

HR 5749

Emergency Extended Unemployment Compensation Act of 2008

Congress: 110 (2007–2009, Ended)

Chamber: House

Policy Area: Labor and Employment

Introduced: Apr 9, 2008

Current Status: Read the second time. Placed on Senate Legislative Calendar under General Orders. Calendar No. 780
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Latest Action: Read the second time. Placed on Senate Legislative Calendar under General Orders. Calendar No. 780
under authority of the order of the Senate of 06/12/2008. (Jun 13, 2008)

Official Text: <https://www.congress.gov/bill/110th-congress/house-bill/5749>

Sponsor

Name: Rep. McDermott, Jim [D-WA-7]

Party: Democratic • **State:** WA • **Chamber:** House

Cosponsors (36 total)

Cosponsor	Party / State	Role	Date Joined
Rep. English, Phil [R-PA-3]	R · PA		Apr 9, 2008
Rep. Berkley, Shelley [D-NV-1]	D · NV		Apr 14, 2008
Rep. Ellison, Keith [D-MN-5]	D · MN		Apr 14, 2008
Rep. Farr, Sam [D-CA-17]	D · CA		Apr 14, 2008
Rep. Gordon, Bart [D-TN-6]	D · TN		Apr 14, 2008
Rep. Jones, Stephanie Tubbs [D-OH-11]	D · OH		Apr 14, 2008
Rep. Kind, Ron [D-WI-3]	D · WI		Apr 14, 2008
Rep. Levin, Sander M. [D-MI-12]	D · MI		Apr 14, 2008
Rep. Lewis, John [D-GA-5]	D · GA		Apr 14, 2008
Rep. McCotter, Thaddeus G. [R-MI-11]	R · MI		Apr 14, 2008
Rep. Miller, Candice S. [R-MI-10]	R · MI		Apr 14, 2008
Rep. Nadler, Jerrold [D-NY-8]	D · NY		Apr 14, 2008
Rep. Porter, Jon C. [R-NV-3]	R · NV		Apr 14, 2008
Rep. Rangel, Charles B. [D-NY-15]	D · NY		Apr 14, 2008
Rep. Scott, David [D-GA-13]	D · GA		Apr 14, 2008
Rep. Stark, Fortney Pete [D-CA-13]	D · CA		Apr 14, 2008
Rep. Van Hollen, Chris [D-MD-8]	D · MD		Apr 14, 2008
Rep. Young, Don [R-AK-At Large]	R · AK		Apr 14, 2008
Rep. Blumenauer, Earl [D-OR-3]	D · OR		Apr 15, 2008
Rep. Dingell, John D. [D-MI-15]	D · MI		Apr 15, 2008
Rep. Kildee, Dale E. [D-MI-5]	D · MI		Apr 15, 2008
Rep. Pomeroy, Earl [D-ND-At Large]	D · ND		Apr 15, 2008
Rep. Stupak, Bart [D-MI-1]	D · MI		Apr 15, 2008
Rep. Wilson, Charles A. [D-OH-6]	D · OH		Apr 15, 2008
Rep. Crowley, Joseph [D-NY-7]	D · NY		Apr 22, 2008
Rep. Davis, Artur [D-AL-7]	D · AL		Apr 22, 2008
Rep. Green, Al [D-TX-9]	D · TX		Apr 22, 2008
Rep. LoBiondo, Frank A. [R-NJ-2]	R · NJ		Apr 22, 2008
Rep. Murphy, Tim [R-PA-18]	R · PA		Apr 22, 2008
Rep. Rogers, Mike J. [R-MI-8]	R · MI		Apr 22, 2008
Rep. Schakowsky, Janice D. [D-IL-9]	D · IL		Apr 22, 2008
Rep. Sherman, Brad [D-CA-27]	D · CA		Apr 22, 2008
Rep. Walberg, Timothy [R-MI-7]	R · MI		Apr 22, 2008
Rep. Watson, Diane E. [D-CA-33]	D · CA		Apr 22, 2008
Rep. Andrews, Robert E. [D-NJ-1]	D · NJ		Apr 23, 2008
Rep. Lee, Barbara [D-CA-9]	D · CA		Apr 23, 2008

Committee Activity

Committee	Chamber	Activity	Date
Ways and Means Committee	House	Reported By	Apr 24, 2008

Subjects & Policy Tags

Policy Area:

Labor and Employment

Related Bills

Bill	Relationship	Last Action
110 HRES 1265	Procedurally related	Jun 12, 2008: Motion to reconsider laid on the table Agreed to without objection.
110 HR 5688	Related bill	Apr 16, 2008: Referred to the Subcommittee on Income Security and Family Support.
110 S 2544	Related bill	Jan 22, 2008: Read twice and referred to the Committee on Finance.
110 HR 4934	Related bill	Jan 17, 2008: Referred to the Subcommittee on Income Security and Family Support.

