

this section in order to provide oversight of grant funds.

(i) Definitions

In this section:

(1) Secretary

The term “Secretary” means the Secretary of Labor.

(2) Short-time compensation program

The term “short-time compensation program” has the meaning given such term in section 3306(v) of title 26.

(3) State; State agency; State law

The terms “State”, “State agency”, and “State law” have the meanings given those terms in section 205 of the Federal-State Extended Unemployment Compensation Act of 1970 (26 U.S.C. 3304 note).

(Pub. L. 116–136, div. A, title II, §2110, Mar. 27, 2020, 134 Stat. 331.)

Editorial Notes

REFERENCES IN TEXT

Section 205 of the Federal-State Extended Unemployment Compensation Act of 1970, referred to in subsec. (i)(3), is section 205 of Pub. L. 91–373, which is set out in a note under section 3304 of Title 26, Internal Revenue Code.

§ 9029. Assistance and guidance in implementing programs

(a) In general

In order to assist States in establishing, qualifying, and implementing short-time compensation programs (as defined in section 3306(v) of title 26), the Secretary of Labor (in this section referred to as the “Secretary”) shall—

(1) develop model legislative language, or disseminate existing model legislative language, which may be used by States in developing and enacting such programs, and periodically review and revise such model legislative language;

(2) provide technical assistance and guidance in developing, enacting, and implementing such programs; and

(3) establish reporting requirements for States, including reporting on—

(A) the number of estimated averted layoffs;

(B) the number of participating employers and workers; and

(C) such other items as the Secretary of Labor determines are appropriate.

(b) Model language and guidance

The model language and guidance developed under subsection (a) shall allow sufficient flexibility by States and participating employers while ensuring accountability and program integrity.

(c) Consultation

In developing the model legislative language and guidance under subsection (a), and in order to meet the requirements of subsection (b), the Secretary shall consult with employers, labor organizations, State workforce agencies, and

other program experts. Existing model legislative language that has been developed through such a consultative process shall be deemed to meet the consultation requirement of this subsection.

(Pub. L. 116–136, div. A, title II, §2111, Mar. 27, 2020, 134 Stat. 333.)

Editorial Notes

CODIFICATION

Section is comprised of section 2111 of Pub. L. 116–136. Subsec. (d) of section 2111 of Pub. L. 116–136 repealed provisions formerly set out as a note under section 3306 of Title 26, Internal Revenue Code.

§ 9030. Waiver of the 7-day waiting period for benefits under the Railroad Unemployment Insurance Act

(a) No waiting week

With respect to any registration period beginning after March 27, 2020, and ending on or before September 6, 2021, subparagraphs (A)(ii) and (B)(ii) of section 2(a)(1) of the Railroad Unemployment Insurance Act (45 U.S.C. 352(a)(1)) shall not apply.

(b) Operating instructions and regulations

The Railroad Retirement Board may prescribe any operating instructions or regulations necessary to carry out this section.

(c) Funding

Out of any funds in the Treasury not otherwise appropriated, there are appropriated \$50,000,000 to cover the costs of additional benefits payable due to the application of subsection (a). Upon the exhaustion of the funds appropriated under this subsection, subsection (a) shall no longer apply with respect to any registration period beginning after the date of exhaustion of funds.

(d) Definition of registration period

For purposes of this section, the term “registration period” has the meaning given such term under section 1 of the Railroad Unemployment Insurance Act (45 U.S.C. 351).

(Pub. L. 116–136, div. A, title II, §2112, Mar. 27, 2020, 134 Stat. 333; Pub. L. 116–260, div. N, title II, §234(a), Dec. 27, 2020, 134 Stat. 1958; Pub. L. 117–2, title II, §2903(a), Mar. 11, 2021, 135 Stat. 50.)

Editorial Notes

AMENDMENTS

2021—Subsec. (a). Pub. L. 117–2 substituted “September 6, 2021” for “March 14, 2021”.

2020—Subsec. (a). Pub. L. 116–260 substituted “March 14, 2021” for “December 31, 2020”.

Statutory Notes and Related Subsidiaries

REGULATIONS

Pub. L. 116–260, div. N, title II, §234(b), Dec. 27, 2020, 134 Stat. 1959, provided that: “The Railroad Retirement Board may prescribe any operating instructions or regulations necessary to carry out this section [amending this section and enacting provisions set out as a note under this section].”

CLARIFICATION ON AUTHORITY TO USE FUNDS

Pub. L. 117–2, title II, §2903(b), Mar. 11, 2021, 135 Stat. 50, provided that: “Funds appropriated under section

2112(c) of the CARES Act (15 U.S.C. 9030(c)) shall be available to cover the cost of additional benefits payable due to section 2112(a) of such Act by reason of the amendments made by subsection (a) [amending this section] as well as to cover the cost of such benefits payable due to such section 2112(a) as in effect on the day before the date of enactment of this Act [Mar. 11, 2021].”

