

116TH CONGRESS
2D SESSION

S. 4771

To provide continued assistance to unemployed workers.

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 30 (legislative day, SEPTEMBER 29), 2020

Mr. WYDEN (for himself and Mr. SCHUMER) introduced the following bill;
which was read twice and referred to the Committee on Finance

A BILL

To provide continued assistance to unemployed workers.

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; TABLE OF CONTENTS.**

4 (a) **SHORT TITLE.**—This Act may be cited as the
5 “Continued Assistance to Unemployed Workers Act of
6 2020”.

7 (b) **TABLE OF CONTENTS.**—The table of contents of
8 this Act is as follows:

Sec. 1. Short title; table of contents.

**TITLE I—EXTENSIONS OF CARES ACT UNEMPLOYMENT
BENEFITS FOR WORKERS**

Sec. 101. Extension of Federal Pandemic Unemployment Compensation.

Sec. 102. Extension of Pandemic Unemployment Assistance.

Sec. 103. Extension of Pandemic Emergency Unemployment Compensation.

- Sec. 104. Extension of temporary financing of short-time compensation payments in States with programs in law.
- Sec. 105. Extension of temporary financing of short-time compensation agreements.
- Sec. 106. Extension of full Federal funding of the first week of compensable regular unemployment for States with no waiting week.

TITLE II—ADDITIONAL WEEKS OF BENEFIT ELIGIBILITY

- Sec. 201. Additional weeks.

TITLE III—CLARIFICATIONS AND IMPROVEMENTS TO PANDEMIC UNEMPLOYMENT ASSISTANCE

- Sec. 301. Clarification of Pandemic Unemployment Assistance eligibility for primary caregiving.
- Sec. 302. Waiver authority for certain overpayments of Pandemic Unemployment Assistance.
- Sec. 303. Clarification of access to Pandemic Unemployment Assistance for workers at businesses that reduced staff due to the pandemic.
- Sec. 304. Hold harmless for Pandemic Unemployment Assistance.

TITLE IV—EXTENSION OF RELIEF TO STATES AND EMPLOYERS

- Sec. 401. Extension of full Federal funding of extended unemployment compensation.
- Sec. 402. Extension of temporary assistance for States with advances.
- Sec. 403. Extension of emergency relief for governmental entities and nonprofit organizations.

TITLE V—CORRECTIVE ACTION FOR PROCESSING BACKLOGS

- Sec. 501. State reporting on claims backlogs.

TITLE VI—ADDITIONAL BENEFITS FOR MIXED EARNERS

- Sec. 601. Mixed Earner Unemployment Compensation.

TITLE VII—TECHNICAL CORRECTIONS

- Sec. 701. Grace period for full financing of Short-Time Compensation Programs.
- Sec. 702. Technical correction for the Commonwealth of Northern Mariana Islands.
- Sec. 703. Technical amendment relating to Pandemic Unemployment Assistance.

1 **TITLE I—EXTENSIONS OF CARES**
2 **ACT UNEMPLOYMENT BENE-**
3 **FITS FOR WORKERS**

4 **SEC. 101. EXTENSION OF FEDERAL PANDEMIC UNEMPLOY-**
5 **MENT COMPENSATION.**

6 (a) IN GENERAL.—Section 2104(e) of the CARES
7 Act (Public Law 116–136) is amended to read as follows:

8 “(e) APPLICABILITY.—

9 “(1) IN GENERAL.—An agreement entered into
10 under this section shall apply—

11 “(A) to weeks of unemployment beginning
12 after the date on which such agreement is en-
13 tered into and ending on or before July 31,
14 2020; and

15 “(B) to weeks of unemployment beginning
16 after September 5, 2020 (or, if later, the date
17 on which such agreement is entered into) and
18 ending on or before January 31, 2021.

19 “(2) TRANSITION RULE FOR INDIVIDUALS RE-
20 MAINING ENTITLED TO REGULAR COMPENSATION AS
21 OF JANUARY 31, 2021.—In the case of any individual
22 who, as of the date specified in paragraph (1)(B),
23 has not yet exhausted all rights to regular com-
24 pensation under the State law of a State with re-
25 spect to a benefit year that began before such date,

1 Federal Pandemic Unemployment Compensation
2 shall continue to be payable to such individual for
3 any week beginning on or after such date for which
4 the individual is otherwise eligible for regular com-
5 pensation with respect to such benefit year.

6 “(3) TERMINATION.—Notwithstanding any
7 other provision of this subsection, no Federal Pan-
8 demic Unemployment Compensation shall be payable
9 for any week beginning after March 31, 2021.”.

