

116TH CONGRESS  
1ST SESSION

# S. 165

To amend chapter 85 of title 5, United States Code, to clarify that Federal employees excepted from a furlough are eligible for unemployment compensation.

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## IN THE SENATE OF THE UNITED STATES

JANUARY 16, 2019

Mr. BLUMENTHAL (for himself, Ms. HARRIS, and Mr. MURPHY) introduced the following bill; which was read twice and referred to the Committee on Finance

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## A BILL

To amend chapter 85 of title 5, United States Code, to clarify that Federal employees excepted from a furlough are eligible for unemployment compensation.

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 “Federal Unemploy-  
5       ment Compensation Equality Act of 2019”.

1 **SEC. 2. CLARIFICATION THAT FEDERAL EMPLOYEES EX-**  
 2 **CEPTED FROM A FURLOUGH ARE ELIGIBLE**  
 3 **FOR UNEMPLOYMENT COMPENSATION.**

4 (a) IN GENERAL.—Section 8502 of title 5, United  
 5 States Code, is amended—

6 (1) by redesignating subsection (e) as sub-  
 7 section (f); and

8 (2) by inserting after subsection (d) the fol-  
 9 lowing new subsection:

10 “(e)(1) With respect to any lapse in appropriations  
 11 beginning on or after December 22, 2018, each excepted  
 12 Federal employee shall be, solely for the purpose of deter-  
 13 mining eligibility for unemployment compensation under  
 14 this subchapter, deemed for the duration of the lapse in  
 15 appropriations to be—

16 “(A) totally separated from Federal service; and

17 “(B) eligible for unemployment compensation  
 18 benefits under this subchapter with no waiting pe-  
 19 riod for such eligibility to accrue.

20 “(2) In this subsection, the term ‘excepted Federal  
 21 employee’ means a Federal employee who—

22 “(A) is an excepted employee or an employee  
 23 performing emergency work, as such terms are de-  
 24 fined by the Office of Personnel Management; and

25 “(B) is not being paid due to a lapse in appro-  
 26 priations.”.

1       (b) APPLICATION.—The amendments made by sub-  
2 section (a) shall apply to weeks of unemployment begin-  
3 ning on or after December 22, 2018.

