

1 mation regarding any payments made in excess of the
2 amount of funding provided under paragraph (3)(A) of
3 such section.

4 **SEC. 102. EXTENSION OF TEMPORARY SUSPENSION OF**
5 **MEDICARE SEQUESTRATION.**

6 (a) IN GENERAL.—Section 3709(a) of division A of
7 the CARES Act (2 U.S.C. 901a note) is amended by strik-
8 ing “December 31, 2020” and inserting “March 31,
9 2021”.

10 (b) EFFECTIVE DATE.—The amendment made by
11 subsection (a) shall take effect as if enacted as part of
12 the CARES Act (Public Law 116–136).

13 **TITLE II—ASSISTANCE TO INDI-**
14 **VIDUALS, FAMILIES, AND**
15 **BUSINESSES**

16 **Subtitle A—Unemployment**
17 **Insurance**

18 **CHAPTER 1—CONTINUED ASSISTANCE TO**
19 **UNEMPLOYED WORKERS**

20 **SEC. 200. SHORT TITLE.**

21 This chapter may be cited as the “Continued Assist-
22 ance for Unemployed Workers Act of 2020”.

1 **Subchapter I—Extension of CARES Act**
2 **Unemployment Provisions**

3 **SEC. 201. EXTENSION AND BENEFIT PHASEOUT RULE FOR**
4 **PANDEMIC UNEMPLOYMENT ASSISTANCE.**

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

7 (1) in paragraph (1)—

8 (A) by striking “paragraph (2)” and in-
9 serting “paragraphs (2) and (3)”; and

10 (B) in subparagraph (A)(ii), by striking
11 “December 31, 2020” and inserting “March
12 14, 2021”; and

13 (2) by redesignating paragraph (3) as para-
14 graph (4); and

15 (3) by inserting after paragraph (2) the fol-
16 lowing:

17 “(3) TRANSITION RULE FOR INDIVIDUALS RE-
18 MAINING ENTITLED TO PANDEMIC UNEMPLOYMENT
19 ASSISTANCE AS OF MARCH 14, 2021.—

20 “(A) IN GENERAL.—Subject to subpara-
21 graph (B), in the case of any individual who, as
22 of the date specified in paragraph (1)(A)(ii), is
23 receiving pandemic unemployment assistance
24 but has not yet exhausted all rights to such as-
25 sistance under this section, pandemic unemploy-

1 ment assistance shall continue to be payable to
2 such individual for any week beginning on or
3 after such date for which the individual is oth-
4 erwise eligible for pandemic unemployment as-
5 sistance.

6 “(B) TERMINATION.—Notwithstanding
7 any other provision of this subsection, no pan-
8 demic unemployment assistance shall be payable
9 for any week beginning after April 5, 2021.”.

10 (b) INCREASE IN NUMBER OF WEEKS.—Section
11 2102(c)(2) of the CARES Act (15 U.S.C. 9021(c)(2)) is
12 amended—

13 (1) by striking “39 weeks” and inserting “50
14 weeks”; and

15 (2) by striking “39-week period” and inserting
16 “50-week period”.

17 (c) APPEALS.—

18 (1) IN GENERAL.—Section 2102(c) of the
19 CARES Act (15 U.S.C. 9021(c)), as amended by
20 subsections (a) and (b), is amended by adding at the
21 end the following:

22 “(5) APPEALS BY AN INDIVIDUAL.—

23 “(A) IN GENERAL.—An individual may ap-
24 peal any determination or redetermination re-
25 garding the rights to pandemic unemployment

1 assistance under this section made by the State
2 agency of any of the States.

3 “(B) PROCEDURE.—All levels of appeal
4 filed under this paragraph in the 50 states, the
5 District of Columbia, the Commonwealth of
6 Puerto Rico, and the Virgin Islands—

7 “(i) shall be carried out by the appli-
8 cable State that made the determination or
9 redetermination; and

10 “(ii) shall be conducted in the same
11 manner and to the same extent as the ap-
12 plicable State would conduct appeals of de-
13 terminations or redeterminations regarding
14 rights to regular compensation under State
15 law.

16 “(C) PROCEDURE FOR CERTAIN TERRI-
17 TORIES.—With respect to any appeal filed in
18 Guam, American Samoa, the Commonwealth of
19 the Northern Mariana Islands, the Federated
20 States of Micronesia, Republic of the Marshall
21 Islands, and the Republic of Palau—

22 “(i) lower level appeals shall be car-
23 ried out by the applicable entity within the
24 State;

1 “(ii) if a higher level appeal is allowed
 2 by the State, the higher level appeal shall
 3 be carried out by the applicability entity
 4 within the State; and

5 “(iii) appeals described in clauses (i)
 6 and (ii) shall be conducted in the same
 7 manner and to the same extent as appeals
 8 of regular unemployment compensation are
 9 conducted under the unemployment com-
 10 pensation law of Hawaii.”.

11 (2) EFFECTIVE DATE.—The amendment made
 12 by paragraph (1) shall take effect as if enacted as
 13 part of division A of the CARES Act (Public Law
 14 116–136), except that any decision issued on appeal
 15 or review before the date of enactment of this Act
 16 shall not be affected by the amendment made by
 17 paragraph (1).