10 (b) LIMITATION ON APPLICATION OF TRANSITION
11 RULE.—Section 2104(g) of such Act is amended by in-
12 serting “(except for subsection (e)(2))” after “the pre-
13 ceding provisions of this section”.

14 (c) DISREGARD OF FEDERAL PANDEMIC UNEMPLOY-
15 MENT COMPENSATION FOR CERTAIN PURPOSES.—Section
16 2104(h) of such Act is amended to read as follows:

17 “(h) DISREGARD OF FEDERAL PANDEMIC UNEM-
18 PLOYMENT COMPENSATION FOR PURPOSES OF ALL FED-
19 ERAL AND FEDERALLY ASSISTED PROGRAMS.—A Federal
20 Pandemic Unemployment Compensation payment shall
21 not be regarded as income and shall not be regarded as
22 a resource for the month of receipt and the following 9
23 months, for purposes of determining the eligibility of the
24 recipient (or the recipient’s spouse or family) for benefits
25 or assistance, or the amount or extent of benefits or assist-

1 ance, under any Federal program or under any State or
2 local program financed in whole or in part with Federal
3 funds.”.

4 (d) EFFECTIVE DATE.—The amendments made by
5 this section shall take effect as if included in the enact-
6 ment of the CARES Act (Public Law 116–136).

7 **SEC. 102. EXTENSION OF PANDEMIC UNEMPLOYMENT AS-**
8 **SISTANCE.**

9 Section 2102(c) of the CARES Act (15 U.S.C.
10 9021(c)) is amended by striking “December 31, 2020”
11 and inserting “January 31, 2021”.

12 **SEC. 103. EXTENSION OF PANDEMIC EMERGENCY UNEM-**
13 **PLOYMENT COMPENSATION.**

14 Section 2107(g)(2) of the CARES Act (15 U.S.C.
15 9025(g)(2)) is amended by striking “December 31, 2020”
16 and inserting “January 31, 2021”.

17 **SEC. 104. EXTENSION OF TEMPORARY FINANCING OF**
18 **SHORT-TIME COMPENSATION PAYMENTS IN**
19 **STATES WITH PROGRAMS IN LAW.**

20 Section 2108(b)(2) of the CARES Act (15 U.S.C.
21 9026(b)(2)) is amended by striking “December 31, 2020”
22 and inserting “January 31, 2021”.

1 **SEC. 105. EXTENSION OF TEMPORARY FINANCING OF**
 2 **SHORT-TIME COMPENSATION AGREEMENTS.**

3 Section 2109(d)(2) of the CARES Act (15 U.S.C.
 4 9027(d)(2)) is amended by striking “December 31, 2020”
 5 and inserting “January 31, 2021”.

6 **SEC. 106. EXTENSION OF FULL FEDERAL FUNDING OF THE**
 7 **FIRST WEEK OF COMPENSABLE REGULAR**
 8 **UNEMPLOYMENT FOR STATES WITH NO WAIT-**
 9 **ING WEEK.**

10 Section 2105(e)(2) of the CARES Act (15 U.S.C.
 11 9024(e)(2)) is amended by striking “December 31, 2020”
 12 and inserting “January 31, 2021”.

13 **TITLE II—ADDITIONAL WEEKS**
 14 **OF BENEFIT ELIGIBILITY**

15 **SEC. 201. ADDITIONAL WEEKS.**

16 Subtitle A of title II of division A of the CARES Act
 17 (15 U.S.C. 9021 et seq.) is amended by inserting after
 18 section 2107 the following:

19 **“SEC. 2107A. PANDEMIC EMERGENCY UNEMPLOYMENT EX-**
 20 **TENSION COMPENSATION.**

21 **“(a) FEDERAL-STATE AGREEMENTS.—**

22 **“(1) IN GENERAL.—**Any State which desires to
 23 do so may enter into and participate in an agree-
 24 ment under this section with the Secretary of Labor
 25 (in this section referred to as the ‘Secretary’). Any
 26 State which is a party to an agreement under this

1 section may, upon providing 30 days' written notice
2 to the Secretary, terminate such agreement.

3 “(2) PROVISIONS OF AGREEMENT.—Any agree-
4 ment under paragraph (1) shall provide that the
5 State agency of the State will make payments (in
6 this section referred to as ‘pandemic emergency un-
7 employment extension compensation’) to individuals
8 who—

9 “(A) have exhausted all rights to regular
10 compensation, extended compensation, pan-
11 demic unemployment assistance under section
12 2102, and pandemic emergency unemployment
13 compensation under section 2107;

14 “(B) have no rights to any benefit speci-
15 fied in subparagraph (A) or to compensation
16 under any other Federal law or under the un-
17 employment compensation law of Canada; and

18 “(C) are able to work, available to work,
19 and actively seeking work.