Pub. L. 116-260, div. N, title II, §234(c), Dec. 27, 2020, 134 Stat. 1959, provided that: “Funds appropriated under section 2112(c) of the CARES Act (15 U.S.C. 9030(c)) shall be available to cover the cost of additional benefits payable due to section 2112(a) of such Act [15 U.S.C. 9030(a)] by reason of the amendments made by subsection (a) [amending this section] as well as to cover the cost of such benefits payable due to such section 2112(a) as in effect on the day before the date of enactment of this Act [Dec. 27, 2020].”

§ 9031. Funding for the DOL Office of Inspector General for oversight of unemployment provisions

There are appropriated, out of moneys in the Treasury not otherwise appropriated, to the Office of the Inspector General of the Department of Labor, \$25,000,000 to carry out audits, investigations, and other oversight activities authorized under the Inspector General Act of 1978 (5 U.S.C. App.) that are related to the provisions of, and amendments made by, this subtitle, to remain available without fiscal year limitation.

(Pub. L. 116-136, div. A, title II, §2115, Mar. 27, 2020, 134 Stat. 334.)

Editorial Notes

REFERENCES IN TEXT

The Inspector General Act of 1978, referred to in text, is Pub. L. 95-452, Oct. 12, 1978, 92 Stat. 1101, which is set out in the Appendix to Title 5, Government Organization and Employees.

This subtitle, referred to in text, is subtitle A (§2101 et seq.) of title II of div. A of Pub. L. 116-136, Mar. 27, 2020, 134 Stat. 313, known as the Relief for Workers Affected by Coronavirus Act. For complete classification of subtitle A to the Code, see Short Title note set out under section 9001 of this title and Tables.

§ 9032. Implementation

(a) Non-application of the Paperwork Reduction Act

Chapter 35 of title 44 (commonly referred to as the “Paperwork Reduction Act of 1995”),¹ shall not apply to the provisions of, and the amendments made by, this subtitle.

(b) Operating instructions or other guidance

Notwithstanding any other provision of law, the Secretary of Labor may issue any operating instructions or other guidance necessary to carry out the provisions of, or the amendments made by, this subtitle.

(Pub. L. 116-136, div. A, title II, §2116, Mar. 27, 2020, 134 Stat. 335.)

Editorial Notes

REFERENCES IN TEXT

This subtitle, referred to in text, is subtitle A (§2101 et seq.) of title II of div. A of Pub. L. 116-136, Mar. 27, 2020, 134 Stat. 313, known as the Relief for Workers Af-

¹ So in original.

ected by Coronavirus Act. For complete classification of subtitle A to the Code, see Short Title note set out under section 9001 of this title and Tables.

§ 9033. Return to work reporting

Each State participating in an agreement under any of the preceding sections of this subtitle shall have in effect a method to address any circumstances in which, during any period during which such agreement is in effect, claimants of unemployment compensation refuse to return to work or to accept an offer of suitable work without good cause. Such method shall include the following:

(1) A reporting method for employers, such as through a phone line, email, or online portal, to notify the State agency when an individual refuses an offer of employment.

(2) A plain-language notice provided to such claimants about State return to work laws, rights to refuse to return to work or to refuse suitable work, including what constitutes suitable work, and a claimant’s right to refuse work that poses a risk to the claimant’s health or safety, and information on contesting the denial of a claim that has been denied due to a report by an employer that the claimant refused to return to work or refused suitable work.

(Pub. L. 116-136, div. A, title II, §2117, as added Pub. L. 116-260, div. N, title II, §251(a), Dec. 27, 2020, 134 Stat. 1961.)

Editorial Notes

REFERENCES IN TEXT

This subtitle, referred to in text, is subtitle A (§2101 et seq.) of title II of div. A of Pub. L. 116-136, Mar. 27, 2020, 134 Stat. 313, known as the Relief for Workers Affected by Coronavirus Act. For complete classification of subtitle A to the Code, see Short Title note set out under section 9001 of this title and Tables.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE

Pub. L. 116-260, div. N, title II, §251(b), Dec. 27, 2020, 134 Stat. 1961, provided that: “The requirements imposed by this section [enacting this section] shall take effect 30 days from the date of enactment of this Act [Dec. 27, 2020].”

§ 9034. Funding for fraud prevention, equitable access, and timely payment to eligible workers

(a) In general

In addition to amounts otherwise available, there is appropriated to the Secretary of Labor for fiscal year 2021, out of any money in the Treasury not otherwise appropriated, \$2,000,000,000, to remain available until expended, to detect and prevent fraud, promote equitable access, and ensure the timely payment of benefits with respect to unemployment compensation programs, including programs extended under subtitle A of title IX of the American Rescue Plan Act of 2021.

(b) Use of funds

Amounts made available under subsection (a) may be used—