

EMPLOYMENT AND TRAINING ADMINISTRATION ADVISORY SYSTEM U.S. DEPARTMENT OF LABOR Washington, D.C. 20210	CLASSIFICATION Unemployment Insurance
	CORRESPONDENCE SYMBOL OUI/DUIO
	DATE March 26, 2021

ADVISORY: UNEMPLOYMENT INSURANCE PROGRAM LETTER NO. 15-20, Change 4

TO: STATE WORKFORCE AGENCIES

**FROM: SUZAN G. LEVINE /s/
Principal Deputy Assistant Secretary**

SUBJECT: American Rescue Plan Act of 2021 (ARPA) — Extensions to the Federal Pandemic Unemployment Compensation (FPUC) Program and Mixed Earners Unemployment Compensation (MEUC) Program

1. **Purpose.** This Unemployment Insurance Program Letter (UIPL) provides guidance about the extension of the FPUC and the MEUC program authorized by Section 9013 of the American Rescue Plan Act of 2021, Public Law (Pub. L.) 117-2.
2. **Action Requested.** The U.S. Department of Labor’s (Department) Employment and Training Administration (ETA) requests that State Workforce Administrators provide the information in this UIP and attachments to appropriate program and staff in state workforce systems as they implement changes to the FPUC and MEUC programs.
3. **Summary and Background.**
 - a. Summary – On March 11, 2021, the President signed ARPA into law. Among other things, Section 9013 of ARPA amends Section 2104 of the Coronavirus Aid, Relief, and Economic Security (CARES) Act of 2020, which extends the FPUC program and MEUC program for weeks of unemployment ending on or before September 6, 2021. There is no gap in authority for the FPUC or MEUC programs. States **do not** need to enter into new agreements to continue to operate the FPUC or MEUC programs.
 - b. Background – On March 27, 2020, the CARES Act was signed into law, which includes the Relief for Workers Affected by Coronavirus Act set out in Division A, Title II, Subtitle A. Section 2104 of the CARES Act created the FPUC program, which was a new temporary federal supplemental payment that provided an additional \$600 per week to individuals receiving UI benefits through weeks of unemployment that ended on or before July 31, 2020. On April 4, 2020, ETA issued UIP No. 15-20 to provide FPUC program implementation instructions to states. ETA issued Change 1 to UIP No. 15-20 on May 9, 2020, to provide states with reporting instructions and Questions and Answers about the FPUC program. On June 15, 2020, ETA issued Change 2 to UIP No. 15-20 to provide states additional reporting instructions.

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On December 27, 2020, the Continued Assistance to Unemployed Workers Act of 2020 (Continued Assistance Act) was enacted, which reauthorized the FPUC program for weeks of unemployment beginning after December 26, 2020, and ending on or before March 14, 2021, and modified the FPUC weekly supplement to \$300. The Continued Assistance Act also created the MEUC program, which provides qualifying individuals with a \$100 supplemental weekly payment in addition to the \$300 FPUC supplemental payment and their underlying UI benefit payment with respect to a week of unemployment ending on or before March 14, 2021. MEUC is an optional program that states may choose not to operate. On January 5, 2021, ETA issued Change 3 to UIPL No. 15-20 to provide states guidance and operating instructions about the FPUC and MEUC provisions in the Continued Assistance Act.

Importance of Program Integrity. Addressing improper payments and fraud is a top priority for the Department and the entire UI system. States play a fundamental role in ensuring the integrity of the UI system. Especially during this time of extraordinary workloads, states should maintain a steadfast focus on UI functions and activities that ensure program integrity and the prevention and detection of improper payments and fraud across all programs operated within the UI system while ensuring that legitimate claimants are able to swiftly access benefits during a critical time. It is critical that states implement processes that ensure payments are being made to eligible individuals and that states have aggressive strategies and tools in place to prevent, detect, and recover fraudulent payments, with a particular emphasis on imposter fraud by claimants using false or stolen identities.

4. Guidance.

- a. FPUC extension. ARPA extends the FPUC program to provide \$300 per week in supplemental benefits for weeks of unemployment ending on or before September 6, 2021. In states with an agreement to administer the FPUC program where the week of unemployment ends on a Saturday, the last week of unemployment for which FPUC may be paid is the week ending September 4, 2021. In states where the week of unemployment ends on a Sunday, the last week of unemployment for which FPUC may be paid is the week ending September 5, 2021. All other FPUC program parameters, as provided in Section 2104 of the CARES Act, FPUC agreements, and UIPL Nos. 15-20; 15-20, Change 1; 15-20, Change 2; and 15-20, Change 3 remain the same. There is no gap in authority for the FPUC program. Thus, FPUC payments may be made with respect to weeks of unemployment ending after March 14, 2021, which would have been after the FPUC program expired under the Continued Assistance Act.
- b. MEUC extension. ARPA does not include an explicit reference to the MEUC program. However, because the MEUC statutory provisions are in Section 2104 of the CARES Act, the extension of the FPUC program in Section 9013 of ARPA also extends the MEUC program. Specifically, Section 9013(a), APRA, extends the end date of any agreement entered into under section 2104 to weeks of unemployment ending on or before September 6, 2021. Since agreements to operate the MEUC program (as well as

the FPUC program) are Section 2104 agreements, the MEUC program is extended by the amendments made by Section 9013(a) of ARPA.