20 “(3) EXHAUSTION OF BENEFITS.—For pur-
21 poses of paragraph (2)(A), an individual shall be
22 deemed to have exhausted such individual’s rights to
23 benefits specified in subparagraph (A) when—

24 “(A) no payments of such benefits can be
25 made because such individual has received all

1 such benefits available to such individual based
2 on employment or wages during such individ-
3 ual's base period; or

4 “(B) such individual's rights to such bene-
5 fits have been terminated by reason of the expi-
6 ration of the benefit year with respect to which
7 such rights existed.

8 “(4) WEEKLY BENEFIT AMOUNT, ETC.—For
9 purposes of any agreement under this section—

10 “(A) the amount of pandemic emergency
11 unemployment extension compensation which
12 shall be payable to any individual for any week
13 of total unemployment shall be equal to—

14 “(i) the amount of the base compensa-
15 tion (including any dependents' allowances)
16 payable to such individual during such in-
17 dividual's benefit year under the State law
18 for a week of total unemployment; and

19 “(ii) the amount of Federal Pandemic
20 Unemployment Compensation under sec-
21 tion 2104;

22 “(B) the terms and conditions of the State
23 law which apply to claims for regular compensa-
24 tion and to the payment thereof (including
25 terms and conditions relating to availability for

1 work, active search for work, and refusal to ac-
2 cept work) shall apply to claims for pandemic
3 emergency unemployment extension compensa-
4 tion and the payment thereof, except where oth-
5 erwise inconsistent with the provisions of this
6 section or with the regulations or operating in-
7 structions of the Secretary promulgated to
8 carry out this section;

9 “(C) the maximum amount of pandemic
10 emergency unemployment extension compensa-
11 tion payable to any individual for whom a pan-
12 demic emergency unemployment extension com-
13 pensation account is established under sub-
14 section (b) shall not exceed the amount estab-
15 lished in such account for such individual; and

16 “(D) the allowable methods of payment
17 under section 2104(b)(2) shall apply to pay-
18 ments of amounts described in subparagraph
19 (A)(ii).

20 “(5) NONREDUCTION RULE.—

21 “(A) IN GENERAL.—An agreement under
22 this section shall not apply (or shall cease to
23 apply) with respect to a State upon a deter-
24 mination by the Secretary that the method gov-
25 erning the computation of regular compensation

1 under the State law of that State has been
2 modified in a manner such that the number of
3 weeks (the maximum benefit entitlement), or
4 the average weekly benefit amount, of regular
5 compensation which will be payable during the
6 period of the agreement will be less than the
7 number of weeks, or the average weekly benefit
8 amount, of the average weekly benefit amount
9 of regular compensation which would otherwise
10 have been payable during such period under the
11 State law, as in effect on January 1, 2020.

12 “(B) MAXIMUM BENEFIT ENTITLEMENT.—
13 In subparagraph (A), the term ‘maximum ben-
14 efit entitlement’ means the amount of regular
15 compensation payable to an individual with re-
16 spect to the individual’s benefit year.

17 “(6) ACTIVELY SEEKING WORK.—

18 “(A) IN GENERAL.—For purposes of para-
19 graph (2)(C), the term ‘actively seeking work’
20 means, with respect to any individual, that such
21 individual—

22 “(i) is registered for employment serv-
23 ices in such a manner and to such extent
24 as prescribed by the State agency;

1 “(ii) has engaged in an active search
2 for employment that is appropriate in light
3 of the employment available in the labor
4 market, the individual’s skills and capabili-
5 ties, and includes a number of employer
6 contacts that is consistent with the stand-
7 ards communicated to the individual by the
8 State;

9 “(iii) has maintained a record of such
10 work search, including employers con-
11 tacted, method of contact, and date con-
12 tacted; and

13 “(iv) when requested, has provided
14 such work search record to the State agen-
15 cy.

16 “(B) FLEXIBILITY.—Notwithstanding the
17 requirements under subparagraph (A) and
18 paragraph (2)(C), a State shall provide flexi-
19 bility in meeting such requirements in case of
20 individuals unable to search for work because of
21 COVID–19, including because of illness, quar-
22 antine, or movement restriction.

23 “(b) PANDEMIC EMERGENCY UNEMPLOYMENT COM-
24 PENSATION ACCOUNT.—

1 “(1) IN GENERAL.—Any agreement under this
2 section shall provide that the State will establish, for
3 each eligible individual who files an application for
4 pandemic emergency unemployment extension com-
5 pensation, a pandemic emergency unemployment ex-
6 tension compensation account with respect to such
7 individual’s benefit year.

