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FULL TEXT OF BILLS

103RD CONGRESS; 1ST SESSION
IN THE HOUSE OF REPRESENTATIVES
AS ENROLLED

H. R. 3167

1993 H.R. 3167; 103 H.R. 3167

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103 H.R. 3167; 1993 H.R. 3167;

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SYNOPSIS:

An Act To extend the emergency unemployment compensation program, to establish a system of worker profiling, and for other purposes.

DATE OF INTRODUCTION: NOVEMBER 20, 1993

DATE OF VERSION: NOVEMBER 24, 1993 -- **VERSION:** 6

SPONSOR(S):

Sponsor not included in this printed version.

TEXT:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Unemployment Compensation Amendments of 1993".

SEC. 2. EXTENSION OF EMERGENCY UNEMPLOYMENT COMPENSATION PROGRAM.

(a) GENERAL RULE.-SECTIONS 102(F)(1) AND 106(A)(2) OF THE EMERGENCY UNEMPLOYMENT COMPENSATION ACT OF 1991 (PUBLIC LAW 102-164, AS AMENDED) ARE EACH AMENDED BY STRIKING "OCTOBER 2, 1993" AND INSERTING "FEBRUARY 5, 1994".

(B) WEEKS OF BENEFITS AVAILABLE DURING EXTENSION.-

(1) SUBPARAGRAPH (A) OF SECTION 102(B)(2) OF SUCH ACT IS AMENDED-

(A) BY REDESIGNATING CLAUSE (VI) AS CLAUSE (VII),

(B) BY INSERTING AFTER CLAUSE (V) THE FOLLOWING NEW CLAUSE:

"(VI) REDUCTION OF WEEKS AFTER OCTOBER 2, 1993.-IN THE CASE OF WEEKS BEGINNING AFTER OCTOBER 2, 1993-

"(I) CLAUSE (I) OF THIS SUBPARAGRAPH SHALL BE APPLIED BY SUBSTITUTING '13' FOR '33' AND BY SUBSTITUTING '7' FOR '26',

"(II) CLAUSES (II), (III), (IV), AND (V) OF THIS SUBPARAGRAPH SHALL NOT APPLY, AND

"(III) SUBPARAGRAPH A OF PARAGRAPH (1) SHALL BE APPLIED BY SUBSTITUTING '50 PERCENT' FOR '130 PERCENT'.", AND

(C) BY STRIKING "OR (IV)" IN CLAUSE (VII) (AS REDESIGNATED BY SUBPARAGRAPH (A)) AND INSERTING "(IV), OR (VI)".

(2) SUBPARAGRAPH (B) OF SECTION 102(B)(2) OF SUCH ACT IS AMENDED BY STRIKING "AND (IV)" AND INSERTING "(IV) AND (VI)".

(C) MODIFICATION OF FINAL PHASE-OUT.-PARAGRAPH (2) OF SECTION 102(F) OF SUCH ACT IS AMENDED-

(1) BY STRIKING "OCTOBER 2, 1993" AND INSERTING "FEBRUARY 5, 1994", AND

(2) BY STRIKING "JANUARY 15, 1994" AND INSERTING "APRIL 30, 1994".

(d) CONFORMING AMENDMENTS.-SECTION 101(E) OF SUCH ACT IS AMENDED-

(1) BY STRIKING "OCTOBER 2, 1993" EACH PLACE IT APPEARS IN PARAGRAPH (1) AND INSERTING "FEBRUARY 5, 1994", AND

(2) BY STRIKING "(AND IS NOT TRIGGERED OFF UNDER PARAGRAPH (1))" IN PARAGRAPH (2) AND INSERTING "AFTER FEBRUARY 5, 1994,".

(e) EFFECTIVE DATE.-THE AMENDMENTS MADE BY THIS SECTION SHALL APPLY TO WEEKS OF UNEMPLOYMENT BEGINNING AFTER OCTOBER 2, 1993.

SEC. 3. MODIFICATION TO ELIGIBILITY REQUIREMENTS FOR EMERGENCY UNEMPLOYMENT COMPENSATION.

(a) REPEAL OF DISREGARD OF RIGHTS TO REGULAR COMPENSATION.-SUBSECTION (F) OF SECTION 101 OF THE EMERGENCY UNEMPLOYMENT COMPENSATION ACT OF 1991 (PUBLIC LAW 102-164, AS AMENDED) IS HEREBY REPEALED.

(B) EFFECTIVE DATE.-THE REPEAL MADE BY SUBSECTION (A) SHALL APPLY TO WEEKS OF UNEMPLOYMENT BEGINNING AFTER THE DATE OF THE ENACTMENT OF THIS ACT; EXCEPT THAT SUCH REPEAL SHALL NOT APPLY IN DETERMINING ELIGIBILITY FOR EMERGENCY UNEMPLOYMENT COMPENSATION FROM AN ACCOUNT ESTABLISHED BEFORE OCTOBER 2, 1993.