Thus, as is the case for the FPUC program, in states with an agreement to administer the MEUC program where the week of unemployment ends on a Saturday, the last week of unemployment for which MEUC may be paid is the week ending September 4, 2021. In states where the week of unemployment ends on a Sunday, the last week of unemployment for which MEUC may be paid is the week ending September 5, 2021. All other MEUC program parameters, as provided in Section 2104 of the CARES Act, MEUC agreements, and UIPL No. 15-20, Change 3, remain the same. There is no gap in authority for the MEUC program. Thus, MEUC payments may be made with respect to weeks of unemployment ending after March 14, 2021, which would have been after the MEUC program expired under the Continued Assistance Act.

- c. Notification requirements. States must individually notify individuals who have been receiving either/both of these benefits of the extension of the FPUC and MEUC programs, as appropriate. Refer to Section 4.d. of UIPL No. 14-21 for additional information.
- d. Additional funding for implementation administrative costs. The Department will make funding available to each state for the cost of implementing the FPUC and MEUC program extensions in ARPA. Detailed information about the available funding for each program implementation, application process, and permissible implementation costs regarding these funds is provided in Section 4.e of UIPL No. 14-21.
- e. Reporting instructions. All FPUC and MEUC reporting instructions in previous guidance remain the same.

5. **Inquiries.** States should direct inquiries to the email account covid-19@dol.gov and copy the appropriate ETA Regional Office.

6. **References.**

- American Rescue Plan Act of 2021 (ARPA), including Title IX, Subtitle A, Crisis Support for Unemployed Workers (Pub. L. 117-2);
- Consolidated Appropriations Act, 2021, including Division N, Title II, Subtitle A, the Continued Assistance for Unemployed Workers Act of 2020 (Continued Assistance Act), (Pub. L. 116-260);
- Coronavirus Aid, Relief, and Economic Security (CARES) Act, 2020, including Title II Subtitle A Relief for Workers Affected by Coronavirus Act (Pub. L. 116-136);
- UIPL No. 14-21, *American Rescue Plan Act of 2021 (ARPA) – Key Unemployment Insurance (UI) Provisions*, issued on March 15, 2021, https://wdr.doleta.gov/directives/corr_doc.cfm?DOCN=5669;
- UIPL No. 09-21, *Continued Assistance for Unemployed Workers Act of 2020 (Continued Assistance Act) – Summary of Key Unemployment Insurance (UI) Provisions*, issued on December 30, 2020, https://wdr.doleta.gov/directives/corr_doc.cfm?DOCN=3831;

- UIPL No. 15-20, Change 3, *Coronavirus Aid, Relief, and Economic Security (CARES) Act of 2020 – Federal Pandemic Unemployment Compensation (FPUC) Program Reauthorization and Modification and Mixed Earners Unemployment Compensation (MEUC) Program Operating, Reporting, and Financial Instructions*, issued on January 5, 2021, https://wdr.doleta.gov/directives/corr_doc.cfm?DOCN=6122;
- UIPL No. 15-20, Change 2, *Coronavirus Aid, Relief, and Economic Security (CARES) Act of 2020 – Federal Pandemic Unemployment Compensation (FPUC) Program Operating, Financial, and Reporting Instructions*, issued on June 15, 2020, https://wdr.doleta.gov/directives/corr_doc.cfm?DOCN=7785;
- UIPL No. 15-20, Change 1, *Coronavirus Aid, Relief, and Economic Security (CARES) Act of 2020 – Federal Pandemic Unemployment Compensation (FPUC) Program Operating, Financial, and Reporting Instructions*, issued on May 9, 2020, https://wdr.doleta.gov/directives/corr_doc.cfm?DOCN=3946;
- UIPL No. 15-20, *Coronavirus Aid, Relief, and Economic Security (CARES) Act of 2020 – Federal Pandemic Unemployment Compensation (FPUC) Program Operating, Financial, and Reporting Instructions*, issued on April 14, 2020, https://wdr.doleta.gov/directives/corr_doc.cfm?DOCN=9297; and
- UIPL No. 14-20, *Coronavirus Aid, Relief, and Economic Security (CARES) Act of 2020 – Summary of Key Unemployment Insurance (UI) Provisions and Temporary Emergency State Staffing Flexibility*, issued on April 2, 2020, https://wdr.doleta.gov/directives/corr_doc.cfm?DOCN=3390.

7. Attachment(s).

- Attachment I: Text of Section 9013 of the American Rescue Plan Act of 2021