8 “(2) AMOUNT IN ACCOUNT.—The amount es-
9 tablished in an account under subsection (a) shall be
10 equal to 13 times the individual’s average weekly
11 benefit amount, which includes the amount of Fed-
12 eral Pandemic Unemployment Compensation under
13 section 2104, for the benefit year.

14 “(3) WEEKLY BENEFIT AMOUNT.—For pur-
15 poses of this subsection, an individual’s weekly ben-
16 efit amount for any week is the amount of base com-
17 pensation (including any dependents’ allowances)
18 under the State law payable to such individual for
19 such week for total unemployment plus the amount
20 of Federal Pandemic Unemployment Compensation
21 under section 2104.

22 “(c) PAYMENTS TO STATES HAVING AGREEMENTS
23 FOR THE PAYMENT OF PANDEMIC EMERGENCY UNEM-
24 PLOYMENT EXTENSION COMPENSATION.—

1 “(1) IN GENERAL.—There shall be paid to each
2 State that has entered into an agreement under this
3 section an amount equal to 100 percent of the pan-
4 demic emergency unemployment extension com-
5 pensation paid to individuals by the State pursuant
6 to such agreement.

7 “(2) TREATMENT OF REIMBURSABLE COM-
8 PENSATION.—No payment shall be made to any
9 State under this section in respect of any compensa-
10 tion to the extent the State is entitled to reimburse-
11 ment in respect of such compensation under the pro-
12 visions of any Federal law other than this section or
13 chapter 85 of title 5, United States Code. A State
14 shall not be entitled to any reimbursement under
15 such chapter 85 in respect of any compensation to
16 the extent the State is entitled to reimbursement
17 under this section in respect of such compensation.

18 “(3) DETERMINATION OF AMOUNT.—Sums pay-
19 able to any State by reason of such State having an
20 agreement under this section shall be payable, either
21 in advance or by way of reimbursement (as may be
22 determined by the Secretary), in such amounts as
23 the Secretary estimates the State will be entitled to
24 receive under this section for each calendar month,
25 reduced or increased, as the case may be, by any

1 amount by which the Secretary finds that the Sec-
2 retary's estimates for any prior calendar month were
3 greater or less than the amounts which should have
4 been paid to the State. Such estimates may be made
5 on the basis of such statistical, sampling, or other
6 method as may be agreed upon by the Secretary and
7 the State agency of the State involved.

8 “(d) FINANCING PROVISIONS.—

9 “(1) COMPENSATION.—

10 “(A) IN GENERAL.—Funds in the extended
11 unemployment compensation account (as estab-
12 lished by section 905(a) of the Social Security
13 Act (42 U.S.C. 1105(a))) of the Unemployment
14 Trust Fund (as established by section 904(a) of
15 such Act (42 U.S.C. 1104(a))) shall be used for
16 the making of payments to States having agree-
17 ments entered into under this section.

18 “(B) TRANSFER OF FUNDS.—Notwith-
19 standing any other provision of law, the Sec-
20 retary of the Treasury shall transfer from the
21 general fund of the Treasury (from funds not
22 otherwise appropriated) to the extended unem-
23 ployment compensation account such sums as
24 the Secretary of Labor estimates to be nec-
25 essary to make payments described in subpara-

1 graph (A). There are appropriated from the
2 general fund of the Treasury, without fiscal
3 year limitation, the sums referred to in the pre-
4 ceding sentence and such sums shall not be re-
5 quired to be repaid.

6 “(2) ADMINISTRATION.—

7 “(A) IN GENERAL.—There are appro-
8 priated out of the employment security adminis-
9 tration account (as established by section
10 901(a) of the Social Security Act (42 U.S.C.
11 1101(a))) of the Unemployment Trust Fund,
12 without fiscal year limitation, such funds as
13 may be necessary for purposes of assisting
14 States (as provided in title III of the Social Se-
15 curity Act (42 U.S.C. 501 et seq.)) in meeting
16 the costs of administration of agreements under
17 this section.

18 “(B) TRANSFER OF FUNDS.—Notwith-
19 standing any other provision of law, the Sec-
20 retary of the Treasury shall transfer from the
21 general fund of the Treasury (from funds not
22 otherwise appropriated) to the employment se-
23 curity administration account such sums as the
24 Secretary of Labor estimates to be necessary to
25 make payments described in subparagraph (A).

1 There are appropriated from the general fund
2 of the Treasury, without fiscal year limitation,
3 the sums referred to in the preceding sentence
4 and such sums shall not be required to be re-
5 paid.

