

2/16  
pm  
1/14/14  
SMS  
AET

AMENDMENT NO. \_\_\_\_\_

Calendar No. \_\_\_\_\_

Purpose: To improve the bill.

IN THE

SS.

**AMENDMENT N<sup>o</sup> 2651**

By Heller

To: \_\_\_\_\_

S. 1845

Refer: \_\_\_\_\_

Page(s)  
9

GPO: 2012 77-320 (mac)

AMENDMENT intended to be proposed by Mr. HELLER (for himself, Ms. COLLINS, Ms. AYOTTE, Mr. COATS, Ms. MURKOWSKI, Mr. PORTMAN, Mr. ISAKSON, and Mr. HOEVEN)

Viz:

- 1 Strike section 2 and insert the following:
- 2 **SEC. 2. EXTENSION AND MODIFICATION OF EMERGENCY**
- 3 **UNEMPLOYMENT COMPENSATION PROGRAM.**
- 4 (a) EXTENSION.—Section 4007(a)(2) of the Supple-
- 5 mental Appropriations Act, 2008 (Public Law 110-252;
- 6 26 U.S.C. 3304 note) is amended by striking “January
- 7 1, 2014” and inserting “April 1, 2014”.
- 8 (b) MODIFICATIONS RELATING TO WEEKS OF EMER-
- 9 GENCY UNEMPLOYMENT COMPENSATION.—



1           (2) NUMBER OF WEEKS IN SECOND TIER BE-  
2           GINNING AFTER DECEMBER 28, 2013.—Section  
3           4002(c) of such Act is amended by adding at the  
4           end the following:

5           “(5) SPECIAL RULE RELATING TO AMOUNTS  
6           ADDED TO AN ACCOUNT AS OF A WEEK ENDING  
7           AFTER DECEMBER 29, 2013.—Notwithstanding any  
8           provision of paragraph (1), if augmentation under  
9           this subsection occurs as of a week ending after De-  
10          cember 29, 2013—

11           “(A) paragraph (1)(A) shall be applied by  
12          substituting ‘24 percent’ for ‘54 percent’; and

13           “(B) paragraph (1)(B) shall be applied by  
14          substituting ‘6 times’ for ‘14 times.’.”

15          (c) FUNDING.—Section 4004(e)(1) of the Supple-  
16          mental Appropriations Act, 2008 (Public Law 110–252;  
17          26 U.S.C. 3304 note) is amended—

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

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

22           (3) by inserting after subparagraph (J) the fol-  
23          lowing:

1           “(K) the amendments made by subsections  
2           (a) and (b) of section 2 of the Emergency Un-  
3           employment Compensation Extension Act;”.

4           (d) EFFECTIVE DATE.—The amendments made by  
5 this section shall take effect as if included in the enact-  
6 ment of the American Taxpayer Relief Act of 2012 (Public  
7 Law 112–240).

8 **SEC. 2A. REPEAL OF REDUCTIONS MADE BY BIPARTISAN**  
9 **BUDGET ACT OF 2013.**

10          Section 403 of the Bipartisan Budget Act of 2013  
11 (Public Law 113–67) is repealed as of the date of the en-  
12 actment of such Act.

13 **SEC. 2B. REDUCTION IN BENEFITS BASED ON RECEIPT OF**  
14 **UNEMPLOYMENT COMPENSATION.**

15          (a) IN GENERAL.—Title II of the Social Security Act  
16 (42 U.S.C. 401 et seq.) is amended by inserting after sec-  
17 tion 224 the following new section:

18           “REDUCTION IN BENEFITS BASED ON RECEIPT OF  
19           UNEMPLOYMENT COMPENSATION

20           “SEC. 224A (a)(1) If for any month prior to the  
21 month in which an individual attains retirement age (as  
22 defined in section 216(l)(1))—

23                   “(A) such individual is entitled to benefits  
24                   under section 223, and

25                   “(B) such individual is entitled for such  
26                   month to unemployment compensation,

1 the total of the individual's benefits under section  
2 223 for such month and of any benefits under sec-  
3 tion 202 for such month based on the individual's  
4 wages and self-employment income shall be reduced  
5 (but not below zero) by the total amount of unem-  
6 ployment compensation received by such individual  
7 for such month.

8 “(2) The reduction of benefits under paragraph  
9 (1) shall also apply to any past-due benefits under  
10 section 223 for any month in which the individual  
11 was entitled to—

12 “(A) benefits under such section, and

13 “(B) unemployment compensation.

14 “(3) The reduction of benefits under paragraph  
15 (1) shall not apply to any benefits under section 223  
16 for any month, or any benefits under section 202 for  
17 such month based on the individual's wages and self-  
18 employment income for such month, if the individual  
19 is entitled for such month to unemployment com-  
20 pensation following a period of trial work (as de-  
21 scribed in section 222(c)(1), participation in the  
22 Ticket to Work and Self-Sufficiency Program estab-  
23 lished under section 1148, or participation in any  
24 other program that is designed to encourage an indi-

1       vidual entitled to benefits under section 223 or 202  
2       to work.

