Subtitle D—Trade Adjustment Assistance

SEC. 133001. SHORT TITLE.

This subtitle may be cited as the “Trade Adjustment Assistance Modernization Act of 2021”.

SEC. 133002. APPLICATION OF PROVISIONS RELATING TO TRADE ADJUSTMENT ASSISTANCE.

(a) EFFECTIVE DATE; APPLICABILITY.—Except as otherwise provided in this subtitle, the provisions of chapters 2 through 6 of title II of the Trade Act of 1974, as in effect on June 30, 2021, and as amended by this subtitle, shall—

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

(2) apply with respect to petitions for certification filed under chapter 2, 3, 4, or 6 of title II of the Trade Act of 1974 on or after such date of enactment.

(b) REFERENCE.—Except as otherwise provided in this subtitle, whenever in this subtitle an amendment or repeal is expressed in terms of an amendment to, or repeal
of, a provision of chapters 2 through 6 of title II of the
Trade Act of 1974, the reference shall be considered to
be made to a provision of any such chapter, as in effect
on June 30, 2021.

(c) REPEAL OF SNAPBACK.—Section 406 of the
Trade Adjustment Assistance Reauthorization Act of
2015 (Public Law 114–27; 129 Stat. 379) is repealed.

PART 1—TRADE ADJUSTMENT ASSISTANCE FOR
WORKERS

SEC. 133101. FILING PETITIONS.

Section 221(a)(1) of the Trade Act of 1974 (19
U.S.C. 2271(a)(1)) is amended—

(1) by amending subparagraph (A) to read as
follows:

“(A) One or more workers in the group of
workers.”; and

(2) in subparagraph (C), by striking “or a
State dislocated worker unit” and inserting “a State
dislocated worker unit, or workforce intermediaries,
including labor-management organizations that carry
out re-employment and training services”.

SEC. 133102. GROUP ELIGIBILITY REQUIREMENTS.

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

(1) in subparagraph (A)—
(A) in clause (i), by inserting “, failed to
increase, or will decrease absolutely due to a
scheduled or imminently anticipated, long-term
decrease in or reallocation of the production ca-
pacity of the firm” after “absolutely”; and

(B) in clause (iii)—

(i) by striking “to the decline” and in-
serting “to any decline or absence of in-
crease”; and

(ii) by striking “or” at the end;

(2) in subparagraph (B)(ii), by striking the pe-
riod at the end and inserting “; or”; and

(3) by adding at the end the following:

“(C)(i) the sales or production, or both, of such
firm have decreased;

“(ii)(I) exports of articles produced or services
supplied by such workers’ firm have decreased; or

“(II) imports of articles or services necessary
for the production of articles or services supplied by
such firm have decreased; and

“(iii) the decrease in exports or imports de-
scribed in clause (ii) contributed to such workers’
separation or threat of separation and to the decline
in the sales or production of such firm.”.
(b) REPEAL.—Section 222 of the Trade Act of 1974 (19 U.S.C. 2272) is amended—

(1) in subsections (a) and (b), by striking “importantly” each place it appears; and

(2) in subsection (c)—

(A) by striking paragraph (1); and

(B) by redesignating paragraphs (2) through (4) as paragraphs (1) through (3), respectively.

(c) ELIGIBILITY OF STAFFED WORKERS AND TELEWORKERS.—Section 222 of the Trade Act of 1974 (19 U.S.C. 2272), as amended by subsection (b), is further amended by adding at the end the following:

“(f) TREATMENT OF STAFFED WORKERS AND TELEWORKERS.—

“(1) IN GENERAL.—For purposes of subsection (a), workers in a firm include staffed workers and teleworkers.

“(2) DEFINITIONS.—In this subsection:

“(A) STAFFED WORKER.—The term ‘staffed worker’ means a worker who performs work under the operational control of a firm that is the subject of a petition filed under section 221, even if the worker is directly employed by another firm.
“(B) Teleworker.—The term ‘teleworker’ means a worker who works remotely but who reports to the location listed for a firm in a petition filed under section 221.”.