6 “(3) CERTIFICATION.—The Secretary shall
7 from time to time certify to the Secretary of the
8 Treasury for payment to each State the sums pay-
9 able to such State under this subsection. The Sec-
10 retary of the Treasury, prior to audit or settlement
11 by the Government Accountability Office, shall make
12 payments to the State in accordance with such cer-
13 tification, by transfers from the extended unemploy-
14 ment compensation account (as so established) to
15 the account of such State in the Unemployment
16 Trust Fund (as so established).

17 “(e) FRAUD AND OVERPAYMENTS.—

18 “(1) IN GENERAL.—If an individual knowingly
19 has made, or caused to be made by another, a false
20 statement or representation of a material fact, or
21 knowingly has failed, or caused another to fail, to
22 disclose a material fact, and as a result of such false
23 statement or representation or of such nondisclosure
24 such individual has received an amount of pandemic
25 emergency unemployment extension compensation

1 under this section to which such individual was not
2 entitled, such individual—

3 “(A) shall be ineligible for further pan-
4 demic emergency unemployment extension com-
5 pensation under this section in accordance with
6 the provisions of the applicable State unemploy-
7 ment compensation law relating to fraud in con-
8 nection with a claim for unemployment com-
9 pensation; and

10 “(B) shall be subject to prosecution under
11 section 1001 of title 18, United States Code.

12 “(2) REPAYMENT.—In the case of individuals
13 who have received amounts of pandemic emergency
14 unemployment extension compensation under this
15 section to which they were not entitled, the State
16 shall require such individuals to repay the amounts
17 of such pandemic emergency unemployment exten-
18 sion compensation to the State agency, except that
19 the State agency may waive such repayment if it de-
20 termines that—

21 “(A) the payment of such pandemic emer-
22 gency unemployment extension compensation
23 was without fault on the part of any such indi-
24 vidual; and

1 “(B) such repayment would be contrary to
2 equity and good conscience.

3 “(3) RECOVERY BY STATE AGENCY.—

4 “(A) IN GENERAL.—The State agency
5 shall recover the amount to be repaid, or any
6 part thereof, by deductions from any pandemic
7 emergency unemployment extension compensa-
8 tion payable to such individual under this sec-
9 tion or from any unemployment compensation
10 payable to such individual under any State or
11 Federal unemployment compensation law ad-
12 ministered by the State agency or under any
13 other State or Federal law administered by the
14 State agency which provides for the payment of
15 any assistance or allowance with respect to any
16 week of unemployment, during the 3-year pe-
17 riod after the date such individuals received the
18 payment of the pandemic emergency unemploy-
19 ment extension compensation to which they
20 were not entitled, in accordance with the same
21 procedures as apply to the recovery of overpay-
22 ments of regular unemployment benefits paid
23 by the State.

24 “(B) OPPORTUNITY FOR HEARING.—No
25 repayment shall be required, and no deduction

1 shall be made, until a determination has been
2 made, notice thereof and an opportunity for a
3 fair hearing has been given to the individual,
4 and the determination has become final.

5 “(4) REVIEW.—Any determination by a State
6 agency under this section shall be subject to review
7 in the same manner and to the same extent as deter-
8 minations under the State unemployment compensa-
9 tion law, and only in that manner and to that ex-
10 tent.

11 “(f) DEFINITIONS.—In this section—

12 “(1) the terms ‘compensation’, ‘regular com-
13 pensation’, ‘extended compensation’, ‘benefit year’,
14 ‘base period’, ‘State’, ‘State agency’, ‘State law’, and
15 ‘week’ have the respective meanings given such
16 terms under section 205 of the Federal-State Ex-
17 tended Unemployment Compensation Act of 1970
18 (26 U.S.C. 3304 note); and

19 “(2) the term ‘base compensation’ means, as
20 applicable—

21 “(A) regular compensation; or

22 “(B) pandemic unemployment assistance
23 under section 2102.

24 “(g) APPLICABILITY.—An agreement entered into
25 under this section shall apply to weeks of unemployment—

1 “(1) beginning after the date on which such
2 agreement is entered into; and

3 “(2) ending on or before January 31, 2021.”.