Emergency Extended Unemployment Compensation Act of 2008 - (Sec. 2) Authorizes a state to enter into an agreement with the Secretary of Labor under which the state agency will make emergency unemployment compensation payments to individuals who: (1) have exhausted all rights to regular compensation under state or federal law with respect to a benefit year ending on or after May 1, 2007; (2) have no rights to regular compensation or extended compensation with respect to a week under such law or any other state or federal unemployment compensation law; and (3) are not receiving compensation for such week under the unemployment compensation law of Canada.

Authorizes a state's governor in an extended benefit period, if state law permits, to provide for the payment of emergency unemployment compensation before extended compensation to individuals who otherwise meet the requirements of this Act.

Requires a state to require, as a condition of eligibility for such emergency unemployment compensation, that aliens who receive it be legally authorized to work in the United States.

(Sec. 3) Requires such agreements to require states to establish an emergency unemployment compensation account for an applicant's benefit year.

Prescribes a formula for crediting amounts to such accounts.

Makes a special rule to augment the compensation amount if such an account is exhausted while the state is in an extended benefit period. Revises the definition of "extended benefit period" to include states with a total unemployment rate (TUR) of at least 6.0% and states with an insured unemployment rate (IUR) of at least 4.0% (regardless of certain other ordinary requirements).

(Sec. 4) Requires federal payments to states that have entered into such agreements to cover 100% of emergency unemployment compensation payments.

Prohibits such payments from being made to any state if it is entitled to reimbursement in respect of such compensation under any federal law other than this Act or federal law relating to unemployment compensation for federal employees and ex-servicemen.

Denies a state entitlement to any reimbursement under the latter law if the state is entitled to reimbursement under this Act.

(Sec. 5) Requires funds in the extended unemployment compensation account of the Unemployment Trust Fund to be used for payments to states having such agreements.

Appropriates out of the employment security administration account of such Fund, without fiscal year limitation, the funds necessary to assist states in meeting the costs of administration of such agreements.

Appropriates from the general fund of the Treasury, without fiscal year limitation, to the extended unemployment compensation account of the Unemployment Trust Fund such sums as the Secretary estimates are necessary to make payments for: (1) compensation payable to federal employees and ex-servicemen; and (2) compensation payable on the basis of certain services performed for nonprofit organizations or governmental entities. Declares that none of these appropriations shall be required to be repaid.

(Sec. 6) Makes an individual ineligible for further emergency unemployment compensation, and subjects him or her to fines and imprisonment of up to five years, or both, if the individual knowingly has made, or caused another to make, a false statement or representation of a material fact, or knowingly has failed, or caused another to fail, to disclose a material fact, and as a result of such actions the individual has received such emergency unemployment compensation to which he or she was not entitled.

Directs the state to require such an individual to repay the compensation to the state agency unless the state determines that: (1) the overpayment was without fault on the individual's part; and (2) such repayment would be contrary to equity and good conscience.

(Sec. 8) Requires any agreement entered into under this Act to apply only to weeks of unemployment: (1) beginning after the agreement is entered into; and (2) ending on or before February 1, 2009.

