

(c) JUDICIAL REVIEW.—Section 284(a) of the Trade Act of 1974 (19 U.S.C. 2395(a)) is amended by striking “section 271” and inserting “section 273”.

#### SEC. 535. EFFECTIVE DATE.

The amendments made by this subtitle shall take effect on October 1, 2004.

#### Subtitle D—Office of Trade Adjustment Assistance

#### SEC. 541. SHORT TITLE.

This subtitle may be cited as the “Trade Adjustment Assistance for Firms Reorganization Act”.

#### SEC. 542. OFFICE OF TRADE ADJUSTMENT ASSISTANCE.

(a) IN GENERAL.—Chapter 3 of title II of the Trade Act of 1974 (19 U.S.C. 2341 et seq.) is amended by inserting after section 255 the following new section:

#### “SEC. 255A. OFFICE OF TRADE ADJUSTMENT ASSISTANCE.

“(a) ESTABLISHMENT.—Not later than 90 days after the date of enactment of the Trade Adjustment Assistance for Firms Reorganization Act, there shall be established in the International Trade Administration of the Department of Commerce an Office of Trade Adjustment Assistance.

“(b) PERSONNEL.—The Office shall be headed by a Director, and shall have such staff as may be necessary to carry out the responsibilities of the Secretary of Commerce described in this chapter.

“(c) FUNCTIONS.—The Office shall assist the Secretary of Commerce in carrying out the Secretary’s responsibilities under this chapter.”.

(b) CONFORMING AMENDMENT.—The table of contents for the Trade Act of 1974 is amended by inserting after the item relating to section 255, the following new item:

“Sec. 255A. Office of Trade Adjustment Assistance.”.

#### SEC. 543. EFFECTIVE DATE.

The amendments made by this subtitle shall take effect on the earlier of—

- (1) the date of the enactment of this Act; or
- (2) October 1, 2004.

#### TITLE VI—IMPROVEMENT OF CREDIT FOR HEALTH INSURANCE COSTS OF ELIGIBLE INDIVIDUALS

#### SEC. 601. CLARIFICATION OF 3-MONTH REQUIREMENT OF EXISTING COVERAGE.

(a) IN GENERAL.—Clause (i) of section 35(e)(2)(B) of the Internal Revenue Code of 1986 (defining qualifying individual) is amended by inserting “(prior to the employment separation necessary to attain the status of an eligible individual)” after “9801(c)”.  
(b) CONFORMING AMENDMENT.—Section 173(f)(2)(B)(ii)(I) of the Workforce Investment Act of 1998 (29 U.S.C. 2918(f)(2)(B)(ii)(I)) is amended by inserting “(prior to the employment separation necessary to attain the status of an eligible individual)” after “1986”.

(c) EFFECTIVE DATE.—The amendments made by this section take effect on the date of enactment of this Act.

#### SEC. 602. DISREGARD OF TAA PRE-CERTIFICATION PERIOD FOR PURPOSES OF DETERMINING WHETHER THERE IS A 63-DAY LAPSE IN CREDITABLE COVERAGE.

(a) ERISA AMENDMENT.—Section 701(c)(2) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1181(c)(2)) is amended by adding at the end the following:

“(C) TAA-ELIGIBLE INDIVIDUALS.—  
“(i) DISREGARD OF PRE-CERTIFICATION PERIOD.—In the case of a TAA-eligible individual, the period beginning on the date the individual has a TAA-related loss of coverage and ending on the date the individual is certified by the Secretary (or by any person or entity designated by the Secretary) as

being eligible for a qualified health insurance costs credit eligibility certificate for purposes of section 7527 of the Internal Revenue Code of 1986 shall not be taken into account in determining the continuous period under subparagraph (A).

“(ii) DEFINITIONS.—The terms ‘TAA-eligible individual’, and ‘TAA-related loss of coverage’ have the meanings given such terms in section 605(b)(4)(C).”.

