

107TH CONGRESS  
1ST SESSION

# H. R. 3008

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IN THE SENATE OF THE UNITED STATES

DECEMBER 6, 2001

Received; read twice and referred to the Committee on Finance

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## 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 com-  
mercial aircraft, that was made on the towers  
of the World Trade Center in New York City.

(B) The attack, using a hijacked commer-  
cial 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 Som-  
erset.

**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:

JEFF TRANDAHL,

*Clerk.*