SEC. 4. WORKER PROFILING.

(a) IN GENERAL.-

(1) ESTABLISHMENT OF PROFILING SYSTEM.-SECTION 303 OF THE SOCIAL SECURITY ACT IS AMENDED BY ADDING AT THE END THEREOF THE FOLLOWING NEW SUBSECTION:

"(j)(1) The State agency charged with the administration of the State law shall establish and utilize a system of profiling all new claimants for regular compensation that-

"(A) identifies which claimants will be likely to exhaust regular compensation and will need **job** search assistance services to make a successful transition to new employment;

"(B) refers claimants identified pursuant to subparagraph (A) to reemployment services, such as **job** search assistance services, available under any State or Federal law;

"(C) collects follow-up information relating to the services received by such claimants and the employment outcomes for such claimants subsequent to receiving such services and utilizes such information in making identifications pursuant to subparagraph (A); and

"(D) meets such other requirements as the Secretary of Labor determines are appropriate.

"(2) Whenever the Secretary of Labor, after reasonable notice and opportunity for hearing to the State agency charged with the administration of the State law, finds that there is a failure to comply

substantially with the requirements of paragraph (1), the Secretary of Labor shall notify such State agency that further payments will not be made to the State until he is satisfied that there is no longer any such failure. Until the Secretary of Labor is so satisfied, he shall make no further certification to the Secretary of the Treasury with respect to such State."

(2) CONFORMING AMENDMENT.-SECTION 304(A)(2) OF THE SOCIAL SECURITY ACT IS AMENDED BY STRIKING "OR (I)" AND INSERTING "(I), OR (J)".

(B) PARTICIPATION REQUIREMENT.-SECTION 303(A) OF THE SOCIAL SECURITY ACT IS AMENDED-

(1) BY STRIKING THE PERIOD AT THE END OF PARAGRAPH (9) AND INSERTING "; AND", AND

(2) BY ADDING AT THE END THEREOF THE FOLLOWING NEW PARAGRAPH:

"(10) A REQUIREMENT THAT, AS A CONDITION OF ELIGIBILITY FOR REGULAR COMPENSATION FOR ANY WEEK, ANY CLAIMANT WHO HAS BEEN REFERRED TO REEMPLOYMENT SERVICES PURSUANT TO THE PROFILING SYSTEM UNDER SUBSECTION (J)(1)(B) PARTICIPATE IN SUCH SERVICES OR IN SIMILAR SERVICES UNLESS THE STATE AGENCY CHARGED WITH THE ADMINISTRATION OF THE STATE LAW DETERMINES-

"(A) SUCH CLAIMANT HAS COMPLETED SUCH SERVICES; OR

"(B) THERE IS JUSTIFIABLE CAUSE FOR SUCH CLAIMANT'S FAILURE TO PARTICIPATE IN SUCH SERVICES."

(C) TECHNICAL ASSISTANCE.-THE SECRETARY OF LABOR SHALL PROVIDE TECHNICAL ASSISTANCE AND ADVICE TO ASSIST THE STATES IN IMPLEMENTING THE PROFILING SYSTEM REQUIRED UNDER THE AMENDMENTS MADE BY SUBSECTION (A). SUCH ASSISTANCE SHALL INCLUDE THE DEVELOPMENT AND IDENTIFICATION OF MODEL PROFILING SYSTEMS.

(D) REPORT TO CONGRESS.-NOT LATER THAN THE DATE 3 YEARS AFTER THE DATE OF ENACTMENT OF THIS ACT, THE SECRETARY OF LABOR SHALL REPORT TO THE CONGRESS ON THE OPERATION AND EFFECTIVENESS OF THE PROFILING SYSTEM REQUIRED UNDER THE AMENDMENTS MADE BY SUBSECTION (A) AND THE PARTICIPATION REQUIREMENT PROVIDED BY THE AMENDMENTS MADE UNDER SUBSECTION (B). SUCH REPORT SHALL INCLUDE SUCH RECOMMENDATIONS AS THE SECRETARY OF LABOR DETERMINES ARE APPROPRIATE.

(E) CONFORMING AMENDMENT.-SECTION 4 OF THE EMERGENCY UNEMPLOYMENT COMPENSATION AMENDMENTS OF 1993 (PUBLIC LAW 103-6) IS HEREBY REPEALED.

(F) EFFECTIVE DATES.-

(1) THE AMENDMENTS MADE BY SUBSECTIONS (A) AND (B) SHALL TAKE EFFECT ON THE DATE ONE YEAR AFTER THE DATE OF THE ENACTMENT OF THIS ACT.

