

110TH CONGRESS
2D SESSION

H. R. 4934

To provide for a program of emergency unemployment compensation, and
for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 15, 2008

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

A BILL

To provide for a program of 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; TABLE OF CONTENTS.**

4 (a) **SHORT TITLE.**—This Act may be cited as the
5 “Emergency Unemployment Compensation Act of 2008”.

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

Sec. 1. Short title; table of contents.

TITLE I—EMERGENCY UNEMPLOYMENT COMPENSATION

Sec. 101. Federal-State agreements for emergency unemployment compensa-
tion.

Sec. 102. Emergency unemployment compensation account.

Sec. 103. Payments to states having agreements for the payment of emergency unemployment compensation.

Sec. 104. Financing provisions.

Sec. 105. Fraud and overpayments.

Sec. 106. Definitions.

Sec. 107. Applicability.

TITLE II—INCREASED UNEMPLOYMENT BENEFITS

Sec. 201. Federal-State agreements for increased unemployment benefits.

Sec. 202. Payments to States having agreements under this title.

Sec. 203. Financing provisions.

Sec. 204. Definitions.

Sec. 205. Applicability.

TITLE III—IMPROVED UNEMPLOYMENT COVERAGE

Sec. 301. Special transfers to State accounts in the Unemployment Trust Fund.

1 **TITLE I—EMERGENCY UNEM-** 2 **PLOYMENT COMPENSATION**

3 **SEC. 101. FEDERAL-STATE AGREEMENTS FOR EMERGENCY** 4 **UNEMPLOYMENT COMPENSATION.**

5 (a) **AUTHORITY TO ENTER INTO OR TERMINATE AN**
6 **AGREEMENT.—**

7 (1) **IN GENERAL.—**Subject to paragraph (2),
8 any State which desires to do so may enter into and
9 participate in an agreement under this title with the
10 Secretary of Labor (in this title referred to as the
11 “Secretary”). Any State which is a party to an
12 agreement under this title may, upon providing 30
13 days’ written notice to the Secretary, terminate such
14 agreement.

15 (2) **CONDITION.—**

16 (A) **IN GENERAL.—**An agreement under
17 this title shall not be effective unless it is en-

1 tered into during a period of rising unemploy-
2 ment.

3 (B) PERIOD OF RISING UNEMPLOYMENT.—

4 For purposes of this title, a period of rising un-
5 employment shall be considered to exist as of
6 the first day of the first month following any
7 month—

8 (i) which begins after December 31,
9 2007, and

10 (ii) in which the total number of un-
11 employed persons in all States exceeds by
12 at least 1,000,000 the total number of un-
13 employed persons in all States in the same
14 month of the preceding year, as deter-
15 mined by the Secretary using the season-
16 ally-adjusted monthly estimates of civilian,
17 noninstitutionalized unemployed persons
18 16 years of age or older (as indicated by
19 the Current Population Survey of the Bu-
20 reau of the Census).

21 (C) NOTICE.—The Secretary shall cause to
22 be published in the Federal Register notice of
23 any determination of a period of rising unem-
24 ployment, including the commencement date of
25 such period.

1 (b) PROVISIONS OF AGREEMENT.—Any agreement
2 under subsection (a) shall provide that the State agency
3 of the State will make payments of emergency unemploy-
4 ment compensation to individuals who—

5 (1) have exhausted all rights to regular com-
6 pensation under the State law or under Federal law
7 with respect to a benefit year (excluding any benefit
8 year that ended before March 1, 2007);

9 (2) have no rights to regular compensation or
10 extended compensation with respect to a week under
11 such law or any other State unemployment com-
12 pensation law or to compensation under any other
13 Federal law; and

14 (3) are not receiving compensation with respect
15 to such week under the unemployment compensation
16 law of Canada.