18 (d) WAIVER AUTHORITY FOR CERTAIN OVERPAY-
 19 MENTS OF PANDEMIC UNEMPLOYMENT ASSISTANCE.—
 20 Section 2102(d) of the CARES Act (15 U.S.C. 9021(d))
 21 is amended by adding at the end the following:

22 “(4) WAIVER AUTHORITY.—In the case of indi-
 23 viduals who have received amounts of pandemic un-
 24 employment assistance to which they were not enti-
 25 tled, the State shall require such individuals to repay

1 the amounts of such pandemic unemployment assist-
2 ance to the State agency, except that the State
3 agency may waive such repayment if it determines
4 that—

5 “(A) the payment of such pandemic unem-
6 ployment assistance was without fault on the
7 part of any such individual; and

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

10 (e) **HOLD HARMLESS FOR PROPER ADMINISTRA-**
11 **TION.**—In the case of an individual who is eligible to re-
12 ceive pandemic unemployment assistance under section
13 2102 the CARES Act (15 U.S.C. 9021) as of the day be-
14 fore the date of enactment of this Act and on the date
15 of enactment of this Act becomes eligible for pandemic
16 emergency unemployment compensation under section
17 2107 of the CARES Act (15 U.S.C. 9025) by reason of
18 the amendments made by section 206(b) of this subtitle,
19 any payment of pandemic unemployment assistance under
20 such section 2102 made after the date of enactment of
21 this Act to such individual during an appropriate period
22 of time, as determined by the Secretary of Labor, that
23 should have been made under such section 2107 shall not
24 be considered to be an overpayment of assistance under
25 such section 2102, except that an individual may not re-

1 ceive payment for assistance under section 2102 and a
2 payment for assistance under section 2107 for the same
3 week of unemployment.

4 (f) **LIMITATION.**—In the case of a covered individual
5 whose first application for pandemic unemployment assist-
6 ance under section 2102 of the CARES Act (15 U.S.C.
7 9021) is filed after the date of enactment of this Act, sub-
8 section (e)(1)(A)(i) of such section 2102 shall be applied
9 by substituting “December 1, 2020” for “January 27,
10 2020”.

11 (g) **EFFECTIVE DATE.**—The amendments made by
12 subsections (a), (b), (c), and (d) shall apply as if included
13 in the enactment of the CARES Act (Public Law 116–
14 136), except that no amount shall be payable by virtue
15 of such amendments with respect to any week of unem-
16 ployment commencing before the date of the enactment
17 of this Act.

18 **SEC. 202. EXTENSION OF EMERGENCY UNEMPLOYMENT RE-**
19 **LIEF FOR GOVERNMENTAL ENTITIES AND**
20 **NONPROFIT ORGANIZATIONS.**

21 Section 903(i)(1)(D) of the Social Security Act (42
22 U.S.C. 1103(i)(1)(D)) is amended by striking “December
23 31, 2020” and inserting “March 14, 2021”.

1 **SEC. 203. EXTENSION OF FEDERAL PANDEMIC UNEMPLOY-**
2 **MENT COMPENSATION.**

3 (a) IN GENERAL.—Section 2104(e) of the CARES
4 Act (15 U.S.C. 9023(e)) is amended to read as follows:

5 “(e) APPLICABILITY.—An agreement entered into
6 under this section shall apply—

7 “(1) to weeks of unemployment beginning after
8 the date on which such agreement is entered into
9 and ending on or before July 31, 2020; and

10 “(2) to weeks of unemployment beginning after
11 December 26, 2020 (or, if later, the date on which
12 such agreement is entered into), and ending on or
13 before March 14, 2021.”.

14 (b) AMOUNT.—

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

17 (A) in paragraph (1)(B), by striking “of
18 \$600” and inserting “equal to the amount spec-
19 ified in paragraph (3)”; and

20 (B) by adding at the end the following new
21 paragraph:

22 “(3) AMOUNT OF FEDERAL PANDEMIC UNEM-
23 PLOYMENT COMPENSATION.—

24 “(A) IN GENERAL.—The amount specified
25 in this paragraph is the following amount:

1 “(i) For weeks of unemployment be-
2 ginning after the date on which an agree-
3 ment is entered into under this section and
4 ending on or before July 31, 2020, \$600.

5 “(ii) For weeks of unemployment be-
6 ginning after December 26, 2020 (or, if
7 later, the date on which such agreement is
8 entered into), and ending on or before
9 March 14, 2021, \$300.”.

10 (2) TECHNICAL AMENDMENT REGARDING AP-
11 PLICATION TO SHORT-TIME COMPENSATION PRO-
12 GRAMS AND AGREEMENTS.—Section 2104(i)(2) of
13 the CARES Act (15 U.S.C. 9023(i)(2)) is amend-
14 ed—

15 (A) in subparagraph (C), by striking
16 “and” at the end;

17 (B) in subparagraph (D), by striking the
18 period at the end and inserting “; and”; and

19 (C) by adding at the end the following:

20 “(E) short-time compensation under a
21 short-time compensation program (as defined in
22 section 3306(v) of the Internal Revenue Code of
23 1986).”.

1 **SEC. 204. EXTENSION OF FEDERAL FUNDING OF THE FIRST**
2 **WEEK OF COMPENSABLE REGULAR UNEM-**
3 **PLOYMENT FOR STATES WITH NO WAITING**
4 **WEEK.**

5 Section 2105 of the CARES Act (15 U.S.C. 9024)
6 is amended—

7 (1) in subsection (c)—

8 (A) in paragraph (1), by striking “There
9 shall be paid” and inserting “Except as pro-
10 vided in paragraph (3), there shall be paid”;
11 and

12 (B) by adding at the end the following:

13 “(3) PARTIAL REIMBURSEMENT.—With respect
14 to compensation paid to individuals for weeks of un-
15 employment ending after December 31, 2020, para-
16 graph (1) shall be applied by substituting ‘50 per-
17 cent’ for ‘100 percent.’”; and

18 (2) in subsection (e)(2), by striking “December
19 31, 2020” and inserting “March 14, 2021”.

