

116TH CONGRESS
2D SESSION

H. R. 7821

To automatically extend and adjust enhanced unemployment assistance for the duration of the COVID-19 emergency and economic crisis, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JULY 29, 2020

Mr. BEYER (for himself, Mr. KILMER, Mr. PETERS, Mr. HECK, Ms. WEXTON, Mr. HASTINGS, Ms. JACKSON LEE, Mr. BLUMENAUER, Mr. SOTO, Mr. YARMUTH, Ms. DEAN, Mr. SCOTT of Virginia, Ms. FRANKEL, Mr. RYAN, Mrs. BEATTY, Mr. SMITH of Washington, Ms. JUDY CHU of California, Mr. KIND, Mr. HUFFMAN, Ms. NORTON, Ms. SEWELL of Alabama, Miss RICE of New York, Mr. PANETTA, Ms. SHERRILL, Ms. WASSERMAN SCHULTZ, Mrs. FLETCHER, Ms. SCHRIER, Ms. SHALALA, Mr. HIMES, Mr. MORELLE, Ms. KUSTER of New Hampshire, Mr. MEEKS, Mr. CASE, Ms. DELBENE, Mrs. TORRES of California, and Mr. SCHNEIDER) introduced the following bill; which was referred to the Committee on Ways and Means

A BILL

To automatically extend and adjust enhanced unemployment assistance for the duration of the COVID-19 emergency and economic crisis, 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 “Worker Relief and Se-
5 curity Act of 2020”.

1 **SEC. 2. TIERED EXPANSION OF PANDEMIC UNEMPLOY-**
2 **MENT ASSISTANCE.**

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

5 (1) by amending paragraph (2) to read as fol-
6 lows:

7 “(2) DURATION OF ASSISTANCE.—The total
8 number of weeks for which a covered individual may
9 receive assistance under this section shall be equal
10 to—

11 “(A) in the case of a covered individual
12 who first becomes eligible for assistance under
13 an agreement with a State under this section
14 beginning with any week ending on or before
15 January 31, 2021, the sum of—

16 “(i) the number of weeks sufficient to
17 provide for the payment of pandemic un-
18 employment assistance to such individual
19 for each week ending on or before such
20 date with respect to which such agreement
21 is in effect; and

22 “(ii) the number of weeks, beginning
23 with the 1st week ending after such date,
24 determined with respect to such State for
25 such week under paragraph (4); and

1 “(B) in the case of a covered individual
 2 who first becomes eligible for assistance under
 3 an agreement with a State under this section
 4 beginning with any week after the week ending
 5 on or before such date, the number of weeks,
 6 beginning with the 1st week for which the cov-
 7 ered individual becomes so eligible, determined
 8 with respect to such State for such week under
 9 paragraph (4).”; and
 10 (2) by adding at the end the following:

11 “(4) WEEKS OF ASSISTANCE AFTER JANUARY
 12 2021.—

13 “(A) IN GENERAL.—The number of weeks
 14 determined with respect to a State under this
 15 paragraph with respect to the reference week of
 16 a covered individual shall be the applicable
 17 number of weeks specified with respect to such
 18 State for the covered individual in the table
 19 provided in subparagraph (B), except that—

20 “(i) in any case in which a State is
 21 designated under section 2115(a) as a
 22 higher tier State for any 3-month period
 23 subsequent to the 3-month period in which
 24 the reference week of a covered individual
 25 ends, the applicable number of weeks spec-

ified in such table with respect to a State designated as such a higher tier State shall be substituted for the number of weeks otherwise applicable for such covered individual; and

“(ii) if for any 3-month period described in section 2115(a) the national unemployment rate (as determined by the Secretary of Labor for the base period consisting of the most recent 13-week period ending not less than 14 days before the beginning of such quarter) is less than 5.5 percent and has decreased for at least the last 2 months of such 3-month period, the applicable number of weeks with respect to a State designated under section 2115(a) as a Tier I State shall be zero in any case in which the reference week of a covered individual ends in any subsequent 3-month period.