(b) PHSA AMENDMENT.—Section 2701(c)(2) of the Public Health Service Act (42 U.S.C. 300gg(c)(2)) is amended by adding at the end the following:

“(C) TAA-ELIGIBLE INDIVIDUALS.—

“(i) DISREGARD OF PRE-CERTIFICATION PERIOD.—In the case of a TAA-eligible individual, the period beginning on the date the individual has a TAA-related loss of coverage and ending on the date the individual is certified by the Secretary (or by any person or entity designated by the Secretary) as being eligible for a qualified health insurance costs credit eligibility certificate for purposes of section 7527 of the Internal Revenue Code of 1986 shall not be taken into account in determining the continuous period under subparagraph (A).

“(ii) DEFINITIONS.—The terms ‘TAA-eligible individual’, and ‘TAA-related loss of coverage’ have the meanings given such terms in section 2205(b)(4)(C).”.

(c) IRC AMENDMENT.—Section 9801(c)(2) of the Internal Revenue Code of 1986 (relating to not counting periods before significant breaks in creditable coverage) is amended by adding at the end the following:

“(D) TAA-ELIGIBLE INDIVIDUALS.—

“(i) DISREGARD OF PRE-CERTIFICATION PERIOD.—In the case of a TAA-eligible individual, the period beginning on the date the individual has a TAA-related loss of coverage and ending on the date the individual is certified by the Secretary of Labor (or by any person or entity designated by the Secretary of Labor) as being eligible for a qualified health insurance costs credit eligibility certificate for purposes of section 7527 shall not be taken into account in determining the continuous period under subparagraph (A).

“(ii) DEFINITIONS.—The terms ‘TAA-eligible individual’, and ‘TAA-related loss of coverage’ have the meanings given such terms in section 4980B(f)(5)(C)(iv).”.

(d) EFFECTIVE DATE.—The amendments made by this section take effect on the date of enactment of this Act.

#### SEC. 603. IMPROVEMENT OF THE AFFORDABILITY OF THE CREDIT.

(a) IN GENERAL.—Section 35(a) of the Internal Revenue Code of 1986 (relating to credit for health insurance costs of eligible individuals) is amended by striking “65” and inserting “75”.

(b) CONFORMING AMENDMENT.—Section 7527(b) of such Code (relating to advance payment of credit for health insurance costs of eligible individuals) is amended by striking “65” and inserting “75”.

(c) EFFECTIVE DATE.—The amendments made by this section apply to taxable years beginning after December 31, 2004.

#### SEC. 604. EXPEDITED REFUND OF CREDIT FOR PRORATED FIRST MONTHLY PREMIUM.

(a) IN GENERAL.—Section 7527 of the Internal Revenue Code of 1986 (relating to advance payment of credit for health insurance costs of eligible individuals) is amended by adding at the end the following:

“(e) EXPEDITED PAYMENT OF PRORATED FIRST MONTHLY PREMIUM.—The program established under subsection (a) shall provide for payment to a certified individual of an amount equal to the applicable percentage (as defined in section 35(a)(2)) of the prorated first monthly premium for coverage of the taxpayer and qualifying family members

under qualified health insurance for eligible coverage months upon receipt by the Secretary of evidence of payment of such premium by the certified individual.”.

(b) EFFECTIVE DATE.—The amendment made by this section takes effect on the date of enactment of this Act.

#### NOTICES OF HEARINGS/MEETINGS

##### SUBCOMMITTEE ON PRODUCTION AND PRICE COMPETITIVENESS

Mr. COCHRAN. Mr. President, I announce that the Subcommittee on Production and Price Competitiveness of the Committee on Agriculture, Nutrition, and Forestry will conduct a field hearing on April 13, 2004 in Smithfield North Carolina at 10 a.m. The purpose of this hearing will be to discuss the necessity of a tobacco quota buyout.

