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A BILL

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To amend, on an emergency basis, the District of Columbia Unemployment Compensation Act, to provide that confidential unemployment insurance claim data must be disclosed to the Council upon request in connection with the Council’s official duties when the Council has provided reasonable evidence that the claimant or employing unit has asked a Councilmember or employee of the Council for assistance or when disclosing such information would not disclose personally identifying information.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Constituent Unemployment Compensation Information Emergency Amendment Act of 2021”.

Sec. 2. Section 113(f) of the District of Columbia Unemployment Compensation Act, approved August 28, 1935 (49 Stat 953; D.C. Official Code § 51-113(f)), is amended to read as follows:

“(f)(1) Except as hereinafter otherwise provided, information obtained from any employing unit or individual pursuant to the administration of this Act and determinations as to the benefit rights of any individual shall be held confidential and shall not be disclosed or be open to public inspection in any manner, whether by subpoena or otherwise, revealing the individual’s or employing unit’s identity. Any claimant (or his legal representative) shall be supplied with information from the records of the division, to the extent necessary for the proper presentation of his claim in any proceeding under this Act with respect thereto.

30 “(2)(A) The Director shall promptly disclose information otherwise protected
31 pursuant to paragraph (1) of this subsection upon the request of a Councilmember or employee
32 of the Council of the District of Columbia for use in the performance of the Councilmember or
33 Council employee’s official duties, including agency oversight and constituent services, when:

34 “(i) The Councilmember or employee has provided the Director
35 with reasonable evidence that the individual or employing unit has authorized such disclosure; or

36 “(ii) The information requested would not require the Director to
37 disclose any personally identifying information, as the term is defined in 2 CFR §200.79, about
38 the individual or employing unit.

39 (B) For the purposes of subparagraph (A) of this paragraph, reasonable
40 evidence that an individual or employing unit has authorized disclosure of their otherwise
41 protected information for use in the performance of the Councilmember or employee’s official
42 duties shall include:

43 “(i) A written request from the individual or employing unit for
44 assistance from the Councilmember or Council employee; or

45 “(ii) A contemporaneous written record of a request for assistance
46 from an individual or employing unit that the Councilmember or Council employee who
47 received the request made, which states the medium (telephone, virtual meeting platform, or in-
48 person meeting) the individual or employing unit used to communicate the request and the date
49 and approximate time of the request.

50 “(3) Subject to such restrictions as the Director may by regulation prescribe, the
51 information protected pursuant to paragraph (1) of this subsection may be made available to any
52 agency of this or any other state, or any federal agency, charged with the administration of an

53 unemployment compensation law or the maintenance of a system of public employment offices,
54 or the agency of any state or the federal agency charged with the administration of programs for
55 food stamps, parent locator services and other support or paternity establishment services, public
56 housing, Medicaid, Temporary Assistance for Needy Families, Program on Work, Employment,
57 and Responsibility, and supplemental security income, or the Department of Public Welfare of
58 the government of any state, or the National Directory of New Hires established pursuant to
59 section 316(f) of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996,
60 approved August 22, 1996 (110 Stat. 2209, 42 U.S.C. § 653a), or any District of Columbia State
61 Directory of New Hires established pursuant to section 313(b) of the Personal Responsibility and
62 Work Opportunity Reconciliation Act of 1996, or the United States Accounting Office or the
63 Internal Revenue Service of the United States Department of the Treasury, or the District of
64 Columbia Office of Tax and Revenue, and information obtained in connection with the
65 administration of the employment service may be made available to persons or agencies for
66 purposes appropriate to the operation of a public employment service. Upon request therefor, the
67 Director shall furnish to any agency of the United States charged with the administration of
68 public works or assistance through public employment, and may furnish to any state agency
69 similarly charged, the name, address, ordinary occupation, and employment status of each
70 recipient of benefits and such recipient's rights to further benefits under this Act. The Director
71 may request the Comptroller of the Currency of the United States to cause an examination of the
72 correctness of any return or report of any national banking association rendered pursuant to the
73 provisions of this Act, and may in connection with such request transmit any such report or
74 return to the Comptroller of the Currency of the United States as provided in § 1606(c) of the
75 federal Internal Revenue Code.”.

76 Sec. 3. Fiscal impact statement.

77 The Council adopts the fiscal impact statement of the Budget Director as the fiscal impact
78 statement required by section 4a of the General Legislative Procedures Act of 1975, approved
79 October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

80 Sec. 4. Effective date.

81 This act shall take effect following approval by the Mayor (or in the event of veto by the
82 Mayor, action by the Council to override the veto), and shall remain in effect for no longer than
83 90 days, as provided for emergency acts of the Council of the District of Columbia in section
84 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788;
85 D.C. Official Code § 1-204.12(a)).