATCHING FOR STATES WITH
9 NO WAITING WEEK.—Section 5 of the Unemployment
10 Compensation Extension Act of 2008 (Public Law 110–
11 449; 26 U.S.C. 3304 note) is amended by striking “June
12 30, 2014” and inserting “September 30, 2014”.

13 (c) EXTENSION OF MODIFICATION OF INDICATORS
14 UNDER THE EXTENDED BENEFIT PROGRAM.—Section
15 203 of the Federal-State Extended Unemployment Com-
16 pensation Act of 1970 (26 U.S.C. 3304 note) is amend-
17 ed—

18 (1) in subsection (d), by striking “December
19 31, 2013” and inserting “March 31, 2014”; and

20 (2) in subsection (f)(2), by striking “December
21 31, 2013” and inserting “March 31, 2014”.

22 (d) EFFECTIVE DATE.—The amendments made by
23 this section shall take effect as if included in the enact-
24 ment of the American Taxpayer Relief Act of 2012 (Public
25 Law 112–240).

1 **SEC. 4. EXTENSION OF FUNDING FOR REEMPLOYMENT**
 2 **SERVICES AND REEMPLOYMENT AND ELIGI-**
 3 **BILITY ASSESSMENT ACTIVITIES.**

4 (a) **IN GENERAL.**—Section 4004(c)(2)(A) of the Sup-
 5 plemental Appropriations Act, 2008 (Public Law 110-
 6 252; 26 U.S.C. 3304 note) is amended by striking
 7 “through fiscal year 2014” and inserting “through the
 8 first quarter of fiscal year 2015”.

9 (b) **EFFECTIVE DATE.**—The amendments made by
 10 this section shall take effect as if included in the enact-
 11 ment of the American Taxpayer Relief Act of 2012 (Public
 12 Law 112–240).

13 **SEC. 5. ADDITIONAL EXTENDED UNEMPLOYMENT BENE-**
 14 **FITS UNDER THE RAILROAD UNEMPLOY-**
 15 **MENT INSURANCE ACT.**

16 (a) **EXTENSION.**—Section 2(c)(2)(D)(iii) of the Rail-
 17 road Unemployment Insurance Act (45 U.S.C.
 18 352(c)(2)(D)(iii)) is amended—

19 (1) by striking “June 30, 2013” and inserting
 20 “September 30, 2013”; and

21 (2) by striking “December 31, 2013” and in-
 22 sserting “March 31, 2014”.

23 (b) **CLARIFICATION ON AUTHORITY TO USE**
 24 **FUNDS.**—Funds appropriated under either the first or
 25 second sentence of clause (iv) of section 2(c)(2)(D) of the
 26 Railroad Unemployment Insurance Act shall be available

1 to cover the cost of additional extended unemployment
2 benefits provided under such section 2(c)(2)(D) by reason
3 of the amendments made by subsection (a) as well as to
4 cover the cost of such benefits provided under such section
5 2(c)(2)(D), as in effect on the day before the date of en-
6 actment of this Act.

7 (c) FUNDING FOR ADMINISTRATION.—Out of any
8 funds in the Treasury not otherwise appropriated, there
9 are appropriated to the Railroad Retirement Board
10 \$62,500 for administrative expenses associated with the
11 payment of additional extended unemployment benefits
12 provided under section 2(c)(2)(D) of the Railroad Unem-
13 ployment Insurance Act by reason of the amendments
14 made by subsection (a), to remain available until ex-
15 pended.

16 **SEC. 6. FLEXIBILITY FOR UNEMPLOYMENT PROGRAM**
17 **AGREEMENTS.**

18 (a) FLEXIBILITY.—

19 (1) IN GENERAL.—Subsection (g) of section
20 4001 of the Supplemental Appropriations Act, 2008
21 (Public Law 110–252; 26 U.S.C. 3304 note) shall
22 not apply with respect to a State that has enacted
23 a law before December 1, 2013, that, upon taking
24 effect, would violate such subsection.

1 (2) **EFFECTIVE DATE.**—Paragraph (1) is effective
2 with respect to weeks of unemployment beginning
3 on or after December 29, 2013.

4 (b) **PERMITTING A SUBSEQUENT AGREEMENT.**—
5 Nothing in such title IV shall preclude a State whose
6 agreement under such title was terminated from entering
7 into a subsequent agreement under such title on or after
8 the date of the enactment of this Act if the State, taking
9 into account the application of subsection (a), would otherwise
10 meet the requirements for an agreement under such
11 title.

12 **SEC. 7. REPEAL OF REDUCTIONS MADE BY BIPARTISAN**
13 **BUDGET ACT OF 2013.**

14 Section 403 of the Bipartisan Budget Act of 2013
15 (Public Law 113–67) is repealed as of the date of the en-
16 actment of such Act.

17 **SEC. 8. REDUCTION IN BENEFITS BASED ON RECEIPT OF**
18 **UNEMPLOYMENT COMPENSATION.**

19 (a) **IN GENERAL.**—Title II of the Social Security Act
20 (42 U.S.C. 401 et seq.) is amended by inserting after sec-
21 tion 224 the following new section:

22 “REDUCTION IN BENEFITS BASED ON RECEIPT OF
23 UNEMPLOYMENT COMPENSATION

24 “SEC. 224A (a)(1) If for any month prior to the
25 month in which an individual attains retirement age (as
26 defined in section 216(l)(1))—

1 “(A) such individual is entitled to benefits
2 under section 223, and

3 “(B) such individual is entitled for such
4 month to unemployment compensation,
5 the total of the individual’s benefits under section
6 223 for such month and of any benefits under sec-
7 tion 202 for such month based on the individual’s
8 wages and self-employment income shall be reduced
9 (but not below zero) by the total amount of unem-
10 ployment compensation received by such individual
11 for such month.