##### COMMITTEE ON INDIAN AFFAIRS

Mr. CAMPBELL. Mr. President, I would like to announce that the Committee on Indian Affairs will meet on Wednesday, April 7, 2004, at 10 a.m. in Room 485 of the Russell Senate Office Building to conduct a business meeting on S. 1529, bill to amend the Indian Gaming Regulatory Act to include provisions relating to the payment and administration of gaming fees, and for other purposes; and S. 1955, a bill to make technical corrections to laws relating to Native Americans, and for other purposes.

Those wishing additional information may contact the Indian Affairs Committee at 224-2251.

#### AUTHORITY FOR COMMITTEES TO MEET

##### SUBCOMMITTEE ON FISHERIES, WILDLIFE, AND WATER

Mr. GRASSLEY. Mr. President, I ask unanimous consent that the Subcommittee Committee on Fisheries, Wildlife, and Water be authorized to meet on Tuesday, April 6, 2004 at 9:30 a.m. to conduct a hearing to evaluate chronic wasting and disease in our Nation’s water.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### PRIVILEGES OF THE FLOOR

Mr. CORNYN. Mr. President, I ask unanimous consent that two members of my staff, Adam Aston and Tiffany Kebodeaux, be granted the privilege of the floor for the duration of the debate on S. 2207.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. GRASSLEY. Mr. President, I ask unanimous consent that Jarret Heil and Trenton Norman be granted the privilege of the floor during the remainder of the debate on S. 1367.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### APPOINTMENT

The PRESIDING OFFICER. The Chair, on behalf of the majority leader,

pursuant to Public Law 108-199, Title VI, Section 637, appoints the following individual to serve as a member of the Helping to Enhance the Livelihood of People (HELP) Around the Globe Commission: Steve K. Berry of Washington, D.C.

#### ORDERS FOR WEDNESDAY, APRIL 7, 2004

Mr. McCONNELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 9:45 in the morning, Wednesday, April 7. I further ask unanimous consent that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day, and the Senate then begin a period of morning business until 10:45 a.m. with the first half of that time under the control of the Democratic leader or his designee, and the second half of the time under the control of the majority leader or his designee; provided that at 10:45 the Senate resume consideration of the motion to proceed to Calendar No. 462, S. 2207, the Pregnancy and Trauma Care Access Protection Act of 2004, and the time until 12:45 be equally divided between the two leaders or their designees.

I further ask unanimous consent that the Senate recess from 12:45 until 2:15 for the weekly party luncheons; provided that at 2:15 the Senate proceed to the cloture vote on the motion to proceed to the consideration of S. 2207 as provided under the previous order; provided further that notwithstanding rule XXII, the mandatory quorum be waived prior to the vote on the motion to invoke cloture on the motion to recommit S. 1637, the FSC/ETI JOBS bill. The PRESIDING OFFICER. Without objection, it is so ordered.

#### PROGRAM

Mr. McCONNELL. Mr. President, tomorrow, following morning business, the Senate will resume consideration of the motion to proceed to the consideration of the Pregnancy and Trauma Care Access Protection Act of 2004. At 2:15 the Senate will proceed to two back-to-back rollcall votes. The first vote will be on the motion to invoke cloture on the bill we have been discussing, the Pregnancy and Trauma Care Access Protection Act. That vote, regardless of outcome, will be immediately followed by a vote on the motion to invoke cloture on the motion to recommit S. 1637, the FSC/ETI JOBS bill. These two votes will be the first votes of the day.

In addition to those votes, the majority leader has repeated his desire to consider and complete the pension equity conference report prior to the Easter recess. That conference report is here and is available. We will be seeking an agreement, obviously, to finish that bill.

#### ADJOURNMENT UNTIL 9:45 A.M. TOMORROW

Mr. McCONNELL. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that the Senate stand in adjournment under the previous order.

There being no objection, the Senate, at 6:29 p.m., adjourned until Wednesday, April 7, 2004, at 9:45 a.m.