20 **SEC. 205. EXTENSION OF EMERGENCY STATE STAFFING**
21 **FLEXIBILITY.**

22 Section 4102(b) of the Families First Coronavirus
23 Response Act (26 U.S.C. 3304 note), in the second sen-
24 tence, is amended by striking “December 31, 2020” and
25 inserting “March 14, 2021”.

1 **SEC. 206. EXTENSION AND BENEFIT PHASEOUT RULE FOR**
2 **PANDEMIC EMERGENCY UNEMPLOYMENT**
3 **COMPENSATION.**

4 (a) IN GENERAL.—Section 2107(g) of the CARES
5 Act (15 U.S.C. 9025(g)) is amended to read as follows:

6 “(g) APPLICABILITY.—

7 “(1) IN GENERAL.—Except as provided in para-
8 graphs (2) and (3), an agreement entered into under
9 this section shall apply to weeks of unemployment—

10 “(A) beginning after the date on which
11 such agreement is entered into; and

12 “(B) ending on or before March 14, 2021.

13 “(2) TRANSITION RULE FOR INDIVIDUALS RE-
14 MAINING ENTITLED TO PANDEMIC EMERGENCY UN-
15 EMPLOYMENT COMPENSATION AS OF MARCH 14,
16 2021.—In the case of any individual who, as of the
17 date specified in paragraph (1)(B), is receiving Pan-
18 demic Emergency Unemployment Compensation but
19 has not yet exhausted all rights to such assistance
20 under this section, Pandemic Emergency Unemploy-
21 ment Compensation shall continue to be payable to
22 such individual for any week beginning on or after
23 such date for which the individual is otherwise eligi-
24 ble for Pandemic Emergency Unemployment Com-
25 pensation.

1 “(3) TERMINATION.—Notwithstanding any
2 other provision of this subsection, no Pandemic
3 Emergency Unemployment Compensation shall be
4 payable for any week beginning after April 5,
5 2021.”.

6 (b) INCREASE IN NUMBER OF WEEKS.—Section
7 2107(b)(2) of the CARES Act (15 U.S.C. 9025(b)(2)) is
8 amended by striking “13” and inserting “24”.

9 (c) COORDINATION RULES.—

10 (1) COORDINATION OF PANDEMIC EMERGENCY
11 UNEMPLOYMENT COMPENSATION WITH REGULAR
12 COMPENSATION.—Section 2107(b) of the CARES
13 Act (15 U.S.C. 9025(b)) is amended by adding at
14 the end the following:

15 “(4) COORDINATION OF PANDEMIC EMERGENCY
16 UNEMPLOYMENT COMPENSATION WITH REGULAR
17 COMPENSATION.—

18 “(A) IN GENERAL.—If—

19 “(i) an individual has been determined
20 to be entitled to pandemic emergency un-
21 employment compensation with respect to
22 a benefit year;

23 “(ii) that benefit year has expired;

24 “(iii) that individual has remaining
25 entitlement to pandemic emergency unem-

1 ployment compensation with respect to
2 that benefit year; and

3 “(iv) that individual would qualify for
4 a new benefit year in which the weekly
5 benefit amount of regular compensation is
6 at least \$25 less than the individual’s
7 weekly benefit amount in the benefit year
8 referred to in clause (i),

9 then the State shall determine eligibility for
10 compensation as provided in subparagraph (B).

11 “(B) DETERMINATION OF ELIGIBILITY.—
12 For individuals described in subparagraph (A),
13 the State shall determine whether the individual
14 is to be paid pandemic emergency unemploy-
15 ment compensation or regular compensation for
16 a week of unemployment using one of the fol-
17 lowing methods:

18 “(i) The State shall, if permitted by
19 State law, establish a new benefit year, but
20 defer the payment of regular compensation
21 with respect to that new benefit year until
22 exhaustion of all pandemic emergency un-
23 employment compensation payable with re-
24 spect to the benefit year referred to in sub-
25 paragraph (A)(i).

1 “(ii) The State shall, if permitted by
2 State law, defer the establishment of a new
3 benefit year (which uses all the wages and
4 employment which would have been used to
5 establish a benefit year but for the applica-
6 tion of this subparagraph), until exhaus-
7 tion of all pandemic emergency unemploy-
8 ment compensation payable with respect to
9 the benefit year referred to in subpara-
10 graph (A)(i).

11 “(iii) The State shall pay, if permitted
12 by State law—

13 “(I) regular compensation equal
14 to the weekly benefit amount estab-
15 lished under the new benefit year; and

16 “(II) pandemic emergency unem-
17 ployment compensation equal to the
18 difference between that weekly benefit
19 amount and the weekly benefit
20 amount for the expired benefit year.

21 “(iv) The State shall determine rights
22 to pandemic emergency unemployment
23 compensation without regard to any rights
24 to regular compensation if the individual

1 elects to not file a claim for regular com-
2 pensation under the new benefit year.”.

