

107TH CONGRESS
1ST SESSION

H. R. 3008

AN ACT

To reauthorize the trade adjustment assistance program
under the Trade Act of 1974, 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,*

1 **TITLE I—REAUTHORIZATION OF**
2 **TRADE ADJUSTMENT ASSIST-**
3 **ANCE PROGRAM; RELATED**
4 **PROVISIONS**

5 **SECTION 101. REAUTHORIZATION OF PROGRAM.**

6 (a) ASSISTANCE FOR WORKERS.—Section 245 of the
7 Trade Act of 1974 (19 U.S.C. 2317) is amended by strik-
8 ing “October 1, 1998, and ending September 30, 2001,”
9 each place it appears and inserting “October 1, 2001, and
10 ending September 30, 2003,”.

11 (b) ASSISTANCE FOR FIRMS.—Section 256(b) of the
12 Trade Act of 1974 (19 U.S.C. 2346(b)) is amended by
13 striking “October 1, 1998, and ending September 30,
14 2001” and inserting “October 1, 2001, and ending Sep-
15 tember 30, 2003,”.

16 (c) TERMINATION.—Section 285(c) of the Trade Act
17 of 1974 (19 U.S.C. 2271 note) is amended in paragraphs
18 (1) and (2)(A) by striking “September 30, 2001” and in-
19 serting “September 30, 2003”.

20 (d) TRAINING LIMITATION UNDER NAFTA PRO-
21 GRAM.—Section 250(d)(2) of the Trade Act of 1974 (19
22 U.S.C. 2331(d)(2)) is amended by striking “October 1,
23 1998, and ending September 30, 2001” and inserting
24 “October 1, 2001, and ending September 30, 2003”.

1 (e) CLARIFICATION OF CERTAIN REDUCTIONS.—(1)
 2 Section 231(a)(3)(B) of the Trade Act of 1974 (19 U.S.C.
 3 2291(a)(3)(B)) is amended by striking “any unemploy-
 4 ment insurance” and inserting “any regular State unem-
 5 ployment insurance”.

6 (2) Section 233(a)(1) of the Trade Act of 1974 (19
 7 U.S.C. 2293(a)(1)) is amended by striking “unemploy-
 8 ment insurance” and inserting “regular State unemploy-
 9 ment insurance”.

10 (f) EFFECTIVE DATE.—The amendments made by
 11 this section shall take effect on October 1, 2001.

12 **SEC. 102. AMENDMENTS TO LIMITATIONS ON TRADE READ-**
 13 **JUSTMENT ALLOWANCES.**

14 (a) INCREASE IN MAXIMUM NUMBER OF WEEKS.—
 15 Section 233(a) of the Trade Act of 1974 (19 U.S.C.
 16 2293(a)) is amended—

17 (1) in paragraph (2), by inserting after “104-
 18 week period” the following: “(or, in the case of an
 19 adversely affected worker who requires a program of
 20 remedial education (as described in section
 21 236(a)(5)(D)) in order to complete training ap-
 22 proved for the worker under section 236, the 130-
 23 week period)”; and

24 (2) in paragraph (3), by striking “26” each
 25 place it appears and inserting “52”.

1 (b) ADDITIONAL WEEKS FOR INDIVIDUALS IN NEED
 2 OF REMEDIAL EDUCATION.—Section 233 of the Trade
 3 Act of 1974 (19 U.S.C. 2293) is amended by adding at
 4 the end the following:

5 “(g) Notwithstanding any other provision of this sec-
 6 tion, in order to assist an adversely affected worker to
 7 complete training approved for the worker under section
 8 236 which includes a program of remedial education (as
 9 described in section 236(a)(5)(D)), and in accordance with
 10 regulations prescribed by the Secretary, payments may be
 11 made as trade readjustment allowances for up to 26 addi-
 12 tional weeks in the 26-week period that follows the last
 13 week of entitlement to trade readjustment allowances oth-
 14 erwise payable under this chapter.”.

15 (c) EFFECTIVE DATE.—The amendments made by
 16 this section shall apply with respect to an individual re-
 17 ceiving trade readjustment allowances pursuant to chapter
 18 2 of title II of the Trade Act of 1974 (19 U.S.C. 2271
 19 et seq.) on or after January 1, 2001.

20 **SEC. 103. EXPEDITED REVIEW OF PETITIONS BY SEC-**
 21 **RETARY OF LABOR.**

22 Section 223(a) of the Trade Act of 1974 (19 U.S.C.
 23 2273(a)) is amended in the first sentence by striking “60
 24 days” and inserting “40 days”.

1 **SEC. 104. DECLARATION OF POLICY; SENSE OF CONGRESS.**

2 (a) DECLARATION OF POLICY.—Congress reiterates
3 that, under the trade adjustment assistance program
4 under chapter 2 of title II of the Trade Act of 1974, work-
5 ers are eligible for transportation, childcare, and
6 healthcare assistance, as well as other related assistance
7 under programs administered by the Department of
8 Labor.