#### NOMINATIONS

##### Executive nominations received by the Senate April 6, 2004:

###### THE JUDICIARY

MICHAEL H. WATSON, OF OHIO, TO BE UNITED STATES DISTRICT JUDGE FOR THE SOUTHERN DISTRICT OF OHIO, VICE JAMES L. GRAHAM, RETIRING.

###### IN THE AIR FORCE

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE AIR FORCE UNDER TITLE 10, U.S.C., SECTION 12203:

###### To be colonel

RICHARD J. BURLING JR., 0000  
ROBERT L. TULLMAN, 0000

###### IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTION 12203:

###### To be colonel

CRAIG D. HARTRANFT, 0000

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY JUDGE ADVOCATE GENERAL'S CORPS UNDER TITLE 10, U.S.C., SECTIONS 531, 624, AND 3064:

###### To be colonel

WILLIS C. HUNTER, 0000

THE FOLLOWING NAMED ARMY NATIONAL GUARD TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

###### To be colonel

DANA R. YETTON, 0000

###### IN THE MARINE CORPS

THE FOLLOWING NAMED OFFICERS FOR ORIGINAL REGULAR APPOINTMENT AS PERMANENT LIMITED DUTY OFFICERS TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTIONS 531 AND 5589:

###### To be captain

TRAVIS R. AVENT, 0000  
GREGORY R. BIEHL, 0000  
FRANCIS J. BOYER, 0000  
DONALD F. CARTER JR., 0000  
MICHAEL R. CIRILLO, 0000  
JEFFREY S. CLEMONS, 0000  
SEAN J. COLLINS, 0000  
JERRY R. COPLEY, 0000  
BRIAN J. CORREY, 0000  
CHARLES E. DANIELS, 0000  
RANDALL E. DAVIS, 0000  
DARREN R. DEMYER, 0000  
BILLY A. DUBOSE, 0000  
GREGG R. EDWARDS, 0000  
LLOYD E. EDWARDS JR., 0000  
KENNETH M. ELIUK, 0000  
ROBERT F. EMMINGER, 0000  
ARMAND J. FRAPPIER, 0000  
LAWRENCE P. GOSHEN, 0000  
WARREN A. GRAHAM JR., 0000  
JAMES E. GRIFFITH, 0000  
PATRICK T. GROSSO, 0000  
DANIEL E. GUIMOND, 0000  
SEAN P. HEICHLINGER, 0000  
BRUCE D. HENDERSON, 0000  
JAMES R. HUBER III, 0000  
STEVEN P. HULSE, 0000  
KELLY M. JONES, 0000  
CAMERON D. KLUNDER, 0000  
DONALD R. KNOWLES, 0000  
DIRK D. KUNTZ, 0000  
MICHAEL D. LIPSCOMB, 0000  
ANTHONY C. LYONS, 0000  
MICHAEL G. MARCHAND, 0000  
DAVID A. MCCOVERY, 0000  
KENNETH R. McMILLAN, 0000  
ROBERT J. MEISINGER JR., 0000  
CHRISTOPHER K. MILLER, 0000  
CLIFF D. MRKOVICKA, 0000  
JOHN P. MULLERY, 0000  
JOHN F. REYNOLDS JR., 0000  
PAUL E. RICHARD, 0000  
JOSE L. SADA, 0000  
WILLIAM H. TAPSCOTT, 0000

DOUGLAS M. TAYLOR, 0000  
WADE E. WALLACE, 0000  
MARK B. WINDHAM, 0000

###### IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR REGULAR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 531:

###### To be lieutenant

MELISSA A. HARVISON, 0000

THE FOLLOWING NAMED OFFICERS FOR REGULAR APPOINTMENT IN THE GRADES INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTIONS 531 AND 5582:

###### To be commander

VICTORIA T. CRESCENZI, 0000  
MARK A. DESJARDINS, 0000  
SUSAN L. EATON, 0000  
PAUL T. HORAN, 0000  
JACQUELINE KOVACS, 0000  
JAMIN T. MCMAHON, 0000  
FERNANDO MORENO, 0000  
THOMAS W. SITTSCH, 0000  
STEVEN F. VINCENT, 0000  
JOHNNY WON, 0000

