

Effective date.
26 USC 274 note.

(b) The amendments made by this section shall apply to taxable years beginning after December 31, 1982.

SEC. 544. ADDITIONAL WEEKS OF FEDERAL SUPPLEMENTAL COMPENSATION.

Ante, p. 702.

(a) Section 602(e) of the Tax Equity and Fiscal Responsibility Act of 1982 is amended—

(1) in paragraph (2)(A)(i), by striking out “50” and inserting in lieu thereof “65”;

(2) in paragraph (2)(A)(ii), by striking out “6” and inserting in lieu thereof “8”; and

(3) by striking out subparagraphs (B) and (C) of paragraph (2) and inserting in lieu thereof the following:

“(B) In the case of any State, subparagraph (A) shall be applied—

“(i) with respect to weeks during a higher unemployment period, by substituting ‘16’ for ‘8’ in clause (ii) thereof;

“(ii) with respect to weeks which are not during a higher unemployment period and which are weeks beginning on or after the first week of an extended benefit period (which was in effect under the Federal-State Extended Unemployment Compensation Act of 1970 for any week beginning on or after June 1, 1982, on or before the date of the enactment of the Highway Revenue Act of 1982, and before the week for which the compensation is paid), by substituting ‘14’ for ‘8’ in clause (ii) thereof;

“(iii) with respect to weeks during a high unemployment period, or which would be weeks described in clause (ii) except that the extended benefit period began after the date of enactment of the Highway Revenue Act of 1982, by substituting ‘12’ for ‘8’ in clause (ii) thereof; and

“(iv) with respect to weeks during an intermediate unemployment period, by substituting ‘10’ for ‘8’.

“(C) For purposes of subparagraph (B), the term ‘higher unemployment period’ means, with respect to any State, the period—

“(i) which begins with the third week after the first week in which the rate of insured unemployment in the State for the period consisting of such week and the immediately preceding 12 weeks equals or exceeds 6.0 percent, and

“(ii) which ends with the third week after the first week in which the rate of insured unemployment in the State for the period consisting of such week and the immediately preceding 12 weeks is less than 6.0 percent;

except that no higher unemployment period shall last for a period of less than 4 weeks.

“(D) For purposes of subparagraph (B), the term ‘high unemployment period’ means, with respect to any State, the period—

“(i) which begins with the third week after the first week in which the rate of insured unemployment in the State for the period consisting of such week and the immediately preceding 12 weeks equals or exceeds 4.5 percent but is less than 6.0 percent, and

“(ii) which ends with the third week after the first week in which the rate of insured unemployment in the State for the period consisting of such week and the immediately preceding 12 weeks is less than 4.5 percent or equals or exceeds 6.0 percent;

26 USC 3304
note.
Ante, p. 2168.

“Higher
unemployment
period.”

“High
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except that no high unemployment period shall last for a period of less than 4 weeks unless such State enters a higher unemployment period or a period described in subparagraph (B)(ii).

“(E) For purposes of subparagraph (B), the term ‘intermediate unemployment period’ means with respect to any State, the period—

“Intermediate unemployment period.”

“(i) which begins with the third week after the first week in which the rate of insured unemployment in the State for the period consisting of such week and the immediately preceding 12 weeks equals or exceeds 3.5 percent but is less than 4.5 percent, and

“(ii) which ends with the third week after the first week in which the rate of insured unemployment in the State for the period consisting of such week and the immediately preceding 12 weeks is less than 3.5 percent or equals or exceeds 4.5 percent; except that no intermediate unemployment period shall last for a period of less than 4 weeks unless such State enters a high unemployment period, a higher unemployment period, or a period described in subparagraph (B) (ii) or (iii).

“(F) For purposes of this subsection, the rate of insured unemployment for any period shall be determined in the same manner as determined for purposes of section 203 of the Federal-State Extended Unemployment Compensation Act of 1970.

26 USC 3304 note.

“(3) The amount of Federal supplemental compensation payable to an eligible individual shall not exceed the amount in such individual’s account established under this subsection.”