“(B) TIERED EXTENSIONS.—The table provided in this subparagraph is as follows:

“If the reference week of a covered individual ends in a 3-month period for which the State has been designated under section 2115(a) as a...	The applicable number of weeks for the covered individual is...
Tier I State or Tier II State	13
Tier III State	26
Tier IV State	39

“If the reference week of a covered individual ends in a 3-month period for which the State has been designated under section 2115(a) as a...	The applicable number of weeks for the covered individual is...
Tier V State	52
Tier VI State	65.

1 “(C) REFERENCE WEEK.—For purposes of
2 this paragraph, the term ‘reference week’ of a
3 covered individual means the 1st week ending
4 after January 31, 2021, for which the covered
5 individual is eligible for assistance under an
6 agreement with a State under this section.”.

7 (b) ELIGIBILITY EXPANSION.—

8 (1) IN GENERAL.—Section 2102(a)(3) of the
9 CARES Act (15 U.S.C. 9021(a)(3)) is amended to
10 read as follows:

11 “(3) COVERED INDIVIDUAL.—The term ‘cov-
12 ered individual’ means an individual who is not eligi-
13 ble for regular compensation under State or Federal
14 law or pandemic emergency unemployment com-
15 pensation under section 2107 and who—

16 “(A)(i) has exhausted all rights to such
17 regular compensation and pandemic emergency
18 unemployment compensation (within the mean-
19 ing of section 2107(a)(3)); and

20 “(ii) would be eligible for regular com-
21 pensation but for the exhaustion of such rights;
22 or

1 “(B)(i) provides self-certification that the
2 individual—

3 “(I) is otherwise able to work and
4 available for work within the meaning of
5 applicable State law, except the individual
6 is unemployed, partially unemployed, or
7 unable or unavailable to work because—

8 “(aa) the individual has been di-
9 agnosed with COVID–19 or is experi-
10 encing symptoms of COVID–19 and
11 seeking a medical diagnosis;

12 “(bb) a member of the individ-
13 ual’s household has been diagnosed
14 with COVID–19;

15 “(cc) the individual is providing
16 care for a family member or a mem-
17 ber of the individual’s household who
18 has been diagnosed with COVID–19;

19 “(dd) a child or other person in
20 the household for which the individual
21 has primary caregiving responsibility
22 is unable to attend school, a childcare
23 facility, a long-term care facility, or
24 related facility, or is unable to access
25 in-home care, as a result of the

1 COVID-19 national emergency, and
2 such school, facility, or in-home care
3 is required for the individual to work;

4 “(ee) the individual is unable to
5 reach the place of employment be-
6 cause of a quarantine imposed as a
7 result of the COVID-19 national
8 emergency;

9 “(ff) the individual is unable to
10 reach the place of employment be-
11 cause the individual has been advised
12 by a health care provider to self-quar-
13 antine due to concerns related to the
14 COVID-19 national emergency, in-
15 cluding because the individual resides
16 with an individual at higher risk of se-
17 vere illness;

18 “(gg) the individual was sched-
19 uled to commence employment and
20 does not have a job or is unable to
21 reach the job as a result of the
22 COVID-19 national emergency;

23 “(hh) the individual has become
24 the breadwinner or major support for
25 a household because the head of the

1 household has died as a result of the
2 COVID-19 national emergency;

3 “(ii) the individual has to quit
4 his or her job as a result of the
5 COVID-19 national emergency;

6 “(jj) the individual’s place of em-
7 ployment is closed as a result of the
8 COVID-19 national emergency;

9 “(kk) the individual is otherwise
10 unable to obtain employment as a re-
11 sult of the COVID-19 national emer-
12 gency; or

13 “(ll) the individual meets any ad-
14 ditional criteria established by the
15 Secretary for unemployment assist-
16 ance under this section; or

17 “(II) is self-employed, is seeking part-
18 time employment, does not have sufficient
19 work history, or otherwise would not qual-
20 ify for regular unemployment or extended
21 benefits under State or Federal law or
22 pandemic emergency unemployment com-
23 pensation under section 2107 and meets
24 the requirements of subclause (I).