3 (2) COORDINATION OF PANDEMIC EMERGENCY
4 UNEMPLOYMENT COMPENSATION WITH EXTENDED
5 COMPENSATION.—

6 (A) INDIVIDUALS RECEIVING EXTENDED
7 COMPENSATION AS OF THE DATE OF ENACT-
8 MENT.—Section 2107(a)(5) of the CARES Act
9 (15 U.S.C. 9025(a)(5)) is amended—

10 (i) by striking “RULE.—An agree-
11 ment” and inserting the following:

12 “RULES.—

13 “(A) IN GENERAL.—Subject to subpara-
14 graph (B), an agreement”; and

15 (ii) by adding at the end the fol-
16 lowing:

17 “(B) SPECIAL RULE.—In the case of an
18 individual who is receiving extended compensa-
19 tion under the State law for the week that in-
20 cludes the date of enactment of this subpara-
21 graph (without regard to the amendments made
22 by subsections (a) and (b) of section 206 of the
23 Continued Assistance for Unemployed Workers
24 Act of 2020), such individual shall not be eligi-
25 ble to receive pandemic emergency unemploy-

1 ment compensation by reason of such amend-
2 ments until such individual has exhausted all
3 rights to such extended benefits.”.

4 (B) ELIGIBILITY FOR EXTENDED COM-
5 PENSATION.—Section 2107(a) of the CARES
6 Act (15 U.S.C. 9025(a)) is amended by adding
7 at the end the following:

8 “(8) SPECIAL RULE FOR EXTENDED COM-
9 PENSATION.—At the option of a State, for any
10 weeks of unemployment beginning after the date of
11 the enactment of this paragraph and before April
12 12, 2021, an individual’s eligibility period (as de-
13 scribed in section 203(c) of the Federal-State Ex-
14 tended Unemployment Compensation Act of 1970
15 (26 U.S.C. 3304 note)) shall, for purposes of any
16 determination of eligibility for extended compensa-
17 tion under the State law of such State, be consid-
18 ered to include any week which begins—

19 “(A) after the date as of which such indi-
20 vidual exhausts all rights to pandemic emer-
21 gency unemployment compensation; and

22 “(B) during an extended benefit period
23 that began on or before the date described in
24 subparagraph (A).”.

25 (d) EFFECTIVE DATE.—

1 (1) IN GENERAL.—Except as provided in para-
2 graph (2), the amendments made by this section
3 shall apply as if included in the enactment of the
4 CARES Act (Public Law 116–136), except that no
5 amount shall be payable by virtue of such amend-
6 ments with respect to any week of unemployment
7 commencing before the date of the enactment of this
8 Act.

9 (2) COORDINATION RULES.—The amendments
10 made by subsection (c)(1) shall apply to individuals
11 whose benefit years, as described in section
12 2107(b)(4)(A)(ii) of the CARES Act, expire after
13 the date of enactment of this Act.

14 **SEC. 207. EXTENSION OF TEMPORARY FINANCING OF**
15 **SHORT-TIME COMPENSATION PAYMENTS IN**
16 **STATES WITH PROGRAMS IN LAW.**

17 Section 2108(b)(2) of the CARES Act (15 U.S.C.
18 9026(b)(2)) is amended by striking “December 31, 2020”
19 and inserting “March 14, 2021”.

20 **SEC. 208. EXTENSION OF TEMPORARY FINANCING OF**
21 **SHORT-TIME COMPENSATION AGREEMENTS**
22 **FOR STATES WITHOUT PROGRAMS IN LAW.**

23 Section 2109(d)(2) of the CARES Act (15 U.S.C.
24 9027(d)(2)) is amended by striking “December 31, 2020”
25 and inserting “March 14, 2021”.

1 **SEC. 209. TECHNICAL AMENDMENT TO REFERENCES TO**
2 **REGULATION IN CARES ACT.**

3 (a) IN GENERAL.—Section 2102(h) of the CARES
4 Act (Public Law 116-136) is amended by striking “section
5 625” in each place it appears and inserting “part 625”.

6 (b) EFFECTIVE DATE.—The amendment made by
7 this section shall take effect as if included in section 2102
8 of the CARES Act (Public Law 116-136).

9 **Subchapter II—Extension of FFCRA**
10 **Unemployment Provisions**

11 **SEC. 221. EXTENSION OF TEMPORARY ASSISTANCE FOR**
12 **STATES WITH ADVANCES.**

13 Section 1202(b)(10)(A) of the Social Security Act
14 (42 U.S.C. 1322(b)(10)(A)) is amended by striking “De-
15 cember 31, 2020” and inserting “March 14, 2021”.

16 **SEC. 222. EXTENSION OF FULL FEDERAL FUNDING OF EX-**
17 **TENDED UNEMPLOYMENT COMPENSATION.**

18 Section 4105 of the Families First Coronavirus Re-
19 sponse Act (26 U.S.C. 3304 note) is amended—

20 (1) in subsection (a), by striking “December
21 31, 2020” and inserting “March 14, 2021”; and

22 (2) in subsection (b), by striking “ending on or
23 before December 31, 2020” and inserting “before
24 March 14, 2021”.

