

111TH CONGRESS  
1ST SESSION

# H. R. 3404

To amend the Assistance for Unemployed Workers and Struggling Families Act and the Supplemental Appropriations Act, 2008 to provide for the temporary extension of certain unemployment benefits and the temporary availability of further additional emergency unemployment compensation, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

JULY 30, 2009

Mr. McDERMOTT (for himself, Mr. RANGEL, Mr. STARK, Mr. LEVIN, Mr. LEWIS of Georgia, Ms. BERKLEY, Mr. CROWLEY, Mr. VAN HOLLEN, Mr. MEEK of Florida, Mr. DAVIS of Illinois, Ms. LINDA T. SÁNCHEZ of California, Mr. JOHNSON of Georgia, Ms. FUDGE, Ms. HIRONO, Mr. NADLER of New York, Ms. BORDALLO, Mr. FARR, Mr. LATOURETTE, Mrs. MILLER of Michigan, Mr. PETERS, Mr. DINGELL, and Mrs. CAPPES) introduced the following bill; which was referred to the Committee on Ways and Means, and in addition to the Committee on Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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## A BILL

To amend the Assistance for Unemployed Workers and Struggling Families Act and the Supplemental Appropriations Act, 2008 to provide for the temporary extension of certain unemployment benefits and the temporary availability of further additional emergency unemployment compensation, 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 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Emergency Unemploy-  
5 ment Compensation Extension Act of 2009”.

6 **SEC. 2. TEMPORARY EXTENSION OF CERTAIN UNEMPLOY-**  
7 **MENT BENEFITS.**

8 (a) EMERGENCY UNEMPLOYMENT COMPENSA-  
9 TION.—Section 4007 of the Supplemental Appropriations  
10 Act, 2008 (Public Law 110–252; 26 U.S.C. 3304 note)  
11 is amended—

12 (1) by striking “December 31, 2009” each  
13 place it appears and inserting “December 31,  
14 2010”;

15 (2) in the heading for subsection (b)(2), by  
16 striking “DECEMBER 31, 2009” and inserting “DE-  
17 CEMBER 31, 2010”; and

18 (3) in subsection (b)(3), by striking “May 31,  
19 2010” and inserting “May 31, 2011”.

20 (b) ADDITIONAL REGULAR COMPENSATION.—Section  
21 2002(e) of the Assistance for Unemployed Workers and  
22 Struggling Families Act, as contained in Public Law 111–  
23 5 (26 U.S.C. 3304 note; 123 Stat. 438), is amended—

24 (1) in paragraph (1)(B), by striking “January  
25 1, 2010” and inserting “January 1, 2011”;

1           (2) in the heading for paragraph (2), by strik-  
2           ing “JANUARY 1, 2010” and inserting “JANUARY 1,  
3           2011”; and

4           (3) in paragraph (3), by striking “June 30,  
5           2010” and inserting “June 30, 2011”.

6           (c) **FULL FUNDING OF EXTENDED BENEFITS.**—Sec-  
7           tion 2005 of the Assistance for Unemployed Workers and  
8           Struggling Families Act, as contained in Public Law 111-  
9           5 (26 U.S.C. 3304 note; 123 Stat. 444), is amended—

10           (1) by striking “January 1, 2010” each place  
11           it appears and inserting “January 1, 2011”;

12           (2) in subsection (c), by striking “June 1,  
13           2010” and inserting “June 1, 2011”; and

14           (3) in subsection (d), by striking “May 30,  
15           2010” and inserting “May 30, 2011”.

16 **SEC. 3. ADDITIONAL EMERGENCY UNEMPLOYMENT COM-**  
17 **PENSATION.**

18           (a) **IN GENERAL.**—Section 4002 of the Supplemental  
19           Appropriations Act, 2008 (Public Law 110-252; 26  
20           U.S.C. 3304 note) is amended by adding at the end the  
21           following:

22           “(d) **FURTHER ADDITIONAL EMERGENCY UNEM-**  
23           **PLOYMENT COMPENSATION.**—

24           “(1) **IN GENERAL.**—If, at the time that the  
25           amount added to an individual’s account under sub-

1 section (c)(1) (hereinafter ‘additional emergency un-  
2 employment compensation’) is exhausted or at any  
3 time thereafter, such individual’s State is in an ex-  
4 tended benefit period (as determined under para-  
5 graph (2)), such account shall be further augmented  
6 by an amount (hereinafter ‘further additional emer-  
7 gency unemployment compensation’) equal to the  
8 lesser of—

9 “(A) 50 percent of the total amount of  
10 regular compensation (including dependents’ al-  
11 lowances) payable to the individual during the  
12 individual’s benefit year under the State law; or

13 “(B) 13 times the individual’s average  
14 weekly benefit amount (as determined under  
15 subsection (b)(2)) for the benefit year.

16 “(2) EXTENDED BENEFIT PERIOD.—For pur-  
17 poses of paragraph (1), a State shall be considered  
18 to be in an extended benefit period, as of any given  
19 time, if—

20 “(A) such a period is then in effect for  
21 such State under the Federal-State Extended  
22 Unemployment Compensation Act of 1970;

23 “(B) such a period would then be in effect  
24 for such State under such Act if section 203(d)  
25 of such Act—

1 “(i) were applied by substituting ‘6’  
2 for ‘5’ each place it appears; and

3 “(ii) did not include the requirement  
4 under paragraph (1)(A) thereof; or

5 “(C) such a period would then be in effect  
6 for such State under such Act if—

7 “(i) section 203(f) of such Act were  
8 applied to such State (regardless of wheth-  
9 er the State by law had provided for such  
10 application); and

11 “(ii) such section 203(f)—

12 “(I) were applied by substituting  
13 ‘9.0’ for ‘6.5’ in paragraph (1)(A)(i)  
14 thereof; and

15 “(II) did not include the require-  
16 ment under paragraph (1)(A)(ii)  
17 thereof.