17 (c) EXHAUSTION OF BENEFITS.—For purposes of
18 subsection (b)(1), an individual shall be deemed to have
19 exhausted such individual's rights to regular compensation
20 under a State law when—

21 (1) no payments of regular compensation can
22 be made under such law because such individual has
23 received all regular compensation available to such
24 individual based on employment or wages during
25 such individual's base period; or

1 (2) such individual's rights to such compensa-
2 tion have been terminated by reason of the expira-
3 tion of the benefit year with respect to which such
4 rights existed.

5 (d) WEEKLY BENEFIT AMOUNT, ETC.—For purposes
6 of any agreement under this title—

7 (1) the amount of emergency unemployment
8 compensation which shall be payable to any indi-
9 vidual for any week of total unemployment shall be
10 equal to the amount of the regular compensation
11 (including dependents' allowances) payable to such
12 individual during such individual's benefit year
13 under the State law for a week of total unemploy-
14 ment;

15 (2) the terms and conditions of the State law
16 which apply to claims for regular compensation and
17 to the payment thereof shall apply to claims for
18 emergency unemployment compensation and the
19 payment thereof, except where otherwise inconsistent
20 with the provisions of this title or with the regula-
21 tions or operating instructions of the Secretary pro-
22 mulgated to carry out this title; and

23 (3) the maximum amount of emergency unem-
24 ployment compensation payable to any individual for
25 whom an emergency unemployment compensation

1 account is established under section 102 shall not
2 exceed the amount established in such account for
3 such individual.

4 (e) ELECTION BY STATES.—Notwithstanding any
5 other provision of Federal law (and if State law permits),
6 the Governor of a State that is in an extended benefit pe-
7 riod may provide for the payment of emergency unemploy-
8 ment compensation in lieu of extended compensation to
9 individuals who otherwise meet the requirements of this
10 section. Such an election shall not require a State to trig-
11 ger off an extended benefit period.

12 **SEC. 102. EMERGENCY UNEMPLOYMENT COMPENSATION**
13 **ACCOUNT.**

14 (a) IN GENERAL.—Any agreement under this title
15 shall provide that the State will establish, for each eligible
16 individual who files an application for emergency unem-
17 ployment compensation, an emergency unemployment
18 compensation account with respect to such individual's
19 benefit year.

20 (b) AMOUNT IN ACCOUNT.—

21 (1) IN GENERAL.—The amount established in
22 an account under subsection (a) shall be equal to the
23 lesser of—

24 (A) 100 percent of the total amount of
25 regular compensation (including dependents' al-

1 allowances) payable to the individual during the
2 individual's benefit year under such law, or

3 (B) 26 times the individual's average week-
4 ly benefit amount for the benefit year.

5 (2) WEEKLY BENEFIT AMOUNT.—For purposes
6 of this subsection, an individual's weekly benefit
7 amount for any week is the amount of regular com-
8 pensation (including dependents' allowances) under
9 the State law payable to such individual for such
10 week for total unemployment.

11 **SEC. 103. PAYMENTS TO STATES HAVING AGREEMENTS FOR**
12 **THE PAYMENT OF EMERGENCY UNEMPLOY-**
13 **MENT COMPENSATION.**

14 (a) GENERAL RULE.—There shall be paid to each
15 State which has entered into an agreement under this title
16 an amount equal to 100 percent of the emergency unem-
17 ployment compensation paid to individuals by the State
18 pursuant to such agreement.

19 (b) TREATMENT OF REIMBURSABLE COMPENSA-
20 TION.—No payment shall be made to any State under this
21 section in respect of any compensation to the extent the
22 State is entitled to reimbursement in respect of such com-
23 pensation under the provisions of any Federal law other
24 than this title or chapter 85 of title 5, United States Code.
25 A State shall not be entitled to any reimbursement under

1 such chapter 85 in respect of any compensation to the ex-
2 tent the State is entitled to reimbursement under this title
3 in respect of such compensation.

