

1 **DIVISION D—EMERGENCY UN-**  
2 **EMPLOYMENT INSURANCE**  
3 **STABILIZATION AND ACCESS**  
4 **ACT OF 2020**

5 **SEC. 4101. SHORT TITLE.**

6 This division may be cited as the “Emergency Unem-  
7 ployment Insurance Stabilization and Access Act of  
8 2020”.

9 **SEC. 4102. EMERGENCY TRANSFERS FOR UNEMPLOYMENT**  
10 **COMPENSATION ADMINISTRATION.**

11 (a) IN GENERAL.—Section 903 of the Social Security  
12 Act (42 U.S.C. 1103) is amended by adding at the end  
13 the following:

14 “Emergency Transfers in Fiscal Year 2020 for  
15 Administration

16 “(h)(1)(A) In addition to any other amounts, the Sec-  
17 retary of Labor shall provide for the making of emergency  
18 administration grants in fiscal year 2020 to the accounts  
19 of the States in the Unemployment Trust Fund, in accord-  
20 ance with succeeding provisions of this subsection.

21 “(B) The amount of an emergency administration  
22 grant with respect to a State shall, as determined by the  
23 Secretary of Labor, be equal to the amount obtained by  
24 multiplying \$1,000,000,000 by the same ratio as would  
25 apply under subsection (a)(2)(B) for purposes of deter-

1 mining such State's share of any excess amount (as de-  
2 scribed in subsection (a)(1)) that would have been subject  
3 to transfer to State accounts, as of October 1, 2019, under  
4 the provisions of subsection (a).

5 “(C) Of the emergency administration grant deter-  
6 mined under subparagraph (B) with respect to a State—

7 “(i) not later than 60 days after the date of en-  
8 actment of this subsection, 50 percent shall be  
9 transferred to the account of such State upon a cer-  
10 tification by the Secretary of Labor to the Secretary  
11 of the Treasury that the State meets the require-  
12 ments of paragraph (2); and

13 “(ii) only with respect to a State in which the  
14 number of unemployment compensation claims has  
15 increased by at least 10 percent over the same quar-  
16 ter in the previous calendar year, the remainder  
17 shall be transferred to the account of such State  
18 upon a certification by the Secretary of Labor to the  
19 Secretary of the Treasury that the State meets the  
20 requirements of paragraph (3).

21 “(2) The requirements of this paragraph with respect  
22 to a State are the following:

23 “(A) The State requires employers to provide  
24 notification of the availability of unemployment com-  
25 pensation to employees at the time of separation

1 from employment. Such notification may be based  
2 on model notification language issued by the Sec-  
3 retary of Labor.

4 “(B) The State ensures that applications for  
5 unemployment compensation, and assistance with  
6 the application process, are accessible in at least two  
7 of the following: in-person, by phone, or online.

8 “(C) The State notifies applicants when an ap-  
9 plication is received and is being processed, and in  
10 any case in which an application is unable to be  
11 processed, provides information about steps the ap-  
12 plicant can take to ensure the successful processing  
13 of the application.

14 “(3) The requirements of this paragraph with respect  
15 to a State are the following:

16 “(A) The State has expressed its commitment  
17 to maintain and strengthen access to the unemploy-  
18 ment compensation system, including through initial  
19 and continued claims.

20 “(B) The State has demonstrated steps it has  
21 taken or will take to ease eligibility requirements  
22 and access to unemployment compensation for claim-  
23 ants, including waiving work search requirements  
24 and the waiting week, and non-charging employers  
25 directly impacted by COVID-19 due to an illness in

1 the workplace or direction from a public health offi-  
2 cial to isolate or quarantine workers.

3 “(4) Any amount transferred to the account of a  
4 State under this subsection may be used by such State  
5 only for the administration of its unemployment com-  
6 pensation law, including by taking such steps as may be  
7 necessary to ensure adequate resources in periods of high  
8 demand.

9 “(5) Not later than 1 year after the date of enact-  
10 ment of the Emergency Unemployment Insurance Sta-  
11 bilization and Access Act of 2020, each State receiving  
12 emergency administration grant funding under paragraph  
13 (1)(C)(i) shall submit to the Secretary of Labor, the Com-  
14 mittee on Ways and Means of the House of Representa-  
15 tives, and the Committee on Finance of the Senate, a re-  
16 port that includes—

17 “(A) an analysis of the reciprocity rate for un-  
18 employment compensation in the State as such rate  
19 has changed over time;

20 “(B) a description of steps the State intends to  
21 take to increase such reciprocity rate.