4 **TITLE III—CLARIFICATIONS AND**
5 **IMPROVEMENTS TO PAN-**
6 **DEMIC UNEMPLOYMENT AS-**
7 **SISTANCE**

8 **SEC. 301. CLARIFICATION OF PANDEMIC UNEMPLOYMENT**
9 **ASSISTANCE ELIGIBILITY FOR PRIMARY**
10 **CAREGIVING.**

11 (a) IN GENERAL.—Section 2102(a)(3)(A)(ii)(I)(dd)
12 of the CARES Act (15 U.S.C. 9021(a)(3)(A)(ii)(I)(dd))
13 is amended by striking “that is closed as a direct result
14 of the COVID–19 public health emergency” and inserting
15 “because the school or facility is closed or only partially
16 reopened due to COVID–19, because child or family care
17 is not available or affordable during the hours work is
18 available due to COVID–19, or because physical attend-
19 ance at the school or facility presents an unacceptable
20 health risk for the household or the individual in need of
21 care due to COVID–19,”.

22 (b) EFFECTIVE DATE.—The amendment made by
23 subsection (a) shall take effect upon the date of the enact-
24 ment of this Act.

1 **SEC. 302. WAIVER AUTHORITY FOR CERTAIN OVERPAY-**
2 **MENTS OF PANDEMIC UNEMPLOYMENT AS-**
3 **SISTANCE.**

4 (a) **IN GENERAL.**—Section 2102(d) of the CARES
5 Act (15 U.S.C. 9021(d)) is amended by adding at the end
6 the following:

7 “(4) **WAIVER AUTHORITY.**—In the case of indi-
8 viduals who have received amounts of Pandemic Un-
9 employment Assistance to which they were not enti-
10 tled, the State shall require such individuals to repay
11 the amounts of such Pandemic Unemployment As-
12 sistance to the State agency, except that the State
13 agency shall waive such repayment if it determines
14 that—

15 “(A) the payment of such Pandemic Un-
16 employment Assistance was without fault on the
17 part of any such individual; and

18 “(B) such repayment would be contrary to
19 equity and good conscience.”.

20 (b) **EFFECTIVE DATE.**—The amendments made by
21 this section shall take effect as if included in the enact-
22 ment of the CARES Act (Public Law 116–136).

1 **SEC. 303. CLARIFICATION OF ACCESS TO PANDEMIC UNEM-**
2 **PLOYMENT ASSISTANCE FOR WORKERS AT**
3 **BUSINESSES THAT REDUCED STAFF DUE TO**
4 **THE PANDEMIC.**

5 (a) IN GENERAL.—Section 2102(a)(3)(A)(ii)(I)(jj) of
6 the CARES Act (15 U.S.C. 9021(a)(3)(A)(ii)(I)(jj)) is
7 amended by inserting “or its operations are otherwise cur-
8 tailed, including by reducing hours of operation, staffing
9 levels, occupancy, or other changes that are recommended
10 or required,” after “closed”.

11 (b) EFFECTIVE DATE.—The amendment made by
12 subsection (a) shall apply with respect to weeks of unem-
13 ployment beginning after the date of the enactment of this
14 Act.

15 **SEC. 304. HOLD HARMLESS FOR PANDEMIC UNEMPLOY-**
16 **MENT ASSISTANCE.**

17 (a) IN GENERAL.—Section 2102(c) of the CARES
18 Act (15 U.S.C. 9021(c)) is amended by adding at the end
19 the following:

20 “(4) CONTINUED ELIGIBILITY FOR ASSIST-
21 ANCE.—As a condition of continued eligibility for as-
22 sistance under this section, a covered individual shall
23 submit a recertification to the State for each week
24 after the individual’s 1st week of eligibility that cer-
25 tifies that the individual remains an individual de-
26 scribed in subsection (a)(3)(A)(ii) for such week.”.

1 (b) EFFECTIVE DATE; SPECIAL RULE.—

2 (1) IN GENERAL.—The amendment made by
3 subsection (a) shall apply with respect to weeks be-
4 ginning on or after the date that is 30 days after
5 the date of enactment of this section.

6 (2) SPECIAL RULE.—In the case of any State
7 that made a good faith effort to implement section
8 2102 of the CARES Act in accordance with rules
9 similar to those provided in section 625.6 of title 20,
10 Code of Federal Regulations, for weeks ending be-
11 fore the effective date specified in paragraph (1), an
12 individual who received Pandemic Unemployment
13 Assistance from such State for any such week shall
14 not be considered ineligible for such assistance for
15 such week solely by reason of failure to submit a re-
16 certification described in subsection (c)(4) of such
17 section.

18 **TITLE IV—EXTENSION OF RE-**
19 **LIEF TO STATES AND EM-**
20 **PLOYERS**

21 **SEC. 401. EXTENSION OF FULL FEDERAL FUNDING OF EX-**
22 **TENDED UNEMPLOYMENT COMPENSATION.**

23 Section 4105 of the Families First Coronavirus Re-
24 sponse Act (26 U.S.C. 3304 note) is amended by striking

1 “December 31, 2020” each place it appears and inserting
 2 “June 30, 2021”.

