

113TH CONGRESS  
1ST SESSION

# S. 803

To provide enhanced disaster unemployment assistance to States affected by Hurricane Sandy and Tropical Storm Sandy of 2012, and for other purposes.

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## IN THE SENATE OF THE UNITED STATES

APRIL 24, 2013

Mr. REID (for Mr. LAUTENBERG (for himself, Mrs. GILLIBRAND, and Mr. BLUMENTHAL)) introduced the following bill; which was read twice and referred to the Committee on Finance

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## A BILL

To provide enhanced disaster unemployment assistance to States affected by Hurricane Sandy and Tropical Storm Sandy of 2012, 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 “Superstorm Sandy Un-  
5       employment Relief Act of 2013”.

6       **SEC. 2. EXTENSION OF DISASTER UNEMPLOYMENT BEN-**  
7       **EFIT PERIOD.**

8       (a) IN GENERAL.—Notwithstanding the maximum  
9       time period for assistance established under section 410(a)

1 of the Robert T. Stafford Disaster Relief and Emergency  
 2 Assistance Act (42 U.S.C. 5177(a)), in the case of an indi-  
 3 vidual who is eligible to receive unemployment assistance  
 4 under that section 410(a) as a result of a disaster declara-  
 5 tion made by reason of Hurricane Sandy after October  
 6 20, 2012, the President shall make such assistance avail-  
 7 able for 39 weeks after the date of the disaster declara-  
 8 tion.

9 (b) REFERENCES.—References in this Act to “Hurri-  
 10 cane Sandy” shall be deemed to include Tropical Storm  
 11 Sandy, occurring in the Fall of 2012.

12 **SEC. 3. ASSISTANCE TO STATES.**

13 (a) PAYMENTS TO STATES.—

14 (1) IN GENERAL.—Payments shall be made to  
 15 a State in an amount equal to 100 percent of the  
 16 amount of unemployment compensation paid under  
 17 the provisions of the State law to affected individ-  
 18 uals in each State in which a major disaster was de-  
 19 clared with respect to that State or any area within  
 20 that State under the Robert T. Stafford Disaster  
 21 Assistance Relief and Emergency Assistance Act by  
 22 reason of Hurricane Sandy in 2012.

23 (2) FUNDING AND TRANSFER OF FUNDS.—

24 (A) FUNDING.—There are appropriated,  
 25 out of moneys in the Treasury not otherwise ob-

1           ligated, such sums as may be necessary for pur-  
2           poses of carrying out this section, and such  
3           sums shall not be required to be repaid.

4           (B) TRANSFERS.—Notwithstanding any  
5           other provision of law, the Secretary of the  
6           Treasury shall transfer from the General Fund  
7           of the Treasury to—

8                   (i) the extended unemployment com-  
9                   pensation account (as established by sec-  
10                  tion 905 of the Social Security Act (42  
11                  U.S.C. 1105)) such sums as the Secretary  
12                  of Labor estimates to be necessary to make  
13                  payments to States for the unemployment  
14                  compensation identified in paragraph (1);  
15                  and

16                  (ii) the employment security adminis-  
17                  tration account (as established by section  
18                  901 of the Social Security Act (42 U.S.C.  
19                  1101)) such sums as the Secretary of  
20                  Labor estimates to be necessary for pur-  
21                  poses of assisting States in meeting the  
22                  costs of administering this section.

23           (3) TERMS OF PAYMENTS.—Payments made to  
24           a State under this section shall be made by way of  
25           advance or reimbursement.

1           (4) LIMITATIONS ON PAYMENTS.—No payments  
 2       shall be made to a State under this section for un-  
 3       employment compensation paid by the State to an  
 4       affected individual, if the State is advanced or reim-  
 5       bursed for the costs of such unemployment com-  
 6       pensation under other provisions of Federal law.

7       (b) APPLICABILITY.—Payments to a State under  
 8       subsection (a) shall be available for unemployment com-  
 9       pensation payable with respect to weeks of unemploy-  
 10      ment—

11           (1) beginning on or after October 28, 2012; and  
 12           (2) ending on or before July 28, 2013.

13       (c) DEFINITIONS.—In this section, the following defi-  
 14      nitions shall apply:

15           (1) STATE; STATE LAW.—The terms “State”  
 16       and “State law” have the meanings given those  
 17       terms in section 205 of the Federal-State Extended  
 18       Unemployment Compensation Act of 1970 (26  
 19       U.S.C. 3304 note).

20           (2) AFFECTED INDIVIDUAL.—The term “af-  
 21       fected individual” means an individual eligible for  
 22       unemployment compensation under State law, whose  
 23       unemployment is a direct result (as described in sec-  
 24       tion 625.5(c) of title 20, Code of Federal Regula-  
 25       tions) of the major disaster that was declared with

1       respect to that State or any area within that State  
2       under the Robert T. Stafford Disaster Assistance  
3       Relief and Emergency Assistance Act by reason of  
4       Hurricane Sandy in 2012.

5       (d) SENSE OF THE SENATE.—It is the sense of the  
6       Senate that—

7               (1) upon receiving a reimbursement or advance  
8       under this section, a State should, if State law al-  
9       lows—

10               (A) reverse or waive any charges to em-  
11       ployer accounts related to unemployment com-  
12       pensation paid to affected individuals for which  
13       the reimbursement or advance is provided; or

14               (B) in the case of a State or local govern-  
15       mental entity, non-profit organization, Indian  
16       tribe, or other employer, which elected to reim-  
17       burse the State for unemployment compensa-  
18       tion paid to affected individuals in lieu of pay-  
19       ing taxes based on charges to its employer ac-  
20       count, reimburse such employer for such costs;  
21       and

22               (2) in the case of an affected individual in a  
23       State who, in relation to their initial week of unem-  
24       ployment during the applicable period under sub-

1       section (b), received a waiting period credit instead  
2       of an unemployment compensation payment—

3               (A) the State, if State law allows, should  
4       provide for retroactive payment of unemploy-  
5       ment compensation for such week; and

6               (B) the State may receive reimbursement  
7       under this section for such retroactive payment.

8   **SEC. 4. REGULATIONS.**

9       The Secretary of Labor may prescribe any operating  
10   instructions or regulations necessary to carry out this Act.

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