

Public Law 103-152
103d Congress

An Act

Nov. 24, 1993
[H.R. 3167]

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

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

Unemployment
Compensation
Amendments of
1993.
26 USC 1 note.

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".

26 USC 3304
note.

(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".

26 USC 3304
note.

(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.

26 USC 3304
note.

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.

26 USC 3304
note.

(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.

Inter-
governmental
relations.

(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:

42 USC 503.

"(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)".

42 USC 504.

(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.”

42 USC 503 note.

(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.

42 USC 503 note.

(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.

26 USC 3304
note.

42 USC 503 note.

(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.

42 USC 1105.

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.

42 USC 1108.

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.

42 USC 1382j
note.

(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.

42 USC 1382j
note.

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".

45 USC 352 note.

(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.

26 USC 3304
note.

(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”.

Approved November 24, 1993.

LEGISLATIVE HISTORY—H.R. 3167:

HOUSE REPORTS: Nos. 103-268 (Comm. on Ways and Means), 103-333, and 103-404 (both from Comm. of Conference).

CONGRESSIONAL RECORD, Vol. 139 (1993):

Oct. 15, considered and passed House.

Oct. 25-28, considered and passed Senate, amended.

Nov. 9, House recommitted conference report.

Nov. 20, Senate agreed to conference report.

Nov. 23, House agreed to conference report.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 29 (1993):

Nov. 24, Presidential statement.