1 **Subchapter III—Continued Assistance to Rail**
2 **Workers**

3 **SEC. 231. SHORT TITLE.**

4 This subchapter may be cited as the “Continued As-
5 sistance to Rail Workers Act of 2020”.

6 **SEC. 232. ADDITIONAL ENHANCED BENEFITS UNDER THE**
7 **RAILROAD UNEMPLOYMENT INSURANCE ACT.**

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

11 (1) in the first sentence—

12 (A) by inserting “and for registration peri-
13 ods beginning after December 26, 2020, but on
14 or before March 14, 2021,” after “July 31,
15 2020,”;

16 (B) by striking “in the amount of \$1,200”;
17 and

18 (C) by striking “July 1, 2019” and insert-
19 ing “July 1, 2019, or July 1, 2020”; and

20 (2) by adding at the end the following: “For
21 registration periods beginning on or after April 1,
22 2020, but on or before July 31, 2020, the recovery
23 benefit payable under this subparagraph shall be in
24 the amount of \$1,200. For registration periods be-
25 ginning after December 26, 2020, but on or before

1 March 14, 2021, the recovery benefit payable under
2 this subparagraph shall be in the amount of \$600.”.

3 (b) CLARIFICATION ON AUTHORITY TO USE
4 FUNDS.—Funds appropriated under subparagraph (B) of
5 section 2(a)(5) of the Railroad Unemployment Insurance
6 Act (45 U.S.C. 352(a)(5)) shall be available to cover the
7 cost of recovery benefits provided under such section
8 2(a)(5) by reason of the amendments made by subsection
9 (a) as well as to cover the cost of such benefits provided
10 under such section 2(a)(5) as in effect on the day before
11 the date of enactment of this Act.

12 **SEC. 233. EXTENDED UNEMPLOYMENT BENEFITS UNDER**
13 **THE RAILROAD UNEMPLOYMENT INSURANCE**
14 **ACT.**

15 (a) IN GENERAL.—Section 2(c)(2)(D) of the Rail-
16 road Unemployment Insurance Act (45 U.S.C.
17 352(c)(2)(D)) is amended—

18 (1) in clause (i)—

19 (A) in subclause (I), by striking “130
20 days” and inserting “185 days”;

21 (B) in subclause (II), by striking “13 con-
22 secutive 14-day periods” and inserting “19 con-
23 secutive 14-day periods, except that no ex-
24 tended benefit period shall end before 6 con-
25 secutive 14-day periods after the date of enact-

1 ment of the Continued Assistance for Unem-
2 ployed Workers Act of 2020 have elapsed”;

3 (2) in clause (ii), by striking “if such clause
4 had not been enacted.” and inserting “if such clause
5 had not been enacted and if—

6 “(A) subparagraph (A) were ap-
7 plied by substituting ‘120 days of un-
8 employment’ for ‘65 days of unem-
9 ployment’; and

10 “(B) subparagraph (B) were ap-
11 plied by inserting ‘(or, in the case of
12 unemployment benefits, 12 consecu-
13 tive 14-day periods, except that no ex-
14 tended benefit period shall end before
15 6 consecutive 14-day periods after the
16 date of enactment of the Continued
17 Assistance for Unemployed Workers
18 Act of 2020 have elapsed)’ after ‘7
19 consecutive 14-day periods.’”; and

20 (3) in clause (iii)—

21 (A) by striking “June 30, 2020” and in-
22 serting “June 30, 2021”;

23 (B) by striking “no extended benefit period
24 under this paragraph shall begin after Decem-
25 ber 31, 2020” and inserting “the provisions of

1 clauses (i) and (ii) shall not apply to any em-
2 ployee whose extended benefit period under sub-
3 paragraph (B) begins after March 14, 2021,
4 and shall not apply to any employee with re-
5 spect to any registration period beginning after
6 April 5, 2021.”; and

7 (C) by striking “clause (iv)” and inserting
8 “clause (v)”;

9 (4) by redesignating clause (iv) as clause (v);
10 and

11 (5) by inserting after clause (iii) the following:

12 “(iv) TREATMENT OF CERTAIN CAL-
13 ENDAR DAYS.—No calendar day occurring
14 during the period beginning on the first
15 date with respect to which the employee
16 has exhausted all rights to extended unem-
17 ployment benefits under this paragraph as
18 in effect on the day before the date of en-
19 actment of the Continued Assistance for
20 Unemployed Workers Act of 2020 and
21 ending with the date of such enactment
22 may be treated as a day of unemployment
23 for purposes of the payment of extended
24 unemployment benefits under this para-
25 graph.”.

1 (b) APPLICATION.—The amendments made by sub-
2 section (a) shall apply as if included in the enactment of
3 the CARES Act (15 U.S.C. 9001 et seq.).

4 (c) CLARIFICATION ON AUTHORITY TO USE FUND.—
5 Funds appropriated under either the first or second sen-
6 tence of clause (v) of section 2(c)(2)(D) of the Railroad
7 Unemployment Insurance Act (as redesignated by sub-
8 section (a)(4)) shall be available to cover the cost of addi-
9 tional extended unemployment benefits provided under
10 such section 2(c)(2)(D) by reason of the amendments
11 made by subsection (a) as well as to cover the cost of such
12 benefits provided under such section 2(c)(2)(D) as in ef-
13 fect on the day before the date of enactment of this Act.

14 **SEC. 234. EXTENSION OF WAIVER OF THE 7-DAY WAITING**
15 **PERIOD FOR BENEFITS UNDER THE RAIL-**
16 **ROAD UNEMPLOYMENT INSURANCE ACT.**

17 (a) IN GENERAL.—Section 2112(a) of the CARES
18 Act (15 U.S.C. 9030(a)) is amended by striking “Decem-
19 ber 31, 2020” and inserting “March 14, 2021”.

20 (b) OPERATING INSTRUCTIONS AND REGULA-
21 TIONS.—The Railroad Retirement Board may prescribe
22 any operating instructions or regulations necessary to
23 carry out this section.

