

111TH CONGRESS
2^D SESSION

H. R. 5618

AN ACT

To continue Federal unemployment programs.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Restoration of Emer-
3 gency Unemployment Compensation Act of 2010”.

4 **SEC. 2. EXTENSION OF UNEMPLOYMENT INSURANCE PRO-**
5 **VISIONS.**

6 (a) IN GENERAL.—(1) Section 4007 of the Supple-
7 mental Appropriations Act, 2008 (Public Law 110–252;
8 26 U.S.C. 3304 note) is amended—

9 (A) by striking “June 2, 2010” each place it
10 appears and inserting “November 30, 2010”;

11 (B) in the heading for subsection (b)(2), by
12 striking “JUNE 2, 2010” and inserting “NOVEMBER
13 30, 2010”; and

14 (C) in subsection (b)(3), by striking “November
15 6, 2010” and inserting “April 30, 2011”.

16 (2) Section 2005 of the Assistance for Unemployed
17 Workers and Struggling Families Act, as contained in
18 Public Law 111–5 (26 U.S.C. 3304 note; 123 Stat. 444),
19 is amended—

20 (A) by striking “June 2, 2010” each place it
21 appears and inserting “December 1, 2010”; and

22 (B) in subsection (c), by striking “November 6,
23 2010” and inserting “May 1, 2011”.

24 (3) Section 5 of the Unemployment Compensation
25 Extension Act of 2008 (Public Law 110–449; 26 U.S.C.

1 3304 note) is amended by striking “November 6, 2010”
2 and inserting “April 30, 2011”.

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

6 (1) in subparagraph (D), by striking “and” at
7 the end; and

8 (2) by inserting after subparagraph (E) the fol-
9 lowing:

10 “(F) the amendments made by section
11 2(a)(1) of the Restoration of Emergency Unem-
12 ployment Compensation Act of 2010; and”.

13 (c) CONDITIONS FOR RECEIVING EMERGENCY UNEM-
14 PLOYMENT COMPENSATION.—Section 4001(d)(2) of the
15 Supplemental Appropriations Act, 2008 (Public Law 110–
16 252; 26 U.S.C. 3304 note) is amended, in the matter pre-
17 ceding subparagraph (A), by inserting before “shall
18 apply” the following: “(including terms and conditions re-
19 lating to availability for work, active search for work, and
20 refusal to accept work)”.

21 (d) EFFECTIVE DATE.—The amendments made by
22 this section shall take effect as if included in the enact-
23 ment of the Continuing Extension Act of 2010 (Public
24 Law 111–157).

1 **SEC. 3. COORDINATION OF EMERGENCY UNEMPLOYMENT**
2 **COMPENSATION WITH REGULAR COMPENSA-**
3 **TION.**

4 (a) CERTAIN INDIVIDUALS NOT INELIGIBLE BY REA-
5 SON OF NEW ENTITLEMENT TO REGULAR BENEFITS.—
6 Section 4002 of the Supplemental Appropriations Act,
7 2008 (Public Law 110–252; 26 U.S.C. 3304 note) is
8 amended by adding at the end the following:

9 “(g) COORDINATION OF EMERGENCY UNEMPLOY-
10 MENT COMPENSATION WITH REGULAR COMPENSA-
11 TION.—

12 “(1) If—

13 “(A) an individual has been determined to
14 be entitled to emergency unemployment com-
15 pensation with respect to a benefit year,

16 “(B) that benefit year has expired,

17 “(C) that individual has remaining entitle-
18 ment to emergency unemployment compensa-
19 tion with respect to that benefit year, and

20 “(D) that individual would qualify for a
21 new benefit year in which the weekly benefit
22 amount of regular compensation is at least ei-
23 ther \$100 or 25 percent less than the individ-
24 ual’s weekly benefit amount in the benefit year
25 referred to in subparagraph (A),

1 then the State shall determine eligibility for com-
2 pensation as provided in paragraph (2).

3 “(2) For individuals described in paragraph (1),
4 the State shall determine whether the individual is
5 to be paid emergency unemployment compensation
6 or regular compensation for a week of unemploy-
7 ment using one of the following methods:

8 “(A) The State shall, if permitted by State
9 law, establish a new benefit year, but defer the
10 payment of regular compensation with respect
11 to that new benefit year until exhaustion of all
12 emergency unemployment compensation payable
13 with respect to the benefit year referred to in
14 paragraph (1)(A);

15 “(B) The State shall, if permitted by State
16 law, defer the establishment of a new benefit
17 year (which uses all the wages and employment
18 which would have been used to establish a ben-
19 efit year but for the application of this para-
20 graph), until exhaustion of all emergency unem-
21 ployment compensation payable with respect to
22 the benefit year referred to in paragraph
23 (1)(A);

24 “(C) The State shall pay, if permitted by
25 State law—

1 “(i) regular compensation equal to the
2 weekly benefit amount established under
3 the new benefit year, and

4 “(ii) emergency unemployment com-
5 pensation equal to the difference between
6 that weekly benefit amount and the weekly
7 benefit amount for the expired benefit
8 year; or

9 “(D) The State shall determine rights to
10 emergency unemployment compensation without
11 regard to any rights to regular compensation if
12 the individual elects to not file a claim for reg-
13 ular compensation under the new benefit year.”.