22 “(6)(A) Notwithstanding any other provision of law,  
23 the Secretary of the Treasury shall transfer from the gen-  
24 eral fund of the Treasury (from funds not otherwise ap-  
25 propriated) to the employment security administration ac-

1 count (as established by section 901 of the Social Security  
2 Act) such sums as the Secretary of Labor estimates to  
3 be necessary for purposes of making the transfers de-  
4 scribed in paragraph (1)(C).

5 “(B) There are appropriated from the general fund  
6 of the Treasury, without fiscal year limitation, the sums  
7 referred to in the preceding sentence and such sums shall  
8 not be required to be repaid.”.

9 (b) EMERGENCY FLEXIBILITY.—Notwithstanding  
10 any other law, if a State modifies its unemployment com-  
11 pensation law and policies with respect to work search,  
12 waiting week, good cause, or employer experience rating  
13 on an emergency temporary basis as needed to respond  
14 to the spread of COVID–19, such modifications shall be  
15 disregarded for the purposes of applying section 303 of  
16 the Social Security Act and section 3304 of the Internal  
17 Revenue Code of 1986 to such State law.

18 (c) REGULATIONS.—The Secretary of Labor may  
19 prescribe any regulations, operating instructions, or other  
20 guidance necessary to carry out the amendment made by  
21 subsection (a).

22 **SEC. 4103. TEMPORARY ASSISTANCE FOR STATES WITH AD-**  
23 **VANCES.**

24 Section 1202(b)(10)(A) of the Social Security Act  
25 (42 U.S.C. 1322(b)(10)(A)) is amended by striking “be-

1 ginning on the date of enactment of this paragraph and  
2 ending on December 31, 2010” and inserting “beginning  
3 on the date of enactment of the Emergency Unemploy-  
4 ment Insurance Stabilization and Access Act of 2020 and  
5 ending on December 31, 2020”.

6 **SEC. 4104. TECHNICAL ASSISTANCE AND GUIDANCE FOR**  
7 **SHORT-TIME COMPENSATION PROGRAMS.**

8 The Secretary of Labor shall assist States in estab-  
9 lishing, implementing, and improving the employer aware-  
10 ness of short-time compensation programs (as defined in  
11 section 3306(v) of the Internal Revenue Code of 1986)  
12 to help avert layoffs, including by providing technical as-  
13 sistance and guidance.

14 **SEC. 4105. FULL FEDERAL FUNDING OF EXTENDED UNEM-**  
15 **PLOYMENT COMPENSATION FOR A LIMITED**  
16 **PERIOD.**

17 (a) IN GENERAL.—In the case of sharable extended  
18 compensation and sharable regular compensation paid for  
19 weeks of unemployment beginning after the date of the  
20 enactment of this section and before December 31, 2020  
21 (and only with respect to States that receive emergency  
22 administration grant funding under clauses (i) and (ii) of  
23 section 903(h)(1)(C) of the Social Security Act (42 U.S.C.  
24 1102(h)(1)(C))), section 204(a)(1) of the Federal-State  
25 Extended Unemployment Compensation Act of 1970 (26

1 U.S.C. 3304 note) shall be applied by substituting “100  
2 percent of” for “one-half of”.

3 (b) TEMPORARY FEDERAL MATCHING FOR THE  
4 FIRST WEEK OF EXTENDED BENEFITS FOR STATES  
5 WITH NO WAITING WEEK.—With respect to weeks of un-  
6 employment beginning after the date of the enactment of  
7 this Act and ending on or before December 31, 2020, sub-  
8 paragraph (B) of section 204(a)(2) of the Federal-State  
9 Extended Unemployment Compensation Act of 1970 (26  
10 U.S.C. 3304 note) shall not apply.

11 (c) DEFINITIONS.—For purposes of this section—

12 (1) the terms “sharable extended compensa-  
13 tion” and “sharable regular compensation” have the  
14 respective meanings given such terms under section  
15 204 of the Federal-State Extended Unemployment  
16 Compensation Act of 1970; and

17 (2) the term “week” has the meaning given  
18 such term under section 205 of the Federal-State  
19 Extended Unemployment Compensation Act of  
20 1970.

21 (d) REGULATIONS.—The Secretary of Labor may  
22 prescribe any operating instructions or regulations nec-  
23 essary to carry out this section.