SEC. 133103. APPLICATION OF DETERMINATIONS OF ELIGIBILITY TO WORKERS EMPLOYED BY SUCCESSORS-IN-INTEREST.

Section 223 of the Trade Act of 1974 (19 U.S.C. 2273) is amended by adding at the end the following:

“(f) Treatment of Workers of Successors-in-Interest.—If the Secretary certifies a group of workers of a firm as eligible to apply for adjustment assistance under this chapter, a worker of a successor-in-interest to that firm shall be covered by the certification to the same extent as a worker of that firm.”.

SEC. 133104. PROVISION OF BENEFIT INFORMATION TO WORKERS.

Section 225 of the Trade Act of 1974 (19 U.S.C. 2275) is amended—

(1) in subsection (a), by inserting after the second sentence the following new sentence: “The Secretary shall make every effort to provide such information and assistance to workers in their native language.”; and

(2) in subsection (b)—
(A) by redesignating paragraph (2) as paragraph (3);

(B) by inserting after paragraph (1) the following:

“(2) The Secretary shall provide a second notice to a worker described in paragraph (1) before the worker has exhausted all rights to any unemployment insurance to which the worker is entitled (other than additional compensation described in section 231(a)(3)(B) funded by a State and not reimbursed from Federal funds).”;

(C) in paragraph (3), as redesignated by paragraph (1), by striking “newspapers of general circulation” and inserting “appropriate print or digital outlets”; and

(D) by adding at the end the following:

“(4) For purposes of providing sustained outreach regarding the benefits available under this chapter to workers covered by a certification made under this subchapter, the Secretary may take any necessary actions, including the following:

“(A) Collecting the email addresses and telephone numbers of such workers from the employers of such workers to provide sustained outreach to such workers.
“(B) Partnering with the certified or recognized union, a community-based worker organization, or other duly authorized representatives of such workers.

“(C) Hiring peer support workers to perform sustained outreach to other workers covered by that certification.

“(D) Using advertising methods and public information campaigns, including social media, in addition to notice published in print or digital outlets under paragraph (3).”.

SEC. 133105. QUALIFYING REQUIREMENTS FOR WORKERS.

(a) MODIFICATION OF CONDITIONS.—

(1) IN GENERAL.—Section 231(a) of the Trade Act of 1974 (19 U.S.C. 2291(a)) is amended—

(A) by striking paragraph (2);

(B) by redesignating paragraphs (3), (4), and (5) as paragraphs (2), (3), and (4), respectively; and

(C) in paragraph (4) (as redesignated), by striking “paragraphs (1) and (2)” each place it appears and inserting “paragraph (1)”.

(2) CONFORMING AMENDMENTS.—(A) Section 232 of the Trade Act of 1974 (19 U.S.C. 2292) is amended by striking “section 231(a)(3)(B)” each
place it appears and inserting “section 231(a)(2)(B)”.

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

(i) in paragraph (1), by striking “section 231(a)(3)(A)” and inserting “section 231(a)(2)(A)”; and

(ii) in paragraph (2)—

(I) by striking “adversely affected employment” and all that follows through “(A) within” and inserting “adversely affected employment within”;  

(II) by striking “, and” and inserting a period; and

(III) by striking subparagraph (B).

(b) WAIVERS OF TRAINING REQUIREMENTS.—Section 231(c)(1) of the Trade Act of 1974 (19 U.S.C. 2291(c)(1)) is amended—

(1) by redesignating subparagraphs (A), (B), and (C) as subparagraphs (C), (D), and (E), respectively; and

(2) by inserting before subparagraph (C) (as redesignated) the following:
“(A) RECALL.—The worker has been notified that the worker will be recalled by the firm from which the separation occurred.

