

108TH CONGRESS  
1ST SESSION

# S. 35

To provide economic security for America's workers.

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## IN THE SENATE OF THE UNITED STATES

JANUARY 7, 2003

Mr. DASCHLE (for himself, Mr. KENNEDY, Mrs. CLINTON, Ms. CANTWELL, Mr. BAUCUS, Mr. SMITH, Mr. DURBIN, Mr. SARBANES, Mr. REED, Mrs. BOXER, Mrs. MURRAY, Mr. BAYH, Ms. MIKULSKI, and Mr. NELSON of Florida) introduced the following bill; which was read twice and referred to the Committee on Finance

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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.**

4       This Act may be cited as the “Emergency Unemploy-  
5       ment Compensation Act of 2003”.

### 6   **SEC. 2. EXTENSION OF THE TEMPORARY EXTENDED UNEM-** 7       **PLOYMENT COMPENSATION ACT OF 2002.**

8       (a) IN GENERAL.—Section 208 of the Temporary Ex-  
9       tended Unemployment Compensation Act of 2002 (Public

1 Law 107–147; 116 Stat. 30) is amended to read as fol-  
 2 lows:

3 **“SEC. 208. APPLICABILITY.**

4 “(a) IN GENERAL.—Except as provided in subsection  
 5 (b), an agreement entered into under this title shall apply  
 6 to weeks of unemployment—

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

9 “(2) ending before June 1, 2003.

10 “(b) TRANSITION FOR AMOUNT REMAINING IN AC-  
 11 COUNT.—

12 “(1) IN GENERAL.—Subject to paragraphs (2)  
 13 and (3), in the case of an individual who has  
 14 amounts remaining in an account established under  
 15 section 203 as of May 31, 2003, temporary extended  
 16 unemployment compensation shall continue to be  
 17 payable to such individual from such amounts for  
 18 any week beginning after such date for which the in-  
 19 dividual meets the eligibility requirements of this  
 20 title.

21 “(2) NO AUGMENTATION AFTER MAY 31, 2003.—

22 If the account of an individual is exhausted after  
 23 May 31, 2003, then section 203(c) shall not apply  
 24 and such account shall not be augmented under such  
 25 section, regardless of whether such individual’s State

1 is in an extended benefit period (as determined  
2 under paragraph (2) of such section).

3 “(3) LIMITATION.—No compensation shall be  
4 payable by reason of paragraph (1) for any week be-  
5 ginning after December 31, 2003.”.

6 (b) EFFECTIVE DATE.—The amendment made by  
7 this section shall take effect as if included in the enact-  
8 ment of the Temporary Extended Unemployment Com-  
9 pensation Act of 2002 (Public Law 107–147; 116 Stat.  
10 21).

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

14 (a) ENTITLEMENT TO ADDITIONAL WEEKS.—

15 (1) IN GENERAL.—Paragraph (1) of section  
16 203(b) of the Temporary Extended Unemployment  
17 Compensation Act of 2002 (Public Law 107–147;  
18 116 Stat. 28) is amended to read as follows:

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

23 (2) CONFORMING AMENDMENT.—Section  
24 203(c)(1) of the Temporary Extended Unemploy-  
25 ment Compensation Act of 2002 (Public Law 107–

147; 116 Stat. 28) is amended by inserting “one half of” before “the amount originally established in such account”.

(b) EFFECTIVE DATE.—

(1) IN GENERAL.—Subject to paragraphs (2) and (3), the amendments made by subsection (a) shall apply with respect to weeks of unemployment beginning on or after the date of enactment this Act.

(2) RESUMPTION OF BENEFITS.—

(A) RULE APPLICABLE TO EXHAUSTEES.—

In the case of any individual—

(i) to whom any temporary extended unemployment compensation was payable for any week beginning before January 1, 2003; and

(ii) who exhausted such individual’s rights to such compensation (by reason of the payment of all amounts in such individual’s temporary extended unemployment compensation account) before January 1, 2003,

such individual’s eligibility for any additional weeks of temporary extended unemployment compensation by reason of the amendments made by this Act shall apply with respect to

1 weeks of unemployment beginning on or after  
2 the date of enactment of this Act.

3 (B) RULE APPLICABLE TO  
4 NONEXHAUSTEES.—In the case of any indi-  
5 vidual—

6 (i) to whom any temporary extended  
7 unemployment compensation was payable  
8 for any week beginning before January 1,  
9 2003, and

10 (ii) as to whom the condition de-  
11 scribed in clause (i)(II) does not apply,  
12 such individual shall, upon appropriate applica-  
13 tion, be eligible for temporary extended unem-  
14 ployment compensation (in accordance with the  
15 provisions of the Temporary Extended Unem-  
16 ployment Compensation Act of 2002, as amend-  
17 ed by this Act) with respect to any weeks of un-  
18 employment beginning on or after December  
19 29, 2002.

20 (3) DATE FOR DETERMINING ELIGIBILITY OF  
21 EXHAUSTEES FOR AUGMENTED BENEFITS.—In the  
22 case of any individual described in paragraph (2)(A),  
23 the determination under section 203(c) of the Tem-  
24 porary Extended Unemployment Compensation Act  
25 of 2002 (Public Law 107–147; 116 Stat. 28) as to

1       whether such individual's State is in an extended  
2       benefit period (for purposes of determining eligibility  
3       for augmented benefits under such Act, as amended  
4       by this Act) shall be made—

5               (A) without regard to whether or not such  
6               a determination was made under the Tem-  
7               porary Extended Unemployment Compensation  
8               Act of 2002, as in effect before the amend-  
9               ments made by this Act; and

10              (B)(i) in the case of any individual who did  
11              not receive augmented benefits as a result of  
12              the application of section 203(c) of such Act (as  
13              in effect before the amendments made by this  
14              Act), as of the date of enactment of this Act;  
15              or

16              (ii) in the case of any individual who is not  
17              described in clause (i), at the time that the in-  
18              dividual's account is exhausted under the Tem-  
19              porary Extended Unemployment Compensation  
20              Act of 2002, as amended by this Act.

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