26 USC 3304 note.

(b) The amendments made by subsection (a) shall apply to Federal supplemental compensation payable for weeks beginning on or after the date of the enactment of this Act. In the case of any eligible individual to whom any Federal supplemental compensation was payable for any week beginning prior to such date of enactment and who exhausted his rights to such compensation (by reason of the payment of all the amount in his Federal supplemental compensation account) prior to the first week beginning on or after such date of enactment, such individual’s eligibility for additional weeks of compensation by reason of the amendments made by this section shall not be limited or terminated by reason of any event, or failure to meet any requirement of law relating to eligibility for unemployment compensation, occurring after the date of such exhaustion of rights and prior to the date of the enactment of this Act (and such weeks shall not be counted for purposes of determining the expiration of the two years following the end of his benefit year for purposes of section 602(b) of the Tax Equity and Fiscal Responsibility Act of 1982).

Ante, p. 702.

(c) The Secretary of Labor shall, at the earliest practicable date after the date of the enactment of this Act, propose to each State with which he has in effect an agreement under section 602 of the Tax Equity and Fiscal Responsibility Act of 1982 a modification of such agreement designed to provide for the payment of Federal supplemental compensation under such Act in accordance with the amendments made by this Act. Notwithstanding any other provision of law, if any State fails or refuses, within the three-week period beginning on the date the Secretary of Labor proposes such a modification to such State, to enter into such a modification of such agreement, the Secretary of Labor shall terminate such agreement

effective with the end of the last week which ends on or before such three-week period.

Post, p. 2411.

(d) Paragraph (3) of section 602(d) of the Tax Equity and Fiscal Responsibility Act of 1982 (as added by section 310 of the Technical Corrections Act of 1982) is amended by striking out “the number ‘6’, ‘8’, or ‘10’, whichever is applicable” and inserting in lieu thereof “the number applicable”.

SEC. 545. EXCLUSION OF CERTAIN HOME ENERGY ASSISTANCE FROM INCOME UNDER SSI AND AFDC.

42 USC 1382a.

(a) Section 1612(b) of the Social Security Act is amended—

(1) by striking out “and” at the end of paragraph (11);

(2) by striking out the period at the end of paragraph (12) and inserting in lieu thereof “; and”; and

(3) by adding at the end thereof the following new paragraph:

“(13) any assistance received to assist in meeting the costs of home energy, including both heating and cooling, which (as determined under regulations of the Secretary by such State agency as the chief executive officer of the State may designate) (A) is based on need for such assistance, and (B) is (i) assistance furnished in kind by a private nonprofit agency, or (ii) assistance furnished by a supplier of home heating oil or gas, by an entity providing home energy whose revenues are primarily derived on a rate-of-return basis regulated by a State or Federal governmental entity, or by a municipal utility providing home energy.”

42 USC 602.

(b) Section 402(a) of such Act is amended—

(1) by striking out “and” at the end of paragraph (34);

(2) by striking out the period at the end of paragraph (35) and inserting in lieu thereof “; and”; and

(3) by adding at the end thereof the following new paragraph:

“(36) provide, at the option of the State, that in making the determination for any month under paragraph (7) the State agency shall not include as income any assistance received to assist in meeting the costs of home energy, including both heating and cooling, which (as determined under regulations of the Secretary by such State agency as the chief executive officer of the State may designate) (A) is based on need for such assistance, and (B) is (i) assistance furnished in kind by a private nonprofit agency, or (ii) assistance furnished by a supplier of home heating oil or gas, by an entity whose revenues are primarily derived on a rate-of-return basis regulated by a State or Federal governmental entity, or by a municipal utility providing home energy.”

Effective date.
42 USC 602 note.

(c) The amendments made by subsections (a) and (b) shall be effective with respect to home energy assistance received in months beginning on or after the date of the enactment of this Act and prior to July 1, 1985.

Report to Congress.
42 USC 602 note.
42 USC 1382a, 602.

(d) The Secretary of Health and Human Services shall submit a report to the Congress, prior to April 1, 1985, on the implementation and results of the provisions of sections 1612(b)(13) and 402(a)(36) of the Social Security Act, including any recommendations with respect to whether such provisions should be extended in the same or modified form or allowed to expire.

SEC. 546. MODIFICATIONS TO CHLOR-ALKALI ELECTROLYTIC CELLS.

26 USC 48.

(a) Paragraph (5) of section 48(l) (defining specially defined energy property) is amended—