“(B) RETIREMENT.—The worker is within 2 years of meeting all requirements for entitlement to either—

“(i) old-age insurance benefits under title II of the Social Security Act (42 U.S.C. 401 et seq.) (except for application therefor); or

“(ii) a private pension sponsored by an employer or labor organization.”.

SEC. 133106. MODIFICATION TO TRADE READJUSTMENT ALLOWANCES.

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

(1) in subsection (a)—

(A) in paragraph (2), by inserting after “104-week period” the following: “(or, in the case of an adversely affected worker who requires a program of prerequisite education or remedial education (as described in section 236(a)(5)(D)) in order to complete training approved for the worker under section 236, the 130-week period)”;
(B) in paragraph (3), by striking “65 additional weeks in the 78-week period” and inserting “78 additional weeks in the 91-week period”; and

(C) in the flush text, by striking “78-week period” and inserting “91-week period”;

(2) by striking subsection (d); and

(3) by amending subsection (f) to read as follows:

“(f) Payment of Trade Readjustment Allowances to Complete Training.—Notwithstanding any other provision of this section, in order to assist an adversely affected worker to complete training approved for the worker under section 236 that includes a program of prerequisite education or remedial education (as described in section 236(a)(5)(D)), and in accordance with regulations prescribed by the Secretary, payments may be made as trade readjustment allowances for up to 26 additional weeks in the 26-week period that follows the last week of entitlement to trade readjustment allowances otherwise payable under this chapter.”.

SEC. 133107. AUTOMATIC EXTENSION OF TRADE READJUSTMENT ALLOWANCES.

(a) In General.—Part I of subchapter B of chapter 2 of title II of the Trade Act of 1974 (19 U.S.C. 2291
et seq.) is amended by inserting after section 233 the fol-
lowing new section:

“SEC. 233A. AUTOMATIC EXTENSION OF TRADE READJUST-
MENT ALLOWANCES.

“(a) IN GENERAL.—Notwithstanding the limitations
under section 233(a), the Secretary shall extend the period
during which trade readjustment allowances are payable
to an adversely affected worker who completes training ap-
proved under section 236 by the Secretary during a period
of heightened unemployment with respect to the State in
which such worker seeks benefits, for the shorter of—

“(1) the 26-week period beginning on the date
of completion of such training; or

“(2) the period ending on the date on which the
adversely affected worker secures employment.

“(b) JOB SEARCH REQUIRED.—A worker shall only
be eligible for an extension under subsection (a) if the
worker is complying with the job search requirements as-
associated with unemployment insurance in the applicable
State.

“(c) PERIOD OF HEIGHTENED UNEMPLOYMENT DE-
FINED.—In this section, the term ‘period of heightened
unemployment’ with respect to a State means a 90-day
period during which, in the determination of the Sec-
retary, either of the following average rates equals or exceeds 5.5 percent:

“(1) The average rate of total unemployment in such State (seasonally adjusted) for the period consisting of the most recent 3-month period for which data for all States are published before the close of such period.

“(2) The average rate of total unemployment in all States (seasonally adjusted) for the period consisting of the most recent 3-month period for which data for all States are published before the close of such period.”.

(b) CLERICAL AMENDMENT.—The table of contents for the Trade Act of 1974 is amended by inserting after the item relating to section 233 the following:

“Sec. 233A. Automatic extension of trade readjustment allowances.”.

SEC. 133108. EMPLOYMENT AND CASE MANAGEMENT SERVICES.

Section 235 of the Trade Act of 1974 (19 U.S.C. 2295) is amended—

(1) in paragraph (3)—

(A) by inserting after “regional areas” the following: “(including information about registered apprenticeship programs, on-the-job training opportunities, and other work-based learning opportunities)”; and
(B) by inserting after “suitable training” the following: “, information regarding the track record of a training provider’s ability to successfully place participants into suitable employment”;

(2) by redesignating paragraph (8) as paragraph (10); and

(3) by inserting after paragraph (7) the following:

“(8) Information related to direct job placement, including facilitating the extent to which employers within the community commit to employing workers who would benefit from the employment and case management services under this section.