18 “(3) COORDINATION RULE.—Notwithstanding  
19 an election under section 4001(e) by a State to pro-  
20 vide for the payment of emergency unemployment  
21 compensation prior to extended compensation, such  
22 State may pay extended compensation to an other-  
23 wise eligible individual prior to any further addi-  
24 tional emergency unemployment compensation, if  
25 such individual claimed extended compensation for

1 at least 1 week of unemployment after the exhaus-  
2 tion of additional emergency unemployment com-  
3 pensation.

4 “(4) LIMITATION.—The account of an indi-  
5 vidual may be augmented not more than once under  
6 this subsection.”.

7 (b) CONFORMING AMENDMENT TO NON-AUGMENTA-  
8 TION RULE.—Section 4007(b)(2) of the Supplemental Ap-  
9 propriations Act, 2008 (Public Law 110–252; 26 U.S.C.  
10 3304 note), as amended by section 2(a), is further amend-  
11 ed—

12 (1) by striking “then section 4002(c)” and in-  
13 serting “then subsections (c) and (d) of section  
14 4002”; and

15 (2) by striking “paragraph (2) of such section)”  
16 and inserting “paragraph (2) of such subsection (c)  
17 or (d) (as the case may be))”.

18 (c) EFFECTIVE DATE.—The amendments made by  
19 this section shall apply as if included in the enactment  
20 of the Supplemental Appropriations Act, 2008, except that  
21 no amount shall be payable by virtue of such amendments  
22 with respect to any week of unemployment commencing  
23 before the date of the enactment of this Act.

1 **SEC. 4. TRANSFER OF FUNDS.**

2 Section 4004(e)(1) of the Supplemental Appropria-  
3 tions Act, 2008 (Public Law 110–252; 26 U.S.C. 3304  
4 note) is amended by striking “Act;” and inserting “Act  
5 and the Emergency Unemployment Compensation Exten-  
6 sion Act of 2009;”.

7 **SEC. 5. ADDITIONAL EXTENDED UNEMPLOYMENT BENE-**  
8 **FITS UNDER THE RAILROAD UNEMPLOY-**  
9 **MENT INSURANCE ACT.**

10 (a) BENEFITS.—Section 2(c)(2)(D) of the Railroad  
11 Unemployment Insurance Act, as added by section 2006  
12 of the American Recovery and Reinvestment Act of 2009  
13 (Public Law 111–5), is amended—

14 (1) in clause (iii)—

15 (A) by striking “June 30, 2009” and in-  
16 serting “June 30, 2010”;

17 (B) by striking “December 31, 2009” and  
18 inserting “December 31, 2010”; and

19 (2) by adding at the end of clause (iv) the fol-  
20 lowing: “In addition to the amount appropriated by  
21 the preceding sentence, out of any funds in the  
22 Treasury not otherwise appropriated, there are ap-  
23 propriated \$175,000,000 to cover the cost of addi-  
24 tional extended unemployment benefits provided  
25 under this subparagraph, to remain available until  
26 expended.”.

1 (b) ADMINISTRATIVE EXPENSES.—Section 2006 of  
2 the American Recovery and Reinvestment Act of 2009 is  
3 amended by adding at the end of subsection (b) the fol-  
4 lowing: “In addition to funds appropriated by the pre-  
5 ceding sentence, out of any funds in the Treasury not oth-  
6 erwise appropriated, there are appropriated to the Rail-  
7 road Retirement Board \$807,000 to cover the administra-  
8 tive expenses associated with the payment of additional  
9 extended unemployment benefits under section 2(c)(2)(D)  
10 of the Railroad Unemployment Insurance Act, to remain  
11 available until expended.”.

12 **SEC. 6. EFFICIENT USE OF THE NATIONAL DIRECTORY OF**  
13 **NEW HIRES DATABASE FOR FEDERALLY-**  
14 **SPONSORED RESEARCH ASSESSING THE EF-**  
15 **EFFECTIVENESS OF FEDERAL PROGRAMS IN**  
16 **ACHIEVING POSITIVE LABOR MARKET OUT-**  
17 **COMES.**

18 Section 453 of the Social Security Act (42 U.S.C.  
19 653) is amended—

20 (1) in subsection (i)(2)(A), by striking “24”  
21 and inserting “48”;

22 (2) in subsection (j)(5), by striking “but with-  
23 out personal identifiers” and inserting “or pursuant  
24 to evaluations undertaken to assess the effectiveness  
25 of Federal programs in achieving positive labor mar-



1 ket outcomes that are conducted under contract to  
2 or grant from the Department of Health and  
3 Human Services, the Social Security Administration,  
4 the Department of Labor, the Department of Edu-  
5 cation, the Department of Housing and Urban De-  
6 velopment, or other Federal departments or agencies  
7 supporting the evaluations. For purposes of con-  
8 ducting the evaluations, personal identifiers may be  
9 provided to any Federal department or agency and  
10 to any agent of any such department or agency, sub-  
11 ject to the privacy provisions contained in sub-  
12 sections (l) and (m)”; and

13 (3) in subsection (l)(2), by inserting “, agent  
14 conducting research described in subsection (j)(5),”  
15 before “or employee”.

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