

116TH CONGRESS  
1ST SESSION

# S. 3034

To make trade adjustment assistance available to workers whose jobs are eliminated through automation, and for other purposes.

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## IN THE SENATE OF THE UNITED STATES

DECEMBER 12, 2019

Mr. PETERS (for himself, Ms. STABENOW, Mrs. GILLIBRAND, and Ms. CORTEZ MASTO) introduced the following bill; which was read twice and referred to the Committee on Finance

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## A BILL

To make trade adjustment assistance available to workers whose jobs are eliminated through automation, 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 “TAA for Automation  
5 Act of 2019”.

1 **SEC. 2. ELIGIBILITY OF WORKERS WHOSE JOBS ARE ELIMI-**  
 2 **NATED THROUGH AUTOMATION FOR TRADE**  
 3 **ADJUSTMENT ASSISTANCE.**

4 (a) IN GENERAL.—Section 222(a)(2) of the Trade  
 5 Act of 1974 (19 U.S.C. 2272(a)(2)) is amended—

6 (1) in subparagraph (A)(iii), by striking “; or”  
 7 and inserting a semicolon; and

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

9 “(C)(i) there has been a shift in production of  
 10 articles or supply of services by such workers’ firm  
 11 from utilizing the workers to methods or systems  
 12 primarily utilizing automation; and

13 “(ii) the shift described in clause (i) contributed  
 14 importantly to such workers’ separation or threat of  
 15 separation; or

16 “(D)(i) the sales or production, or both, of such  
 17 firm have decreased absolutely; and

18 “(ii) the use of automation in the production of  
 19 articles or services like or directly competitive with  
 20 articles produced or services supplied by such firm  
 21 has increased; and

22 “(iii) the increase in the use of automation de-  
 23 scribed in clause (ii) contributed importantly to such  
 24 workers’ separation or threat of separation and to  
 25 the decline in the sales or production of such firm.”.

1 (b) AUTOMATION DEFINED.—Section 222(c) of the  
 2 Trade Act of 1974 (19 U.S.C. 2272(c)) is amended—

3 (1) by redesignating paragraphs (1) through  
 4 (4) as paragraphs (2) through (5), respectively; and  
 5 (2) by inserting before paragraph (2), as rededesignated  
 6 by paragraph (1), the following:

7 “(1) AUTOMATION.—The term ‘automation’  
 8 means using technology to produce a good or service  
 9 previously produced by human work.”.

10 (c) SPECIFICATION OF BASIS FOR ELIGIBILITY.—  
 11 Section 222 of the Trade Act of 1974 (19 U.S.C. 2272)  
 12 is amended by adding at the end the following:

13 “(f) SPECIFICATION OF BASIS FOR ELIGIBILITY.—  
 14 When the Secretary certifies a group of workers under this  
 15 section as eligible to apply for adjustment assistance, the  
 16 Secretary shall specify in the certification the basis for the  
 17 eligibility of the group under subsection (a).”.

18 (d) CONFORMING AMENDMENTS.—Subsections (b)  
 19 and (c) of section 222 of the Trade Act of 1974 (19  
 20 U.S.C. 2272) are amended by striking “subsection (a)”  
 21 each place it appears and inserting “subparagraph (A) or  
 22 (B) of subsection (a)(2)”.

23 (e) REGULATIONS; RECOMMENDATIONS.—Not later  
 24 than 2 years after the date of the enactment of this Act,  
 25 the Secretary of Labor shall—

1           (1) prescribe regulations to carry out the  
2       amendments made by this section; and

3           (2) submit to Congress a report that includes  
4       recommendations for any changes to law necessary  
5       to carry out the amendments made by this section,  
6       including any changes to section 236(a)(2)(A) of the  
7       Trade Act of 1974 (19 U.S.C. 2296(a)(2)(A)).

8       (f) EFFECTIVE DATE.—The amendments made by  
9       this section shall—

10           (1) take effect on the date that is 2 years after  
11       the date of the enactment of this Act; and

12           (2) apply with respect to petitions for certifi-  
13       cations of eligibility filed under section 221 of the  
14       Trade Act of 1974 (19 U.S.C. 2271) on or after the  
15       date described in paragraph (1).

16       **SEC. 3. WORKFORCE ADVISORY BOARD OR SUBCOMMITTEE**  
17                               **ON AUTOMATION.**

18       (a) ESTABLISHMENT.—The Secretary of Labor shall  
19       establish an advisory board, or form a subcommittee of  
20       an advisory board that exists as of the date of the enact-  
21       ment of this Act, to provide recommendations to the Sec-  
22       retary on addressing the impact of automation on the  
23       workforce, including matters relating to jobs and occupa-  
24       tions at risk of elimination as a result of automation.

1       (b) MEMBERSHIP.—In establishing the advisory  
2 board or subcommittee under subsection (a), the Secretary  
3 shall ensure that the advisory board or subcommittee con-  
4 sists of nationally representative members, including the  
5 balanced participation of—

6           (1) State boards, as defined in section 3 of the  
7 Workforce Innovation and Opportunity Act (29  
8 U.S.C. 3102);

9           (2) labor organizations;

10          (3) industry representatives;

11          (4) nonprofit entities, or community-based or-  
12 ganizations, with experience researching the impact  
13 of automation on the workforce;

14          (5) academic experts in the field of workforce  
15 development, labor economics, and program evalua-  
16 tion;

17          (6) engineering and technology experts, such as  
18 experts from the National Institute of Standards  
19 and Technology; and

20          (7) any other stakeholders the Secretary con-  
21 siders appropriate.

22       (c) ANNUAL REPORT.—

23           (1) IN GENERAL.—Not less frequently than an-  
24 nually, the advisory board or subcommittee estab-  
25 lished under subsection (a) shall—

1 (A) identify—

2 (i) occupations at risk of elimination  
3 as a result of automation; and

4 (ii) occupations experiencing above av-  
5 erage decline for which there is evidence  
6 that technological advancement has con-  
7 tributed to that decline;

8 (B) evaluate strategies for workforce devel-  
9 opment based on measurements of impact on  
10 the workforce due to automation and on other  
11 relevant evidence; and

12 (C) provide recommendations to the Sec-  
13 retary and to Congress based on that evalua-  
14 tion.

15 (2) PUBLIC ACCESS.—The Secretary shall dis-  
16 seminate the strategies recommended under para-  
17 graph (1) to relevant stakeholders and make such  
18 strategies available to the public.

19 (d) FEDERAL ADVISORY COMMITTEE ACT.—The  
20 Federal Advisory Committee Act (5 U.S.C. App.) shall not  
21 apply to the advisory board or subcommittee established  
22 under subsection (a).

- 1       (e) AUTOMATION DEFINED.—In this section, the  
2 term “automation” means using technology to produce a  
3 good or service previously produced by human work.