12 “(2) The reduction of benefits under paragraph
13 (1) shall also apply to any past-due benefits under
14 section 223 for any month in which the individual
15 was entitled to—

16 “(A) benefits under such section, and

17 “(B) unemployment compensation.

18 “(3) The reduction of benefits under paragraph
19 (1) shall not apply to any benefits under section 223
20 for any month, or any benefits under section 202 for
21 such month based on the individual’s wages and self-
22 employment income for such month, if the individual
23 is entitled for such month to unemployment com-
24 pensation following a period of trial work (as de-
25 scribed in section 222(c)(1), participation in the

1 Ticket to Work and Self-Sufficiency Program estab-
2 lished under section 1148, or participation in any
3 other program that is designed to encourage an indi-
4 vidual entitled to benefits under section 223 or 202
5 to work.

6 “(b) If any unemployment compensation is payable
7 to an individual on other than a monthly basis (including
8 a benefit payable as a lump sum to the extent that it is
9 a commutation of, or a substitute for, such periodic com-
10 pensation), the reduction under this section shall be made
11 at such time or times and in such amounts as the Commis-
12 sioner of Social Security (referred to in this section as the
13 ‘Commissioner’) determines will approximate as nearly as
14 practicable the reduction prescribed by subsection (a).

15 “(c) Reduction of benefits under this section shall be
16 made after any applicable reductions under section 203(a)
17 and section 224, but before any other applicable deduc-
18 tions under section 203.

19 “(d)(1) Subject to paragraph (2), if the Commis-
20 sioner determines that an individual may be eligible for
21 unemployment compensation which would give rise to a
22 reduction of benefits under this section, the Commissioner
23 may require, as a condition of certification for payment
24 of any benefits under section 223 to any individual for
25 any month and of any benefits under section 202 for such

1 month based on such individual's wages and self-employ-
2 ment income, that such individual certify—

3 “(A) whether the individual has filed or intends
4 to file any claim for unemployment compensation,
5 and

6 “(B) if the individual has filed a claim, whether
7 there has been a decision on such claim.

8 “(2) For purposes of paragraph (1), the Commis-
9 sioner may, in the absence of evidence to the contrary,
10 rely upon a certification by the individual that the indi-
11 vidual has not filed and does not intend to file such a
12 claim, or that the individual has so filed and no final deci-
13 sion thereon has been made, in certifying benefits for pay-
14 ment pursuant to section 205(i).

15 “(e) Whenever a reduction in total benefits based on
16 an individual's wages and self-employment income is made
17 under this section for any month, each benefit, except the
18 disability insurance benefit, shall first be proportionately
19 decreased, and any excess of such reduction over the sum
20 of all such benefits other than the disability insurance ben-
21 efit shall then be applied to such disability insurance ben-
22 efit.

23 “(f)(1) Notwithstanding any other provision of law,
24 the head of any Federal agency shall provide such infor-
25 mation within its possession as the Commissioner may re-

1 quire for purposes of making a timely determination of
2 the amount of the reduction, if any, required by this sec-
3 tion in benefits payable under this title, or verifying other
4 information necessary in carrying out the provisions of
5 this section.

6 “(2) The Commissioner is authorized to enter into
7 agreements with States, political subdivisions, and other
8 organizations that administer unemployment compensa-
9 tion, in order to obtain such information as the Commis-
10 sioner may require to carry out the provisions of this sec-
11 tion.

12 “(g) For purposes of this section, the term ‘unem-
13 ployment compensation’ has the meaning given that term
14 in section 85(b) of the Internal Revenue Code of 1986,
15 and the total amount of unemployment compensation to
16 which an individual is entitled shall be determined prior
17 to any applicable reduction under State law based on the
18 receipt of benefits under section 202 or 223.”.

19 (b) CONFORMING AMENDMENT.—Section 224(a) of
20 the Social Security Act (42 U.S.C. 424a(a)) is amended,
21 in the matter preceding paragraph (1), by striking “the
22 age of 65” and inserting “retirement age (as defined in
23 section 216(l)(1))”.

24 (c) EFFECTIVE DATE.—The amendments made by
25 subsections (a) and (b) shall apply to benefits payable for

1 months beginning on or after the date that is 12 months
2 after the date of enactment of this section.

3 **SEC. 9. REDUCTION OF NONMEDICARE, NONDEFENSE DI-**
4 **RECT SPENDING.**

5 Section 251A of the Balanced Budget and Emer-
6 gency Deficit Control Act of 1985 (2 U.S.C. 901a) is
7 amended by adding at the end the following:

8 “(11) ADDITIONAL REDUCTION OF NONMEDI-
9 CARE, NONDEFENSE DIRECT SPENDING.—

10 “(A) IN GENERAL.—For each of fiscal
11 years 2015 through 2023, in addition to the re-
12 duction in direct spending under paragraph (6),
13 on the date specified in paragraph (2), OMB
14 shall prepare and the President shall order a
15 sequestration, effective upon issuance, reducing
16 the spending described in subparagraph (B) by
17 the uniform percentage necessary to reduce
18 such spending for the fiscal year by
19 \$1,333,000,000.

20 “(B) SPENDING COVERED.—The spending
21 described in this subparagraph is spending that
22 is—

23 “(i) nonexempt direct spending;

24 “(ii) not spending for the Medicare
25 programs specified in section 256(d); and

1 “(iii) within the revised nonsecurity
2 category.”.

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2^D Session

S. 1931

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