

[DISCUSSION DRAFT]

117TH CONGRESS  
1ST SESSION

**H. R.** \_\_\_\_\_

To amend the CARES Act to extend certain unemployment compensation provisions, and for other purposes.

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IN THE HOUSE OF REPRESENTATIVES

Ms. OCASIO-CORTEZ introduced the following bill; which was referred to the Committee on \_\_\_\_\_

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**A BILL**

To amend the CARES Act to extend certain unemployment compensation provisions, and for other purposes.

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

3 **SEC. 1. SHORT TITLE.**

4 This Act may be cited as the “Extend Unemployment  
5 Assistance Act of 2021”.

6 **SEC. 2. EXTENSION OF PANDEMIC UNEMPLOYMENT ASSIST-**  
7 **ANCE.**

8 (a) IN GENERAL.—Section 2102(c) of the CARES  
9 Act (15 U.S.C. 9021(c)) is amended—

1           (1) in paragraph (1)(A)(ii), by striking “Sep-  
2           tember 6, 2021” and inserting “February 1, 2022”;  
3           and

4           (2) by redesignating paragraphs (5) and (6) as  
5           paragraphs (4) and (5), respectively.

6           (b) INCREASE IN NUMBER OF WEEKS.—Section  
7           2102(c)(2) of such Act (15 U.S.C. 9021(c)(2)) is amend-  
8           ed—

9           (1) by striking “79 weeks” and inserting “100  
10          weeks”; and

11          (2) by striking “79-week period” and inserting  
12          “100-week period”.

13          (c) HOLD HARMLESS FOR PROPER ADMINISTRA-  
14          TION.—In the case of an individual who is eligible to re-  
15          ceive pandemic unemployment assistance under section  
16          2102 of the CARES Act (15 U.S.C. 9021) as of the most  
17          recent week ending on or before September 6 and on the  
18          date of enactment of this Act becomes eligible for pan-  
19          demic emergency unemployment compensation under sec-  
20          tion 2107 of the CARES Act (15 U.S.C. 9025) by reason  
21          of the amendments made by this Act, any payment of pan-  
22          demic unemployment assistance under such section 2102  
23          made after the date of enactment of this Act to such indi-  
24          vidual during an appropriate period of time, as determined  
25          by the Secretary of Labor, that should have been made

1 under such section 2107 shall not be considered to be an  
2 overpayment of assistance under such section 2102, except  
3 that an individual may not receive payment for assistance  
4 under section 2102 and a payment for assistance under  
5 section 2107 for the same week of unemployment.

6 **SEC. 3. EXTENSION OF EMERGENCY UNEMPLOYMENT RE-**  
7 **LIEF FOR GOVERNMENTAL ENTITIES AND**  
8 **NONPROFIT ORGANIZATIONS.**

9 (a) IN GENERAL.—Section 903(i)(1)(D) of the Social  
10 Security Act (42 U.S.C. 1103(i)(1)(D)) is amended by  
11 striking “September 6, 2021” and inserting “February 1,  
12 2022”.

13 (b) INCREASE IN REIMBURSEMENT RATE.—Section  
14 903(i)(1)(B) of such Act (42 U.S.C. 1103(i)(1)(B)) is  
15 amended by striking “September 6, 2021” and inserting  
16 “February 1, 2022”.

17 **SEC. 4. EXTENSION OF FEDERAL PANDEMIC UNEMPLOY-**  
18 **MENT COMPENSATION.**

19 (a) IN GENERAL.—Section 2104(e)(2) of the CARES  
20 Act (15 U.S.C. 9023(e)(2)) is amended by striking “Sep-  
21 tember 6, 2021” and inserting “February 1, 2022”.

22 (b) AMOUNT.—Section 2104(b)(3)(A)(ii) of such Act  
23 (15 U.S.C. 9023(b)(3)(A)(ii)) is amended by striking  
24 “September 6, 2021” and inserting “February 1, 2022”.

1 **SEC. 5. EXTENSION OF FULL FEDERAL FUNDING OF THE**  
2 **FIRST WEEK OF COMPENSABLE REGULAR**  
3 **UNEMPLOYMENT FOR STATES WITH NO WAIT-**  
4 **ING WEEK.**

5 Section 2105(e)(2) of the CARES Act (15 U.S.C.  
6 9024(e)(2)) is amended by striking “September 6, 2021”  
7 and inserting “February 1, 2022”.

