AMENDMENT NO. ________  Calendar No. ________

Purpose: To provide for a perfecting amendment.

IN THE SENATE OF THE UNITED STATES—113th Cong., 2d Sess.

S. 1845

To provide for the extension of certain unemployment benefits, and for other purposes.

Referred to the Committee on ________________ and ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT intended to be proposed by ________________

Viz:

1 Strike all after the first word and insert the following:

2 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the

“Emergency Unemployment Compensation Extension Act

of 2014”.

(b) TABLE OF CONTENTS.—The table of contents of

this Act is as follows:

Sec. 1. Short title; table of contents.
Sec. 2. Extension of emergency unemployment compensation program.
Sec. 3. Temporary extension of extended benefit provisions.
Sec. 4. Extension of funding for reemployment services and reemployment and eligibility assessment activities.
Sec. 5. Additional extended unemployment benefits under the Railroad Unemployment Insurance Act.
Sec. 6. Flexibility for unemployment program agreements.
Sec. 7. Ending unemployment payments to jobless millionaires and billionaires.
Sec. 8. Funding stabilization.
SEC. 2. EXTENSION OF EMERGENCY UNEMPLOYMENT COMPENSATION PROGRAM.

(a) Extension.—Section 4007(a)(2) of the Supplemental Appropriations Act, 2008 (Public Law 110–252; 26 U.S.C. 3304 note) is amended by striking “January 1, 2014” and inserting “April 1, 2014”.

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

(1) in subparagraph (I), by striking “and” at the end;

(2) in subparagraph (J), by inserting “and” at the end; and

(3) by inserting after subparagraph (J) the following:

“(K) the amendment made by section 2(a) of the Emergency Unemployment Compensation Extension Act of 2014;”.

(c) Effective Date.—The amendments made by this section shall take effect as if included in the enactment of the American Taxpayer Relief Act of 2012 (Public Law 112–240).

SEC. 3. TEMPORARY EXTENSION OF EXTENDED BENEFIT PROVISIONS.

(a) In General.—Section 2005 of the Assistance for Unemployed Workers and Struggling Families Act, as
contained in Public Law 111–5 (26 U.S.C. 3304 note),
is amended—

(1) by striking “December 31, 2013” each
place it appears and inserting “March 31, 2014”;
and

(2) in subsection (c), by striking “June 30, 2014” and inserting “September 30, 2014”.


(c) Extension of Modification of Indicators Under the Extended Benefit Program.—Section 203 of the Federal-State Extended Unemployment Compensation Act of 1970 (26 U.S.C. 3304 note) is amended—

(1) in subsection (d), by striking “December 31, 2013” and inserting “March 31, 2014”; and

(2) in subsection (f)(2), by striking “December 31, 2013” and inserting “March 31, 2014”.

(d) Effective Date.—The amendments made by this section shall take effect as if included in the enactment of the American Taxpayer Relief Act of 2012 (Public Law 112–240).
SEC. 4. EXTENSION OF FUNDING FOR REEMPLOYMENT SERVICES AND REEMPLOYMENT AND ELIGIBILITY ASSESSMENT ACTIVITIES.

(a) IN GENERAL.—Section 4004(c)(2)(A) of the Supplemental Appropriations Act, 2008 (Public Law 110–252; 26 U.S.C. 3304 note) is amended by striking “through fiscal year 2014” and inserting “through the first quarter of fiscal year 2015”.

(b) EFFECTIVE DATE.—The amendments made by this section shall take effect as if included in the enactment of the American Taxpayer Relief Act of 2012 (Public Law 112–240).

SEC. 5. ADDITIONAL EXTENDED UNEMPLOYMENT BENEFITS UNDER THE RAILROAD UNEMPLOYMENT INSURANCE ACT.

(a) EXTENSION.—Section 2(c)(2)(D)(iii) of the Railroad Unemployment Insurance Act (45 U.S.C. 352(c)(2)(D)(iii)) is amended—

(1) by striking “June 30, 2013” and inserting “September 30, 2013”; and

(2) by striking “December 31, 2013” and inserting “March 31, 2014”.