9 (b) SENSE OF CONGRESS.—It is the sense of Con-
10 gress that the Secretary of Labor, working independently
11 and in conjunction with the States, should, in accordance
12 with section 225 of the Trade Act of 1974, provide more
13 specific information about benefit allowances, training,
14 and other employment services, and the petition and appli-
15 cation procedures (including appropriate filing dates) for
16 such allowances, training, and services, under the trade
17 adjustment assistance program under chapter 2 of title
18 II of the Trade Act of 1974 to workers who are applying
19 for, or are certified to receive, assistance under that pro-
20 gram, including information on all other Federal assist-
21 ance available to such workers.

1 **TITLE II—ADJUSTMENT ASSIST-**
2 **ANCE PROGRAM FOR WORK-**
3 **ERS SEPARATED FROM EM-**
4 **PLOYMENT DUE TO THE TER-**
5 **RORIST ATTACKS OF SEP-**
6 **TEMBER 11, 2001**

7 **SEC. 201. ESTABLISHMENT OF PROGRAM.**

8 As soon as practicable after the date of the enactment
9 of this Act, the Secretary of Labor shall establish a pro-
10 gram to provide adjustment assistance for workers sepa-
11 rated from employment due to the terrorist attacks of Sep-
12 tember 11, 2001, in accordance with the provisions of this
13 title.

14 **SEC. 202. PETITION.**

15 (a) PETITION.—A petition for a certification of eligi-
16 bility to apply for adjustment assistance under this title
17 may be filed with the Secretary by a group of workers
18 (including workers in any agricultural firm or subdivision
19 of an agricultural firm) or by their certified or recognized
20 union or other duly authorized representative. Upon re-
21 ceipt of the petition, the Secretary shall promptly publish
22 notice in the Federal Register that the Secretary has re-
23 ceived the petition and initiated an investigation.

24 (b) PUBLIC HEARING.—If the petitioner, or any
25 other person found by the Secretary to have a substantial

1 interest in the proceedings, submits not later than 10 days
2 after the date of the Secretary's publication under sub-
3 section (a) a request for a hearing, the Secretary shall pro-
4 vide for a public hearing and afford such interested per-
5 sons an opportunity to be present, to produce evidence,
6 and to be heard.

7 **SEC. 203. CERTIFICATION.**

8 (a) CERTIFICATION.—The Secretary shall certify a
9 group of workers (including workers in any agricultural
10 firm or subdivision of an agricultural firm) as eligible to
11 apply for adjustment assistance under this title if the Sec-
12 retary determines—

13 (1) that a significant number or proportion of
14 the workers in such workers' firm or an appropriate
15 subdivision of the firm have become totally or par-
16 tially separated, or are threatened to become totally
17 or partially separated;

18 (2) that sales or production, or both, of such
19 firm or subdivision have decreased absolutely; and

20 (3) that the national impact of the terrorist at-
21 tacks of September 11, 2001, contributed impor-
22 tantly to such total or partial separation, or threat
23 thereof, and to such decline in sales or production,
24 as determined by the Secretary.

1 (b) ADDITIONAL REQUIREMENTS.—The provisions of
2 section 223 of the Trade Act of 1974 shall apply to a de-
3 termination and issuance of a certification with respect to
4 a group of workers under this title in the same manner
5 and to the same extent as such provisions apply to a deter-
6 mination and issuance of a certification with respect to
7 a group of workers under the program under subchapter
8 A of chapter 2 of title II of such Act, to the extent deter-
9 mined to be appropriate by the Secretary.

10 (c) DEFINITION.—For purposes of subsection (a)(3),
11 the term “contributed importantly” means a cause which
12 is important but not necessarily more important than any
13 other cause.

14 **SEC. 204. BENEFITS.**

15 Workers covered by a certification issued by the Sec-
16 retary under section 203 shall be provided, in the same
17 manner and to the same extent as workers covered under
18 a certification under the program under subchapter A of
19 chapter 2 of title II of the Trade Act of 1974, the benefits
20 described in subchapter B of chapter 2 of title II of such
21 Act, to the extent determined to be appropriate by the Sec-
22 retary.

23 **SEC. 205. ADMINISTRATION.**

24 The provisions of subchapter C of chapter 2 of title
25 II of the Trade Act of 1974 shall apply to the administra-

tion of the program under this title in the same manner and to the same extent as such provisions apply to the administration of the program under subchapter A of chapter 2 of title II of such Act, to the extent determined to be appropriate by the Secretary.

SEC. 206. DEFINITIONS.

In this title:

(1) SECRETARY.—The term “Secretary” means the Secretary of Labor.

(2) TERRORIST ATTACKS OF SEPTEMBER 11, 2001.—The term “terrorist attacks of September 11, 2001” means the following events that occurred on September 11, 2001:

(A) The attack, using two hijacked commercial aircraft, that was made on the towers of the World Trade Center in New York City.

(B) The attack, using a hijacked commercial aircraft, that was made on the Pentagon.

(C) The hijacking of a commercial aircraft and the subsequent crash of the aircraft in the State of Pennsylvania, in the County of Somerset.

SEC. 207. AUTHORIZATION OF APPROPRIATIONS.

(a) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary to carry

1 out this title \$2,000,000,000 for fiscal years 2002 and
2 2003.

3 (b) AVAILABILITY.—Amounts appropriated pursuant
4 to the authorization of appropriations under subsection (a)
5 are authorized to remain available until expended.

Passed the House of Representatives December 6,
2001.

Attest:

Clerk.

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