3 **SEC. 402. EXTENSION OF TEMPORARY ASSISTANCE FOR**
 4 **STATES WITH ADVANCES.**

5 Section 1202(b)(10)(A) of the Social Security Act
 6 (42 U.S.C. 1322(b)(10)(A)) is amended by striking “De-
 7 cember 31, 2020” and inserting “June 30, 2021”.

8 **SEC. 403. EXTENSION OF EMERGENCY RELIEF FOR GOV-**
 9 **ERNMENTAL ENTITIES AND NONPROFIT OR-**
 10 **GANIZATIONS.**

11 Section 903(i)(1)(D) of the Social Security Act (42
 12 U.S.C. 1103(i)(1)(D)) is amended by striking “December
 13 31, 2020” and inserting “June 30, 2021”.

14 **TITLE V—CORRECTIVE ACTION**
 15 **FOR PROCESSING BACKLOGS**

16 **SEC. 501. STATE REPORTING ON CLAIMS BACKLOGS.**

17 (a) IN GENERAL.—Section 2104 of the CARES Act
 18 (15 U.S.C. 9023) is amended by adding at the end the
 19 following:

20 “(j) STATE ACCOUNTABILITY RELATING TO CLAIMS
 21 BACKLOGS.—As a condition of any agreement under this
 22 section, the following rules shall apply:

23 “(1) CLAIMS REPORTING.—

24 “(A) IN GENERAL.—Each State partici-
 25 pating in such an agreement shall submit to the

1 Secretary of Labor on a weekly basis a report
2 on the status in the State of any backlog of the
3 processing of unemployment claims, including
4 claims for regular compensation, extended com-
5 pensation, Pandemic Unemployment Assistance,
6 and Pandemic Emergency Unemployment Com-
7 pensation. Such report shall include a descrip-
8 tion, with respect to the previous week, of each
9 of the following:

10 “(i) The number of initial claims still
11 in process, disaggregated by the number of
12 such claims still pending—

13 “(I) because of nonmonetary de-
14 terminations;

15 “(II) because of monetary deter-
16 minations;

17 “(III) because of suspected
18 fraud; and

19 “(IV) for any other reason.

20 “(ii) The number of initial claims de-
21 nied.

22 “(iii) The number of individuals with
23 respect to whom a continued claim was
24 paid.

1 “(iv) The number of individuals with
2 respect to whom a continued claim is still
3 in process, disaggregated by the number of
4 such claims still pending—

5 “(I) because of nonmonetary de-
6 terminations;

7 “(II) because of monetary deter-
8 minations;

9 “(III) because of suspected
10 fraud; and

11 “(IV) for any other reason.

12 “(v) The number of individuals with
13 respect to whom a continued claims was
14 denied.

15 “(B) REPORT TO CONGRESS.—Upon re-
16 ceipt of a report described in subparagraph (A),
17 the Secretary of Labor shall publish such report
18 on the website of the Department of Labor and
19 shall submit such report to the Committee on
20 Ways and Means of the House of Representa-
21 tives and the Committee on Finance of the Sen-
22 ate.

23 “(2) CORRECTIVE ACTION PLANS.—

24 “(A) IN GENERAL.—Not later than 90
25 days after the date of enactment of this sub-

1 section and at least every 90 days thereafter,
2 each State participating in such an agreement
3 shall submit to the Secretary of Labor a correc-
4 tive action plan that includes a description of
5 the actions the State has taken and intends to
6 take to address any backlog of the processing of
7 unemployment claims described in paragraph
8 (1)(A). The Secretary may waive the require-
9 ment under this subparagraph with respect to
10 any State that the Secretary determines has
11 made adequate progress in addressing any such
12 backlog.

13 “(B) TECHNICAL ASSISTANCE.—The Sec-
14 retary of Labor shall make technical assistance
15 available to States to the extent feasible to en-
16 able States to develop and implement corrective
17 action plans in accordance with this paragraph.
18 If the Secretary of Labor determines at any
19 time that a State has failed to take reasonable
20 actions under a corrective action plan to ad-
21 dress a claims backlog, the State shall collabo-
22 rate with the Secretary to develop a subsequent
23 corrective action plan to achieve clearly defined,
24 targeted outcomes.

1 “(C) REPORT TO CONGRESS.—Upon re-
2 ceipt of a corrective action plan described in
3 subparagraph (A), the Secretary of Labor shall
4 publish such plan on the website of the Depart-
5 ment of Labor and shall submit such report to
6 the Committee on Ways and Means of the
7 House of Representatives and the Committee
8 on Finance of the Senate.”.

