

108TH CONGRESS
1ST SESSION

S. 1943

To provide extended unemployment benefits to displaced workers.

IN THE SENATE OF THE UNITED STATES

NOVEMBER 24, 2003

Mr. LEVIN introduced the following bill; which was read twice and referred to the Committee on Finance

A BILL

To provide extended unemployment benefits to displaced workers.

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; TABLE OF CONTENTS.**

4 (a) SHORT TITLE.—This Act may be cited as the
5 “Unemployment Compensation Extension Act”.

6 (b) TABLE OF CONTENTS.—The table of contents for
7 this Act is as follows:

Sec. 1. Short title; table of contents.

TITLE I—TEMPORARY EXTENDED UNEMPLOYMENT
COMPENSATION

Sec. 101. References.

Sec. 102. Extension of the Temporary Extended Unemployment Compensation Act of 2002.

Sec. 103. Entitlement to additional weeks of temporary extended unemployment compensation.

Sec. 104. TEUC-X trigger.

TITLE II—EXTENDED BENEFITS UNDER THE FEDERAL-STATE
EXTENDED UNEMPLOYMENT COMPENSATION ACT OF 1970

Sec. 201. Temporary State authority to waive application of lookbacks under the Federal-State Extended Unemployment Compensation Act of 1970.

TITLE III—RAILROAD UNEMPLOYMENT INSURANCE

Sec. 301. Temporary increase in extended unemployment benefits under the Railroad Unemployment Insurance Act.

1 **TITLE I—TEMPORARY EX-**
2 **TENDED UNEMPLOYMENT**
3 **COMPENSATION**

4 **SEC. 101. REFERENCES.**

5 Except as otherwise expressly provided, whenever in
6 this title an amendment is expressed in terms of an
7 amendment to a section or other provision, the reference
8 shall be considered to be made to a section or other provi-
9 sion of the Temporary Extended Unemployment Com-
10 pensation Act of 2002 (Public Law 107-147; 26 U.S.C.
11 3304 note).

12 **SEC. 102. EXTENSION OF THE TEMPORARY EXTENDED UN-**
13 **EMPLOYMENT COMPENSATION ACT OF 2002.**

14 (a) SIX-MONTH EXTENSION OF PROGRAM.—Section
15 208 is amended to read as follows:

16 **“SEC. 208. APPLICABILITY.**

17 “(a) IN GENERAL.—Subject to subsection (b), an
18 agreement entered into under this title shall apply to
19 weeks of unemployment—

1 “(1) beginning after the date on which such
2 agreement is entered into; and

3 “(2) ending before July 1, 2004.

4 “(b) TRANSITION.—In the case of an individual who
5 is receiving temporary extended unemployment compensa-
6 tion for the week which immediately precedes the first day
7 of the week that includes July 1, 2004, temporary ex-
8 tended unemployment compensation shall continue to be
9 payable to such individual for any week thereafter from
10 the account from which such individual received com-
11 pensation for the week immediately preceding that termi-
12 nation date. No compensation shall be payable by reason
13 of the preceding sentence for any week beginning after De-
14 cember 31, 2004.”.

15 (b) EFFECTIVE DATE.—The amendment made by
16 this section shall take effect as if included in the enact-
17 ment of the Temporary Extended Unemployment Com-
18 pensation Act of 2002 (Public Law 107–147; 26 U.S.C.
19 3304 note).

20 **SEC. 103. ENTITLEMENT TO ADDITIONAL WEEKS OF TEM-**
21 **PORARY EXTENDED UNEMPLOYMENT COM-**
22 **PENSATION.**

23 (a) WEEKS OF TEUC AMOUNTS.—Paragraph (1) of
24 section 203(b) is amended to read as follows:

1 “(1) IN GENERAL.—The amount established in
2 an account under subsection (a) shall be equal to 26
3 times the individual’s weekly benefit amount for the
4 benefit year.”.

5 (b) WEEKS OF TEUC-X AMOUNTS.—Section
6 203(c)(1) is amended by striking “an amount equal to the
7 amount originally established in such account (as deter-
8 mined under subsection (b)(1))” and inserting “7 times
9 the individual’s weekly benefit amount for the benefit
10 year”.

11 (c) EFFECTIVE DATE.—

12 (1) IN GENERAL.—The amendments made by
13 this section—

14 (A) shall take effect as if included in the
15 enactment of the Temporary Extended Unem-
16 ployment Compensation Act of 2002 (Public
17 Law 107–147; 26 U.S.C. 3304 note); but

18 (B) shall apply only with respect to weeks
19 of unemployment beginning on or after the date
20 of enactment of this Act, subject to paragraph
21 (2).

22 (2) SPECIAL RULES.—In the case of an indi-
23 vidual for whom a temporary extended unemploy-
24 ment compensation account was established before
25 the date of enactment of this Act, the Temporary

1 Extended Unemployment Compensation Act of 2002
2 (as amended by this title) shall be applied subject to
3 the following:

4 (A) Any amounts deposited in the individ-
5 ual's temporary extended unemployment com-
6 pensation account by reason of section 203(c)
7 of such Act (commonly known as "TEUC-X
8 amounts") before the date of enactment of this
9 Act shall be treated as amounts deposited by
10 reason of section 203(b) of such Act (commonly
11 known as "TEUC amounts"), as amended by
12 subsection (a).