4 (c) DETERMINATION OF AMOUNT.—Sums payable to
5 any State by reason of such State having an agreement
6 under this title shall be payable, either in advance or by
7 way of reimbursement (as may be determined by the Sec-
8 retary), in such amounts as the Secretary estimates the
9 State will be entitled to receive under this title for each
10 calendar month, reduced or increased, as the case may be,
11 by any amount by which the Secretary finds that the Sec-
12 retary's estimates for any prior calendar month were
13 greater or less than the amounts which should have been
14 paid to the State. Such estimates may be made on the
15 basis of such statistical, sampling, or other method as may
16 be agreed upon by the Secretary and the State agency of
17 the State involved.

18 **SEC. 104. FINANCING PROVISIONS.**

19 (a) IN GENERAL.—Funds in the extended unemploy-
20 ment compensation account (as established by section
21 905(a) of the Social Security Act (42 U.S.C. 1105(a)) of
22 the Unemployment Trust Fund (as established by section
23 904(a) of such Act (42 U.S.C. 1104(a)) shall be used for
24 the making of payments to States having agreements en-
25 tered into under this title.

1 (b) CERTIFICATION.—The Secretary shall from time
2 to time certify to the Secretary of the Treasury for pay-
3 ment to each State the sums payable to such State under
4 this title. The Secretary of the Treasury, prior to audit
5 or settlement by the Government Accountability Office,
6 shall make payments to the State in accordance with such
7 certification, by transfers from the extended unemploy-
8 ment compensation account (as so established) to the ac-
9 count of such State in the Unemployment Trust Fund (as
10 so established).

11 (c) ASSISTANCE TO STATES.—There are appro-
12 priated out of the employment security administration ac-
13 count (as established by section 901(a) of the Social Secu-
14 rity Act (42 U.S.C. 1101(a)) of the Unemployment Trust
15 Fund, without fiscal year limitation, such funds as may
16 be necessary for purposes of assisting States (as provided
17 in title III of the Social Security Act (42 U.S.C. 501 et
18 seq.)) in meeting the costs of administration of agree-
19 ments under this title.

20 (d) APPROPRIATIONS FOR CERTAIN PAYMENTS.—
21 There are appropriated from the general fund of the
22 Treasury, without fiscal year limitation, to the extended
23 unemployment compensation account (as so established)
24 of the Unemployment Trust Fund (as so established) such

1 sums as the Secretary estimates to be necessary to make
2 the payments under this section in respect of—

3 (1) compensation payable under chapter 85 of
4 title 5, United States Code; and

5 (2) compensation payable on the basis of serv-
6 ices to which section 3309(a)(1) of the Internal Rev-
7 enue Code of 1986 applies.

8 Amounts appropriated pursuant to the preceding sentence
9 shall not be required to be repaid.

10 **SEC. 105. FRAUD AND OVERPAYMENTS.**

11 (a) IN GENERAL.—If an individual knowingly has
12 made, or caused to be made by another, a false statement
13 or representation of a material fact, or knowingly has
14 failed, or caused another to fail, to disclose a material fact,
15 and as a result of such false statement or representation
16 or of such nondisclosure such individual has received an
17 amount of emergency unemployment compensation under
18 this title to which he was not entitled, such individual—

19 (1) shall be ineligible for further emergency un-
20 employment compensation under this title in accord-
21 ance with the provisions of the applicable State un-
22 employment compensation law relating to fraud in
23 connection with a claim for unemployment com-
24 pensation; and

1 (2) shall be subject to prosecution under section
2 1001 of title 18, United States Code.

3 (b) REPAYMENT.—In the case of individuals who
4 have received amounts of emergency unemployment com-
5 pensation under this title to which they were not entitled,
6 the State shall require such individuals to repay the
7 amounts of such emergency unemployment compensation
8 to the State agency, except that the State agency may
9 waive such repayment if it determines that—

10 (1) the payment of such emergency unemploy-
11 ment compensation was without fault on the part of
12 any such individual; and

13 (2) such repayment would be contrary to equity
14 and good conscience.

