

111TH CONGRESS  
1ST SESSION

# H. R. 291

To provide for certain temporary additional unemployment benefits.

---

IN THE HOUSE OF REPRESENTATIVES

JANUARY 8, 2009

Mr. McDERMOTT introduced the following bill; which was referred to the  
Committee on Ways and Means

---

## A BILL

To provide for certain temporary additional unemployment  
benefits.

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 “Unemployment Supple-  
5 mental Assistance Act”.

6 **SEC. 2. INCREASE IN UNEMPLOYMENT COMPENSATION**  
7 **BENEFITS.**

8 (a) FEDERAL-STATE AGREEMENTS.—Any State  
9 which desires to do so may enter into and participate in  
10 an agreement under this section with the Secretary of  
11 Labor (hereinafter in this section referred to as the “Sec-

1 retary”). Any State which is a party to an agreement  
2 under this section may, upon providing 30 days’ written  
3 notice to the Secretary, terminate such agreement.

4 (b) PROVISIONS OF AGREEMENT.—

5 (1) ADDITIONAL COMPENSATION.—Any agree-  
6 ment under this section shall provide that the State  
7 agency of the State will make payments of regular  
8 compensation to individuals in amounts and to the  
9 extent that they would be determined if the State  
10 law of the State were applied, with respect to any  
11 week for which the individual is (disregarding this  
12 section) otherwise entitled under the State law to re-  
13 ceive regular compensation, as if such State law had  
14 been modified in a manner such that the amount of  
15 regular compensation (including dependents’ allow-  
16 ances) payable for any week shall be equal to the  
17 amount determined under the State law (before the  
18 application of this paragraph) plus an additional  
19 \$50.

20 (2) ALLOWABLE METHODS OF PAYMENT.—Any  
21 additional compensation provided for in accordance  
22 with paragraph (1) shall be payable either—

23 (A) as an amount which is paid at the  
24 same time and in the same manner as any reg-

1           ular compensation otherwise payable for the  
2           week involved; or

3                   (B) at the option of the State, by pay-  
4           ments which are made separately from, but on  
5           the same weekly basis as, any regular com-  
6           pensation otherwise payable.

7           (c) NONREDUCTION RULE.—An agreement under  
8           this section shall not apply (or shall cease to apply) with  
9           respect to a State upon a determination by the Secretary  
10          that the method governing the computation of regular  
11          compensation under the State law of that State has been  
12          modified in a manner such that—

13                   (1) the average weekly benefit amount of reg-  
14          ular compensation which will be payable during the  
15          period of the agreement (determined disregarding  
16          any additional amounts attributable to the modifica-  
17          tion described in subsection (b)(1)) 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 December 31, 2008.

22          (d) PAYMENTS TO STATES.—

23                   (1) IN GENERAL.—

24                           (A) FULL REIMBURSEMENT.—There shall  
25          be paid to each State which has entered into an

1 agreement under this section an amount equal  
2 to 100 percent of—

3 (i) the total amount of additional  
4 compensation (as described in subsection  
5 (b)(1)) paid to individuals by the State  
6 pursuant to such agreement; and

7 (ii) any additional administrative ex-  
8 penses incurred by the State by reason of  
9 such agreement (as determined by the Sec-  
10 retary).

11 (B) TERMS OF PAYMENTS.—Sums payable  
12 to any State by reason of such State's having  
13 an agreement under this section shall be pay-  
14 able, either in advance or by way of reimburse-  
15 ment (as determined by the Secretary), in such  
16 amounts as the Secretary estimates the State  
17 will be entitled to receive under this section for  
18 each calendar month, reduced or increased, as  
19 the case may be, by any amount by which the  
20 Secretary finds that his estimates for any prior  
21 calendar month were greater or less than the  
22 amounts which should have been paid to the  
23 State. Such estimates may be made on the  
24 basis of such statistical, sampling, or other

1 method as may be agreed upon by the Secretary  
2 and the State agency of the State involved.

3 (2) CERTIFICATIONS.—The Secretary shall  
4 from time to time certify to the Secretary of the  
5 Treasury for payment to each State the sums pay-  
6 able to such State under this section.