24 (c) CLARIFICATION ON AUTHORITY TO USE
25 FUNDS.—Funds appropriated under section 2112(c) of

1 the CARES Act (15 U.S.C. 9030(e)) shall be available to
2 cover the cost of additional benefits payable due to section
3 2112(a) of such Act by reason of the amendments made
4 by subsection (a) as well as to cover the cost of such bene-
5 fits payable due to such section 2112(a) as in effect on
6 the day before the date of enactment of this Act.

7 **SEC. 235. TREATMENT OF PAYMENTS FROM THE RAILROAD**
8 **UNEMPLOYMENT INSURANCE ACCOUNT.**

9 (a) IN GENERAL.—Section 256(i)(1) of the Balanced
10 Budget and Emergency Deficit Control Act of 1985 (2
11 U.S.C. 906(i)(1)) is amended—

12 (1) in subparagraph (B), by striking “and” at
13 the end;

14 (2) in subparagraph (C), by inserting “and” at
15 the end; and

16 (3) by inserting after subparagraph (C) the fol-
17 lowing new subparagraph:

18 “(D) any payment made from the Railroad Un-
19 employment Insurance Account (established by sec-
20 tion 10 of the Railroad Unemployment Insurance
21 Act) for the purpose of carrying out the Railroad
22 Unemployment Insurance Act, and funds appro-
23 priated or transferred to or otherwise deposited in
24 such Account,”.

1 (b) EFFECTIVE DATE.—The treatment of payments
2 made from the Railroad Unemployment Insurance Ac-
3 count pursuant to the amendment made by subsection
4 (a)—

5 (1) shall take effect 7 days after the date of the
6 enactment of this Act; and

7 (2) shall apply only to obligations incurred dur-
8 ing the period beginning on the effective date de-
9 scribed in paragraph (1) and ending on the date
10 that is 30 days after the date on which the national
11 emergency concerning the novel coronavirus disease
12 (COVID–19) outbreak declared by the President on
13 March 13, 2020, under the National Emergencies
14 Act (50 U.S.C. 1601 et seq.) terminates.

15 (c) SUNSET.—The amendments made by subsection
16 (a) shall be repealed on the date that is 30 days after
17 the date on which the national emergency concerning the
18 novel coronavirus disease (COVID–19) outbreak declared
19 by the President on March 13, 2020, under the National
20 Emergencies Act (50 U.S.C. 1601 et seq.) terminates.

1 **Subchapter IV—Improvements to Pandemic**
2 **Unemployment Assistance to Strengthen**
3 **Program Integrity**

4 **SEC. 241. REQUIREMENT TO SUBSTANTIATE EMPLOYMENT**
5 **OR SELF-EMPLOYMENT AND WAGES EARNED**
6 **OR PAID TO CONFIRM ELIGIBILITY FOR PAN-**
7 **DEMIC UNEMPLOYMENT ASSISTANCE.**

8 (a) IN GENERAL.—Section 2102(a)(3)(A) of the
9 CARES Act (15 U.S.C. 9021(a)(3)(A)) is amended—

10 (1) in clause (i), by striking “and” at the end;

11 (2) by inserting after clause (ii) the following:

12 “(iii) provides documentation to sub-
13 stantiate employment or self-employment
14 or the planned commencement of employ-
15 ment or self-employment not later than 21
16 days after the later of the date on which
17 the individual submits an application for
18 pandemic unemployment assistance under
19 this section or the date on which an indi-
20 vidual is directed by the State Agency to
21 submit such documentation in accordance
22 with section 625.6(e) of title 20, Code of
23 Federal Regulations, or any successor
24 thereto, except that such deadline may be
25 extended if the individual has shown good

1 cause under applicable State law for failing
2 to submit such documentation; and”.

3 (b) APPLICABILITY.—

4 (1) IN GENERAL.—Subject to paragraphs (2)
5 and (3), the amendments made by subsection (a)
6 shall apply to any individual who files a new applica-
7 tion for pandemic unemployment assistance or
8 claims pandemic unemployment assistance for any
9 week of unemployment under section 2102 of the
10 CARES Act (15 U.S.C. 9021) on or after January
11 31, 2021.

12 (2) SPECIAL RULE.—An individual who received
13 pandemic unemployment assistance under section
14 2102 of the CARES Act (15 U.S.C. 9021) for any
15 week ending before the date of enactment of this Act
16 shall not be considered ineligible for such assistance
17 for such week solely by reason of failure to submit
18 documentation described in clause (iii) of subsection
19 (a)(3)(A) of such section 2102, as added by sub-
20 section (a).

21 (3) PRIOR APPLICANTS.—With respect to an in-
22 dividual who applied for pandemic unemployment as-
23 sistance under section 2102 of the CARES Act (15
24 U.S.C. 9021) before January 31, 2021, and receives
25 such assistance on or after the date of enactment of

1 this Act, clause (iii) of subsection (a)(3)(A) of such
2 section shall be applied by substituting “90 days”
3 for “21 days”.

4 **SEC. 242. REQUIREMENT FOR STATES TO VERIFY IDENTITY**
5 **OF APPLICANTS FOR PANDEMIC UNEMPLOY-**
6 **MENT ASSISTANCE.**

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

9 (1) in paragraph (1), by inserting “, including
10 procedures for identity verification or validation and
11 for timely payment, to the extent reasonable and
12 practicable” before the period at the end; and

13 (2) in paragraph (2)(B), by inserting “and ex-
14 penses related to identity verification or validation
15 and timely and accurate payment” before the period
16 at the end.

17 (b) APPLICABILITY.—The requirements imposed by
18 the amendments made by this section shall apply, with re-
19 spect to agreements made under section 2102 of the
20 CARES Act, beginning on the date that is 30 days after
21 the date of enactment of this Act.

