

113TH CONGRESS
2D SESSION

H. R. 4163

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. CONNOLLY, Mr. COOPER, Mr. COURTNEY, Mrs. DAVIS of California, Mr. DELANEY, Ms. DELBENE, Mr. GALLEG0, 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 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Trade Adjustment As-
5 sistance Act of 2014”.

1 **TITLE I—APPLICATION OF PRO-**
2 **VISIONS RELATING TO TRADE**
3 **ADJUSTMENT ASSISTANCE**

4 **SEC. 101. APPLICATION OF PROVISIONS RELATING TO**
5 **TRADE ADJUSTMENT ASSISTANCE.**

6 (a) REPEAL OF SNAPBACK.—Section 233 of the
7 Trade Adjustment Assistance Extension Act of 2011
8 (Public Law 112–40; 125 Stat. 416) is repealed.

9 (b) APPLICABILITY OF CERTAIN PROVISIONS.—Ex-
10 cept as otherwise provided in this Act, the provisions of
11 chapters 2 through 6 of title II of the Trade Act of 1974,
12 as in effect on December 31, 2013, and as amended by
13 this Act, shall—

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

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

19 (c) REFERENCES.—Except as otherwise provided in
20 this Act, whenever in this Act an amendment or repeal
21 is expressed in terms of an amendment to, or repeal of,
22 a provision of chapters 2 through 6 of title II of the Trade
23 Act of 1974, the reference shall be considered to be made
24 to a provision of any such chapter, as in effect on Decem-
25 ber 31, 2013.

1 **TITLE II—EXTENSION OF TRADE**
2 **ADJUSTMENT ASSISTANCE**
3 **PROGRAM**

4 **Subtitle A—Extension Provisions**

5 **SEC. 201. EXTENSION OF TERMINATION PROVISIONS.**

6 Section 285 of the Trade Act of 1974 (19 U.S.C.
7 2271 note) is amended by striking “2013” each place it
8 appears and inserting “2020”.

9 **SEC. 202. TRAINING FUNDS.**

10 Section 236(a)(2)(A) of the Trade Act of 1974 (19
11 U.S.C. 2296(a)(2)(A)) is amended—

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

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

16 **SEC. 203. REEMPLOYMENT TRADE ADJUSTMENT ASSIST-**
17 **ANCE.**

18 Section 246(b)(1) of the Trade Act of 1974 (19
19 U.S.C. 2318(b)(1)) is amended by striking “2013” and
20 inserting “2020”.

21 **SEC. 204. AUTHORIZATIONS OF APPROPRIATIONS.**

22 (a) TRADE ADJUSTMENT ASSISTANCE FOR WORK-
23 ERS.—Section 245(a) of the Trade Act of 1974 (19 U.S.C.
24 2317(a)) is amended by striking “2013” and inserting
25 “2020”.

1 (b) TRADE ADJUSTMENT ASSISTANCE FOR FIRMS.—
2 Section 255(a) of the Trade Act of 1974 (19 U.S.C.
3 2345(a)) is amended—

4 (1) by striking “\$16,000,000” and inserting
5 “\$50,000,000”;

6 (2) by striking “and 2013” and inserting
7 “through 2020”;

8 (3) by striking “\$4,000,000” and inserting
9 “\$6,250,000”; and

10 (4) by striking “October 1, 2013, and ending
11 on December 31, 2013” and inserting “October 1,
12 2020, and ending on December 31, 2020”.

13 (c) TRADE ADJUSTMENT ASSISTANCE FOR COMMU-
14 NITIES.—Section 272(a) of the Trade Act of 1974 (19
15 U.S.C. 2372(a)) is amended—

16 (1) by striking “and 2010” and inserting
17 “through 2020”; and

18 (2) by striking “October 1, 2010, and ending
19 December 31, 2010” and inserting “October 1,
20 2020, and ending December 31, 2020”.

21 (d) TRADE ADJUSTMENT ASSISTANCE FOR FARM-
22 ERS.—Section 298(a) of the Trade Act of 1974 (19 U.S.C.
23 2401g(a)) is amended—

24 (1) by striking “and 2013” and inserting
25 “through 2020”; and

1 (2) by striking “October 1, 2013, and ending
2 on December 31, 2013” and inserting “October 1,
3 2020, and ending on December 31, 2020”.

