

<b>EMPLOYMENT AND TRAINING ADMINISTRATION ADVISOR SYSTEM U.S. DEPARTMENT OF LABOR Washington, D.C. 20210</b>	<b>CLASSIFICATION</b> Unemployment Insurance
	<b>CORRESPONDENCE SYMBOL</b> OUI/DUIO
	<b>DATE</b> December 2, 2024

**ADVISORY: UNEMPLOYMENT INSURANCE PROGRAM LETTER NO. 03-25**

**TO: STATE WORKFORCE AGENCIES**

**FROM: JOSÉ JAVIER RODRÍGUEZ /s/  
Assistant Secretary**

**SUBJECT: Disaster Unemployment Assistance (DUA) Application Deadline Change**

**1. Purpose.** To advise states that the deadline for accepting DUA applications has changed from 30 days to 60 days, for all disasters declared after March 23, 2024.

**2. Action Requested.** The U.S. Department of Labor’s (Department) Employment and Training Administration (ETA) requests that State Workforce Agency (SWA) Administrators:

- provide information in this Unemployment Insurance Program Letter (UIPL) to the appropriate staff; and
- implement business processes necessary to carry out this guidance.

**3. Summary and Background.**

a. Summary – With enactment of the Disaster Assistance Deadlines Alignment Act (Public Law (Pub. L.) 118-44) (DADAA), the DUA application period will now match the registration period provided by FEMA for the Individuals and Households Program (IHP). As described below, these changes apply to all disasters declared on or after March 23, 2024. States must begin to issue press releases with the new application deadline and make any needed programming changes to ensure the deadlines match this guidance.

The enactment of DADAA, as described in this UIPL, supersedes the prior deadline in 20 CFR 625.8(a).

b. Background - DUA provides temporary income support to eligible individuals who are unemployed as a direct result of a major disaster declared by the President and who are not covered by regular unemployment compensation. DUA is authorized under Section 410 of Title IV of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (Stafford Act) (Pub. L. 93-288, as amended, set forth at 42 U.S.C. § 5177).<sup>1</sup> Individuals are required to file a timely application for DUA (or have good cause for filing a late application) and

<sup>1</sup> Section 410 of Title IV of the Stafford Act is redesignated from Section 407 of the Disaster Relief Act of 1974.

<b>RESCISSIONS</b> None	<b>EXPIRATION DATE</b> Continuing
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applications must be submitted during the disaster assistance period (DAP), in order for their eligibility for benefits to be determined.

**4. Guidance.** DADAA, signed into law on March 18, 2024, amended Section 410 of the Stafford Act, to align the DUA application deadline with the deadline for individuals seeking IHP assistance under Section 408 of the Stafford Act (42 U.S.C. § 5174). Federal regulations, set forth by the Federal Emergency Management Agency (FEMA) at 44 CFR 206.112(a), provide that the initial registration period for IHP is 60 days from the date the President declares an incident a major disaster. By policy, FEMA begins the registration period 60 days from the date the President designates Individual Assistance (IA) for the declaration under FEMA’s IA Program and Policy Guide. This date is often the same date as the President’s major disaster declaration date, but at times IA is not designated until a later date.

- a. **Effective date of change.** DADAA applies to disasters declared on or after March 23, 2024,<sup>2</sup> and also provides that a DUA application may be accepted from an individual after the deadline if the individual has good cause for the late submission and the application is submitted before the expiration of the DAP as provided in 20 CFR 625.8(a).

With enactment of DADAA, the new deadline for filing individual initial applications for DUA with the State agency of the applicable State is 60 days after the presidential declaration date of the major disaster as a result of which the individual became unemployed or 60 days from when IA is designated, whichever is later. The enactment of DADAA, as described in this UIPL, supersedes the prior deadline in 20 CFR 625.8(a), which was 30 days after the state announcement date of the major disaster.

States must begin to issue press releases with the new application deadline and make any needed programming changes to ensure the deadlines match this guidance.

- b. **Circumstances under which the 60-day deadline may be extended.** For a major disaster with IA designated, an initial application filed later than 60 days after the declaration date shall be accepted as timely by the State agency if the applicant had good cause for the late filing<sup>3</sup>, but in no event shall an initial application be accepted by the State agency if it is filed after the expiration of the DAP. If the 60th day falls on a Saturday, Sunday, or a legal holiday in the major disaster area, the 60-day time limit shall be extended to the next business day.

If a state determines that additional time is needed for all individuals covered by the disaster declaration to file timely DUA applications, the state should submit a DUA uniform filing extension request to ETA. The DUA uniform filing extension request

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<sup>2</sup> FEMA funds DUA and IHP through the Disaster Relief Fund (DRF). On March 23, 2024, the President signed the Amended Consolidated Appropriations Act, 2024, Pub. L. 118-47, which provides appropriations for the DRF. As such, the effective date of DADAA is March 23, 2024.

<sup>3</sup> “The good cause reasons for DUA are generally more inclusive than what is considered good cause for state UC claim filing. State rules or policies related to ‘good cause’ for late filing of state unemployment claims are not applicable to determinations of good cause for late filing of DUA claims.” ET Handbook No. 356 (DUA), Chapter III, page 3. See also UIPL 22-08 Attachment for examples of “good cause” for filing a late application.

should include justification for the request. Examples of reasons which may justify approval of such a request include, but are not limited to, addressing disaster conditions that prevented individuals from timely filing and to provide the state more time to notify disaster affected individuals of the availability of DUA.

If FEMA extends the IHP registration deadline for a particular disaster, ETA will also extend the DUA uniform filing extension deadline for that same disaster.

- c. **Addressing amendments to the major disaster declaration.** In cases where the President amends the notice of a major disaster declaration to include additional counties or areas with IA designated, those counties or areas adhere to the same 60-day application period deadline as the initial declaration.

States must issue a press release to announce the availability of DUA in the newly affected counties. Should counties or areas be added after the 60-day application period has ended, states should request a DUA uniform filing extension from ETA. This request may be for only the added counties or areas or may include counties or areas previously included on the major disaster declaration or amendment(s) if there is good cause for an extension for those areas.

**5. Inquiries.** Please direct inquiries to the appropriate ETA Regional Office.

**6. References.**

- Stafford Act, Sections 408 and 410 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. §§ 5174 and 5177);
- Disaster Assistance Deadlines Alignment Act (Pub. L. 118-44) (codified at 42 U.S.C. § 5177(c));
- Further Consolidated Appropriations Act, 2024 (Pub. L. 118-47);
- 20 CFR 625.8(a);
- 44 CFR 206.112;
- Employment and Training Handbook 356, Chapter I-7;
- UIPL 22-08, *Disaster Unemployment Assistance – Questions and Answers*, issued July 2, 2008, <https://www.dol.gov/agencies/eta/advisories/unemployment-insurance-program-letter-no22-08> ; and
- FEMA Individual Assistance Program and Policy Guide at <https://www.fema.gov/assistance/individual/library>.

**7. Attachment(s).** N/A.