15 (c) RECOVERY BY STATE AGENCY.—

16 (1) IN GENERAL.—The State agency may re-
17 cover the amount to be repaid, or any part thereof,
18 by deductions from any emergency unemployment
19 compensation payable to such individual under this
20 title or from any unemployment compensation pay-
21 able to such individual under any Federal unemploy-
22 ment compensation law administered by the State
23 agency or under any other Federal law administered
24 by the State agency which provides for the payment
25 of any assistance or allowance with respect to any

1 week of unemployment, during the 3-year period
2 after the date such individuals received the payment
3 of the emergency unemployment compensation to
4 which they were not entitled, except that no single
5 deduction may exceed 50 percent of the weekly ben-
6 efit amount from which such deduction is made.

7 (2) OPPORTUNITY FOR HEARING.—No repay-
8 ment shall be required, and no deduction shall be
9 made, until a determination has been made, notice
10 thereof and an opportunity for a fair hearing has
11 been given to the individual, and the determination
12 has become final.

13 (d) REVIEW.—Any determination by a State agency
14 under this section shall be subject to review in the same
15 manner and to the same extent as determinations under
16 the State unemployment compensation law, and only in
17 that manner and to that extent.

18 **SEC. 106. DEFINITIONS.**

19 In this title, the terms “compensation”, “regular
20 compensation”, “extended compensation”, “benefit year”,
21 “base period”, “State”, “State agency”, “State law”, and
22 “week” have the respective meanings given such terms
23 under section 205 of the Federal-State Extended Unem-
24 ployment Compensation Act of 1970 (26 U.S.C. 3304
25 note).

1 **SEC. 107. APPLICABILITY.**

2 An agreement entered into under this title shall apply
3 to weeks of unemployment—

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

6 (2) ending before January 1, 2009.

7 **TITLE II—INCREASED**
8 **UNEMPLOYMENT BENEFITS**

9 **SEC. 201. FEDERAL-STATE AGREEMENTS FOR INCREASED**
10 **UNEMPLOYMENT BENEFITS.**

11 (a) **AUTHORITY TO ENTER INTO OR TERMINATE AN**
12 **AGREEMENT.**—Subject to the same condition as set forth
13 in section 101(a)(2), any State which desires to do so may
14 enter into and participate in an agreement under this title
15 with the Secretary of Labor (in this title referred to as
16 the “Secretary”). Any State which is a party to an agree-
17 ment under this title may, upon providing 30 days’ written
18 notice to the Secretary, terminate such agreement.

19 (b) **PROVISIONS OF AGREEMENT.**—

20 (1) **IN GENERAL.**—Any agreement under sub-
21 section (a) shall provide that the State agency of the
22 State will make payments of regular compensation
23 to individuals in amounts that would be determined
24 if the State law were applied with the modification
25 described in paragraph (2).

1 (2) **ADDITIONAL REGULAR COMPENSATION.**—

2 Under this paragraph, the amount of regular com-
3 pensation (including dependents' allowances) payable
4 for any week shall be equal to the amount deter-
5 mined under the State law (before the application of
6 this paragraph) plus an additional \$50.

7 (c) **NONREDUCTION RULE.**—The agreement shall not
8 apply (or shall cease to apply) with respect to a State upon
9 a determination by the Secretary that the method gov-
10 erning the computation of regular compensation under the
11 State law of that State has been modified in a way such
12 that—

13 (1) the average weekly amount of regular com-
14 pensation which will be payable during the period of
15 the agreement (determined disregarding the modi-
16 fication described in subsection (b)(2)) will be less
17 than

18 (2) the average weekly amount of regular com-
19 pensation which would otherwise have been payable
20 during such period under the State law, as in effect
21 on December 31, 2007.

22 **SEC. 202. PAYMENTS TO STATES HAVING AGREEMENTS**
23 **UNDER THIS TITLE.**

24 (a) **IN GENERAL.**—There shall be paid to each State
25 which has entered into an agreement under this title an

1 amount equal to 100 percent of any additional regular
2 compensation made payable to individuals by such State
3 by virtue of the modification described in section
4 201(b)(2) and deemed to be in effect with respect to such
5 State pursuant to section 201(b)(1).

