

108TH CONGRESS  
1ST SESSION

# H. R. 3639

To extend the Temporary Extended Unemployment Compensation Act of 2002, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 21, 2003

Mr. TIAHRT introduced the following bill; which was referred to the Committee on Ways and Means

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## A BILL

To extend the Temporary Extended Unemployment Compensation Act of 2002, and for other purposes.

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; REFERENCES.**

4       (a) **SHORT TITLE.**—This Act may be cited as the  
5       “American Workers Assistance Act”.

6       (b) **REFERENCES.**—Except as otherwise expressly  
7       provided, whenever in this Act an amendment is expressed  
8       in terms of an amendment to a section or other provision,  
9       the reference shall be considered to be made to a section  
10      or other provision of the Temporary Extended Unemploy-

1 ment Compensation Act of 2002 (Public Law 107–147;  
2 26 U.S.C. 3304 note).

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 is amended to read as follows:

7 **“SEC. 208. APPLICABILITY.**

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

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

13 “(2) ending before July 1, 2004.

14 “(b) TRANSITION.—In the case of an individual who  
15 is receiving temporary extended unemployment compensa-  
16 tion for the week which immediately precedes the first day  
17 of the week that includes July 1, 2004, temporary ex-  
18 tended unemployment compensation shall continue to be  
19 payable to such individual for any week thereafter from  
20 the account from which such individual received com-  
21 pensation for the week immediately preceding that termi-  
22 nation date. No compensation shall be payable by reason  
23 of the preceding sentence for any week beginning after De-  
24 cember 31, 2004.”.

1 (b) EFFECTIVE DATE.—The amendment made by  
 2 this section shall take effect as if included in the enact-  
 3 ment of the Temporary Extended Unemployment Com-  
 4 pensation Act of 2002 (Public Law 107–147; 26 U.S.C.  
 5 3304 note).

6 **SEC. 3. ENTITLEMENT TO ADDITIONAL WEEKS OF TEM-**  
 7 **PORARY EXTENDED UNEMPLOYMENT COM-**  
 8 **PENSATION.**

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

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

15 (b) WEEKS OF TEUC–X AMOUNTS.—Section  
 16 203(c)(1) is amended by striking “an amount equal to the  
 17 amount originally established in such account (as deter-  
 18 mined under subsection (b)(1))” and inserting “7 times  
 19 the individual’s weekly benefit amount for the benefit  
 20 year”.

21 (c) EFFECTIVE DATE.—

22 (1) IN GENERAL.—The amendments made by  
 23 this section—

24 (A) shall take effect as if included in the  
 25 enactment of the Temporary Extended Unem-

1           ployment Compensation Act of 2002 (Public  
2           Law 107–147; 26 U.S.C. 3304 note); but

3           (B) shall apply only with respect to weeks  
4           of unemployment beginning on or after the date  
5           of enactment of this Act, subject to paragraph  
6           (2).

7           (2) SPECIAL RULES.—In the case of an indi-  
8           vidual for whom a temporary extended unemploy-  
9           ment compensation account was established before  
10          the date of enactment of this Act, the Temporary  
11          Extended Unemployment Compensation Act of 2002  
12          (as amended by this Act) shall be applied subject to  
13          the following:

14                (A) Any amounts deposited in the individ-  
15                ual’s temporary extended unemployment com-  
16                pensation account by reason of section 203(c)  
17                of such Act (commonly known as “TEUC–X  
18                amounts”) before the date of enactment of this  
19                Act shall be treated as amounts deposited by  
20                reason of section 203(b) of such Act (commonly  
21                known as “TEUC amounts”), as amended by  
22                subsection (a).

23                (B) For purposes of determining whether  
24                the individual is eligible for any TEUC–X

1 amounts under such Act, as amended by this  
2 Act—

3 (i) any determination made under sec-  
4 tion 203(c) of such Act before the applica-  
5 tion of the amendments made by this Act  
6 shall be disregarded; and

7 (ii) any such determination shall in-  
8 stead be made by applying section 203(c)  
9 of such Act, as amended by this Act—

10 (I) as of the time that all  
11 amounts established in such account  
12 in accordance with section 203(b) of  
13 such Act (as amended by this Act,  
14 and including any amounts described  
15 in subparagraph (A)) are in fact ex-  
16 hausted, except that

17 (II) if such individual's account  
18 was both augmented by and exhausted  
19 of all TEUC-X amounts before the  
20 date of enactment of this Act, such  
21 determination shall be made as if ex-  
22 haustion (as described in section  
23 203(c)(1) of such Act) had not oc-  
24 curred until such date of enactment.

1 **SEC. 4. EXTENDED BENEFIT PERIODS.**

2 (a) APPLICATION OF REVISED RATE OF INSURED  
3 UNEMPLOYMENT.—Section 207 is amended—

4 (1) by striking “In” and inserting “(a) IN GEN-  
5 ERAL.—In”; and

6 (2) by adding at the end the following:

7 “(b) INSURED UNEMPLOYMENT RATE.—For pur-  
8 poses of carrying out section 203(c) with respect to weeks  
9 of unemployment beginning on or after the date of enact-  
10 ment of this subsection, the term ‘rate of insured unem-  
11 ployment’, as used in section 203(d) of the Federal-State  
12 Extended Unemployment Compensation Act of 1970 (26  
13 U.S.C. 3304 note), has the meaning given such term  
14 under section 203(e)(1) of such Act, except that individ-  
15 uals exhausting their right to regular compensation during  
16 the most recent 3 calendar months for which data are  
17 available before the close of the period for which such rate  
18 is being determined shall be taken into account as if they  
19 were individuals filing claims for regular compensation for  
20 each week during the period for which such rate is being  
21 determined, and section 203(d)(1)(A) of such Act shall be  
22 applied by substituting ‘either (or both)’ for ‘each’.”.

23 (b) ADDITIONAL EXTENDED BENEFIT PERIOD TRIG-  
24 GER.—

25 (1) IN GENERAL.—Section 203(c) is amended  
26 by adding at the end the following:

1           “(3) ADDITIONAL EXTENDED BENEFIT PERIOD  
2 TRIGGER.—

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

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

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

20           “(II) the average rate of total  
21 unemployment in such State (season-  
22 ally adjusted) for the 3-month period  
23 referred to in subclause (I) equals or  
24 exceeds 110 percent of such average  
25 rate for the corresponding 3-month

1 period ending in either (or both) of  
 2 the preceding 2 calendar years; and

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

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

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

20 (2) CONFORMING AMENDMENT.—Section  
 21 203(c)(1) is amended by inserting “or (3)” after  
 22 “paragraph (2)”.

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