112TH CONGRESS
2D SESSION

S. 3655

To provide enhanced disaster unemployment assistance to States affected by Hurricane Sandy and Tropical Storm Sandy of 2012, and for other purposes.

IN THE SENATE OF THE UNITED STATES

DECEMBER 4, 2012

Mr. LAUTENBERG (for himself, Mr. BLUMENTHAL, and Mr. LIEBERMAN) introduced the following bill; which was read twice and referred to the Committee on Finance

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A BILL

To provide enhanced disaster unemployment assistance to States affected by Hurricane Sandy and Tropical Storm Sandy of 2012, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Superstorm Sandy Unemployment Relief Act of 2012''.

SEC. 2. EXTENSION OF DISASTER UNEMPLOYMENT BENEFIT PERIOD.

(a) IN GENERAL.—Notwithstanding any other provision of law, in the case of an individual eligible to receive unemployment assistance under section 410(a) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5177(a)) as a result of a disaster declaration made by reason of Hurricane Sandy after October 20, 2012, the President shall make such assistance available for 39 weeks after the date of the disaster declaration.

(b) REFERENCES.—References in this Act to ''Hurricane Sandy'' shall be deemed to include Tropical Storm Sandy, occurring in the fall of 2012.

SEC. 3. ASSISTANCE TO STATES.

(a) PAYMENTS TO STATES.—

(1) IN GENERAL.—Payments shall be made to a State in an amount equal to 100 percent of the amount of unemployment compensation paid under the provisions of the State law to affected individuals in each State in which a major disaster was declared with respect to that State or any area within that State under the Robert T. Stafford Disaster Assistance Relief and Emergency Assistance Act by reason of Hurricane Sandy in 2012.

(2) FUNDING AND TRANSFER OF FUNDS.—

(A) FUNDING.—There are appropriated, out of moneys in the Treasury not otherwise obligated, such sums as may be necessary for purposes of carrying out this section, and such sums shall not be required to be repaid.

(B) TRANSFERS.—Notwithstanding any other provision of law, the Secretary of the Treasury shall transfer from the General Fund of the Treasury to—

(i) the extended unemployment compensation account (as established by section 905 of the Social Security Act (42 U.S.C. 1105)) such sums as the Secretary of Labor estimates to be necessary to make payments to States for the unemployment compensation identified in paragraph (1); and

(ii) the employment security administration account (as established by section 901 of the Social Security Act (42 U.S.C. 1101)) such sums as the Secretary of Labor estimates to be necessary for purposes of assisting States in meeting the costs of administering this section.

(3) TERMS OF PAYMENTS.—Payments made to a State under this section shall be made by way of advance or reimbursement.

(4) LIMITATIONS ON PAYMENTS.—No payments shall be made to a State under this section for unemployment compensation paid by the State to an affected individual, if the State is advanced or reimbursed for the costs of such unemployment compensation under other provisions of Federal law.

(b) APPLICABILITY.—Payments to a State under subsection (a) shall be available for unemployment compensation payable with respect to weeks of unemployment—

(1) beginning on or after October 28, 2012; and

(2) ending on or before July 23, 2013.

(c) DEFINITIONS.—In this section, the following definitions shall apply:

(1) STATE; STATE LAW.—The terms ''State'' and ''State law'' have the meanings given those terms in section 205 of the Federal-State Extended Unemployment Compensation Act of 1970 (26 U.S.C. 3304 note).

(2) AFFECTED INDIVIDUAL.—The term ''affected individual'' means an individual eligible for unemployment compensation under State law, whose unemployment is a direct result (as described in 20 C.F.R. 625.5(c)) of the major disaster that was declared with respect to that State or any area within

that State under the Robert T. Stafford Disaster Assistance Relief and Emergency Assistance Act by reason of Hurricane Sandy in 2012.

SEC. 4. REGULATIONS.

The Secretary of Labor may prescribe any operating instructions or regulations necessary to carry out this Act.

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