6 (b) DETERMINATION OF AMOUNT.—Sums payable to
7 any State by reason of such State having an agreement
8 under this title shall be payable, either in advance or by
9 way of reimbursement (as may be determined by the Sec-
10 retary), in such amounts as the Secretary estimates the
11 State will be entitled to receive under this title for each
12 calendar month, reduced or increased, as the case may be,
13 by any amount by which the Secretary finds that the Sec-
14 retary's estimates for any prior calendar month were
15 greater or less than the amounts which should have been
16 paid to the State. Such estimates may be made on the
17 basis of such statistical, sampling, or other method as may
18 be agreed upon by the Secretary and the State agency of
19 the State involved.

20 **SEC. 203. FINANCING PROVISIONS.**

21 (a) IN GENERAL.—Funds in the Federal unemploy-
22 ment account (as established by section 904(g) of the So-
23 cial Security Act (42 U.S.C. 1104(g)) of the Unemploy-
24 ment Trust Fund (as established by section 904(a) of such
25 Act (42 U.S.C. 1104(a)) shall be used for the making of

1 payments to States having agreements entered into under
2 this title.

3 (b) CERTIFICATION.—The Secretary shall from time
4 to time certify to the Secretary of the Treasury for pay-
5 ment to each State the sums payable to such State under
6 this title. The Secretary of the Treasury, prior to audit
7 or settlement by the Government Accountability Office,
8 shall make payments to the State in accordance with such
9 certification, by transfers from the Federal unemployment
10 account (as so established) to the account of such State
11 in the Unemployment Trust Fund (as so established).

12 **SEC. 204. DEFINITIONS.**

13 In this title, the terms “compensation”, “regular
14 compensation”, “State”, “State agency”, “State law”,
15 and “week” have the respective meanings given such
16 terms under section 205 of the Federal-State Extended
17 Unemployment Compensation Act of 1970 (26 U.S.C.
18 3304 note).

19 **SEC. 205. APPLICABILITY.**

20 An agreement entered into under this title shall apply
21 to weeks of unemployment—

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

24 (2) ending before January 1, 2009.

1 “(C) Of the maximum incentive payment determined
2 under subparagraph (B) with respect to a State—

3 “(i) one-third shall be transferred to the ac-
4 count of such State upon a certification under para-
5 graph (4)(B) that the State law of such State meets
6 the requirements of paragraph (2); and

7 “(ii) the remainder shall be transferred to the
8 account of such State upon a certification under
9 paragraph (4)(B) that the State law of such State
10 meets the requirements of paragraph (3).

11 “(2) The State law of a State meets the requirements
12 of this paragraph if such State law—

13 “(A) uses a base period that includes the most
14 recently completed calendar quarter before the start
15 of the benefit year for purposes of determining eligi-
16 bility for unemployment compensation; or

17 “(B) provides that, in the case of an individual
18 who would not otherwise be eligible for unemploy-
19 ment compensation under the State law because of
20 the use of a base period that does not include the
21 most recently completed calendar quarter before the
22 start of the benefit year, eligibility shall be deter-
23 mined using a base period that includes such cal-
24 endar quarter.

1 “(3) The State law of a State meets the requirements
2 of this paragraph if such State law includes provisions to
3 carry out at least 2 of the following subparagraphs:

4 “(A) An individual shall not be denied regular
5 unemployment compensation under any State law
6 provisions relating to availability for work, active
7 search for work, or refusal to accept work, solely be-
8 cause such individual is seeking only part-time (and
9 not full-time) work, except that the State law provi-
10 sions carrying out this subparagraph may exclude an
11 individual if a majority of the weeks of work in such
12 individual’s base period do not include part-time
13 work.