7 (3) APPROPRIATION.—There are appropriated  
8 from the general fund of the Treasury, without fiscal  
9 year limitation, such sums as may be necessary for  
10 purposes of this subsection.

11 (e) APPLICABILITY.—

12 (1) IN GENERAL.—An agreement entered into  
13 under this section shall apply to weeks of unemploy-  
14 ment—

15 (A) beginning after the date on which such  
16 agreement is entered into; and

17 (B) ending before January 1, 2010.

18 (2) TRANSITION RULE FOR INDIVIDUALS RE-  
19 MAINING ENTITLED TO REGULAR COMPENSATION AS  
20 OF JANUARY 1, 2010.—In the case of any individual  
21 who, as of the date specified in paragraph (1)(B),  
22 has not yet exhausted all rights to regular com-  
23 pensation under the State law of a State with re-  
24 spect to a benefit year that began before such date,  
25 additional compensation (as described in subsection

1 (b)(1)) shall continue to be payable to such indi-  
2 vidual for any week beginning on or after such date  
3 for which the individual is otherwise eligible for reg-  
4 ular compensation.

5 (3) TERMINATION.—Notwithstanding any other  
6 provision of this subsection, no additional compensa-  
7 tion (as described in subsection (b)(1)) shall be pay-  
8 able for any week beginning after June 30, 2010.

9 (f) FRAUD AND OVERPAYMENTS.—The provisions of  
10 section 4005 of the Supplemental Appropriations Act,  
11 2008 (Public Law 110–252; 122 Stat. 2356) shall apply  
12 with respect to additional compensation (as described in  
13 subsection (b)(1)) to the same extent and in the same  
14 manner as in the case of emergency unemployment com-  
15 pensation.

16 (g) APPLICATION TO OTHER UNEMPLOYMENT BENE-  
17 FITS.—

18 (1) IN GENERAL.—Each agreement under this  
19 section shall include provisions to provide that the  
20 purposes of the preceding provisions of this section  
21 shall be applied with respect to unemployment bene-  
22 fits described in subsection (h)(3) to the same extent  
23 and in the same manner as if those benefits were  
24 regular compensation.

1           (2) ELIGIBILITY AND TERMINATION RULES.—  
2 Additional compensation (as described in subsection  
3 (b)(1))—

4           (A) shall not be payable, pursuant to this  
5 subsection, with respect to any unemployment  
6 benefits described in subsection (h)(3) for any  
7 week beginning on or after the date specified in  
8 subsection (e)(1)(B), except in the case of an  
9 individual who was eligible to receive additional  
10 compensation (as so described) in connection  
11 with any regular compensation or any unem-  
12 ployment benefits described in subsection (h)(3)  
13 for any period of unemployment ending before  
14 such date; and

15           (B) shall in no event be payable for any  
16 week beginning after the date specified in sub-  
17 section (e)(3).

18 (h) DEFINITIONS.—For purposes of this section—

19           (1) the terms “compensation”, “regulation com-  
20 pensation”, “benefit year”, “State”, “State agency”,  
21 “State law”, and “week” have the respective mean-  
22 ings given such terms under section 205 of the Fed-  
23 eral-State Extended Unemployment Compensation  
24 Act of 1970 (26 U.S.C. 3304 note);

1           (2) the term “emergency unemployment com-  
2           pensation” means emergency unemployment com-  
3           pensation under title IV of the Supplemental Appro-  
4           priations Act, 2008 (Public Law 110–252; 122 Stat.  
5           2353); and

6           (3) any reference to unemployment benefits de-  
7           scribed in this paragraph shall be considered to refer  
8           to—

9                   (A) extended compensation (as defined by  
10                   section 205 of the Federal-State Extended Un-  
11                   employment Compensation Act of 1970); and

12                   (B) unemployment compensation (as de-  
13                   fined by section 85(b) of the Internal Revenue  
14                   Code of 1986) provided under any program ad-  
15                   ministered by a State under an agreement with  
16                   the Secretary.

○