14 (b) **EFFECTIVE DATE.**—The amendment made by
15 this section shall apply to individuals whose benefit years,
16 as described in section 4002(g)(1)(B) the Supplemental
17 Appropriations Act, 2008 (Public Law 110–252; 26
18 U.S.C. 3304 note), as amended by this section, expire
19 after the date of enactment of this Act.

20 **SEC. 4. REQUIRING STATES TO NOT REDUCE REGULAR**
21 **COMPENSATION IN ORDER TO BE ELIGIBLE**
22 **FOR FUNDS UNDER THE EMERGENCY UNEM-**
23 **PLOYMENT COMPENSATION PROGRAM.**

24 Section 4001 of the Supplemental Appropriations
25 Act, 2008 (Public Law 110–252; 26 U.S.C. 3304 note)

1 is amended by adding at the end the following new sub-
2 section:

3 “(g) NONREDUCTION RULE.—An agreement under
4 this section shall not apply (or shall cease to apply) with
5 respect to a State upon a determination by the Secretary
6 that the method governing the computation of regular
7 compensation under the State law of that State has been
8 modified in a manner such that—

9 “(1) the average weekly benefit amount of reg-
10 ular compensation which will be payable during the
11 period of the agreement occurring on or after June
12 2, 2010 (determined disregarding any additional
13 amounts attributable to the modification described
14 in section 2002(b)(1) of the Assistance for Unem-
15 ployed Workers and Struggling Families Act, as con-
16 tained in Public Law 111–5 (26 U.S.C. 3304 note;
17 123 Stat. 438)), will be less than

18 “(2) the average weekly benefit amount of reg-
19 ular compensation which would otherwise have been
20 payable during such period under the State law, as
21 in effect on June 2, 2010.”.

22 **SEC. 5. PROCEDURES.**

23 Section 4001 of the Supplemental Appropriations
24 Act, 2008 (Public Law 110–252; 26 U.S.C. 3304 note),

1 as amended by section 4, is amended by adding at the
2 end the following new subsection:

3 “(h) PROCEDURES.—Any State with an agreement
4 under this Act shall implement reasonable procedures to—

5 “(1) ensure that benefits under this Act are not
6 provided to any person who appears on any current
7 list of known or suspected terrorists provided to the
8 State by any government agency;

9 “(2) ensure that benefits under this Act are not
10 provided to any individual convicted of a sex offense
11 against a minor (as such terms are defined in sec-
12 tion 111 of the Sex Offender Registration and Noti-
13 fication Act (42 U.S.C. 16911)); and

14 “(3) ensure that the State is enforcing require-
15 ments under subsection (f) of this section to bar un-
16 authorized aliens from receiving emergency unem-
17 ployment compensation under this Act.”.

18 **SEC. 6. BUDGETARY PROVISIONS.**

19 (a) STATUTORY PAYGO.—The budgetary effects of
20 this Act, for the purpose of complying with the Statutory
21 Pay-As-You-Go Act of 2010, shall be determined by ref-
22 erence to the latest statement titled ‘Budgetary Effects
23 of PAYGO Legislation’ for this Act, submitted for print-
24 ing in the Congressional Record by the Chairman of the

1 House Budget Committee, provided that such statement
2 has been submitted prior to the vote on passage.

3 (b) EMERGENCY DESIGNATIONS.—Sections 2 and
4 3—

5 (1) are designated as an emergency require-
6 ment pursuant to section 4(g) of the Statutory Pay-
7 As-You-Go Act of 2010 (Public Law 111–139; 2
8 U.S.C. 933(g));

9 (2) in the House of Representatives, are des-
10 igned as an emergency for purposes of pay-as-you-
11 go principles; and

12 (3) in the Senate, are designated as an emer-
13 gency requirement pursuant to section 403(a) of S.
14 Con. Res. 13 (111th Congress), the concurrent reso-
15 lution on the budget for fiscal year 2010.

Passed the House of Representatives July 1, 2010.

Attest:

Clerk.

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