14 “(B) An individual shall not be disqualified
15 from regular unemployment compensation for sepa-
16 rating from employment if that separation is for
17 compelling family reasons. For purposes of this sub-
18 paragraph, the term ‘compelling family reasons’ in-
19 cludes at least the following:

20 “(i) Domestic violence (verified by such
21 reasonable and confidential documentation as
22 the State law may require) which causes the in-
23 dividual reasonably to believe that such individ-
24 ual’s continued employment would jeopardize

1 the safety of the individual or of any member
2 of the individual's immediate family.

3 “(ii) The illness or disability of a member
4 of the individual's immediate family.

5 “(iii) The need for the individual to accom-
6 pany such individual's spouse—

7 “(I) to a place from which it is im-
8 practical for such individual to commute;
9 and

10 “(II) due to a change in location of
11 the spouse's employment.

12 “(C) Weekly unemployment compensation is
13 payable under this subparagraph to any individual
14 who is unemployed (as determined under the State
15 unemployment compensation law), has exhausted all
16 rights to regular compensation and, if applicable, ex-
17 tended unemployment compensation under the State
18 law and benefits under title I of the Emergency Un-
19 employment Compensation Act of 2008, and is en-
20 rolled and making satisfactory progress in a State-
21 approved training program or in a job training pro-
22 gram authorized under the Workforce Investment
23 Act of 1998. Such program shall prepare individuals
24 who have been separated from a declining occupa-
25 tion, or who have been involuntarily and indefinitely

1 separated from employment as a result of a perma-
2 nent reduction of operations at the individual's place
3 of employment, for entry into a high-demand occu-
4 pation. The amount of unemployment compensation
5 payable under this subparagraph to an individual for
6 a week of unemployment shall be equal to the indi-
7 vidual's average weekly benefit amount (including
8 dependents' allowances) for the most recent benefit
9 year, and the total amount of unemployment com-
10 pensation payable under this subparagraph to any
11 individual shall be equal to at least 26 times the in-
12 dividual's average weekly benefit amount (including
13 dependents' allowances) for the most recent benefit
14 year.

15 “(4)(A) Any State seeking an incentive payment
16 under this subsection shall submit an application therefor
17 at such time, in such manner, and complete with such in-
18 formation as the Secretary of Labor may by regulation
19 prescribe, including information relating to compliance
20 with the requirements of paragraph (2) or (3), as well as
21 how the State intends to use the incentive payment to im-
22 prove or strengthen the State's unemployment compensa-
23 tion program. The Secretary of Labor shall, within 90
24 days after receiving a complete application, notify the
25 State agency of the State of the Secretary's findings with

1 respect to the requirements of paragraph (2) or (3) (or
2 both).

3 “(B) If the Secretary of Labor finds that the State
4 law provisions (disregarding any State law provisions
5 which are not then currently in effect as permanent law
6 or which are subject to discontinuation under certain con-
7 ditions) meet the requirements of paragraph (2) or (3),
8 as the case may be, the Secretary of Labor shall thereupon
9 make a certification to that effect to the Secretary of the
10 Treasury, together with a certification as to the amount
11 of the incentive payment to be transferred to the State
12 account pursuant to that finding. The Secretary of the
13 Treasury shall make the appropriate transfer within 30
14 days after receiving such certification.

15 “(C)(i) No certification of compliance with the re-
16 quirements of paragraph (2) or (3) may be made with re-
17 spect to any State whose State law is not otherwise eligible
18 for certification under section 303 or approvable under
19 section 3304 of the Federal Unemployment Tax Act.

20 “(ii) No certification of compliance with the require-
21 ments of paragraph (3) may be made with respect to any
22 State whose State law is not in compliance with the re-
23 quirements of paragraph (2).

24 “(iii) No application under subparagraph (A) may be
25 considered if submitted before October 1, 2007, or after

1 the latest date necessary (as specified by the Secretary of
2 Labor in regulations) to ensure that all incentive pay-
3 ments under this subsection are made before October 1,
4 2012.

5 “(5)(A) Except as provided in subparagraph (B), any
6 amount transferred to the account of a State under this
7 subsection may be used by such State only in the payment
8 of cash benefits to individuals with respect to their unem-
9 ployment (including for dependents’ allowances and for
10 unemployment compensation under paragraph (3)(C)), ex-
11 clusive of expenses of administration.