Actions Timeline

- **Jun 13, 2008:** Read the second time. Placed on Senate Legislative Calendar under General Orders. Calendar No. 780 under authority of the order of the Senate of 06/12/2008.
- **Jun 12, 2008:** Rule H. Res. 1265 passed House.
- **Jun 12, 2008:** Considered under the provisions of rule H. Res. 1265. (consideration: CR H5345-5361; text of measure as reported in House: CR H5345-5347)
- **Jun 12, 2008:** POINT OF ORDER AGAINST CONSIDERATION - Mr. Weller raised a point of order against consideration of H.R. 5749 by stating that the bill violated the PAYGO provisions of the Congressional Budget Act. Subsequently, the Chair ruled that the provisions of H.Res. 1265 which provide for the consideration of H.R. 5749, waive all points of order against consideration of the bill.
- **Jun 12, 2008:** Mr. Weller appealed the ruling of the chair. The question was then put on sustaining the ruling of the chair. (consideration: CR H5347)
- **Jun 12, 2008:** Mr. Rangel moved to table the motion to appeal the ruling of the chair (consideration: CR H5347-5348)
- **Jun 12, 2008:** On motion to table the motion to appeal the ruling of the chair Agreed to by the Yeas and Nays: 217 - 185 (Roll no. 410).
- **Jun 12, 2008:** Rule provides for consideration of H.R. 5749 with 1 hour of general debate. Previous question shall be considered as ordered without intervening motions except motion to recommit with or without instructions. Measure will be considered read. Bill is closed to amendments. All points of order against consideration of the bill are waived except those arising under clause 9 of rule XXI. In lieu of the amendment in the nature of a substitute recommended by the Committee on Ways and Means now printed in the bill, the amendment in the nature of a substitute printed in the report of the Committee on Rules accompanying this resolution shall be considered as adopted.
- **Jun 12, 2008:** DEBATE - The House proceeded with one hour of debate on H.R. 5749.
- **Jun 12, 2008:** Mr. Weller moved to recommit with instructions to Ways and Means. (consideration: CR H5359-5361; text: CR H5359)
- **Jun 12, 2008:** DEBATE - The House proceeded with 10 minutes of debate on the Weller motion to recommit with instructions. The instructions contained in the motion seek to report the same back to the House to target extended benefits to high unemployment States, restoring long-standing 20-week work requirement for Federal extended benefits, and providing relief from high gas prices for unemployed individuals who return to work.
- **Jun 12, 2008:** The previous question on the motion to recommit with instructions was ordered without objection. (consideration: CR H5360)
- **Jun 12, 2008:** On motion to recommit with instructions Failed by the Yeas and Nays: 170 - 243 (Roll no. 411).
- **Jun 12, 2008:** Passed/agreed to in House: On passage Passed by the Yeas and Nays: 274 - 137 (Roll no. 412).(text: CR H5348-5349)
- **Jun 12, 2008:** Motion to reconsider laid on the table Agreed to without objection.
- **Jun 12, 2008:** On passage Passed by the Yeas and Nays: 274 - 137 (Roll no. 412). (text: CR H5348-5349)
- **Jun 12, 2008:** Received in the Senate. Read the first time. Placed on Senate Legislative Calendar under Read the First Time.
- **Jun 11, 2008:** Mr. Rangel moved to suspend the rules and pass the bill, as amended.
- **Jun 11, 2008:** Considered under suspension of the rules. (consideration: CR H5267-5276; text of measure as reported in House: CR H5267-5268)
- **Jun 11, 2008:** DEBATE - The House proceeded with forty minutes of debate on H.R. 5749.
- **Jun 11, 2008:** At the conclusion of debate, the Yeas and Nays were demanded and ordered. Pursuant to the provisions of clause 8, rule XX, the Chair announced that further proceedings on the motion would be postponed.
- **Jun 11, 2008:** Considered as unfinished business. (consideration: CR H5279)
- **Jun 11, 2008:** Failed of passage/not agreed to in House: On motion to suspend the rules and pass the bill, as amended Failed by the Yeas and Nays: (2/3 required): 279 - 144 (Roll no. 403).
- **Jun 11, 2008:** On motion to suspend the rules and pass the bill, as amended Failed by the Yeas and Nays: (2/3 required): 279 - 144 (Roll no. 403).
- **Jun 11, 2008:** Motion to reconsider laid on the table Agreed to without objection.
- **Jun 11, 2008:** Rules Committee Resolution H. Res. 1265 Reported to House. Rule provides for consideration of H.R. 5749 with 1 hour of general debate. Previous question shall be considered as ordered without intervening motions except motion to recommit with or without instructions. Measure will be considered read. Bill is closed to amendments. All points of order against consideration of the bill are waived except those arising under clause 9 of rule XXI. In lieu of

the amendment in the nature of a substitute recommended by the Committee on Ways and Means now printed in the bill, the amendment in the nature of a substitute printed in the report of the Committee on Rules accompanying this resolution shall be considered as adopted.

- **Apr 24, 2008:** Reported (Amended) by the Committee on Ways and Means. H. Rept. 110-607.
- **Apr 24, 2008:** Placed on the Union Calendar, Calendar No. 378.
- **Apr 16, 2008:** Committee Consideration and Mark-up Session Held.
- **Apr 16, 2008:** Ordered to be Reported (Amended) by the Yeas and Nays: 23 - 13.
- **Apr 9, 2008:** Introduced in House
- **Apr 9, 2008:** Referred to the House Committee on Ways and Means.