(b) CLARIFICATION ON AUTHORITY TO USE FUNDS.—Funds appropriated under either the first or second sentence of clause (iv) of section 2(c)(2)(D) of the Railroad Unemployment Insurance Act shall be available...
to cover the cost of additional extended unemployment
benefits provided under such section 2(c)(2)(D) by reason
of the amendments made by subsection (a) as well as to
cover the cost of such benefits provided under such section
2(c)(2)(D), as in effect on the day before the date of en-
actment of this Act.

(c) FUNDING FOR ADMINISTRATION.—Out of any
funds in the Treasury not otherwise appropriated, there
are appropriated to the Railroad Retirement Board
$62,500 for administrative expenses associated with the
payment of additional extended unemployment benefits
provided under section 2(c)(2)(D) of the Railroad Unem-
ployment Insurance Act by reason of the amendments
made by subsection (a), to remain available until ex-
pended.

SEC. 6. FLEXIBILITY FOR UNEMPLOYMENT PROGRAM
AGREEMENTS.

(a) FLEXIBILITY.—

(1) IN GENERAL.—Subsection (g) of section
4001 of the Supplemental Appropriations Act, 2008
(Public Law 110–252; 26 U.S.C. 3304 note) shall
not apply with respect to a State that has enacted
a law before December 1, 2013, that, upon taking
effect, would violate such subsection.
(2) **Effective date.**—Paragraph (1) is effective with respect to weeks of unemployment beginning on or after December 29, 2013.

(b) **Permitting a subsequent agreement.**—Nothing in title IV of the Supplemental Appropriations Act, 2008 (Public Law 110–252; 26 U.S.C. 3304 note) shall preclude a State whose agreement under such title was terminated from entering into a subsequent agreement under such title on or after the date of the enactment of this Act if the State, taking into account the application of subsection (a), would otherwise meet the requirements for an agreement under such title.

**SEC. 7. ENDING UNEMPLOYMENT PAYMENTS TO JOBLESS MILLIONAIRES AND BILLIONAIRES.**

(a) **Prohibition.**—Notwithstanding any other provision of law, no Federal funds may be used to make payments of unemployment compensation (including such compensation under the Federal-State Extended Compensation Act of 1970 and the emergency unemployment compensation program under title IV of the Supplemental Appropriations Act, 2008) to an individual whose adjusted gross income in the preceding year was equal to or greater than $1,000,000.

(b) **Compliance.**—Unemployment Insurance applications shall include a form or procedure for an individual
(a) Funding Stabilization Under the Internal Revenue Code.—The table in subclause (II) of section 430(h)(2)(C)(iv) of the Internal Revenue Code of 1986 is amended to read as follows:

<table>
<thead>
<tr>
<th>“If the calendar year is:”</th>
<th>The applicable minimum percentage is:</th>
<th>The applicable maximum percentage is:</th>
</tr>
</thead>
<tbody>
<tr>
<td>2012, 2013, 2014, 2015, or 2016.</td>
<td>90% ................................ 110%</td>
<td></td>
</tr>
<tr>
<td>2017 ...............................</td>
<td>85% ................................ 115%</td>
<td></td>
</tr>
<tr>
<td>2018 ...............................</td>
<td>80% ................................ 120%</td>
<td></td>
</tr>
<tr>
<td>2019 ...............................</td>
<td>75% ................................ 125%</td>
<td></td>
</tr>
<tr>
<td>After 2019 ......................</td>
<td>70% ................................ 130% ”</td>
<td></td>
</tr>
</tbody>
</table>

(b) Funding Stabilization Under ERISA.—
(1) **IN GENERAL.**—The table in subclause (II)
of section 303(h)(2)(C)(iv) of the Employee Retire-
ment Income Security Act of 1974 is amended to
read as follows:

<table>
<thead>
<tr>
<th>If the calendar year is:</th>
<th>The applicable minimum percentage is:</th>
<th>The applicable maximum percentage is:</th>
</tr>
</thead>
<tbody>
<tr>
<td>2012, 2013, 2014, 2015, or 2016.</td>
<td>90% ......................</td>
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</tr>
<tr>
<td>After 2019 ....................</td>
<td>70% ......................</td>
<td>130%</td>
</tr>
</tbody>
</table>

(2) **CONFORMING AMENDMENT.**—

(A) **IN GENERAL.**—Clause (ii) of section
101(f)(2)(D) of such Act is amended by strik-
ing “2015” and inserting “2019”.