4 **Subtitle B—Other Provisions**

5 **SEC. 211. EXTENSION OF TRADE ADJUSTMENT ASSISTANCE** 6 **TO PUBLIC AGENCY WORKERS.**

7 (a) DEFINITIONS.—Section 247 of the Trade Act of
8 1974 (19 U.S.C. 2319) is amended—

9 (1) in paragraph (3)—

10 (A) in the matter preceding subparagraph
11 (A), by striking “The” and inserting “Subject
12 to section 222(d)(5), the”; and

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

16 (2) by adding at the end the following:

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

20 (b) GROUP ELIGIBILITY REQUIREMENTS.—Section
21 222 of the Trade Act of 1974 (19 U.S.C. 2272) is amend-
22 ed—

23 (1) by redesignating subsections (c), (d), and
24 (e) as subsections (d), (e), and (f), respectively;

1 (2) by inserting after subsection (b) the fol-
2 lowing:

3 “(c) ADVERSELY AFFECTED WORKERS IN PUBLIC
4 AGENCIES.—A group of workers in a public agency shall
5 be certified by the Secretary as eligible to apply for adjust-
6 ment assistance under this chapter pursuant to a petition
7 filed under section 221 if the Secretary determines that—

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

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

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

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

20 “(5) REFERENCE TO FIRM.—For purposes of
21 subsections (a) and (b), the term ‘firm’ does not in-
22 clude a public agency.”; and

23 (4) in paragraph (2) of subsection (e) (as reded-
24 ignated), by striking “subsection (a) or (b)” and in-
25 serting “subsection (a), (b), or (c)”.

1 **SEC. 212. LIMITATIONS ON TRADE READJUSTMENT ALLOW-**
 2 **ANCES.**

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

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

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

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

21 **SEC. 213. JOB SEARCH AND RELOCATION ALLOWANCES.**

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

24 (1) in subsection (a)(1)—

25 (A) by striking “Each State” and all that
 26 follows through “an adversely affected worker”

1 and inserting “An adversely affected worker”;
2 and

3 (B) by striking “to file” and inserting
4 “may file”; and
5 (2) in subsection (b)—

6 (A) in paragraph (1), by striking “not
7 more than 90 percent” and inserting “100 per-
8 cent”; and

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

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

13 (1) in subsection (a)(1)—

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

18 (B) by striking “to file” and inserting
19 “may file”; and
20 (2) in subsection (b)—

21 (A) in paragraph (1), by striking “not
22 more than 90 percent” and inserting “100 per-
23 cent”; and

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

1 **SEC. 214. REEMPLOYMENT TRADE ADJUSTMENT ASSIST-**
 2 **ANCE PROGRAM.**

3 Section 246(a) of the Trade Act of 1974 (19 U.S.C.
 4 2318(a)) is amended—

5 (1) in paragraph (3)(B)(ii), by striking
 6 “\$50,000” and inserting “\$55,000”; and

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

9 **TITLE III—GENERAL**
 10 **PROVISIONS**

11 **SEC. 301. APPLICABILITY OF TRADE ADJUSTMENT ASSIST-**
 12 **ANCE PROVISIONS.**

13 (a) TRADE ADJUSTMENT ASSISTANCE FOR WORK-
 14 ERS.—

15 (1) PETITIONS FILED ON OR AFTER JANUARY 1,
 16 2014, AND BEFORE DATE OF ENACTMENT.—

17 (A) CERTIFICATIONS OF WORKERS NOT
 18 CERTIFIED BEFORE DATE OF ENACTMENT.—

19 (i) CRITERIA IF A DETERMINATION
 20 HAS NOT BEEN MADE.—If, as of the date
 21 of the enactment of this Act, the Secretary
 22 of Labor has not made a determination
 23 with respect to whether to certify a group
 24 of workers as eligible to apply for adjust-
 25 ment assistance under section 222 of the
 26 Trade Act of 1974 pursuant to a petition

1 described in clause (iii), the Secretary shall
2 make that determination based on the re-
3 quirements of section 222 of the Trade Act
4 of 1974, as in effect on such date of enact-
5 ment.