1 Such term does not include an individual
2 who has the ability to telework with pay or
3 who is receiving paid sick leave or other
4 paid leave benefits, regardless of whether
5 such individual otherwise meets the re-
6 quirements of subparagraph (B)(i)(I).”.

7 (2) EXPANSION OF ELIGIBILITY RELATED TO
8 ECONOMIC CONSEQUENCES OF COVID-19.—Section
9 2102(a)(2) of the CARES Act (15 U.S.C.
10 9021(a)(2)) is amended to read as follows:

11 “(2) COVID-19 NATIONAL EMERGENCY.—The
12 term ‘COVID-19 national emergency’ means the
13 public health emergency declared by the Secretary of
14 Health and Human Services on January 27, 2020,
15 with respect to the 2019 Novel Coronavirus, and its
16 macroeconomic consequences.”.

17 (3) EXTENSION OF ELIGIBILITY TO INDIVID-
18 UALS WITHOUT A RECENT ATTACHMENT TO THE
19 LABOR FORCE.—Section 2102(b) of the CARES Act
20 (15 U.S.C. 9021(b)) is amended to read as follows:

21 “(b) ASSISTANCE FOR UNEMPLOYMENT AS A RE-
22 SULT OF COVID–19 NATIONAL EMERGENCY.—Subject to
23 subsection (c), the Secretary shall provide pandemic un-
24 employment assistance—

1 “(1) to any covered individual while such indi-
 2 vidual is unemployed, partially unemployed, or un-
 3 able to work for the weeks of such unemployment
 4 with respect to which the individual is not entitled
 5 to any other unemployment compensation (as that
 6 term is defined in section 85(b) of title 26, United
 7 States Code) or waiting period credit; and

8 “(2) to any other individual for weeks with re-
 9 spect to which the individual would be a covered in-
 10 dividual but for the individual’s lack of a recent at-
 11 tachment to the labor force.”.

12 (4) CONFORMING AMENDMENTS.—Section 2102
 13 of the CARES Act (15 U.S.C. 9021) is amended—

14 (A) in subsection (c)(1), by striking
 15 “COVID-19” and inserting “the COVID-19 na-
 16 tional emergency” each place it appears; and

17 (B) in subsection (h)(1), by striking
 18 “COVID–19 public health emergency” and in-
 19 serting “COVID-19 national emergency”.

20 (c) COORDINATION WITH EXTENDED COMPENSA-
 21 TION.—

22 (1) IN GENERAL.—Section 2102(f) of such Act
 23 (15 U.S.C. 9021(f)) is amended by adding at the
 24 end the following:

1 “(4) COORDINATION WITH EXTENDED COM-
2 PENSATION.—An agreement under this section shall
3 apply with respect to a State only upon a determina-
4 tion by the Secretary that, under the State law or
5 other applicable rules of such State, the payment of
6 extended compensation for which an individual is
7 otherwise eligible must be deferred until after the
8 payment of any pandemic unemployment assistance
9 under subsection (b) for which the individual is con-
10 currently eligible.”.

11 (2) CONFORMING AMENDMENT.—Section
12 2102(a)(3)(A)(i) of such Act (15 U.S.C.
13 9021(a)(3)(A)(i)) is amended by striking “or ex-
14 tended benefits” each place it appears.

15 (d) APPLICABILITY.—Section 2102(c)(1) of such Act
16 (15 U.S.C. 9021(c)(1)) is amended—

17 (1) by amending subparagraph (A) to read as
18 follows:

19 “(A) for weeks of unemployment, partial
20 unemployment, or inability to work caused by
21 COVID–19 beginning on or after January 27,
22 2020; and”; and

23 (2) in subparagraph (B), by striking “subject to
24 subparagraph (A)(ii),”.