12 “(B) A State may, subject to the same conditions as
13 set forth in subsection (c)(2) (excluding subparagraph (B)
14 thereof, and deeming the reference to ‘subsections (a) and
15 (b)’ in subparagraph (D) thereof to include this sub-
16 section), use any amount transferred to the account of
17 such State under this subsection for the administration
18 of its unemployment compensation law and public employ-
19 ment offices.

20 “(6) Out of any money in the Federal unemployment
21 account not otherwise appropriated, the Secretary of the
22 Treasury shall reserve \$7,000,000,000 for incentive pay-
23 ments under this subsection. Any amount so reserved shall
24 not be taken into account for purposes of any determina-
25 tion under section 902, 910, or 1203 of the amount in

1 the Federal unemployment account as of any given time.
2 Any amount so reserved for which the Secretary of the
3 Treasury has not received a certification under paragraph
4 (4)(B) by the deadline described in paragraph (4)(C)(iii)
5 shall, upon the close of fiscal year 2012, become unre-
6 stricted as to use as part of the Federal unemployment
7 account.

8 “(7) For purposes of this subsection, the terms ‘ben-
9 efit year’, ‘base period’, and ‘week’ have the respective
10 meanings given such terms under section 205 of the Fed-
11 eral-State Extended Unemployment Compensation Act of
12 1970 (26 U.S.C. 3304 note).

13 “Special Transfers in Fiscal Years 2008 Through 2012
14 for Administration

15 “(g)(1) Notwithstanding any other provision of this
16 section, the total amount available for transfer to the ac-
17 counts of the States pursuant to subsection (a) as of the
18 beginning of each of fiscal years 2008, 2009, 2010, 2011,
19 and 2012 shall be equal to the total amount which (dis-
20 regarding this subsection) would otherwise be so available,
21 increased by \$100,000,000.

22 “(2) Each State’s share of any additional amount
23 made available by this subsection shall be determined, cer-
24 tified, and computed in the same manner as described in
25 subsection (a)(2) and shall be subject to the same limita-

1 tions on transfers as described in subsection (b). For pur-
2 poses of applying subsection (b)(2), the balance of any ad-
3 vances made to a State under section 1201 shall be cred-
4 ited against, and operate to reduce (but not below zero)—

5 “(A) first, any additional amount which, as a
6 result of the enactment of this subsection, is to be
7 transferred to the account of such State in a fiscal
8 year; and

9 “(B) second, any amount which (disregarding
10 this subsection) is otherwise to be transferred to the
11 account of such State pursuant to subsections (a)
12 and (b) in such fiscal year.

13 “(3) Any additional amount transferred to the ac-
14 count of a State as a result of the enactment of this sub-
15 section—

16 “(A) may be used by the State agency of such
17 State only in the payment of expenses incurred by
18 it for—

19 “(i) the administration of the provisions of
20 its State law carrying out the purposes of sub-
21 section (f)(2) or any subparagraph of sub-
22 section (f)(3);

23 “(ii) improved outreach to individuals who
24 might be eligible for regular unemployment

1 compensation by virtue of any provisions of the
2 State law which are described in clause (i);

3 “(iii) the improvement of unemployment
4 benefit and unemployment tax operations; and

5 “(iv) staff-assisted reemployment services
6 for unemployment compensation claimants; and

7 “(B) shall be excluded from the application of
8 subsection (c).

9 “(4) The total additional amount made available by
10 this subsection in a fiscal year shall be taken out of the
11 amounts remaining in the employment security adminis-
12 tration account after subtracting the total amount which
13 (disregarding this subsection) is otherwise required to be
14 transferred from such account in such fiscal year pursuant
15 to subsections (a) and (b).”.

16 (b) REGULATIONS.—The Secretary of Labor may
17 prescribe any regulations necessary to carry out the
18 amendment made by subsection (a).

○