

***In the Senate of the United States,***

*July 21, 2010.*

*Resolved*, That the bill from the House of Representatives (H.R. 4213) entitled “An Act to amend the Internal Revenue Code of 1986 to extend certain expiring provisions, and for other purposes.”, do pass with the following

**SENATE AMENDMENT TO HOUSE AMENDMENT TO  
SENATE AMENDMENT:**

In lieu of the matter proposed to be inserted, insert the following:

1 ***SECTION 1. SHORT TITLE.***

2 *This Act may be cited as the “Unemployment Com-*  
3 *pensation Extension Act of 2010”.*

4 ***SEC. 2. EXTENSION OF UNEMPLOYMENT INSURANCE PRO-***  
5 ***VISIONS.***

6 *(a) IN GENERAL.—(1) Section 4007 of the Supple-*  
7 *mental Appropriations Act, 2008 (Public Law 110–252; 26*  
8 *U.S.C. 3304 note) is amended—*

9 *(A) by striking “June 2, 2010” each place it ap-*  
10 *pears and inserting “November 30, 2010”;*

1           (B) in the heading for subsection (b)(2), by strik-  
2           ing “JUNE 2, 2010” and inserting “NOVEMBER 30,  
3           2010”; and

4           (C) in subsection (b)(3), by striking “November  
5           6, 2010” and inserting “April 30, 2011”.

6           (2) Section 2005 of the Assistance for Unemployed  
7           Workers and Struggling Families Act, as contained in Pub-  
8           lic Law 111–5 (26 U.S.C. 3304 note; 123 Stat. 444), is  
9           amended—

10           (A) by striking “June 2, 2010” each place it ap-  
11           pears and inserting “December 1, 2010”; and

12           (B) in subsection (c), by striking “November 6,  
13           2010” and inserting “May 1, 2011”.

14           (3) Section 5 of the Unemployment Compensation Ex-  
15           tension Act of 2008 (Public Law 110–449; 26 U.S.C. 3304  
16           note) is amended by striking “November 6, 2010” and in-  
17           serting “April 30, 2011”.

18           (b) FUNDING.—Section 4004(e)(1) of the Supplemental  
19           Appropriations Act, 2008 (Public Law 110–252; 26 U.S.C.  
20           3304 note) is amended—

21           (1) in subparagraph (D), by striking “and” at  
22           the end; and

23           (2) by inserting after subparagraph (E) the fol-  
24           lowing:



1           “(1) If—

2                   “(A) an individual has been determined to  
3           be entitled to emergency unemployment com-  
4           pensation with respect to a benefit year,

5                   “(B) that benefit year has expired,

6                   “(C) that individual has remaining entitle-  
7           ment to emergency unemployment compensation  
8           with respect to that benefit year, and

9                   “(D) that individual would qualify for a  
10           new benefit year in which the weekly benefit  
11           amount of regular compensation is at least either  
12           \$100 or 25 percent less than the individual’s  
13           weekly benefit amount in the benefit year re-  
14           ferred to in subparagraph (A),

15           then the State shall determine eligibility for com-  
16           pensation as provided in paragraph (2).

17           “(2) For individuals described in paragraph (1),  
18           the State shall determine whether the individual is to  
19           be paid emergency unemployment compensation or  
20           regular compensation for a week of unemployment  
21           using one of the following methods:

22                   “(A) The State shall, if permitted by State  
23           law, establish a new benefit year, but defer the  
24           payment of regular compensation with respect to  
25           that new benefit year until exhaustion of all

1           *emergency unemployment compensation payable*  
2           *with respect to the benefit year referred to in*  
3           *paragraph (1)(A);*

4           “(B) *The State shall, if permitted by State*  
5           *law, defer the establishment of a new benefit year*  
6           *(which uses all the wages and employment which*  
7           *would have been used to establish a benefit year*  
8           *but for the application of this paragraph), until*  
9           *exhaustion of all emergency unemployment com-*  
10           *penetration payable with respect to the benefit*  
11           *year referred to in paragraph(1)(A);*

12           “(C) *The State shall pay, if permitted by*  
13           *State law—*

