

# Calendar No. 619

107<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# S. 3009

To provide economic security for America's workers.

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## IN THE SENATE OF THE UNITED STATES

SEPTEMBER 26, 2002

Mr. WELLSTONE (for himself, Mrs. CLINTON, Mr. KENNEDY, Ms. LANDRIEU, Mrs. CARNAHAN, Mr. SMITH of Oregon, Mr. BAYH, Mr. SARBANES, Mr. DASCHLE, Mr. ROCKEFELLER, Mr. TORRICELLI, Mr. DURBIN, Mr. BINGAMAN, Mr. KERRY, Mr. DODD, Mr. REED, Ms. CANTWELL, Mrs. BOXER, Mrs. FEINSTEIN, Mr. BIDEN, Mr. LEVIN, Mr. CORZINE, Mr. REID, Mr. SCHUMER, Ms. STABENOW, Mr. LEAHY, and Mr. LIEBERMAN) introduced the following bill; which was read the first time

SEPTEMBER 30, 2002

Read the second time and placed on the calendar

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## A BILL

To provide economic security for America's 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 “Emergency Unemployment Compensation Act of 2002”.

1 (b) TABLE OF CONTENTS.—The table of contents of  
 2 this Act is as follows:

- Sec. 1. Short title; table of contents.
- Sec. 2. Extension of the Temporary Extended Unemployment Compensation Act of 2002.
- Sec. 3. Entitlement to additional weeks of temporary extended unemployment compensation.
- Sec. 4. Application of revised rate of insured unemployment.
- Sec. 5. Additional TEUC extended benefit period trigger.
- Sec. 6. Additional weeks of benefits for workers in high unemployment States.
- Sec. 7. Effective date.

3 **SEC. 2. EXTENSION OF THE TEMPORARY EXTENDED UNEM-**  
 4 **PLOYMENT COMPENSATION ACT OF 2002.**

5 (a) SIX-MONTH EXTENSION OF PROGRAM.—Section  
 6 208 of the Temporary Extended Unemployment Com-  
 7 pensation Act of 2002 (Public Law 107–147; 116 Stat.  
 8 30) is amended to read as follows:

9 **“SEC. 208. APPLICABILITY.**

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

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

15 “(2) ending before July 1, 2003.

16 “(b) TRANSITION.—In the case of an individual who  
 17 is receiving temporary emergency unemployment com-  
 18 pensation for the week which immediately precedes July  
 19 1, 2003, temporary emergency unemployment compensa-  
 20 tion shall continue to be payable to such individual for  
 21 any week thereafter from the account from which such in-

1 individual received compensation for the week which in-  
 2 cludes such termination date. No compensation shall be  
 3 payable by reason of the preceding sentence for any week  
 4 beginning after October 14, 2003.”.

5 (b) EFFECTIVE DATE.—The amendment made by  
 6 this section shall take effect as if included in the enact-  
 7 ment of the Temporary Extended Unemployment Com-  
 8 pensation Act of 2002 (Public Law 107–147; 116 Stat.  
 9 21).

10 **SEC. 3. ENTITLEMENT TO ADDITIONAL WEEKS OF TEM-**  
 11 **PORARY EXTENDED UNEMPLOYMENT COM-**  
 12 **PENSATION.**

13 Paragraph (1) of section 203(b) of the Temporary  
 14 Extended Unemployment Compensation Act of 2002  
 15 (Public Law 107–147; 116 Stat. 21) is amended to read  
 16 as follows:

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

21 **SEC. 4. APPLICATION OF REVISED RATE OF INSURED UN-**  
 22 **EMPLOYMENT.**

23 Section 207 of the Temporary Extended Unemploy-  
 24 ment Compensation Act of 2002 (Public Law 107–147;  
 25 116 Stat. 21) is amended—

1 (1) by striking “In this title, the terms” and in-  
 2 sserting the following: “In this title:

3 “(1) GENERAL DEFINITIONS.—The terms”; and

4 (2) by adding at the end the following new  
 5 paragraph:

6 “(2) ADJUSTED INSURED UNEMPLOYMENT  
 7 RATE.—For weeks of unemployment beginning on or  
 8 after the date of enactment of the Emergency Un-  
 9 employment Compensation Act of 2002, the term  
 10 ‘rate of insured unemployment’ has the meaning  
 11 given that term in section 203(e)(1) of the Federal-  
 12 State Extended Unemployment Compensation Act of  
 13 1970 (26 U.S.C. 3304 note), except that individuals  
 14 exhausting their right to regular compensation dur-  
 15 ing the most recent 3 calendar months for which  
 16 data are available before the close of the period for  
 17 which such rate is being determined shall be taken  
 18 into account as if they were individuals filing claims  
 19 for regular compensation for each week during the  
 20 period for which such rate is being determined.”.

21 **SEC. 5. ADDITIONAL TEUC EXTENDED BENEFIT PERIOD**

22 **TRIGGER.**

23 (a) IN GENERAL.—Section 203(e) of the Temporary  
 24 Extended Unemployment Compensation Act of 2002

1 (Public Law 107–147; 116 Stat. 21) is amended by add-  
2 ing at the end the following new paragraph:

3 “(3) ADDITIONAL EXTENDED BENEFIT PERIOD  
4 TRIGGER.—

5 “(A) IN GENERAL.—Effective with respect  
6 to compensation for weeks of unemployment be-  
7 ginning on or after the date of enactment of the  
8 Emergency Unemployment Compensation Act  
9 of 2002, an agreement under this title shall  
10 provide that, in addition to any other extended  
11 benefit period trigger, for purposes of beginning  
12 or ending any extended benefit period under  
13 this section—

14 “(i) there is a State ‘on’ indicator for  
15 a week if—

16 “(I) the average rate of total un-  
17 employment in such State (seasonally  
18 adjusted) for the period consisting of  
19 the most recent 3 months for which  
20 data for all States are published be-  
21 fore the close of such week equals or  
22 exceeds 6 percent; and

23 “(II) the average rate of total  
24 unemployment in such State (season-  
25 ally adjusted) for the 3-month period

1 referred to in clause (i) equals or ex-  
2 ceeds 110 percent of such average  
3 rate for either (or both) of the cor-  
4 responding 3-month periods ending in  
5 the 2 preceding calendar years; and

6 “(ii) there is a State ‘off’ indicator for  
7 a week if either the requirements of sub-  
8 clause (I) or (II) of clause (i) are not satis-  
9 fied.

10 “(B) NO EFFECT ON OTHER DETERMINA-  
11 TIONS.—Notwithstanding the provisions of any  
12 agreement described in subparagraph (A), any  
13 week for which there would otherwise be a  
14 State ‘on’ indicator shall continue to be such a  
15 week and shall not be determined to be a week  
16 for which there is a State ‘off’ indicator.

17 “(C) DETERMINATIONS MADE BY THE  
18 SECRETARY.—For purposes of this subsection,  
19 determinations of the rate of total unemploy-  
20 ment in any State for any period (and of any  
21 seasonal adjustment) shall be made by the Sec-  
22 retary.”.

23 (b) CONFORMING AMENDMENT.—Section 203(e)(1)  
24 of the Temporary Extended Unemployment Compensation

1 Act of 2002 (Public Law 107–147; 116 Stat. 21) is  
2 amended by inserting “or (3)” after “paragraph (2)”.

3 **SEC. 6. ADDITIONAL WEEKS OF BENEFITS FOR WORKERS**  
4 **IN HIGH UNEMPLOYMENT STATES.**

5 Section 203(c)(1) of the Temporary Extended Unem-  
6 ployment Compensation Act of 2002 (Public Law 107–  
7 147; 116 Stat. 30) is amended by striking “an amount  
8 equal to the amount originally established in such account  
9 (as determined under subsection (b)(1))” and inserting “7  
10 times the individual’s weekly benefit amount for the ben-  
11 efit year”.

12 **SEC. 7. EFFECTIVE DATE.**

13 Except as otherwise provided in this Act, the amend-  
14 ments made by this Act shall apply with respect to weeks  
15 of unemployment beginning on or after the date of enact-  
16 ment this Act.

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