1 **SEC. 3. TIERED EXTENSION OF FEDERAL PANDEMIC UNEM-**
2 **PLOYMENT COMPENSATION.**

3 (a) IN GENERAL.—Section 2104(b) of the CARES
4 Act (15 U.S.C. 9023(b)) is amended—

5 (1) in paragraph (1), by striking “(B) an addi-
6 tional amount” and all that follows through the end
7 and inserting the following:

8 “(B) an additional amount (in this section
9 referred to as ‘Federal Pandemic Unemploy-
10 ment Compensation’) of—

11 “(i) for weeks with respect to which
12 such agreement is in effect ending on or
13 before the date that is 30 days after the
14 date on which any national emergency de-
15 clared by the President under the National
16 Emergencies Act (50 U.S.C. 1601 et seq.)
17 relating to COVID-19 (or any extension
18 thereof) terminates, including the national
19 emergency declared on March 13, 2020,
20 and any subsequent national emergency,
21 \$600;

22 “(ii) for the subsequent 13 weeks with
23 respect to which such agreement is in ef-
24 fect ending after such date, \$450;

25 “(iii) for any week with respect to
26 which such agreement is in effect following

1 the weeks described in clause (ii), the ap-
2 plicable dollar amount specified with re-
3 spect to such State for such week in the
4 table provided in paragraph (2), except
5 that—

6 “(I) if the first such week ends in
7 the last month of a 3-month period
8 for which a State has received a des-
9 ignation under section 2115(a), the
10 applicable dollar amount for the first
11 such week and for any subsequent
12 weeks ending during such 3-month pe-
13 riod shall be \$450; and

14 “(II) if for any 3-month period
15 described in section 2115(a) the na-
16 tional unemployment rate (as deter-
17 mined by the Secretary of Labor for
18 the base period consisting of the most
19 recent 13-week period ending not less
20 than 14 days before the beginning of
21 such quarter) is less than 5.5 percent
22 and has decreased for at least the last
23 2 months of such 3-month period, the
24 applicable dollar amount with respect
25 to a State designated under section

1 2115(a) as a Tier I State, Tier II
 2 State, or Tier III State shall be \$0 for
 3 any week ending in any subsequent 3-
 4 month period.

5 Notwithstanding clause (i), in any case in which a
 6 subsequent national emergency is declared by the
 7 President under the National Emergencies Act (50
 8 U.S.C. 1601 et seq.) relating to COVID-19 during
 9 the last 2 months of a 3-month period for which a
 10 State has received a designation under section
 11 2115(a), the applicable dollar amount for the first
 12 week ending on or before the date that is 30 days
 13 after the date of such declaration, and for any sub-
 14 sequent weeks during such 3-month period shall be
 15 the amount determined under clause (iii).”;

16 (2) by redesignating paragraph (2) as para-
 17 graph (3); and

18 (3) by inserting after paragraph (1) the fol-
 19 lowing:

20 “(2) TIERED COMPENSATION AMOUNTS.—The
 21 table provided in this paragraph is as follows:

“If a week ends in a 3-month period for which a State has been designated under section 2115(a) as a...	The applicable dollar amount for such week shall be equal to...
Tier I State, Tier II State, or Tier III State	\$200
Tier IV State, Tier V State, or Tier VI State	\$300.”.

1 (b) APPLICABILITY.—Section 2104(e) of such Act
2 (15 U.S.C. 9023(e)) is amended to read as follows:

3 “(b) APPLICABILITY.—An agreement entered into
4 under this section shall apply to weeks of unemployment
5 beginning after the date on which such agreement is en-
6 tered into.”.

7 **SEC. 4. EXTENSION OF PANDEMIC EMERGENCY UNEMPLOY-**
8 **MENT COMPENSATION THROUGH CALENDAR**
9 **YEAR 2020.**

10 Section 2107 of the CARES Act (15 U.S.C. 9025)
11 is amended—

12 (1) in subsection (b)(2), by striking “13 times”
13 and all that follows through the end and inserting
14 “the product of—

15 “(A) the individual’s average weekly ben-
16 efit amount, which includes the amount of Fed-
17 eral Pandemic Unemployment Compensation
18 under section 2104, for the benefit year; and

19 “(B) the number of weeks sufficient to
20 provide for the payment of pandemic emergency
21 unemployment compensation to the individual
22 for each week with respect to which the agree-
23 ment entered into under this section is in ef-
24 fect.”; and

(2) in subsection (g)(2), by striking “December 31, 2020” and inserting “January 31, 2021”.

