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:

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

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

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

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

“(3) Rules relating to additional weeks of first-tier emergency unemployment compensation.—

“(A) In general.—If a State determines that implementation of the increased entitlement to first-tier emergency unemployment compensation by reason of the amendments made by section 1852(a)(1) of the Full-Year
Continuing Appropriations Act, 2011 would unduly delay the prompt payment of emergency unemployment compensation under this title, such State may elect to pay second-tier, third-tier, or fourth-tier emergency unemployment compensation (or a combination of those tiers) prior to the payment of such increased first-tier emergency unemployment compensation until such time as such State determines that such increased first-tier emergency unemployment compensation may be paid without undue delay.

“(B) Special rules.—If a State makes an election under subparagraph (A) which results in—

“(i) the payment of second-tier (but not third-tier) emergency unemployment compensation prior to the payment of increased first-tier emergency unemployment compensation, then, for purposes of determining whether an account may be augmented for third-tier emergency unemployment compensation under subsection (d), such State shall treat the date of exhaustion of such increased first-tier emergency unemployment compensation as the date of
exhaustion of second-tier emergency unemployment compensation, if such date is later than the date of exhaustion of the second-tier emergency unemployment compensation; or

“(ii) the payment of third-tier emergency unemployment compensation prior to the payment of increased first-tier emergency unemployment compensation, then, for purposes of determining whether an account may be augmented for fourth-tier emergency unemployment compensation under subsection (e), such State shall treat the date of exhaustion of such increased first-tier emergency unemployment compensation as the date of exhaustion of third-tier emergency unemployment compensation, if such date is later than the date of exhaustion of the third-tier emergency unemployment compensation.

“(4) COORDINATION OF MODIFICATIONS (RELATING TO ADDITIONAL FIRST-TIER EMERGENCY UNEMPLOYMENT COMPENSATION) WITH EXTENDED COMPENSATION.—Notwithstanding an election under section 4001(e) by a State to provide for the pay-
ment of emergency unemployment compensation prior to extended compensation, such State may pay extended compensation to an otherwise eligible individual prior to any additional emergency unemployment compensation under subsection (b) (payable by reason of the amendments made by section 1852(a)(1) of the Emergency Unemployment Compensation Expansion Act of 2011), if such individual claimed extended compensation for at least 1 week of unemployment after the exhaustion of emergency unemployment compensation under subsection (b) (as such subsection was in effect on the day before the date of the enactment of this paragraph), (c), (d), or (e).”.

(3) Section 4004(e)(1) of such Act, as amended by section 501(b) of the Tax Relief, Unemployment Insurance Reauthorization, and Job Creation Act of 2010 (Public Law 111–312), is amended—

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

(B) by inserting after subparagraph (G) the following:

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

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

(b) The Secretary of Labor may prescribe any operating instructions or regulations necessary to carry out this section and the amendments made by this section.

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

(d)(1) The budgetary effects of this section, for the purpose of complying with the Statutory Pay-As-You-Go Act of 2010, shall be determined by reference to the latest statement titled “Budgetary Effects of PAYGO Legislation” for this Act, submitted for printing in the Congressional Record by the Chairman of the House Budget Committee, provided that such statement has been submitted prior to the vote on passage.

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

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