To extend the trade adjustment assistance program, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 6, 2014

Mr. Smith of Washington (for himself, Mr. Levin, Mr. Kilmer, Mr. Rangel, Mr. Bera of California, Mr. Blumenauer, Mr. Carney, Mr. Connelly, Mr. Cooper, Mr. Courtney, Mrs. Davis of California, Mr. Delaney, Ms. DelBene, Mr. Gallego, Mr. Garcia, Ms. Hanabusa, Mr. Heck of Washington, Mr. Kind, Ms. Kuster, Mr. Larsen of Washington, Mr. Larson of Connecticut, Mr. Lewis, Mr. Maffei, Mr. Sean Patrick Maloney of New York, Mrs. McCarthy of New York, Mr. McDermott, Mr. Meeks, Mr. Moran, Mr. Murphy of Florida, Mr. Neal, Mr. Pascrell, Mr. Owens, Mr. Polis, Mr. Quigley, Mr. Richmond, Mr. Schneider, Mr. Schrader, Ms. Sewell of Alabama, Ms. Sinema, Mr. Thompson of California, Mr. Himes, and Ms. Esty) introduced the following bill; which was referred to the Committee on Ways and Means

A BILL

To extend the trade adjustment assistance program, and for other purposes.

1 Be it enacted by the Senate and House of Representa-
2 tives of the United States of America in Congress assembled,
3
4 SECTION 1. SHORT TITLE.
5
6 This Act may be cited as the “Trade Adjustment As-
7 sistance Act of 2014”. 
8
TITLE I—APPLICATION OF PROVISIONS RELATING TO TRADE ADJUSTMENT ASSISTANCE

SEC. 101. APPLICATION OF PROVISIONS RELATING TO TRADE ADJUSTMENT ASSISTANCE.

(a) Repeal of Snapback.—Section 233 of the Trade Adjustment Assistance Extension Act of 2011 (Public Law 112–40; 125 Stat. 416) is repealed.

(b) Applicability of Certain Provisions.—Except as otherwise provided in this Act, the provisions of chapters 2 through 6 of title II of the Trade Act of 1974, as in effect on December 31, 2013, and as amended by this Act, shall—

(1) take effect on the date of the enactment of this Act; and

(2) apply to petitions for certification filed under chapter 2, 3, or 6 of title II of the Trade Act of 1974 on or after such date of enactment.

(c) References.—Except as otherwise provided in this Act, whenever in this Act an amendment or repeal is expressed in terms of an amendment to, or repeal of, a provision of chapters 2 through 6 of title II of the Trade Act of 1974, the reference shall be considered to be made to a provision of any such chapter, as in effect on December 31, 2013.
TITLE II—EXTENSION OF TRADE ADJUSTMENT ASSISTANCE PROGRAM

Subtitle A—Extension Provisions

SEC. 201. EXTENSION OF TERMINATION PROVISIONS.
Section 285 of the Trade Act of 1974 (19 U.S.C. 2271 note) is amended by striking “2013” each place it appears and inserting “2020”.

SEC. 202. TRAINING FUNDS.

(1) in clause (i), by striking “and 2013” and inserting “through 2020”; and

(2) in clause (ii), by striking “2013” each place it appears and inserting “2020”.

SEC. 203. REEMPLOYMENT TRADE ADJUSTMENT ASSISTANCE.
Section 246(b)(1) of the Trade Act of 1974 (19 U.S.C. 2318(b)(1)) is amended by striking “2013” and inserting “2020”.

SEC. 204. AUTHORIZATIONS OF APPROPRIATIONS.

(a) TRADE ADJUSTMENT ASSISTANCE FOR WORKERS.—Section 245(a) of the Trade Act of 1974 (19 U.S.C. 2317(a)) is amended by striking “2013” and inserting “2020”.

•HR 4163 IH
(b) Trade Adjustment Assistance for Firms.—

Section 255(a) of the Trade Act of 1974 (19 U.S.C. 2345(a)) is amended—

(1) by striking “$16,000,000” and inserting “$50,000,000”;
(2) by striking “and 2013” and inserting “through 2020”;
(3) by striking “$4,000,000” and inserting “$6,250,000”; and
(4) by striking “October 1, 2013, and ending on December 31, 2013” and inserting “October 1, 2020, and ending on December 31, 2020”.

