

117TH CONGRESS  
1ST SESSION

# H. R. 5363

To direct the Bureau of Labor Statistics, Government Accountability Office, and Small Business Administration to conduct a joint study on pandemic unemployment programs, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 24, 2021

Mrs. HINSON introduced the following bill; which was referred to the Committee on Ways and Means

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## A BILL

To direct the Bureau of Labor Statistics, Government Accountability Office, and Small Business Administration to conduct a joint study on pandemic unemployment programs, and for other purposes.

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 “Back To Work Act”.

5       **SEC. 2. STUDY OF PANDEMIC UNEMPLOYMENT PROGRAMS.**

6       (a) IN GENERAL.—The covered agency heads shall  
7       conduct a joint study on pandemic unemployment pro-  
8       grams, including an analysis of the following:

1 (1) The impact of such programs on—

2 (A) individuals, including recipients' en-  
3 gagement in work, participation in work search,  
4 receipt of and amount of earnings, receipt of  
5 and amount of other government benefits, dura-  
6 tion of unemployment, and whether the recipi-  
7 ent's total income counting all benefits exceeds  
8 his or her prior earnings from work;

9 (B) businesses, with a focus on small busi-  
10 nesses, including effects on sales, profits, tax  
11 payments, hours of operation, employment, and  
12 closures attributable to staffing shortages re-  
13 lated to the availability of benefits; and

14 (C) the economy, including key labor mar-  
15 ket metrics such as the number of employed  
16 and unemployed individuals, job openings, total  
17 earnings from work, the labor force participa-  
18 tion rate, State and national unemployment  
19 rates, engagement of individuals in full or part  
20 time employment, average durations of unem-  
21 ployment, and the number of long-term unem-  
22 ployed.

23 (2) The demographics of the recipients of bene-  
24 fits under such programs, including with respect to  
25 key characteristics of recipients, including age, gen-

1 der, race and ethnicity, prior work experience, edu-  
2 cational attainment, whether the individual resides  
3 in an urban or rural community, whether that com-  
4 munity is considered disadvantaged, whether the in-  
5 dividual was engaged in employment immediately  
6 prior to first receiving benefits, the nature of such  
7 prior employment (such as whether employed, self  
8 employed, or independent contractor), whether the  
9 individual engaged in partial work while collecting  
10 benefits, whether such partial work was while a par-  
11 ticipant in a short-time compensation or another  
12 program, and the reason for leaving benefits such as  
13 due to benefit exhaustion, return to work, or another  
14 reason.

15 (3) With respect to Pandemic Unemployment  
16 Assistance—

17 (A) the number of individuals who applied  
18 for such Assistance after applying for regular  
19 unemployment compensation;

20 (B) the number of individuals applying for  
21 and ultimately receiving benefits, as compared  
22 with similar data under the State Unemploy-  
23 ment Compensation program, and whether the  
24 program's allowance of self-certification of eligi-

1           bility was a significant factor contributing to  
2           any such differences; and

3           (C) the degree to which the backdating of  
4           claims resulted in the overstatement of the ap-  
5           parent number of Pandemic Unemployment As-  
6           sistance recipients, especially during the pro-  
7           gram’s early months.

8           (b) EARLY TERMINATION OF PANDEMIC UNEMPLOY-  
9           MENT PROGRAM PARTICIPATION.—In carrying out the  
10          study required under subsection (a), the covered agency  
11          heads shall compare States that terminated agreements to  
12          participate in pandemic unemployment programs prior to  
13          September 6, 2021, with States that maintained such  
14          agreements until September 6, 2021.

15          (c) REPORT TO CONGRESS.—Not later than 1 year  
16          after the date of the enactment of this Act, the covered  
17          agency heads shall provide to Congress a report on the  
18          results of the study required under subsection (a).

19          (d) DEFINITIONS.—In this section:

20               (1) COVERED AGENCY HEADS.—The term “cov-  
21               ered agency heads” means the Commissioner of the  
22               Bureau of Labor Statistics, the Comptroller General  
23               of the United States, and the Administrator of the  
24               Small Business Administration.

1           (2) PANDEMIC UNEMPLOYMENT ASSISTANCE.—  
2       The term “Pandemic Unemployment Assistance”  
3       means assistance under section 2102 of the  
4       Coronavirus Aid, Relief, and Economic Security Act  
5       (15 U.S.C. 9021).

6           (3) PANDEMIC UNEMPLOYMENT PROGRAMS.—  
7       The term “pandemic unemployment programs”  
8       means—

9           (A) Federal Pandemic Unemployment  
10       Compensation under section 2104 of the  
11       Coronavirus Aid, Relief, and Economic Security  
12       Act (15 U.S.C. 9023);

13          (B) Pandemic Emergency Unemployment  
14       Compensation under section 2107 of such Act  
15       (15 U.S.C. 9025); and

16          (C) Pandemic Unemployment Assistance.

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