(B) **STATEMENTS.**—The Secretary of
Labor shall modify the statements required
under subclauses (I) and (II) of section
101(f)(2)(D)(i) of such Act to conform to the
amendments made by this section.

(c) **STABILIZATION NOT TO APPLY FOR PURPOSES
OF CERTAIN ACCELERATED BENEFIT DISTRIBUTION
RULES.**—

(1) **INTERNAL REVENUE CODE OF 1986.**—The
second sentence of paragraph (2) of section 436(d)
of the Internal Revenue Code of 1986 is amended by
striking “of such plan” and inserting “of such plan
(determined by not taking into account any adjust-
ment of segment rates under section 430(h)(2)(C)(iv))”.

(2) **EMPLOYEE RETIREMENT INCOME SECURITY ACT OF 1974.**—The second sentence of subparagraph (B) of section 206(g)(3) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1056(g)(3)(B)) is amended by striking “of such plan” and inserting “of such plan (determined by not taking into account any adjustment of segment rates under section 303(h)(2)(C)(iv))”.

(3) **EFFECTIVE DATE.**—

(A) **IN GENERAL.**—Except as provided in subparagraph (B), the amendments made by this subsection shall apply to plan years beginning after December 31, 2014.

(B) **COLLECTIVELY BARGAINED PLANS.**—

In the case of a plan maintained pursuant to 1 or more collective bargaining agreements, the amendments made by this subsection shall apply to plan years beginning after December 31, 2015.

(4) **PROVISIONS RELATING TO PLAN AMENDMENTS.**—

(A) **IN GENERAL.**—If this paragraph applies to any amendment to any plan or annuity
contract, such plan or contract shall be treated as being operated in accordance with the terms of the plan during the period described in sub-
paragraph (B)(ii).

(B) Amendments to which paragraph applies.—

(i) In general.—This paragraph shall apply to any amendment to any plan or annuity contract which is made—

(I) pursuant to the amendments made by this subsection, or pursuant to any regulation issued by the Sec-
   retary of the Treasury or the Sec-
   retary of Labor under any provision as so amended, and

(II) on or before the last day of the first plan year beginning on or after January 1, 2016, or such later date as the Secretary of the Treasury may prescribe.

(ii) Conditions.—This subsection shall not apply to any amendment unless, during the period—

(I) beginning on the date that the amendments made by this sub-
section or the regulation described in clause (i)(I) takes effect (or in the case of a plan or contract amendment not required by such amendments or such regulation, the effective date specified by the plan), and

(II) ending on the date described in clause (i)(II) (or, if earlier, the date the plan or contract amendment is adopted),

the plan or contract is operated as if such plan or contract amendment were in effect, and such plan or contract amendment applies retroactively for such period.

(C) ANTI-CUTBACK RELIEF.—A plan shall not be treated as failing to meet the requirements of section 204(g) of the Employee Retirement Income Security Act of 1974 and section 411(d)(6) of the Internal Revenue Code of 1986 solely by reason of a plan amendment to which this paragraph applies.

(d) MODIFICATION OF FUNDING TARGET DETERMINATION PERIODS.—

(1) INTERNAL REVENUE CODE OF 1986.—

Clause (i) of section 430(h)(2)(B) of the Internal
Revenue Code of 1986 is amended by striking “the first day of the plan year” and inserting “the valuation date for the plan year”.

(2) **Employee Retirement Income Security Act of 1974.**—Clause (i) of section 303(h)(2)(B) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1083(h)(2)(B)(i)) is amended by striking “the first day of the plan year” and inserting “the valuation date for the plan year”.

(e) **Effective Date.**—

(1) **In General.**—The amendments made by subsections (a), (b), and (d) shall apply with respect to plan years beginning after December 31, 2012.

(2) **Elections.**—A plan sponsor may elect not to have the amendments made by subsections (a), (b), and (d) apply to any plan year beginning before January 1, 2014, either (as specified in the election)—

(A) for all purposes for which such amendments apply, or

(B) solely for purposes of determining the adjusted funding target attainment percentage under sections 436 of the Internal Revenue Code of 1986 and 206(g) of the Employee Re-
tirement Income Security Act of 1974 for such plan year.

A plan shall not be treated as failing to meet the requirements of section 204(g) of such Act and section 411(d)(6) of such Code solely by reason of an election under this paragraph.