9 (b) EFFECTIVE DATE.—The amendment made by
10 subsection (a) shall apply with respect to weeks beginning
11 after the date of enactment of this Act.

12 **TITLE VI—ADDITIONAL**
13 **BENEFITS FOR MIXED EARNERS**
14 **SEC. 601. MIXED EARNER UNEMPLOYMENT COMPENSA-**
15 **TION.**

16 (a) IN GENERAL.—Section 2104(b)(1) of the CARES
17 Act (15 U.S.C. 9023(b)(1)) is amended—

18 (1) in subparagraph (B), by striking the period
19 at the end and inserting “, plus”; and

20 (2) by adding at the end the following:

21 “(C) an additional amount of \$125 (in this
22 section referred to as ‘Mixed Earner Unemploy-
23 ment Compensation’) in any case in which the
24 individual received at least \$5,000 of self-em-
25 ployment income (as defined in section 1402(b)

1 of the Internal Revenue Code of 1986) in the
2 most recent taxable year ending prior to the in-
3 dividual’s application for regular compensa-
4 tion.”.

5 (b) CONFORMING AMENDMENTS.—Section 2104 of
6 such Act is amended—

7 (1) by inserting “or Mixed Earner Unemploy-
8 ment Compensation” after “Federal Pandemic Un-
9 employment Compensation” each place such term
10 appears in subsection (b)(2), (c), or (f) of such sec-
11 tion;

12 (2) in subsection (d), by inserting “and Mixed
13 Earner Unemployment Compensation” after “Fed-
14 eral Pandemic Unemployment Compensation”; and

15 (3) in subsection (g), by striking “provide that”
16 and all that follows through the end and inserting
17 “provide that—

18 “(1) the purposes of the preceding provisions of
19 this section, as such provisions apply with respect to
20 Federal Pandemic Unemployment Compensation,
21 shall be applied with respect to unemployment bene-
22 fits described in subsection (i)(2) to the same extent
23 and in the same manner as if those benefits were
24 regular compensation; and

1 “(2) the purposes of the preceding provisions of
2 this section, as such provisions apply with respect to
3 Mixed Earner Unemployment Compensation, shall
4 be applied with respect to unemployment benefits
5 described in subparagraph (B) or (D) of subsection
6 (i)(2) to the same extent and in the same manner
7 as if those benefits were regular compensation.”.

8 (c) APPLICABILITY.—The amendments made by this
9 section shall not apply with respect to a State partici-
10 pating in an agreement under section 2104 of the CARES
11 Act unless the State so elects, in which case such amend-
12 ments shall apply with respect to weeks of unemployment
13 beginning on or after the later of the date of such election
14 or the date of enactment of this section.

15 **TITLE VII—TECHNICAL** 16 **CORRECTIONS**

17 **SEC. 701. GRACE PERIOD FOR FULL FINANCING OF SHORT-** 18 **TIME COMPENSATION PROGRAMS.**

19 Section 2108(c) of the CARES Act (15 U.S.C.
20 9026(c)) is amended by striking “shall be eligible” and
21 all that follows through the end and inserting the fol-
22 lowing: “

23 “shall be eligible—

1 “(1) for payments under subsection (a) for
2 weeks of unemployment beginning after the effective
3 date of such enactment; and

4 “(2) for an additional payment equal to the
5 total amount of payments for which the State is eli-
6 gible pursuant to an agreement under section 2109
7 for weeks of unemployment before such effective
8 date.”.

9 **SEC. 702. TECHNICAL CORRECTION FOR THE COMMON-**
10 **WEALTH OF NORTHERN MARIANA ISLANDS.**

11 A Commonwealth Only Transitional Worker (as de-
12 fined in section 6(i)(2) of the Joint Resolution entitled “A
13 Joint Resolution to approve the ‘Covenant To Establish
14 a Commonwealth of the Northern Mariana Islands in Po-
15 litical Union with the United States of America’, and for
16 other purposes” (48 U.S.C. 1806)) shall be considered a
17 qualified alien under section 431 of Public Law 104–193
18 (8 U.S.C. 1641) for purposes of eligibility for a benefit
19 under section 2102 or 2104 of the CARES Act.

20 **SEC. 703. TECHNICAL AMENDMENT RELATING TO PAN-**
21 **DEMIC UNEMPLOYMENT ASSISTANCE.**

22 Section 2102(h) of the CARES Act (15 U.S.C.
23 9021(h)) is amended by striking “section 625” each place
24 it appears and inserting “part 625”.

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