(2) THE PROVISIONS OF SUBSECTIONS (C), (D), AND (E) SHALL TAKE EFFECT ON THE DATE OF ENACTMENT OF THIS ACT.

SEC. 5. TECHNICAL AMENDMENT TO UNEMPLOYMENT TRUST FUND.

Paragraph (1) of section 905(b) of the Social Security Act is amended to read as follows:

"(b)(1) Except as provided in paragraph (3), the Secretary of the Treasury shall transfer (as of the close of each month) from the employment security administration account to the extended unemployment compensation account established by subsection (a), an amount (determined by such Secretary) equal to 20 percent of the amount by which-

"(A) the transfers to the employment security administration account pursuant to section 901(b)(2) during such month, exceed

"(B) the payments during such month from the employment security administration account pursuant to section 901 (b)(3) and (d).

If for any such month the payments referred to in subparagraph (B) exceed the transfers referred to in subparagraph (A), proper adjustments shall be made in the amounts subsequently transferred."

SEC. 6. EXTENSION OF REPORTING DATE FOR ADVISORY COUNCIL.

Section 908(f) of the Social Security Act is amended-

(1) in paragraph (1), by striking "2d year" and inserting "third year"; and

(2) in paragraph (2), by striking "February 1, 1994" and inserting "February 1, 1995".

SEC. 7. TEMPORARY INCREASE IN SPONSORSHIP PERIOD FOR ALIENS UNDER THE SUPPLEMENTAL SECURITY INCOME PROGRAM.

(a) INCREASE IN SPONSORSHIP PERIOD.-

(1) IN GENERAL.-Section 1621 of the Social Security Act (42 U.S.C. 1382j) is amended by striking "three years" each place such term appears and inserting "5 years".

(2) EFFECTIVE DATE.-The amendments made by paragraph (1) shall take effect on January 1, 1994.

(b) REINSTATEMENT OF PRIOR LAW.-

(1) IN GENERAL.-Section 1621 of the Social Security Act (42 U.S.C. 1382j), as amended by subsection (a)(1) of this section, is amended by striking "5 years" each place such term appears and inserting "3 years".

(2) EFFECTIVE DATE.-The amendments made by paragraph (1) shall take effect on October 1, 1996.

SEC. 8. TREATMENT OF RAILROAD WORKERS.

(a) EXTENSION OF PROGRAM.-

(1) IN GENERAL.-Paragraphs (1) and (2) of section 501(b) of the Emergency Unemployment Compensation Act of 1991 (Public Law 102-164, as amended) are each amended by striking "October 2, 1993" and inserting "January 1, 1994".

(2) CONFORMING AMENDMENT.-Section 501(a) of such Act is amended by striking "October 1993" and inserting "January 1994".

(b) LENGTH OF BENEFITS DURING PERIOD OF EXTENSION.-Section 501(d)(2)(B)(ii) of such Act is amended by striking "on and after the date on which a reduction in benefits is imposed under section 102(b)(2)(A)(iv)" and inserting "after October 2, 1993".

(c) TERMINATION OF BENEFITS.-Section 501(e) of such Act is amended-

(1) by striking "October 2, 1993" and inserting "January 1, 1994", and

(2) by striking "January 15, 1994" and inserting "March 26, 1994".

SEC. 9. EFFECTIVE DATES.

(a) REPEAL OF DISREGARD OF RIGHTS TO REGULAR COMPENSATION.-Notwithstanding the provisions of section 3(b) of this Act, the repeal made by section 3(a) of this Act shall apply to weeks of unemployment beginning after October 2, 1993, except that such repeal shall not apply in determining eligibility for emergency unemployment compensation from an account established before October 3, 1993.

(b) RAILROAD WORKERS.-

(1) IN GENERAL.-Paragraphs (1) and (2) of section 501(b) of the Emergency Unemployment Compensation Act of 1991 (Public Law 102-164, as amended), as amended by section 8(a)(1) of this Act, are each amended by striking "January 1, 1994" and inserting "February 5, 1994".

(2) CONFORMING AMENDMENT.-Section 501(a) of such Emergency

Unemployment Compensation Act of 1991, as amended by section 8(a)(2) of this Act, is amended by striking "January 1994" and inserting "February 1994".

(3) TERMINATION OF BENEFITS.-Section 501(e) of such Emergency Unemployment Compensation Act of 1991, as amended by section 8(c) of this Act, is amended-

(A) by striking "January 1, 1994" and inserting "February 5, 1994", and

(B) by striking "March 26, 1994" and inserting "April 30, 1994".

Speaker of the House of Representatives.

Vice President of the United States and President of the Senate.

SUBJECT: UNEMPLOYMENT INSURANCE (91%); LABOR DEPARTMENTS (59%); LEGISLATION (59%); SOCIAL SECURITY ACTS (59%); LEGISLATIVE BODIES (59%);

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