1 contesting the denial of a claim that has been denied
2 due to a report by an employer that the claimant re-
3 fused to return to work or refused suitable work.”.

4 (b) EFFECTIVE DATE.—The requirements imposed
5 by this section shall take effect 30 days from the date of
6 enactment of this Act.

7 **Subchapter VI—Other Related Provisions**
8 **and Technical Corrections**

9 **SECTION 261. MIXED EARNER UNEMPLOYMENT COMPENSA-**
10 **TION.**

11 (a) IN GENERAL.—Section 2104(b) of the CARES
12 Act (15 U.S.C. 9023(b)(1)), as amended by section 1103,
13 is further amended—

14 (1) in paragraph (1)—

15 (A) in subparagraph (B), by striking the
16 period at the end and inserting “, plus”; and

17 (B) by adding at the end the following:

18 “(C) an additional amount of \$100 (in this
19 section referred to as ‘Mixed Earner Unemploy-
20 ment Compensation’) in any case in which the
21 individual received at least \$5,000 of self-em-
22 ployment income (as defined in section 1402(b)
23 of the Internal Revenue Code of 1986) in the
24 most recent taxable year ending prior to the in-

1 dividual’s application for regular compensa-
2 tion.”; and

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

4 “(4) CERTAIN DOCUMENTATION REQUIRED.—

5 An agreement under this section shall include a re-
6 quirement, similar to the requirement under section
7 2102(a)(3)(A)(iii), for the substantiation of self-em-
8 ployment income with respect to each applicant for
9 Mixed Earner Unemployment Compensation under
10 paragraph (1)(C).”.

11 (b) CONFORMING AMENDMENTS.—

12 (1) FEDERAL PANDEMIC UNEMPLOYMENT COM-
13 PENSATION.—Section 2104 of such Act is amend-
14 ed—

15 (A) by inserting “or Mixed Earner Unem-
16 ployment Compensation” after “Federal Pan-
17 demic Unemployment Compensation” each
18 place such term appears in subsection (b)(2),
19 (c), or (f) of such section;

20 (B) in subsection (d), by inserting “and
21 Mixed Earner Unemployment Compensation”
22 after “Federal Pandemic Unemployment Com-
23 pensation”; and

1 (C) in subsection (g), by striking “provide
2 that” and all that follows through the end and
3 inserting “provide that—

4 “(1) the purposes of the preceding provisions of
5 this section, as such provisions apply with respect to
6 Federal Pandemic Unemployment Compensation,
7 shall be applied with respect to unemployment bene-
8 fits described in subsection (i)(2) to the same extent
9 and in the same manner as if those benefits were
10 regular compensation; and

11 “(2) the purposes of the preceding provisions of
12 this section, as such provisions apply with respect to
13 Mixed Earner Unemployment Compensation, shall
14 be applied with respect to unemployment benefits
15 described in subparagraph (A), (B), (D), or (E) of
16 subsection (i)(2) to the same extent and in the same
17 manner as if those benefits were regular compensa-
18 tion.”.

19 (2) PANDEMIC EMERGENCY UNEMPLOYMENT
20 COMPENSATION.—Section 2107(a)(4)(A) of such Act
21 is amended—

22 (A) in clause (i), by striking “and”;

23 (B) in clause (ii), by striking “section
24 2104;” and inserting “section 2104(b)(1)(B);
25 and”; and

1 (C) by adding at the end the following:

2 “(iii) the amount (if any) of Mixed
3 Earner Unemployment Compensation
4 under section 2104(b)(1)(C);”.

5 (c) STATE’S RIGHT OF NON-PARTICIPATION.—Any
6 State participating in an agreement under section 2104
7 of the CARES Act may elect to continue paying Federal
8 Pandemic Unemployment Compensation under such
9 agreement without providing Mixed Earner Unemploy-
10 ment Compensation pursuant to the amendments made by
11 this section. Such amendments shall apply with respect to
12 such a State only if the State so elects, in which case such
13 amendments shall apply with respect to weeks of unem-
14 ployment beginning on or after the later of the date of
15 such election or the date of enactment of this section.

16 **SEC. 262. LOST WAGES ASSISTANCE RECOUPMENT FAIR-**
17 **NESS.**

18 (a) DEFINITIONS.—In this section—

19 (1) the term “covered assistance” means assist-
20 ance provided for supplemental lost wages payments
21 under subsections (e)(2) and (f) of section 408 of
22 the Robert T. Stafford Disaster Relief and Emer-
23 gency Assistance Act (42 U.S.C. 5174), as author-
24 ized under the emergency declaration issued by the
25 President on March 13, 2020, pursuant to section

1 501(b) of such Act (42 U.S.C. 5191(b)) and under
2 any subsequent major disaster declaration under sec-
3 tion 401 of such Act (42 U.S.C. 5170) that super-
4 sedes such emergency declaration; and

5 (2) the term “State” has the meaning given the
6 term in section 102 of the Robert T. Stafford Dis-
7 aster Relief and Emergency Assistance Act (42
8 U.S.C. 5122).

9 (b) WAIVER AUTHORITY FOR STATE LIABILITY.—In
10 the case of any individual who has received amounts of
11 covered assistance to which the individual is not entitled,
12 the State shall require the individual to repay the amounts
13 of such assistance to the State agency, except that the
14 State agency may waive such repayment if the State agen-
15 cy determines that—

16 (1) the payment of such covered assistance was
17 without fault on the part of the individual; and

18 (2) such repayment would be contrary to equity
19 and good conscience.