SEC. 5. DESIGNATION OF STATE UNEMPLOYMENT TIERS.

Subtitle A of title II of division B of the CARES Act (15 U.S.C. 9021 et seq.) is amended—

(1) by redesignating sections 2115 and 2116 as sections 2116 and 2117, respectively; and

(2) by inserting after section 2114 the following:

“SEC. 2115. STATE UNEMPLOYMENT TIERS.

“(a) IN GENERAL.—For the 3-month period beginning with February 2021, and for each subsequent 3-month period, the Secretary of Labor shall designate each State according to the following table:

“If the quarterly unemployment rate in a State with respect to a 3-month period is...	The State shall be designated for such 3-month period as a...
less than 5.5 percent	Tier I State
equal to or greater than 5.5 percent but less than 6.5 percent.	Tier II State
equal to or greater than 6.5 percent but less than 7.5 percent.	Tier III State
equal to or greater than 7.5 percent but less than 8.5 percent.	Tier IV State
equal to or greater than 8.5 percent but less than 9.5 percent.	Tier V State
equal to or greater than 9.5 percent	Tier VI State.

“(b) QUARTERLY UNEMPLOYMENT RATE.—For purposes of this section, the term ‘quarterly unemployment rate’ means, with respect to a State for a 3-month period described in subsection (a), the average rate of total unem-

1 ployment in such State (seasonally adjusted), to be deter-
 2 mined by the Secretary of Labor, for the period consisting
 3 of the most recent 13-week period ending not less than
 4 14 days before the beginning of such 3-month period.

5 “(c) STATE.—For purposes of this section, the term
 6 ‘State’ includes the District of Columbia, the Common-
 7 wealth of Puerto Rico, the Virgin Islands, Guam, Amer-
 8 ican Samoa, the Commonwealth of the Northern Mariana
 9 Islands, the Federated States of Micronesia, the Republic
 10 of the Marshall Islands, and the Republic of Palau.”.

11 **SEC. 6. ADDITIONAL EMERGENCY TRANSFERS FOR UNEM-**
 12 **PLOYMENT COMPENSATION ADMINISTRA-**
 13 **TION.**

14 (a) IN GENERAL.—Section 903 of the Social Security
 15 Act (42 U.S.C. 1103) is amended by adding at the end
 16 the following:

17 “Additional emergency transfers in fiscal year 2020
 18 for administration

19 “(j)(1)(A) In addition to any other amounts (includ-
 20 ing amounts provided under subsection (h)), the Secretary
 21 of Labor shall provide for the making of emergency ad-
 22 ministration grants in fiscal year 2020 to the accounts of
 23 the States in the Unemployment Trust Fund, in accord-
 24 ance with succeeding provisions of this subsection.

1 “(B) The amount of an emergency administration
2 grant with respect to a State shall, as determined by the
3 Secretary of Labor, be equal to the amount obtained by
4 multiplying \$5,000,000,000 by the same ratio as would
5 apply under subsection (a)(2)(B) for purposes of deter-
6 mining such State’s share of any excess amount (as de-
7 scribed in subsection (a)(1)) that would have been subject
8 to transfer to State accounts, as of October 1, 2019, under
9 the provisions of subsection (a).

10 “(2) Any amount transferred to the account of a
11 State under this subsection may be used by such State
12 only for the administration of its unemployment com-
13 pensation law.

14 “(3)(A) Notwithstanding any other provision of law,
15 the Secretary of the Treasury shall transfer from the gen-
16 eral fund of the Treasury (from funds not otherwise ap-
17 propriated) to the employment security administration ac-
18 count (as established by section 901 of the Social Security
19 Act) such sums as the Secretary of Labor estimates to
20 be necessary for purposes of making the transfers de-
21 scribed in paragraph (1)(C).

22 “(B) There are appropriated from the general fund
23 of the Treasury, without fiscal year limitation, the sums
24 referred to in the preceding sentence and such sums shall
25 not be required to be repaid.”.

1 (b) REGULATIONS.—The Secretary of Labor may
2 prescribe any regulations, operating instructions, or other
3 guidance necessary to carry out the amendment made by
4 subsection (a).

○