13 (B) For purposes of determining whether
14 the individual is eligible for any TEUC-X
15 amounts under such Act, as amended by this
16 title—

17 (i) any determination made under sec-
18 tion 203(c) of such Act before the applica-
19 tion of the amendments made by this title
20 shall be disregarded; and

21 (ii) any such determination shall in-
22 stead be made by applying section 203(c)
23 of such Act, as amended by this title—

24 (I) as of the time that all
25 amounts established in such account

1 in accordance with section 203(b) of
 2 such Act (as amended by this title,
 3 and including any amounts described
 4 in subparagraph (A)) are in fact ex-
 5 hausted, except that

6 (II) if such individual's account
 7 was both augmented by and exhausted
 8 of all TEUC-X amounts before the
 9 date of enactment of this Act, such
 10 determination shall be made as if ex-
 11 haustion (as described in section
 12 203(c)(1) of such Act) had not oc-
 13 curred until such date of enactment.

14 **SEC. 104. TEUC-X TRIGGER.**

15 Section 203(c)(2)(B) is amended—

16 (1) in subparagraph (A), by striking “or” at
 17 the end;

18 (2) by striking subparagraph (B) and inserting
 19 the following:

20 “(B) such a period would then be in effect
 21 for such State under such Act if—

22 “(i) section 203(d) of such Act were
 23 applied as if it had been amended by strik-
 24 ing ‘5’ each place it appears and inserting
 25 ‘4’; and

1 “(ii) with respect to weeks of unem-
2 ployment beginning on or after the date of
3 enactment of this clause, paragraph (1)(A)
4 of such section 203(d) did not apply; or

5 “(C) with respect to weeks of unemploy-
6 ment beginning on or after the date of enact-
7 ment of this clause, the average rate of total
8 unemployment in such State (seasonally ad-
9 justed) for the period consisting of the most re-
10 cent 3 months for which data for all States are
11 published before the time of exhaustion equals
12 or exceeds 6.5 percent.

13 For purposes of this subparagraph (C), determina-
14 tions of the rate of total unemployment in any State
15 for any period (and of any seasonal adjustment)
16 shall be made by the Secretary.”.

1 **TITLE II—EXTENDED BENEFITS**
 2 **UNDER THE FEDERAL-STATE**
 3 **EXTENDED UNEMPLOYMENT**
 4 **COMPENSATION ACT OF 1970.**

5 **SEC. 201. TEMPORARY STATE AUTHORITY TO WAIVE APPLI-**
 6 **CATION OF LOOKBACKS UNDER THE FED-**
 7 **ERAL-STATE EXTENDED UNEMPLOYMENT**
 8 **COMPENSATION ACT OF 1970.**

9 For purposes of conforming with the provisions of the
 10 Federal-State Extended Unemployment Compensation Act
 11 of 1970 (26 U.S.C. 3304 note), a State may, for weeks
 12 of unemployment beginning on or after the date of enact-
 13 ment of this Act and ending before December 31, 2004,
 14 waive the application of either subsection (d)(1)(A) of sec-
 15 tion 203 of such Act or subsection (f)(1)(A)(ii) of such
 16 section, or both.

17 **TITLE III—RAILROAD**
 18 **UNEMPLOYMENT INSURANCE**

19 **SEC. 301. TEMPORARY INCREASE IN EXTENDED UNEM-**
 20 **PLOYMENT BENEFITS UNDER THE RAILROAD**
 21 **UNEMPLOYMENT INSURANCE ACT.**

22 Section 2(c)(2) of the Railroad Unemployment Insur-
 23 ance Act (45 U.S.C. 352(c)(2)) is amended by adding at
 24 the end the following:

1 “(D) TEMPORARY INCREASE IN EXTENDED
2 UNEMPLOYMENT BENEFITS.—

3 “(i) EMPLOYEES WITH 10 OR MORE
4 YEARS OF SERVICE.—Subject to clause
5 (iii), in the case of an employee who has
6 10 or more years of service (as so defined),
7 with respect to extended unemployment
8 benefits—

9 “(I) subparagraph (A) shall be
10 applied by substituting “130 days of
11 unemployment” for “65 days of un-
12 employment”; and

13 “(II) subparagraph (B) shall be
14 applied by inserting “(or, in the case
15 of unemployment benefits, 13 con-
16 secutive 14-day periods” after “7 con-
17 secutive 14-day periods”.

18 “(ii) EMPLOYEES WITH LESS THAN 10
19 YEARS OF SERVICE.—Subject to clause
20 (iii), in the case of an employee who has
21 less than 10 years of service (as so de-
22 fined), with respect to extended unemploy-
23 ment benefits, this paragraph shall apply
24 to such an employee in the same manner
25 as this paragraph would apply to an em-

1 ployee described in clause (i) if such clause
2 had not been enacted.

3 “(iii) APPLICATION.—The provisions
4 of clauses (i) and (ii) shall apply to an em-
5 ployee who received normal benefits for
6 days of unemployment under this Act dur-
7 ing the period beginning on July 1, 2002,
8 and ending before July 1, 2004.”.

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