

AMENDMENT TO H.R. 1473
(DEPARTMENT OF DEFENSE AND FULL-YEAR
CONTINUING APPROPRIATIONS ACT, 2011)
OFFERED BY MS. LEE OF CALIFORNIA AND MR.
SCOTT OF VIRGINIA

Page 339, after line 21, insert the following:

1 SEC. 1864. (a)(1) Section 4002(b)(1) of the Supple-
2 mental Appropriations Act, 2008 (Public Law 110–252;
3 26 U.S.C. 3304 note) is amended—

4 (A) in subparagraph (A), by striking “80”
5 and inserting “131”; and

6 (B) in subparagraph (B), by striking “20”
7 and inserting “34”.

8 (2) Section 4002(f) of such Act is amended by adding
9 at the end the following:

10 “(3) RULES RELATING TO ADDITIONAL WEEKS
11 OF FIRST-TIER EMERGENCY UNEMPLOYMENT COM-
12 PENSATION.—

13 “(A) IN GENERAL.—If a State determines
14 that implementation of the increased entitle-
15 ment to first-tier emergency unemployment
16 compensation by reason of the amendments
17 made by section 1852(a)(1) of the Full-Year

1 Continuing Appropriations Act, 2011 would un-
2 duly delay the prompt payment of emergency
3 unemployment compensation under this title,
4 such State may elect to pay second-tier, third-
5 tier, or fourth-tier emergency unemployment
6 compensation (or a combination of those tiers)
7 prior to the payment of such increased first-tier
8 emergency unemployment compensation until
9 such time as such State determines that such
10 increased first-tier emergency unemployment
11 compensation may be paid without undue delay.

12 “(B) SPECIAL RULES.—If a State makes
13 an election under subparagraph (A) which re-
14 sults in—

15 “(i) the payment of second-tier (but
16 not third-tier) emergency unemployment
17 compensation prior to the payment of in-
18 creased first-tier emergency unemployment
19 compensation, then, for purposes of deter-
20 mining whether an account may be aug-
21 mented for third-tier emergency unemploy-
22 ment compensation under subsection (d),
23 such State shall treat the date of exhaus-
24 tion of such increased first-tier emergency
25 unemployment compensation as the date of

1 exhaustion of second-tier emergency unem-
2 ployment compensation, if such date is
3 later than the date of exhaustion of the
4 second-tier emergency unemployment com-
5 pensation; or

6 “(ii) the payment of third-tier emer-
7 gency unemployment compensation prior to
8 the payment of increased first-tier emer-
9 gency unemployment compensation, then,
10 for purposes of determining whether an ac-
11 count may be augmented for fourth-tier
12 emergency unemployment compensation
13 under subsection (e), such State shall treat
14 the date of exhaustion of such increased
15 first-tier emergency unemployment com-
16 pensation as the date of exhaustion of
17 third-tier emergency unemployment com-
18 pensation, if such date is later than the
19 date of exhaustion of the third-tier emer-
20 gency unemployment compensation.

21 “(4) COORDINATION OF MODIFICATIONS (RE-
22 LATING TO ADDITIONAL FIRST-TIER EMERGENCY
23 UNEMPLOYMENT COMPENSATION) WITH EXTENDED
24 COMPENSATION.—Notwithstanding an election under
25 section 4001(e) by a State to provide for the pay-

1 ment of emergency unemployment compensation
2 prior to extended compensation, such State may pay
3 extended compensation to an otherwise eligible indi-
4 vidual prior to any additional emergency unemploy-
5 ment compensation under subsection (b) (payable by
6 reason of the amendments made by section
7 1852(a)(1) of the Emergency Unemployment Com-
8 pensation Expansion Act of 2011), if such individual
9 claimed extended compensation for at least 1 week
10 of unemployment after the exhaustion of emergency
11 unemployment compensation under subsection (b)
12 (as such subsection was in effect on the day before
13 the date of the enactment of this paragraph), (c),
14 (d), or (e).”.

15 (3) Section 4004(e)(1) of such Act, as amended by
16 section 501(b) of the Tax Relief, Unemployment Insur-
17 ance Reauthorization, and Job Creation Act of 2010 (Pub-
18 lic Law 111–312), is amended—

19 (A) in subparagraph (F), by striking “and” at
20 the end; and

21 (B) by inserting after subparagraph (G) the fol-
22 lowing:

23 “(H) the amendments made by section
24 1852(a)(1) of the Full-Year Continuing Appro-
25 priations Act, 2011; and”.

1 (4) Section 4007(b)(3) of such Act, as amended by
2 section 501(a)(1)(C) of the Tax Relief, Unemployment In-
3 surance Reauthorization, and Job Creation Act of 2010
4 (Public Law 111–312) is amended by striking “June 9,
5 2012” and inserting “September 22, 2012”.

6 (b) The Secretary of Labor may prescribe any oper-
7 ating instructions or regulations necessary to carry out
8 this section and the amendments made by this section.

9 (c) The amendments made by this section shall take
10 effect as if included in the enactment of the Unemploy-
11 ment Compensation Extension Act of 2010 (Public Law
12 111–205), except that no additional first-tier emergency
13 unemployment compensation shall be payable by virtue of
14 the amendments made by subsection (a)(1) with respect
15 to any week of unemployment commencing before the date
16 of the enactment of this Act.

17 (d)(1) The budgetary effects of this section, for the
18 purpose of complying with the Statutory Pay-As-You-Go-
19 Act of 2010, shall be determined by reference to the latest
20 statement titled “Budgetary Effects of PAYGO Legisla-
21 tion” for this Act, submitted for printing in the Congres-
22 sional Record by the Chairman of the House Budget Com-
23 mittee, provided that such statement has been submitted
24 prior to the vote on passage.

25 (2) This section—

1 (A) is designated as an emergency requirement
2 pursuant to section 4(g) of the Statutory Pay-As-
3 You-Go Act of 2010 (Public Law 111–139; 2 U.S.C.
4 933(g)); and

5 (B) is designated as an emergency pursuant to
6 section 3(c)(1) of H. Res. 5 (112th Congress) and
7 as an emergency requirement pursuant to section
8 403(a) of S. Con. Res. 13 (111th Congress), the
9 concurrent resolution on the budget for fiscal year
10 2010.