(c) Trade Adjustment Assistance for Communities.—Section 272(a) of the Trade Act of 1974 (19 U.S.C. 2372(a)) is amended—

(1) by striking “and 2010” and inserting “through 2020”; and
(2) by striking “October 1, 2010, and ending December 31, 2010” and inserting “October 1, 2020, and ending December 31, 2020”.

(d) Trade Adjustment Assistance for Farmers.—Section 298(a) of the Trade Act of 1974 (19 U.S.C. 2401g(a)) is amended—

(1) by striking “and 2013” and inserting “through 2020”; and
(2) by striking “October 1, 2013, and ending
on December 31, 2013” and inserting “October 1,
2020, and ending on December 31, 2020”.

Subtitle B—Other Provisions

SEC. 211. EXTENSION OF TRADE ADJUSTMENT ASSISTANCE
TO PUBLIC AGENCY WORKERS.

(a) DEFINITIONS.—Section 247 of the Trade Act of
1974 (19 U.S.C. 2319) is amended—

(1) in paragraph (3)—

(A) in the matter preceding subparagraph

(A), by striking “The” and inserting “Subject
to section 222(d)(5), the”; and

(B) in subparagraph (A), by striking “or
service sector firm” and inserting “, service sec-
tor firm, or public agency”; and

(2) by adding at the end the following:

“(19) The term ‘public agency’ means a depart-
ment or agency of a State or local government or of
the Federal Government, or a subdivision thereof.”.

(b) GROUP ELIGIBILITY REQUIREMENTS.—Section
222 of the Trade Act of 1974 (19 U.S.C. 2272) is amend-
ed—

(1) by redesignating subsections (e), (d), and
(e) as subsections (d), (e), and (f), respectively;
(2) by inserting after subsection (b) the follow-
ing:

“(c) Adversely Affected Workers in Public
Agencies.—A group of workers in a public agency shall
be certified by the Secretary as eligible to apply for adjust-
ment assistance under this chapter pursuant to a petition
filed under section 221 if the Secretary determines that—

“(1) a significant number or proportion of the
workers in the public agency have become totally or
partially separated, or are threatened to become to-
tally or partially separated;

“(2) the public agency has acquired from a for-
egn country services like or directly competitive with
services which are supplied by such agency; and

“(3) the acquisition of services described in
paragraph (2) contributed importantly to such work-
ers’ separation or threat of separation.”;

(3) in subsection (d) (as redesignated), by add-
ing at the end the following:

“(5) Reference to Firm.—For purposes of
subsections (a) and (b), the term ‘firm’ does not in-
clude a public agency.”; and

(4) in paragraph (2) of subsection (e) (as redes-
ignated), by striking “subsection (a) or (b)” and in-
serting “subsection (a), (b), or (e)”. 
SEC. 212. LIMITATIONS ON TRADE READJUSTMENT ALLOWANCES.

(a) LIMITATIONS.—Section 233(a) of the Trade Act of 1974 (19 U.S.C. 2293(a)) is amended—

(1) in paragraph (2), in the matter preceding subparagraph (A), by inserting after “104-week period” the following: “(or, in the case of an adversely affected worker who requires a program of remedial education (as described in section 236(a)(5)(D)) or a program of prerequisite education (as described in section 236(a)(5)(E)) in order to complete training approved for the worker under section 236, the 130-week period)”;

and

(2) in paragraph (3), in the matter preceding subparagraph (A), by striking “65 additional weeks” and inserting “78 additional weeks”.

(b) PAYMENT OF TRADE READJUSTMENT ALLOWANCES TO COMPLETE TRAINING.—Section 233(f) of the Trade Act of 1974 (19 U.S.C. 2293(f)) is amended by striking “13” each place it appears and inserting “26”.

SEC. 213. JOB SEARCH AND RELOCATION ALLOWANCES.

(a) JOB SEARCH ALLOWANCES.—Section 237 of the Trade Act of 1974 (19 U.S.C. 2297) is amended—

(1) in subsection (a)(1)—

(A) by striking “Each State” and all that follows through “an adversely affected worker”
and inserting “An adversely affected worker”; and

(B) by striking “to file” and inserting “may file”; and

(2) in subsection (b)—

(A) in paragraph (1), by striking “not more than 90 percent” and inserting “100 percent”; and

(B) in paragraph (2), by striking “$1,250” and inserting “$1,500”.

