



DIVISION N—Additional Coronavirus Response and Relief
Title II—Assistance to Individuals, Families, and Businesses
Subtitle A—Unemployment Insurance

Prepared by the Staffs of the House Committee on Ways & Means, the House Committee on Transportation & Infrastructure, and the Senate Committee on Finance

Chapter 1. Continued Assistance to Unemployed Workers

Section 200. This section provides the short title.

Subchapter I – Extension of CARES Act Unemployment Provisions

Section 201. Extension and Benefit Phaseout Rule for Pandemic Unemployment Assistance.

- Extends Pandemic Unemployment Assistance (PUA) to March 14, 2021 and allows individuals receiving benefits as of March 14, 2021 to continue through April 5, 2021, as long as the individual has not reached the maximum number of weeks.
- Increases the number of weeks of benefits an individual may claim from 39 to 50.
- Provides for appeals to be at the state level.
- Provides states authority to waive overpayments made without fault on the part of the individual or when such repayment would violate equity and good conscience.
- Provides a transition rule for certain individuals transitioning between PUA and the Pandemic Emergency Unemployment Compensation program.
- Limits payment of retroactive PUA benefits to weeks of unemployment after December 1, 2020.

Section 202. Extension of Emergency Unemployment Relief for Governmental Entities and Nonprofit Organizations. Extends through March 14, 2021 a provision in the CARES Act which amended the Families First Coronavirus Response Act to provide federal support to cover 50% of the costs of unemployment benefits for employees of state and local governments and non-profit organizations.

Section 203. Extension of Federal Pandemic Unemployment Compensation. Restores the Federal Pandemic Unemployment Compensation (FPUC) supplement to all state and federal unemployment benefits at \$300 per week, starting after December 26 and ending March 14, 2021.

Section 204. Extension of Federal Funding of the First Week of Compensable Regular Unemployment for States with No Waiting Week. Extends through March 14, 2021 the CARES Act provision which reimbursed states for the cost of waiving the “waiting week” for



regular unemployment compensation. Sets the reimbursement percentage for weeks ending after December 26, 2020 at 50 percent.

Section 205. Extension of Emergency State Staffing Flexibility. Extends through March 14, 2021 the CARES Act provision which gave state unemployment offices temporary, emergency authority to use “non-merit” staff.

Section 206. Extension and Benefit Phaseout Rule for Pandemic Emergency Unemployment Compensation.

- Extends Pandemic Emergency Unemployment Compensation (PEUC) to March 14, 2021 and allows individuals receiving benefits as of March 14, 2021 to continue through April 5, 2021, as long as the individual has not reached the maximum number of weeks.
- Increases the number of weeks of benefits an individual may claim through the PEUC program from 13 to 24.
- Provides rules for states about sequencing these benefits with other unemployment benefits.

Section 207. Extension of Temporary Financing of Short-Time Compensation Payments in States with Programs in Law. Extends through March 14, 2021 the CARES Act provision which provided temporary 100 percent federal financing for Short-Time Compensation (“worksharing”) programs which are established in state law.

Section 208. Extension of Temporary Financing of Short-Time Compensation Agreements for States Without Programs in Law. Extends through March 14, 2021 the CARES Act provision which provided a 50 percent subsidy to non-statutory, temporary state Short-Time Compensation programs.

Section 209. Technical Amendment to References to Regulation in CARES Act. Provides a technical amendment to correct a reference error in the CARES Act.

Subchapter II – Extension of FFCRA Unemployment Provisions

Section 221. Extension of Temporary Assistance for States with Advances. Extends through March 14, 2021 accumulation of interest on federal loans states have taken in order to pay state unemployment benefits. The loans allow states with low balances in their unemployment trust funds to delay employer tax increases or other employer surcharges while the economy is struggling.

Section 222. Extension of Full Federal Funding of Extended Unemployment Compensation. Extends through March 14, 2021 the provision in the Families First Coronavirus Response Act which provided temporary full federal financing of Extended Benefits (EB) for high-



unemployment states. States are normally required to pay 50 percent of the cost of EB, which is a program in permanent law.

Subchapter III – Continued Assistance to Rail Workers

Section 231. This section provides the short title.