3       “(b) If any unemployment compensation is payable  
4 to an individual on other than a monthly basis (including  
5 a benefit payable as a lump sum to the extent that it is  
6 a commutation of, or a substitute for, such periodic com-  
7 pensation), the reduction under this section shall be made  
8 at such time or times and in such amounts as the Commis-  
9 sioner of Social Security (referred to in this section as the  
10 ‘Commissioner’) determines will approximate as nearly as  
11 practicable the reduction prescribed by subsection (a).

12       “(c) Reduction of benefits under this section shall be  
13 made after any applicable reductions under section 203(a)  
14 and section 224, but before any other applicable deduc-  
15 tions under section 203.

16       “(d)(1) Subject to paragraph (2), if the Commis-  
17 sioner determines that an individual may be eligible for  
18 unemployment compensation which would give rise to a  
19 reduction of benefits under this section, the Commissioner  
20 may require, as a condition of certification for payment  
21 of any benefits under section 223 to any individual for  
22 any month and of any benefits under section 202 for such  
23 month based on such individual’s wages and self-employ-  
24 ment income, that such individual certify—

1           “(A) whether the individual has filed or intends  
2           to file any claim for unemployment compensation,  
3           and

4           “(B) if the individual has filed a claim, whether  
5           there has been a decision on such claim.

6           “(2) For purposes of paragraph (1), the Commis-  
7           sioner may, in the absence of evidence to the contrary,  
8           rely upon a certification by the individual that the indi-  
9           vidual has not filed and does not intend to file such a  
10          claim, or that the individual has so filed and no final deci-  
11          sion thereon has been made, in certifying benefits for pay-  
12          ment pursuant to section 205(i).

13          “(e) Whenever a reduction in total benefits based on  
14          an individual’s wages and self-employment income is made  
15          under this section for any month, each benefit, except the  
16          disability insurance benefit, shall first be proportionately  
17          decreased, and any excess of such reduction over the sum  
18          of all such benefits other than the disability insurance ben-  
19          efit shall then be applied to such disability insurance ben-  
20          efit.

21          “(f)(1) Notwithstanding any other provision of law,  
22          the head of any Federal agency shall provide such infor-  
23          mation within its possession as the Commissioner may re-  
24          quire for purposes of making a timely determination of  
25          the amount of the reduction, if any, required by this sec-

1 tion in benefits payable under this title, or verifying other  
2 information necessary in carrying out the provisions of  
3 this section.

4 “(2) The Commissioner is authorized to enter into  
5 agreements with States, political subdivisions, and other  
6 organizations that administer unemployment compensa-  
7 tion, in order to obtain such information as the Commis-  
8 sioner may require to carry out the provisions of this sec-  
9 tion.

10 “(g) For purposes of this section, the term ‘unem-  
11 ployment compensation’ has the meaning given that term  
12 in section 85(b) of the Internal Revenue Code of 1986,  
13 and the total amount of unemployment compensation to  
14 which an individual is entitled shall be determined prior  
15 to any applicable reduction under State law based on the  
16 receipt of benefits under section 202 or 223.”.

17 (b) CONFORMING AMENDMENT.—Section 224(a) of  
18 the Social Security Act (42 U.S.C. 424a(a)) is amended,  
19 in the matter preceding paragraph (1), by striking “the  
20 age of 65” and inserting “retirement age (as defined in  
21 section 216(l)(1))”.

22 (c) EFFECTIVE DATE.—The amendments made by  
23 subsections (a) and (b) shall apply to benefits payable for  
24 months beginning on or after the date that is 12 months  
25 after the date of enactment of this section.



1 **SEC. 2C. REDUCTION OF NONMEDICARE, NONDEFENSE DI-**  
2 **RECT SPENDING.**

3 Section 251A of the Balanced Budget and Emer-  
4 gency Deficit Control Act of 1985 (2 U.S.C. 901a) is  
5 amended by adding at the end the following:

6 “(11) ADDITIONAL REDUCTION OF NONMEDI-  
7 CARE, NONDEFENSE DIRECT SPENDING.—

8 “(A) IN GENERAL.—For each of fiscal  
9 years 2015 through 2023, in addition to the re-  
10 duction in direct spending under paragraph (6),  
11 on the date specified in paragraph (2), OMB  
12 shall prepare and the President shall order a  
13 sequestration, effective upon issuance, reducing  
14 the spending described in subparagraph (B) by  
15 the uniform percentage necessary to reduce  
16 such spending for the fiscal year by  
17 \$1,333,000,000.

18 “(B) SPENDING COVERED.—The spending  
19 described in this subparagraph is spending that  
20 is—

21 “(i) nonexempt direct spending;

22 “(ii) not spending for the Medicare  
23 programs specified in section 256(d); and

24 “(iii) within the revised nonsecurity  
25 category.”.