6 (ii) RECONSIDERATION OF DENIALS
7 OF CERTIFICATIONS.—If, before the date
8 of the enactment of this Act, the Secretary
9 made a determination not to certify a
10 group of workers as eligible to apply for
11 adjustment assistance under section 222 of
12 the Trade Act of 1974 pursuant to a peti-
13 tion described in clause (iii), the Secretary
14 shall—

15 (I) reconsider that determination;

16 and

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

23 (iii) PETITION DESCRIBED.—A peti-
24 tion described in this clause is a petition
25 for a certification of eligibility for a group

1 of workers filed under section 221 of the
2 Trade Act of 1974 on or after January 1,
3 2014, and before the date of the enactment
4 of this Act.

5 (B) ELIGIBILITY FOR BENEFITS.—

6 (i) IN GENERAL.—Except as provided
7 in clause (ii), a worker certified as eligible
8 to apply for adjustment assistance under
9 section 222 of the Trade Act of 1974 pur-
10 suant to a petition described in subpara-
11 graph (A)(iii) shall be eligible, on and after
12 the date of the enactment of this Act, to
13 receive benefits only under the provisions
14 of chapter 2 of title II of the Trade Act of
15 1974, as in effect on such date of enact-
16 ment.

17 (ii) COMPUTATION OF MAXIMUM BEN-
18 EFITS.—Benefits received by a worker de-
19 scribed in clause (i) under chapter 2 of
20 title II of the Trade Act of 1974 before the
21 date of the enactment of this Act shall be
22 included in any determination of the max-
23 imum benefits for which the worker is eli-
24 gible under the provisions of chapter 2 of
25 title II of the Trade Act of 1974, as in ef-

1 fect on the date of the enactment of this
2 Act.

3 (2) PETITIONS FILED BEFORE JANUARY 1,
4 2014.—A worker certified as eligible to apply for ad-
5 justment assistance pursuant to a petition filed
6 under section 221 of the Trade Act of 1974 on or
7 before December 31, 2013, shall continue to be eligi-
8 ble to apply for and receive benefits under the provi-
9 sions of chapter 2 of title II of such Act, as in effect
10 on December 31, 2013.

11 (3) QUALIFYING SEPARATIONS WITH RESPECT
12 TO PETITIONS FILED WITHIN 90 DAYS OF DATE OF
13 ENACTMENT.—Section 223(b) of the Trade Act of
14 1974, as in effect on the date of the enactment of
15 this Act, shall be applied and administered by sub-
16 stituting “before January 1, 2014” for “more than
17 one year before the date of the petition on which
18 such certification was granted” for purposes of de-
19 termining whether a worker is eligible to apply for
20 adjustment assistance pursuant to a petition filed
21 under section 221 of the Trade Act of 1974 on or
22 after the date of the enactment of this Act and on
23 or before the date that is 90 days after such date
24 of enactment.

25 (b) TRADE ADJUSTMENT ASSISTANCE FOR FIRMS.—

1 (1) CERTIFICATION OF FIRMS NOT CERTIFIED
2 BEFORE DATE OF ENACTMENT.—

3 (A) CRITERIA IF A DETERMINATION HAS
4 NOT BEEN MADE.—If, as of the date of the en-
5 actment of this Act, the Secretary of Commerce
6 has not made a determination with respect to
7 whether to certify a firm as eligible to apply for
8 adjustment assistance under section 251 of the
9 Trade Act of 1974 pursuant to a petition de-
10 scribed in subparagraph (C), the Secretary shall
11 make that determination based on the require-
12 ments of section 251 of the Trade Act of 1974,
13 as in effect on such date of enactment.

14 (B) RECONSIDERATION OF DENIAL OF
15 CERTAIN PETITIONS.—If, before the date of the
16 enactment of this Act, the Secretary made a de-
17 termination not to certify a firm as eligible to
18 apply for adjustment assistance under section
19 251 of the Trade Act of 1974 pursuant to a pe-
20 tition described in subparagraph (C), the Sec-
21 retary shall—

22 (i) reconsider that determination; and
23 (ii) if the firm meets the requirements
24 of section 251 of the Trade Act of 1974,
25 as in effect on such date of enactment, cer-

1 tify the firm as eligible to apply for adjust-
2 ment assistance.