(b) RELOCATION ALLOWANCES.—Section 238 of the Trade Act of 1974 (19 U.S.C. 2298) is amended—

(1) in subsection (a)(1)—

(A) by striking “Each State” and all that follows through “an adversely affected worker” and inserting “An adversely affected worker”; and

(B) by striking “to file” and inserting “may file”; and

(2) in subsection (b)—

(A) in paragraph (1), by striking “not more than 90 percent” and inserting “100 percent”; and

(B) in paragraph (2), by striking “$1,250” and inserting “$1,500”.
SEC. 214. REEMPLOYMENT TRADE ADJUSTMENT ASSISTANCE PROGRAM.

Section 246(a) of the Trade Act of 1974 (19 U.S.C. 2318(a)) is amended—

(1) in paragraph (3)(B)(ii), by striking “$50,000” and inserting “$55,000”; and

(2) in paragraph (5), by striking “$10,000” each place it appears and inserting “$12,000”.

TITLE III—GENERAL PROVISIONS

SEC. 301. APPLICABILITY OF TRADE ADJUSTMENT ASSISTANCE PROVISIONS.

(a) Trade Adjustment Assistance for Workers.—

(1) Petitions filed on or after January 1, 2014, and before date of enactment.—

(A) Certifications of workers not certified before date of enactment.—

(i) Criteria if a determination has not been made.—If, as of the date of the enactment of this Act, the Secretary of Labor has not made a determination with respect to whether to certify a group of workers as eligible to apply for adjustment assistance under section 222 of the Trade Act of 1974 pursuant to a petition...
described in clause (iii), the Secretary shall make that determination based on the requirements of section 222 of the Trade Act of 1974, as in effect on such date of enactment.

(ii) Reconsideration of Denials of Certifications.—If, before the date of the enactment of this Act, the Secretary made a determination not to certify a group of workers as eligible to apply for adjustment assistance under section 222 of the Trade Act of 1974 pursuant to a petition described in clause (iii), the Secretary shall—

(I) reconsider that determination;

and

(II) if the group of workers meets the requirements of section 222 of the Trade Act of 1974, as in effect on such date of enactment, certify the group of workers as eligible to apply for adjustment assistance.

(iii) Petition Described.—A petition described in this clause is a petition for a certification of eligibility for a group
of workers filed under section 221 of the Trade Act of 1974 on or after January 1, 2014, and before the date of the enactment of this Act.

(B) ELIGIBILITY FOR BENEFITS.—

(i) IN GENERAL.—Except as provided in clause (ii), a worker certified as eligible to apply for adjustment assistance under section 222 of the Trade Act of 1974 pursuant to a petition described in subparagraph (A)(iii) shall be eligible, on and after the date of the enactment of this Act, to receive benefits only under the provisions of chapter 2 of title II of the Trade Act of 1974, as in effect on such date of enactment.

(ii) COMPUTATION OF MAXIMUM BENEFITS.—Benefits received by a worker described in clause (i) under chapter 2 of title II of the Trade Act of 1974 before the date of the enactment of this Act shall be included in any determination of the maximum benefits for which the worker is eligible under the provisions of chapter 2 of title II of the Trade Act of 1974, as in ef-
fect on the date of the enactment of this Act.

(2) Petitions filed before January 1, 2014.—A worker certified as eligible to apply for adjustment assistance pursuant to a petition filed under section 221 of the Trade Act of 1974 on or before December 31, 2013, shall continue to be eligible to apply for and receive benefits under the provisions of chapter 2 of title II of such Act, as in effect on December 31, 2013.

(3) Qualifying separations with respect to petitions filed within 90 days of date of enactment.—Section 223(b) of the Trade Act of 1974, as in effect on the date of the enactment of this Act, shall be applied and administered by substituting “before January 1, 2014” for “more than one year before the date of the petition on which such certification was granted” for purposes of determining whether a worker is eligible to apply for adjustment assistance pursuant to a petition filed under section 221 of the Trade Act of 1974 on or after the date of the enactment of this Act and on or before the date that is 90 days after such date of enactment.

(b) Trade Adjustment Assistance for Firms.—
(1) Certification of firms not certified before date of enactment.—

(A) Criteria if a determination has not been made.—If, as of the date of the enactment of this Act, the Secretary of Commerce has not made a determination with respect to whether to certify a firm as eligible to apply for adjustment assistance under section 251 of the Trade Act of 1974 pursuant to a petition described in subparagraph (C), the Secretary shall make that determination based on the requirements of section 251 of the Trade Act of 1974, as in effect on such date of enactment.