Section 232. This section restores the federal supplemental benefit for unemployed railroad workers at \$600/registration period for registration periods beginning after December 26, 2020 and on or before March 14, 2021.

Section 233. Provides up to 11 additional weeks of unemployment benefits under the Railroad Unemployment Insurance Act (RUIA) for qualifying railroad workers. This provision also extends the availability of the 13 weeks of additional unemployment benefits provided under the CARES Act. These weeks are not available to those whose extended benefit period begins after March 14, 2021, and they turn off for everyone for any registration period beginning after April 5, 2021.

Section 234. This section extends the waiver of the 7-day waiting period for benefits provided under the RUIA through March 14, 2021.

Section 235. This section temporarily prevents sequestration of the benefits available under the RUIA during the period that is 7 days after the date of enactment of this section and 30 days after the date on which the President’s declaration under the National Emergencies Act related to the coronavirus is terminated.

Subchapter IV – Improvements to Pandemic Unemployment Assistance to Strengthen Program Integrity

Section 241. Requirement to Substantiate Employment or Self-Employment and Wages Earned or Paid to Confirm Eligibility for Pandemic Unemployment Assistance.

- Effective January 31, 2021, requires new applicants for Pandemic Unemployment Assistance (PUA) to submit documentation to substantiate employment or self-employment within 21 days and provides for such deadline to be extended when an individual has shown good cause.
- Requires individuals receiving PUA as of January 31, 2021 to submit documentation to substantiate employment or self-employment within 90 days.

Section 242. Requirement for States to Verify Identity of Applicants for Pandemic Unemployment Assistance.

- Requires states to have procedures in place to verify or validate the identity of PUA applicants, and for timely payment of benefits.



- Clarifies that expenses to implement such procedures qualify as an administrative cost and may be reimbursed as part of PUA operation.

Subchapter V – Return to Work Reporting Requirement

Section 251. Return to Work Reporting for CARES Act Agreements. Effective 30 days after enactment, requires states to have methods in place to address situations when claimants of unemployment compensation refuse to return to work or refuse to accept an offer of suitable work without good cause including:

- A reporting method for employers to notify the state when an individual refuses employment.
- A plain language notice to claimants about state return to work laws, rights to refuse to return to work or to refuse suitable work and information on contesting a denial of a claim, as well as what constitutes suitable work, including a claimant’s right to refuse work that poses a risk to the claimant’s health and safety.

Subchapter VI – Other Related Provisions and Technical Corrections

Section 261. Mixed Earner Unemployment Compensation. Provides a federally funded \$100 per week additional benefit to individuals who have at least \$5,000 a year in self-employment income but are disqualified from receiving Pandemic Unemployment Assistance because they are eligible for regular state unemployment benefits. This mixed-earner supplemental benefit would be added to the FPUC and would terminate along with it on March 14, 2021. This provision would be effective for future unemployment benefit payments after a state chose to make an agreement with the Department of Labor.

Section 262. Lost Wages Assistance Recoupment Fairness. Allows states to waive recovery of “Lost Wages Assistance” overpayments for which the recipient was not at fault and would suffer hardship if required to repay the benefits the same way they do in state unemployment benefits.

Section 263. Continuing Eligibility for Certain Recipients of Pandemic Unemployment Assistance. Ensures individuals who are otherwise eligible for Pandemic Unemployment Assistance do not have their benefits terminated because of inadvertent or state system failure errors in past required weekly benefit recertifications, so long as the state made good faith efforts to implement the program.

Section 264. Technical Correction for Nonprofit Organizations Classified as Federal Instrumentalities. This section makes a technical correction to allow certain federal instrumentalities that are reimbursable employers to receive the same federal subsidy for reimbursable employers that is provided to nonprofit organizations and government entities (see Sec. 1102).



Section 265. Technical Correction for the Commonwealth of Northern Mariana Islands.

Allows Pandemic Unemployment Assistance benefits to be provided to workers in the Commonwealth of the Northern Mariana Islands with “Commonwealth Only Transitional Worker,” or CW-1 status.

Section 266. Waiver to Preserve Access to Extended Benefits in High Unemployment States.

Provides a temporary waiver of the mandatory “EB freeze period” for states that trigger back onto the program because of fluctuations in their unemployment rates, beginning November 1, 2020 and ending December 31, 2021.