###### To be lieutenant commander

FELIX A. BIGBY, 0000  
LYNELLE M. BOAMAN, 0000  
EDWARD A. BRADFIELD, 0000  
GREGORY R. CADLE, 0000  
ROY D. EVANS, 0000  
GREGORY L. GRADY, 0000  
STELLA M. HAYES, 0000  
ROBERT L. KENDALL, 0000  
SUSANNE M. LEMAIRE, 0000  
JOEL A. LOWTHER, 0000  
WILLIAM D. MAY, 0000  
SEAN P. MCDERMOTT, 0000  
IAN G. MCLEOD, 0000  
JOHN M. MYERS, 0000  
TANYA M. PONDER, 0000  
GEORGE J. SEMPLLE, 0000  
MARTHA L. SIRUS, 0000  
CHRISTOPHER T. SOSA, 0000  
ANTONIO TELLADO, 0000  
RICHARD W. THOMPSON, 0000  
GALE R. VANDEVENTER JR., 0000  
DARREL G. VAUGHN, 0000  
MICHAEL W. WENTWORTH, 0000  
DEBORAH J. WHITE, 0000

###### To be lieutenant

JEFFREY J. ABBADINI, 0000  
JOSEPH P. ABBOTT JR., 0000  
ROB L. ABBOTT, 0000  
LILLIAN A. ABUAN, 0000  
CHARLES F. ADAMS, 0000  
JASON W. ADAMS, 0000  
REBECCA M. D. ADAMS, 0000  
TERRI D. ADAMS, 0000  
RICHARD S. ADCOCK, 0000  
MONICA AGARWAL, 0000  
RYAN P. AHLER, 0000  
HYO S. AHN, 0000  
RECO L. AIKENS, 0000  
JAMES T. AIKIN II, 0000  
JAY P. ALDEA, 0000  
STEPHEN W. ALDRIDGE, 0000  
KENNETH D. ALEXANDER, 0000  
OSMEL ALFONSO, 0000  
GERALD G. ALFORD, 0000  
JAMES ALGER, 0000  
JEROME S. ALINA, 0000  
RODNEY ALLEN, 0000  
TERESA W. ALLMAN, 0000  
CIELO I. ALMANZA, 0000  
GERVY J. ALOTA, 0000  
THOMAS M. ALPERS, 0000  
GLEN R. ALSOP, 0000  
LUIS A. ALTAMIRANO, 0000  
BRIAN S. AMADOR, 0000  
RICHARD H. AMARAL, 0000  
PETER AMENDOLARE, 0000  
ERIK E. ANDERSON, 0000  
JOHN A. ANDERSON, 0000  
JUSTIN W. ANDERSON, 0000  
MARK A. ANDERSON, 0000  
MICHAEL R. ANDERSON, 0000  
SEAN M. ANDREWS, 0000  
BRADLEY J. ANDROS, 0000  
MARK A. ANGELO, 0000  
JAMES M. ANSLEY, 0000  
BRENDA K. ANTHONY, 0000  
MARC A. ARABO, 0000  
JOHN W. ARBUCKLE, 0000  
JASON L. ARGANBRIGHT, 0000  
JOHN M. ARMSTRONG, 0000  
MATTHEW T. ARMSTRONG, 0000  
MELODY ARMSTRONG, 0000  
JEFFREY C. ARNESON, 0000  
KEVIN W. ARNEY, 0000  
CHRISTOPHER W. ARTIS, 0000  
MARK S. ASAHARA, 0000  
AARON J. ASCHENBRENNER, 0000  
JARED T. ASMAN, 0000  
KENNETH M. ATHANS, 0000  
MICHAEL L. ATWELL, 0000  
STEPHEN A. AUDELLO, 0000  
BRIAN L. BABIN, 0000  
JOHN A. BACHMORE, 0000  
JOSEPH C. BACON, 0000