8 **SEC. 6. EXTENSION OF EMERGENCY STATE STAFFING**  
9 **FLEXIBILITY.**

10 Section 9015 of the American Rescue Plan Act of  
11 2021 is amended by striking “September 6, 2021” and  
12 inserting “February 1, 2022”.

13 **SEC. 7. EXTENSION OF PANDEMIC EMERGENCY UNEMPLOY-**  
14 **MENT COMPENSATION.**

15 (a) IN GENERAL.—Section 2107(g)(2) of the CARES  
16 Act (15 U.S.C. 9025(g)(2)) is amended by striking “Sep-  
17 tember 6, 2021” and inserting “February 1, 2022”.

18 (b) INCREASE IN NUMBER OF WEEKS.—Section  
19 2107(b)(2) of such Act (15 U.S.C. 9025(b)(2)) is amend-  
20 ed by striking “53” and inserting “74”.

21 (c) COORDINATION OF PANDEMIC EMERGENCY UN-  
22 EMPLOYMENT COMPENSATION WITH EXTENDED COM-  
23 PENSATION.—Section 2107(a)(5)(B) of such Act (15  
24 U.S.C. 9025(a)(5)(B)) is amended by inserting “or for the  
25 week that includes the date of enactment of the Extend  
26 Unemployment Assistance Act of 2021 (without regard to

1 the amendments made by subsections (a) and (b) of sec-  
2 tion 7 of such Act)” after “such Act)”.

3 (d) SPECIAL RULE FOR EXTENDED COMPENSA-  
4 TION.—Section 2107(a)(8) of such Act (15 U.S.C.  
5 9025(a)(8)) is amended by striking “September 6, 2021”  
6 and inserting “February 1, 2022”.

7 **SEC. 8. EXTENSION OF TEMPORARY FINANCING OF SHORT-**  
8 **TIME COMPENSATION PAYMENTS IN STATES**  
9 **WITH PROGRAMS IN LAW.**

10 Section 2108(b)(2) of the CARES Act (15 U.S.C.  
11 9026(b)(2)) is amended by striking “September 6, 2021”  
12 and inserting “February 1, 2022”.

13 **SEC. 9. EXTENSION OF TEMPORARY FINANCING OF SHORT-**  
14 **TIME COMPENSATION AGREEMENTS FOR**  
15 **STATES WITHOUT PROGRAMS IN LAW.**

16 Section 2109(d)(2) of the CARES Act (15 U.S.C.  
17 9027(d)(2)) is amended by striking “September 6, 2021”  
18 and inserting “February 1, 2022”.

19 **SEC. 10. EXTENSION OF TEMPORARY ASSISTANCE FOR**  
20 **STATES WITH ADVANCES.**

21 Section 1202(b)(10)(A) of the Social Security Act  
22 (42 U.S.C. 1322(b)(10)(A)) is amended by striking “Sep-  
23 tember 6, 2021” and inserting “February 1, 2022”.

1 **SEC. 11. EXTENSION OF FULL FEDERAL FUNDING OF EX-**  
2 **TENDED UNEMPLOYMENT COMPENSATION.**

3 (a) IN GENERAL.—Section 4105 of the Families  
4 First Coronavirus Response Act (26 U.S.C. 3304 note)  
5 is amended by striking “September 6, 2021” and inserting  
6 “February 1, 2022”.

7 (b) EFFECTIVE DATE.—The amendment made by  
8 subsection (a) shall apply as if included in the enactment  
9 of the Families First Coronavirus Response Act (Public  
10 Law 116–127).

11 **SEC. 12. ADDITIONAL ENHANCED BENEFITS UNDER THE**  
12 **RAILROAD UNEMPLOYMENT INSURANCE ACT.**

13 (a) IN GENERAL.—Section 2(a)(5)(A) of the Railroad  
14 Unemployment Insurance Act (45 U.S.C. 352(a)(5)(A)) is  
15 amended—

16 (1) in the first sentence, by striking “Sep-

17 tember 6, 2021” and inserting “February 1, 2022”;

18 and

19 (2) in the fourth sentence, by striking “Sep-

20 tember 6, 2021” and inserting “February 1, 2022”.