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

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

12 (A) IN GENERAL.—The Secretary of Com-
13 merce shall certify a firm described in subpara-
14 graph (B) as eligible to apply for adjustment
15 assistance under section 251 of the Trade Act
16 of 1974, as in effect on the date of the enact-
17 ment of this Act, if the firm or its representa-
18 tive files a petition for a certification of eligi-
19 bility under section 251 of the Trade Act of
20 1974 not later than 90 days after such date of
21 enactment.

22 (B) FIRM DESCRIBED.—A firm described
23 in this subparagraph is a firm that the Sec-
24 retary determines would have been certified as
25 eligible to apply for adjustment assistance if—

1 (i) the firm or its representative had
2 filed a petition for a certification of eligi-
3 bility under section 251 of the Trade Act
4 of 1974 on a date during the period begin-
5 ning on January 1, 2014, and ending on
6 the day before the date of the enactment
7 of this Act; and

8 (ii) the provisions of chapter 3 of title
9 II of the Trade Act of 1974, as in effect
10 on such date of enactment, had been in ef-
11 fect on that date during the period de-
12 scribed in clause (i).

13 **SEC. 302. SUNSET PROVISIONS.**

14 (a) APPLICATION OF PRIOR LAW.—Subject to sub-
15 section (b), beginning on January 1, 2021, the provisions
16 of chapters 2, 3, 5, and 6 of title II of the Trade Act
17 of 1974 (19 U.S.C. 2271 et seq.), as in effect on January
18 1, 2014, shall be in effect and apply, except that in apply-
19 ing and administering such chapters—

20 (1) paragraph (1) of section 231(c) of that Act
21 shall be applied and administered as if subpara-
22 graphs (A), (B), and (C) of that paragraph were not
23 in effect;

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

1 (A) in subsection (a)—

2 (i) in paragraph (2), by substituting
3 “104-week period” for “104-week period”
4 and all that follows through “130-week pe-
5 riod)”; and

6 (ii) in paragraph (3)—

7 (I) in the matter preceding sub-
8 paragraph (A), by substituting “65”
9 for “52”; and

10 (II) by substituting “78-week pe-
11 riod” for “52-week period” each place
12 it appears; and

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

15 “(g) PAYMENT OF TRADE READJUSTMENT ALLOW-
16 ANCES TO COMPLETE TRAINING.—Notwithstanding any
17 other provision of this section, in order to assist an ad-
18 versely affected worker to complete training approved for
19 the worker under section 236 that leads to the completion
20 of a degree or industry-recognized credential, payments
21 may be made as trade readjustment allowances for not
22 more than 13 weeks within such period of eligibility as
23 the Secretary may prescribe to account for a break in
24 training or for justifiable cause that follows the last week

1 for which the worker is otherwise entitled to a trade read-
2 justment allowance under this chapter if—

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

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

8 “(3) the worker—

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

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

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

17 (3) section 245(a) of that Act shall be applied
18 and administered by substituting “2021” for
19 “2007”;

20 (4) section 246(b)(1) of that Act shall be ap-
21 plied and administered by substituting “December
22 31, 2021” for “the date that is 5 years” and all that
23 follows through “State”;

24 (5) section 256(b) of that Act shall be applied
25 and administered by substituting “the 1-year period

1 beginning on January 1, 2021” for “each of fiscal
2 years 2003 through 2007, and \$4,000,000 for the 3-
3 month period beginning on October 1, 2007”;

4 (6) section 298(a) of that Act shall be applied
5 and administered by substituting “the 1-year period
6 beginning on January 1, 2021” for “each of the fis-
7 cal years” and all that follows through “October 1,
8 2007”; and

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

11 (A) in subsection (a), by substituting
12 “2021” for “2007” each place it appears; and

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

15 “(b) OTHER ASSISTANCE.—

16 “(1) ASSISTANCE FOR FIRMS.—

17 “(A) IN GENERAL.—Except as provided in
18 subparagraph (B), assistance may not be pro-
19 vided under chapter 3 after December 31,
20 2021.