20 (c) WAIVER AUTHORITY FOR FEDERAL LIABILITY.—
21 Any waiver of debt issued by a State under subsection (b)
22 shall also waive the debt owed to the United States.

23 (d) REPORTING.—

24 (1) STATE REPORTING.—If a State issues a
25 waiver of debt under subsection (b), the State shall

1 report such waiver to the Administrator of the Fed-
2 eral Emergency Management Agency.

3 (2) **OIG REPORTING.**—Not later than 6 months
4 after the date of enactment of this Act, the Inspec-
5 tor General of the Department of Homeland Secu-
6 rity shall submit a report that assesses the efforts
7 of the States to waive recoupment related to lost
8 wages assistance under section 408 of the Robert T.
9 Stafford Disaster Relief and Emergency Assistance
10 Act (42 U.S.C. 5174) to—

11 (A) the Committee on Homeland Security
12 and Governmental Affairs, the Committee on
13 Finance, and the Subcommittee on Homeland
14 Security of the Committee on Appropriations of
15 the Senate; and

16 (B) the Committee on Transportation and
17 Infrastructure, Committee on Ways and Means,
18 and the Subcommittee on Homeland Security of
19 the Committee on Appropriations of the House
20 of Representatives.

1 **SEC. 263. CONTINUING ELIGIBILITY FOR CERTAIN RECIPI-**
2 **ENTS OF PANDEMIC UNEMPLOYMENT ASSIST-**
3 **ANCE.**

4 (a) **IN GENERAL.**—Section 2102(c) of the CARES
5 Act (15 U.S.C. 9021(c)), as amended by section 201, is
6 further amended by adding at the end the following:

7 “(6) **CONTINUED ELIGIBILITY FOR ASSIST-**
8 **ANCE.**—As a condition of continued eligibility for as-
9 sistance under this section, a covered individual shall
10 submit a recertification to the State for each week
11 after the individual’s 1st week of eligibility that cer-
12 tifies that the individual remains an individual de-
13 scribed in subsection (a)(3)(A)(ii) for such week.”.

14 (b) **EFFECTIVE DATE; SPECIAL RULE.**—

15 (1) **IN GENERAL.**—The amendment made by
16 subsection (a) shall apply with respect to weeks be-
17 ginning on or after the date that is 30 days after
18 the date of enactment of this section.

19 (2) **SPECIAL RULE.**—In the case of any State
20 that made a good faith effort to implement section
21 2102 of division A of the CARES Act (15 U.S.C.
22 9021) in accordance with rules similar to those pro-
23 vided in section 625.6 of title 20, Code of Federal
24 Regulations, for weeks ending before the effective
25 date specified in paragraph (1), an individual who
26 received pandemic unemployment assistance from

1 such State for any such week shall not be considered
2 ineligible for such assistance for such week solely by
3 reason of failure to submit a recertification described
4 in subsection (c)(5) of such section 2102.

5 **SEC. 264. TECHNICAL CORRECTION FOR NONPROFIT ORGA-**
6 **NIZATIONS CLASSIFIED AS FEDERAL TRUST**
7 **INSTRUMENTALITIES.**

8 (a) IN GENERAL.—Section 903(i)(1) of the Social Se-
9 curity Act (42 U.S.C. 1103(i)(1)) is amended—

10 (1) in subparagraph (B), in the first sentence,
11 by inserting “and to service provided by employees
12 of an entity created by Public Law 85–874 (20
13 U.S.C. 76h et seq.)” after “of such Code applies”;
14 and

15 (2) in subparagraph (C), by inserting “or an
16 entity created by Public Law 85–874 (20 U.S.C.
17 76h et seq.)” before the period at the end.

18 (b) EFFECTIVE DATE.—The amendments made by
19 this section shall take effect as if included in the enact-
20 ment of section 2103 of the CARES Act (Public Law 116–
21 136).

22 **SEC. 265. TECHNICAL CORRECTION FOR THE COMMON-**
23 **WEALTH OF NORTHERN MARIANA ISLANDS.**

24 A Commonwealth Only Transitional Worker (as de-
25 fined in section 6(i)(2) of the Joint Resolution entitled “A

1 Joint Resolution to approve the ‘Covenant To Establish
2 a Commonwealth of the Northern Mariana Islands in Po-
3 litical Union with the United States of America’, and for
4 other purposes” (48 U.S.C. 1806)) shall be considered a
5 qualified alien under section 431 of Public Law 104-193
6 (8 U.S.C. 1641) for purposes of eligibility for a benefit
7 under section 2102 or 2104 of the CARES Act.

8 **SEC. 266. WAIVER TO PRESERVE ACCESS TO EXTENDED**
9 **BENEFITS IN HIGH UNEMPLOYMENT STATES.**

10 (a) IN GENERAL.—For purposes of determining the
11 beginning of an extended benefit period (or a high unem-
12 ployment period) under the Federal-State Extended Un-
13 employment Compensation Act of 1970 (26 U.S.C. 3304
14 note) during the period beginning on November 1, 2020,
15 and ending December 31, 2021, section 203 of such Act
16 may be applied without regard to subsection (b)(1)(B) of
17 such section.

18 (b) RULEMAKING AUTHORITY; TECHNICAL ASSIST-
19 ANCE.—The Secretary of Labor shall issue such rules or
20 other guidance as the Secretary determines may be nec-
21 essary for the implementation of subsection (a), and shall
22 provide technical assistance to States as needed to facili-
23 tate such implementation.