(B) Reconsideration of denial of certain petitions.—If, before the date of the enactment of this Act, the Secretary made a determination not to certify a firm as eligible to apply for adjustment assistance under section 251 of the Trade Act of 1974 pursuant to a petition described in subparagraph (C), the Secretary shall—

(i) reconsider that determination; and

(ii) if the firm meets the requirements of section 251 of the Trade Act of 1974, as in effect on such date of enactment, cer-
tify the firm as eligible to apply for adjustment assistance.

(C) PETITION DESCRIBED.—A petition described in this subparagraph is a petition for a certification of eligibility filed by a firm or its representative under section 251 of the Trade Act of 1974 on or after January 1, 2014, and before the date of the enactment of this Act.

(2) CERTIFICATION OF FIRMS THAT DID NOT SUBMIT PETITIONS BETWEEN JANUARY 1, 2014, AND DATE OF ENACTMENT.—

(A) IN GENERAL.—The Secretary of Commerce shall certify a firm described in subparagraph (B) as eligible to apply for adjustment assistance under section 251 of the Trade Act of 1974, as in effect on the date of the enactment of this Act, if the firm or its representative files a petition for a certification of eligibility under section 251 of the Trade Act of 1974 not later than 90 days after such date of enactment.

(B) FIRM DESCRIBED.—A firm described in this subparagraph is a firm that the Secretary determines would have been certified as eligible to apply for adjustment assistance if—
(i) the firm or its representative had filed a petition for a certification of eligibility under section 251 of the Trade Act of 1974 on a date during the period beginning on January 1, 2014, and ending on the day before the date of the enactment of this Act; and

(ii) the provisions of chapter 3 of title II of the Trade Act of 1974, as in effect on such date of enactment, had been in effect on that date during the period described in clause (i).

SEC. 302. SUNSET PROVISIONS.

(a) APPLICATION OF PRIOR LAW.—Subject to subsection (b), beginning on January 1, 2021, the provisions of chapters 2, 3, 5, and 6 of title II of the Trade Act of 1974 (19 U.S.C. 2271 et seq.), as in effect on January 1, 2014, shall be in effect and apply, except that in applying and administering such chapters—

(1) paragraph (1) of section 231(c) of that Act shall be applied and administered as if subparagraphs (A), (B), and (C) of that paragraph were not in effect;

(2) section 233 of that Act shall be applied and administered—

HR 4163 IH
(A) in subsection (a)—

(i) in paragraph (2), by substituting

“104-week period” for “104-week period”

and all that follows through “130-week pe-

period”); and

(ii) in paragraph (3)—

(I) in the matter preceding sub-

paragraph (A), by substituting “65”

for “52”; and

(II) by substituting “78-week pe-

period” for “52-week period” each place

it appears; and

(B) by applying and administering sub-

section (g) as if it read as follows:

“(g) PAYMENT OF TRADE READJUSTMENT ALLOW-

ANCES TO COMPLETE TRAINING.—Notwithstanding any

other provision of this section, in order to assist an ad-

versely affected worker to complete training approved for

the worker under section 236 that leads to the completion

of a degree or industry-recognized credential, payments

may be made as trade readjustment allowances for not

more than 13 weeks within such period of eligibility as

the Secretary may prescribe to account for a break in

training or for justifiable cause that follows the last week
for which the worker is otherwise entitled to a trade read-
justment allowance under this chapter if—

“(1) payment of the trade readjustment allow-
ance for not more than 13 weeks is necessary for the
worker to complete the training;

“(2) the worker participates in training in each
such week; and

“(3) the worker—

“(A) has substantially met the perform-
ance benchmarks established as part of the
training approved for the worker;

“(B) is expected to continue to make
progress toward the completion of the training;
and

“(C) will complete the training during that
period of eligibility.”;

(3) section 245(a) of that Act shall be applied
and administered by substituting “2021” for
“2007”;

(4) section 246(b)(1) of that Act shall be ap-
plied and administered by substituting “December
31, 2021” for “the date that is 5 years” and all that
follows through “State”;

(5) section 256(b) of that Act shall be applied
and administered by substituting “the 1-year period
beginning on January 1, 2021” for “each of fiscal
years 2003 through 2007, and $4,000,000 for the 3-
month period beginning on October 1, 2007”;

(6) section 298(a) of that Act shall be applied
and administered by substituting “the 1-year period
beginning on January 1, 2021” for “each of the fis-
cal years” and all that follows through “October 1,
2007”; and

(7) section 285 of that Act shall be applied and
administered—

(A) in subsection (a), by substituting
“2021” for “2007” each place it appears; and

(B) by applying and administering sub-
section (b) as if it read as follows:

“(b) Other Assistance.—

“(1) Assistance for Firms.—

“(A) In general.—Except as provided in
subsection (B), assistance may not be pro-
vided under chapter 3 after December 31,
2021.