21 (b) CLARIFICATION ON AUTHORITY TO USE  
22 FUNDS.—Funds appropriated under subparagraph (B) of  
23 section 2(a)(5) of the Railroad Unemployment Insurance  
24 Act (45 U.S.C. 352(a)(5)) shall be available to cover the  
25 cost of recovery benefits provided under such section  
26 2(a)(5) by reason of the amendments made by subsection

1 (a) as well as to cover the cost of such benefits provided  
2 under such section 2(a)(5) as in effect on the day before  
3 the date of enactment of this Act.

4 **SEC. 13. EXTENDED UNEMPLOYMENT BENEFITS UNDER**  
5 **THE RAILROAD UNEMPLOYMENT INSURANCE**  
6 **ACT.**

7 (a) IN GENERAL.—Section 2(c)(2)(D) of the Rail-  
8 road Unemployment Insurance Act (45 U.S.C.  
9 352(c)(2)(D)) is amended—

10 (1) in clause (i)—

11 (A) in subclause (I), by striking “330  
12 days” and inserting “435 days”;

13 (B) in subclause (II),

14 (i) by striking “33 consecutive 14-day  
15 periods” and inserting “44 consecutive 14-  
16 day periods”; and

17 (ii) by striking “20 consecutive 14-day  
18 periods” and inserting “31 consecutive 14-  
19 day periods”;

20 (2) in clause (ii)—

21 (A) by striking “265 days of unemploy-  
22 ment” and inserting “370 days of unemploy-  
23 ment”;

1 (B) by striking “27 consecutive 14-day pe-  
2 riods” and inserting “37 consecutive 14-day pe-  
3 riods”; and

4 (C) by striking “20 consecutive 14-day pe-  
5 riods” and inserting “31 consecutive 14-day pe-  
6 riods”; and

7 (3) in clause (iii), by striking “September 6,  
8 2021” and inserting “February 1, 2022”.

9 (b) CLARIFICATION ON AUTHORITY TO USE  
10 FUNDS.—Funds appropriated under the first, second,  
11 third, or fourth sentence of clause (v) of section 2(c)(2)(D)  
12 of the Railroad Unemployment Insurance Act shall be  
13 available to cover the cost of additional extended unem-  
14 ployment benefits provided under such section 2(c)(2)(D)  
15 by reason of the amendments made by subsection (a) as  
16 well as to cover the cost of such benefits provided under  
17 such section 2(c)(2)(D) as in effect on the day before the  
18 date of enactment of this Act.

19 **SEC. 14. EXTENSION OF WAIVER OF THE 7-DAY WAITING PE-**  
20 **RIOD FOR BENEFITS UNDER THE RAILROAD**  
21 **UNEMPLOYMENT INSURANCE ACT.**

22 (a) IN GENERAL.—Section 2112(a) of the CARES  
23 Act (15 U.S.C. 9030(a)) is amended by striking “Sep-  
24 tember 6, 2021” and inserting “February 1, 2022”.



1 (b) CLARIFICATION ON AUTHORITY TO USE  
2 FUNDS.—Funds appropriated under section 2112(c) of  
3 the CARES Act (15 U.S.C. 9030(c)) shall be available to  
4 cover the cost of additional benefits payable due to section  
5 2112(a) of such Act by reason of the amendments made  
6 by subsection (a) as well as to cover the cost of such bene-  
7 fits payable due to such section 2112(a) as in effect on  
8 the day before the date of enactment of this Act.

9 **SEC. 15. RAILROAD RETIREMENT BOARD FUNDING.**

10 In addition to amounts otherwise made available,  
11 there are appropriated for fiscal year 2021, out of any  
12 money in the Treasury not otherwise appropriated,  
13 \$2,000,000, to remain available until expended, for the  
14 Railroad Retirement Board, for additional hiring and  
15 overtime bonuses as needed to administer the Railroad  
16 Unemployment Insurance Act.

17 **SEC. 16. BUDGETARY EFFECTS.**

18 Each Federal payment made to a State as a result  
19 of the amendments made by this Act, and any additional  
20 benefits paid as a result of such amendments, shall be ex-  
21 empt from any sequestration order issued under the Bal-  
22 anced Budget and Emergency Deficit Control Act of 1985.

23 **SEC. 17. EFFECTIVE DATE.**

24 Except where otherwise provided, the amendments  
25 made by this Act shall apply as if included in the enact-

1 ment of the CARES Act (Public Law 116–136), except  
2 that no amount shall be payable by virtue of such amend-  
3 ments with respect to any week of unemployment ending  
4 on or before September 6, 2021.