

116TH CONGRESS
1ST SESSION

S. 165

To amend chapter 85 of title 5, United States Code, to clarify that Federal employees excepted from a furlough are eligible for unemployment compensation.

IN THE SENATE OF THE UNITED STATES

JANUARY 16, 2019

Mr. BLUMENTHAL (for himself, Ms. HARRIS, and Mr. MURPHY) introduced the following bill; which was read twice and referred to the Committee on Finance

A BILL

To amend chapter 85 of title 5, United States Code, to clarify that Federal employees excepted from a furlough are eligible for unemployment compensation.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Federal Unemploy-
5 ment Compensation Equality Act of 2019”.

1 **SEC. 2. CLARIFICATION THAT FEDERAL EMPLOYEES EX-**
 2 **CEPTED FROM A FURLOUGH ARE ELIGIBLE**
 3 **FOR UNEMPLOYMENT COMPENSATION.**

4 (a) IN GENERAL.—Section 8502 of title 5, United
 5 States Code, is amended—

6 (1) by redesignating subsection (e) as sub-
 7 section (f); and

8 (2) by inserting after subsection (d) the fol-
 9 lowing new subsection:

10 “(e)(1) With respect to any lapse in appropriations
 11 beginning on or after December 22, 2018, each excepted
 12 Federal employee shall be, solely for the purpose of deter-
 13 mining eligibility for unemployment compensation under
 14 this subchapter, deemed for the duration of the lapse in
 15 appropriations to be—

16 “(A) totally separated from Federal service; and
 17 “(B) eligible for unemployment compensation
 18 benefits under this subchapter with no waiting pe-
 19 riod for such eligibility to accrue.

20 “(2) In this subsection, the term ‘excepted Federal
 21 employee’ means a Federal employee who—

22 “(A) is an excepted employee or an employee
 23 performing emergency work, as such terms are de-
 24 fined by the Office of Personnel Management; and

25 “(B) is not being paid due to a lapse in appro-
 26 priations.”.

1 (b) APPLICATION.—The amendments made by sub-
2 section (a) shall apply to weeks of unemployment begin-
3 ning on or after December 22, 2018.