“(B) Exception.—Notwithstanding sub-
paragraph (A), any assistance approved under
chapter 3 on or before December 31, 2021, may
be provided—
“(i) to the extent funds are available pursuant to such chapter for such purpose; and

“(ii) to the extent the recipient of the assistance is otherwise eligible to receive such assistance.

“(2) FARMERS.—

“(A) IN GENERAL.—Except as provided in subparagraph (B), assistance may not be provided under chapter 6 after December 31, 2021.

“(B) EXCEPTION.—Notwithstanding subparagraph (A), any assistance approved under chapter 6 on or before December 31, 2021, may be provided—

“(i) to the extent funds are available pursuant to such chapter for such purpose; and

“(ii) to the extent the recipient of the assistance is otherwise eligible to receive such assistance.”.

(b) EXCEPTIONS.—The provisions of chapters 2, 3, 5, and 6 of title II of the Trade Act of 1974, as in effect on the date of the enactment of this Act, shall continue to apply on and after January 1, 2021, with respect to—
(1) workers certified as eligible for trade adjustment assistance benefits under chapter 2 of title II of that Act pursuant to petitions filed under section 221 of that Act before January 1, 2021;

(2) firms certified as eligible for technical assistance or grants under chapter 3 of title II of that Act pursuant to petitions filed under section 251 of that Act before January 1, 2021; and

(3) agricultural commodity producers certified as eligible for technical or financial assistance under chapter 6 of title II of that Act pursuant to petitions filed under section 292 of that Act before January 1, 2021.

TITLE IV—HEALTH COVERAGE TAX CREDIT

SEC. 401. EXTENSION AND MODIFICATION OF HEALTH COVERAGE TAX CREDIT.

(a) Extension.—Subparagraph (B) of section 35(b)(1) of the Internal Revenue Code of 1986 is amended by striking “before January 1, 2014” and inserting “before January 1, 2021”.

(b) Increase.—Subsection (a) of section 35 of such Code is amended by striking “72.5 percent” and inserting “80 percent”.

•HR 4163 IH
(c) Coordination With PPACA Credit for Coverage Under a Qualified Health Plan.—

(1) In general.—(A) Subsection (a) of section 35 of such Code is amended by inserting “who elects the application of this section for the taxable year” after “In the case of an individual”.

(B) Paragraph (10) of section 35(g) of such Code (relating to regulations) is amended by redesignating such paragraph as paragraph (12) and by inserting before such paragraph (as so redesignated) the following new paragraph:

“(11) Coordination with premium tax credit.—

“(A) In general.—In the case of a taxpayer who elects the application of this section for any taxable year, no credit shall be allowed under section 36B with respect to such taxpayer for such taxable year.

“(B) Election.—Any election for this section to apply for a taxable year, once made, shall be irrevocable.”.

(2) Advance Payment.—Section 7527 of such Code is amended by adding at the end the following new subsection:
“(f) Coordination With Advance Payment of Premium Tax Credit.—No payment shall be made under this section on behalf of any individual with respect to whom for the taxable year any advance payment is made under section 1412 of the Patient Protection and Affordable Care Act.”

(3) Procedures.—The Secretary of the Treasury shall issue such procedures and guidance as may be necessary or appropriate to coordinate, and facilitate taxpayer choices between, advance payments under section 7527 of the Internal Revenue Code of 1986 and section 1412 of the Patient Protection and Affordable Care Act.

(d) Health Plans Offered Through Exchange Treated as Qualified Health Insurance.—Paragraph (1) of section 35(e) of such Code is amended by adding at the end the following new subparagraph:

“(L) Coverage under a qualified health plan which was enrolled in through an Exchange established by a State under section 1311 of the Patient Protection and Affordable Care Act.”.

(e) Effective Date.—
(1) IN GENERAL.—The amendments made by this section shall apply to coverage months beginning after December 31, 2013.

(2) ADVANCE PAYMENT PROVISIONS.—The amendment made by subsection (c)(2) shall apply to certificates issued after the date of the enactment of this Act.