

during which such agreement is in effect, claimants of unemployment compensation refuse to return to work or to accept an offer of suitable work without good cause. Such method shall include the following:

(1) A reporting method for employers, such as through a phone line, email, or online portal, to notify the State agency when an individual refuses an offer of employment.

(2) A plain-language notice provided to such claimants about State return to work laws, rights to refuse to return to work or to refuse suitable work, including what constitutes suitable work, and a claimant's right to refuse work that poses a risk to the claimant's health or safety, and information on contesting the denial of a claim that has been denied due to a report by an employer that the claimant refused to return to work or refused suitable work.

(Pub. L. 116-136, div. A, title II, §2117, as added Pub. L. 116-260, div. N, title II, §251(a), Dec. 27, 2020, 134 Stat. 1961.)

Editorial Notes

REFERENCES IN TEXT

This subtitle, referred to in text, is subtitle A (§2101 et seq.) of title II of div. A of Pub. L. 116-136, Mar. 27, 2020, 134 Stat. 313, known as the Relief for Workers Affected by Coronavirus Act. For complete classification of subtitle A to the Code, see Short Title note set out under section 9001 of this title and Tables.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE

Pub. L. 116-260, div. N, title II, §251(b), Dec. 27, 2020, 134 Stat. 1961, provided that: "The requirements imposed by this section [enacting this section] shall take effect 30 days from the date of enactment of this Act [Dec. 27, 2020]."

§ 9034. Funding for fraud prevention, equitable access, and timely payment to eligible workers

(a) In general

In addition to amounts otherwise available, there is appropriated to the Secretary of Labor for fiscal year 2021, out of any money in the Treasury not otherwise appropriated, \$2,000,000,000, to remain available until expended, to detect and prevent fraud, promote equitable access, and ensure the timely payment of benefits with respect to unemployment compensation programs, including programs extended under subtitle A of title IX of the American Rescue Plan Act of 2021.

(b) Use of funds

Amounts made available under subsection (a) may be used—

- (1) for Federal administrative costs related to the purposes described in subsection (a);
- (2) for systemwide infrastructure investment and development related to such purposes; and
- (3) to make grants to States or territories administering unemployment compensation programs described in subsection (a) (including territories administering the Pandemic Unemployment Assistance program under sec-

tion 9021 of this title) for such purposes, including the establishment of procedures or the building of infrastructure to verify or validate identity, implement Federal guidance regarding fraud detection and prevention, and accelerate claims processing or process claims backlogs due to the pandemic.

(c) Restrictions on grants to States and territories

As a condition of receiving a grant under subsection (b)(3), the Secretary may require that a State or territory receiving such a grant shall—

- (1) use such program integrity tools as the Secretary may specify; and
- (2) as directed by the Secretary, conduct user accessibility testing on any new system developed by the Secretary pursuant to subsection (b)(2).

(Pub. L. 116-136, div. A, title II, §2118, as added Pub. L. 117-2, title IX, §9032, Mar. 11, 2021, 135 Stat. 121.)

Editorial Notes

REFERENCES IN TEXT

Subtitle A of title IX of the American Rescue Plan Act of 2021, referred to in subsec. (a), is subtitle A (§§9011-9042) of title IX of Pub. L. 117-2, Mar. 11, 2021, 135 Stat. 118. For complete classification of subtitle A to the Code, see Tables.

SUBCHAPTER III—ECONOMIC STABILIZATION AND ASSISTANCE TO SEVERELY DISTRESSED SECTORS OF THE UNITED STATES ECONOMY

PART A—CORONAVIRUS ECONOMIC STABILIZATION

§ 9041. Definitions

In this part:

(1) Air carrier

The term "air carrier" has the meaning such term has under section 40102 of title 49.

(2) Coronavirus

The term "coronavirus" means SARS-CoV-2 or another coronavirus with pandemic potential.

(3) Covered loss

The term "covered loss" includes losses incurred directly or indirectly as a result of coronavirus, as determined by the Secretary.

(4) Eligible business

The term "eligible business" means—

- (A) an air carrier; or
- (B) a United States business that has not otherwise received adequate economic relief in the form of loans or loan guarantees provided under this Act.

(5) Employee

Except where the context otherwise requires, the term "employee"—

- (A) has the meaning given the term in section 152 of title 29; and
- (B) includes any individual employed by an employer subject to the Railway Labor Act (45 U.S.C. 151 et seq.).

(6) Equity security; exchange

The terms "equity security" and "exchange" have the meanings given the terms in section 78c(a) of this title.

(7) Municipality

The term “municipality” includes—

- (A) a political subdivision of a State, and
- (B) an instrumentality of a municipality, a State, or a political subdivision of a State.

