

108TH CONGRESS
1ST SESSION

S. 1853

To provide extended unemployment benefits to displaced workers.

IN THE SENATE OF THE UNITED STATES

NOVEMBER 12, 2003

Mr. KENNEDY (for himself, Mrs. CLINTON, Mr. DASCHLE, Mr. DURBIN, Mrs. MURRAY, Ms. CANTWELL, Mr. SARBANES, Mr. LEVIN, Mr. BINGAMAN, Mr. SCHUMER, Mr. BAUCUS, Mr. REED, Mr. ROCKEFELLER, and Mr. KERRY) 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 fix.

TITLE II—RAILROAD UNEMPLOYMENT INSURANCE

Sec. 201. 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 FIX.**

15 Section 203(c)(2)(B) is amended to read as follows:

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

18 “(i) section 203(d) of such Act were
 19 applied as if it had been amended by strik-
 20 ing ‘5’ each place it appears and inserting
 21 ‘4’; and

22 “(ii) with respect to weeks of unem-
 23 ployment beginning on or after the date of
 24 enactment of this clause—

1 “(I) paragraph (1)(A) of such
2 section 203(d) did not apply; and

3 “(II) clause (ii) of section
4 203(f)(1)(A) of such Act did not
5 apply.”.

6 **TITLE II—RAILROAD** 7 **UNEMPLOYMENT INSURANCE**

8 **SEC. 201. TEMPORARY INCREASE IN EXTENDED UNEM-** 9 **PLOYMENT BENEFITS UNDER THE RAILROAD** 10 **UNEMPLOYMENT INSURANCE ACT.**

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

14 “(D) TEMPORARY INCREASE IN EXTENDED
15 UNEMPLOYMENT BENEFITS.—

16 “(i) EMPLOYEES WITH 10 OR MORE
17 YEARS OF SERVICE.—Subject to clause
18 (iii), in the case of an employee who has
19 10 or more years of service (as so defined),
20 with respect to extended unemployment
21 benefits—

22 “(I) subparagraph (A) shall be
23 applied by substituting “130 days of
24 unemployment” for “65 days of un-
25 employment”; and

1 “(II) subparagraph (B) shall be
2 applied by inserting “(or, in the case
3 of unemployment benefits, 13 con-
4 secutive 14-day periods” after “7 con-
5 secutive 14-day periods”.

6 “(ii) EMPLOYEES WITH LESS THAN 10
7 YEARS OF SERVICE.—Subject to clause
8 (iii), in the case of an employee who has
9 less than 10 years of service (as so de-
10 fined), with respect to extended unemploy-
11 ment benefits, this paragraph shall apply
12 to such an employee in the same manner
13 as this paragraph would apply to an em-
14 ployee described in clause (i) if such clause
15 had not been enacted.

16 “(iii) APPLICATION.—The provisions
17 of clauses (i) and (ii) shall apply to an em-
18 ployee who received normal benefits for
19 days of unemployment under this Act dur-
20 ing the period beginning on July 1, 2002,
21 and ending before July 1, 2004.”.

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