21 “(B) EXCEPTION.—Notwithstanding sub-
22 paragraph (A), any assistance approved under
23 chapter 3 on or before December 31, 2021, may
24 be provided—

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

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

7 “(2) FARMERS.—

8 “(A) IN GENERAL.—Except as provided in
9 subparagraph (B), assistance may not be pro-
10 vided under chapter 6 after December 31,
11 2021.

12 “(B) EXCEPTION.—Notwithstanding sub-
13 paragraph (A), any assistance approved under
14 chapter 6 on or before December 31, 2021, may
15 be provided—

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

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

22 (b) EXCEPTIONS.—The provisions of chapters 2, 3,
23 5, and 6 of title II of the Trade Act of 1974, as in effect
24 on the date of the enactment of this Act, shall continue
25 to apply on and after January 1, 2021, with respect to—

1 (1) workers certified as eligible for trade adjust-
 2 ment assistance benefits under chapter 2 of title II
 3 of that Act pursuant to petitions filed under section
 4 221 of that Act before January 1, 2021;

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

9 (3) agricultural commodity producers certified
 10 as eligible for technical or financial assistance under
 11 chapter 6 of title II of that Act pursuant to petitions
 12 filed under section 292 of that Act before January
 13 1, 2021.

14 **TITLE IV—HEALTH COVERAGE** 15 **TAX CREDIT**

16 **SEC. 401. EXTENSION AND MODIFICATION OF HEALTH COV-** 17 **ERAGE TAX CREDIT.**

18 (a) EXTENSION.—Subparagraph (B) of section
 19 35(b)(1) of the Internal Revenue Code of 1986 is amended
 20 by striking “before January 1, 2014” and inserting “be-
 21 fore January 1, 2021”.

22 (b) INCREASE.—Subsection (a) of section 35 of such
 23 Code is amended by striking “72.5 percent” and inserting
 24 “80 percent”.

1 (c) COORDINATION WITH PPACA CREDIT FOR COV-
2 ERAGE UNDER A QUALIFIED HEALTH PLAN.—

3 (1) IN GENERAL.—(A) Subsection (a) of section
4 35 of such Code is amended by inserting “who elects
5 the application of this section for the taxable year”
6 after “In the case of an individual”.

7 (B) Paragraph (10) of section 35(g) of such
8 Code (relating to regulations) is amended by redesignig-
9 nating such paragraph as paragraph (12) and by in-
10 serting before such paragraph (as so redesignated)
11 the following new paragraph:

12 “(11) COORDINATION WITH PREMIUM TAX
13 CREDIT.—

14 “(A) IN GENERAL.—In the case of a tax-
15 payer who elects the application of this section
16 for any taxable year, no credit shall be allowed
17 under section 36B with respect to such tax-
18 payer for such taxable year.

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

22 (2) ADVANCE PAYMENT.—Section 7527 of such
23 Code is amended by adding at the end the following
24 new subsection:

1 “(f) COORDINATION WITH ADVANCE PAYMENT OF
2 PREMIUM TAX CREDIT.—No payment shall be made
3 under this section on behalf of any individual with respect
4 to whom for the taxable year any advance payment is
5 made under section 1412 of the Patient Protection and
6 Affordable Care Act.”.

7 (3) PROCEDURES.—The Secretary of the Treas-
8 ury shall issue such procedures and guidance as may
9 be necessary or appropriate to coordinate, and facili-
10 tate taxpayer choices between, advance payments
11 under section 7527 of the Internal Revenue Code of
12 1986 and section 1412 of the Patient Protection and
13 Affordable Care Act.

14 (d) HEALTH PLANS OFFERED THROUGH EXCHANGE
15 TREATED AS QUALIFIED HEALTH INSURANCE.—Para-
16 graph (1) of section 35(e) of such Code is amended by
17 adding at the end the following new subparagraph:

18 “(L) Coverage under a qualified health
19 plan which was enrolled in through an Ex-
20 change established by a State under section
21 1311 of the Patient Protection and Affordable
22 Care Act.”.

23 (e) EFFECTIVE DATE.—

1 (1) IN GENERAL.—The amendments made by
2 this section shall apply to coverage months begin-
3 ning after December 31, 2013.

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

○