14                   “(i) *regular compensation equal to the*  
15                   *weekly benefit amount established under the*  
16                   *new benefit year, and*

17                   “(ii) *emergency unemployment com-*  
18                   *penetration equal to the difference between*  
19                   *that weekly benefit amount and the weekly*  
20                   *benefit amount for the expired benefit year;*  
21                   *or*

22           “(D) *The State shall determine rights to*  
23           *emergency unemployment compensation without*  
24           *regard to any rights to regular compensation if*

1           *the individual elects to not file a claim for reg-*  
 2           *ular compensation under the new benefit year.”.*

3           **(b) EFFECTIVE DATE.**—*The amendment made by this*  
 4 *section shall apply to individuals whose benefit years, as*  
 5 *described in section 4002(g)(1)(B) the Supplemental Appro-*  
 6 *priations Act, 2008 (Public Law 110–252; 26 U.S.C. 3304*  
 7 *note), as amended by this section, expire after the date of*  
 8 *enactment of this Act.*

9   **SEC. 4. REQUIRING STATES TO NOT REDUCE REGULAR**  
 10                   **COMPENSATION IN ORDER TO BE ELIGIBLE**  
 11                   **FOR FUNDS UNDER THE EMERGENCY UNEM-**  
 12                   **PLOYMENT COMPENSATION PROGRAM.**

13           *Section 4001 of the Supplemental Appropriations Act,*  
 14 *2008 (Public Law 110–252; 26 U.S.C. 3304 note) is amend-*  
 15 *ed by adding at the end the following new subsection:*

16           **“(g) NONREDUCTION RULE.**—*An agreement under this*  
 17 *section shall not apply (or shall cease to apply) with respect*  
 18 *to a State upon a determination by the Secretary that the*  
 19 *method governing the computation of regular compensation*  
 20 *under the State law of that State has been modified in a*  
 21 *manner such that—*

22                   **“(1) the average weekly benefit amount of reg-**  
 23                   **ular compensation which will be payable during the**  
 24                   **period of the agreement occurring on or after June 2,**  
 25                   **2010 (determined disregarding any additional**

1        *amounts attributable to the modification described in*  
2        *section 2002(b)(1) of the Assistance for Unemployed*  
3        *Workers and Struggling Families Act, as contained*  
4        *in Public Law 111–5 (26 U.S.C. 3304 note; 123 Stat.*  
5        *438)), will be less than*

6                *“(2) the average weekly benefit amount of reg-*  
7        *ular compensation which would otherwise have been*  
8        *payable during such period under the State law, as*  
9        *in effect on June 2, 2010.”.*

10    **SEC. 5. BUDGETARY PROVISIONS.**

11        *(a) STATUTORY PAYGO.—The budgetary effects of this*  
12        *Act, for the purpose of complying with the Statutory Pay-*  
13        *As-You-Go Act of 2010, shall be determined by reference to*  
14        *the latest statement titled ‘Budgetary Effects of PAYGO*  
15        *Legislation’ for this Act, jointly submitted for printing in*  
16        *the Congressional Record by the Chairmen of the House and*  
17        *Senate Budget Committees, provided that such statement*  
18        *has been submitted prior to the vote on passage in the House*  
19        *acting first on this conference report or amendment between*  
20        *the Houses.*

21        *(b) EMERGENCY DESIGNATIONS.—Sections 2 and 3—*

22                *(1) are designated as an emergency requirement*  
23        *pursuant to section 4(g) of the Statutory Pay-As-You-*  
24        *Go Act of 2010 (Public Law 111–139; 2 U.S.C.*  
25        *933(g));*

1           (2) *in the House of Representatives, are des-*  
2           *ignated as an emergency for purposes of pay-as-you-*  
3           *go principles; and*

4           (3) *in the Senate, are designated as an emer-*  
5           *gency requirement pursuant to section 403(a) of S.*  
6           *Con. Res. 13 (111th Congress), the concurrent resolu-*  
7           *tion on the budget for fiscal year 2010.*

Attest:

*Secretary.*





11<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

**H.R. 4213**

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