(8) National securities exchange

The term “national securities exchange” means an exchange registered as a national securities exchange under section 78f of this title.

(9) Secretary

The term “Secretary” means the Secretary of the Treasury, or the designee of the Secretary of the Treasury.

(10) State

The term “State” means—

- (A) any of the several States;
- (B) the District of Columbia;
- (C) any of the territories and possessions of the United States;
- (D) any bi-State or multi-State entity; and
- (E) any Indian Tribe.

(11) Aerospace-related businesses critical to maintaining national security

The term “businesses critical to maintaining national security” means those businesses that manufacture or produce aerospace-related products, civil or defense, including those that design, integrate, assemble, supply, maintain, and repair such products, and other businesses involved in aerospace-related manufacturing or production as further defined by the Secretary, in consultation with the Secretary of Defense and the Secretary of Transportation. For purposes of the preceding sentence, aerospace-related products include, but are not limited to, components, parts, or systems of aircraft, aircraft engines, or appliances for inclusion in an aircraft, aircraft engine, or appliance.

(Pub. L. 116-136, div. A, title IV, §4002, Mar. 27, 2020, 134 Stat. 469; Pub. L. 116-260, div. N, title IV, §412(c), Dec. 27, 2020, 134 Stat. 2061.)

Editorial Notes**REFERENCES IN TEXT**

This part, referred to in text, was in the original “this subtitle”, meaning subtitle A (§§4001-4029) of title IV of div. A of Pub. L. 116-136, known as the Coronavirus Economic Stabilization Act of 2020, which is classified principally to this part. For complete classification of subtitle A to the Code, see section 4001 of Pub. L. 116-136, set out as a Short Title note under section 9001 of this title, and Tables.

This Act, referred to in par. (4)(B), probably means subtitle A (§§4001-4029) of title IV of div. A of Pub. L. 116-136, known as the Coronavirus Economic Stabilization Act of 2020, which is classified principally to this part. For complete classification of this Act to the Code, see section 4001 of Pub. L. 116-136, set out as a Short Title note under section 9001 of this title, and Tables.

The Railway Labor Act, referred to in par. (5)(B), is act May 20, 1926, ch. 347, 44 Stat. 577, which is classified principally to chapter 8 (§151 et seq.) of Title 45, Railroads. For complete classification of this Act to the Code, see section 151 of Title 45 and Tables.

AMENDMENTS

2020—Par. (11). Pub. L. 116-260 added par. (11).

§ 9042. Emergency relief and taxpayer protections**(a) In general**

Notwithstanding any other provision of law, to provide liquidity to eligible businesses, States, and municipalities related to losses incurred as a result of coronavirus, the Secretary is authorized to make loans, loan guarantees, and other investments in support of eligible businesses, States, and municipalities that do not, in the aggregate, exceed \$0 and provide the subsidy amounts necessary for such loans, loan guarantees, and other investments in accordance with the provisions of the Federal Credit Reform Act of 1990 (2 U.S.C. 661 et seq.).

(b) Loans, loan guarantees, and other investments

Loans, loan guarantees, and other investments made pursuant to subsection (a) shall be made available as follows:

(1) Not more than \$0 shall be available to make loans and loan guarantees for passenger air carriers, eligible businesses that are certified under part 145 of title 14, Code of Federal Regulations, and approved to perform inspection, repair, replace, or overhaul services, and ticket agents (as defined in section 40102 of title 49).

(2) Not more than 0¹ shall be available to make loans and loan guarantees for cargo air carriers.

(3) Not more than 0¹ shall be available to make loans and loan guarantees for businesses critical to maintaining national security.

(4) Not more than the sum of \$0 and any amounts available under paragraphs (1), (2), and (3) that are not used as provided under those paragraphs shall be available to make loans and loan guarantees to, and other investments in, programs or facilities established by the Board of Governors of the Federal Reserve System for the purpose of providing liquidity to the financial system that supports lending to eligible businesses, States, or municipalities by—

(A) purchasing obligations or other interests directly from issuers of such obligations or other interests;

(B) purchasing obligations or other interests in secondary markets or otherwise; or

(C) making loans, including loans or other advances secured by collateral.

(c) Terms and conditions**(1) In general****(A) Forms; terms and conditions**

A loan, loan guarantee, or other investment by the Secretary shall be made under this section in such form and on such terms and conditions and contain such covenants, representations, warranties, and requirements (including requirements for audits) as the Secretary determines appropriate. Any loans made by the Secretary under this section shall be at a rate determined by the Secretary based on the risk and the current average yield on outstanding marketable ob-

¹ So in original. Probably should be preceded by a dollar sign.