“(9) Sustained outreach to groups of workers likely to be certified as eligible for adjustment assistance under this chapter and members of certified worker groups who have not yet applied for or been enrolled in benefits or services under this chapter, especially such groups and members from underserved communities.”.

SEC. 133109. TRAINING.

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

(1) in subsection (a)—
(A) in paragraph (1)(D), by inserting “,

with a demonstrated ability to place partici-

pants into employment” before the comma at
the end;

(B) in paragraph (3), by adding at the end
before the period the following: “, except that
every effort shall be made to ensure that em-
ployment opportunities are available upon the
completion of training”; and

(C) in paragraph (5)—

(i) in subparagraph (G), by striking “,
and” and inserting a comma;

(ii) in subparagraph (H)(ii), by strik-
ing the period at the end and inserting “,
and”; and

(iii) by adding at the end before the
flush text the following:
“(I) pre-apprenticeship training.”; and

(2) by adding at the end the following:
“(h) REIMBURSEMENT FOR OUT-OF-POCKET TRAIN-
ING EXPENSES.—If the Secretary approves training for
a worker under paragraph (1) of subsection (a), the Sec-
retary may reimburse the worker for out-of-pocket ex-
penses relating to training program described in para-
graph (5) of that subsection that were incurred by the
worker on and after the date of the worker’s total or partial separation and before the date on which the certification of eligibility under section 222 that covers the worker is issued.”.

SEC. 133110. JOB SEARCH, RELOCATION, AND CHILD CARE ALLOWANCES.

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

(1) in subsection (a)(1), by striking “may use funds made available to the State to carry out sections 235 through 238” and inserting “shall use, from funds made available to the State to carry out sections 235 through 238A, such amounts as may be necessary”;

(2) in subsection (a)(2), in the matter preceding subparagraph (A), by striking “may grant” and inserting “shall grant”; and

(3) in subsection (b)—

(A) in paragraph (1), by striking “not more than 90 percent” and inserting “100 percent”; 

(B) in paragraph (2), by striking “$1,250” and inserting “$2,000 (subject to adjustment under paragraph (4))”; and

(C) by adding at the end the following;
(4) ADJUSTMENT OF MAXIMUM ALLOWANCE LIMITATION FOR INFLATION.—

(A) IN GENERAL.—The Secretary of Labor shall adjust the maximum allowance limitation under paragraph (2) on the date that is 30 days after the date of the enactment of this paragraph, and at the beginning of each fiscal year thereafter, to reflect the percentage (if any) of the increase in the average of the Consumer Price Index for the preceding 12-month period compared to the Consumer Price Index for fiscal year 2020.

(B) SPECIAL RULES FOR CALCULATION OF ADJUSTMENT.—In making an adjustment under subparagraph (A), the Secretary—

(i) shall round the amount of any increase in the Consumer Price Index to the nearest dollar; and

(ii) may ignore any such increase of less than 1 percent.

(C) CONSUMER PRICE INDEX DEFINED.—For purposes of this paragraph, the term ‘Consumer Price Index’ means the Consumer Price Index for All Urban Consumers published by
the Bureau of Labor Statistics of the Department of Labor.”.

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

(1) in subsection (a)(1), by striking “may use funds made available to the State to carry out sections 235 through 238” and inserting “shall use, from funds made available to the State to carry out sections 235 through 238A, such amounts as may be necessary”;

(2) in subsection (a)(2), in the matter preceding subparagraph (A), by striking “may be granted” and inserting “shall be granted”;

(3) in subsection (b)—

(A) in paragraph (1), by striking “not more than 90 percent” and inserting “100 percent”; and

(B) in paragraph (2), by striking “$1,250” and inserting “$2,000 (subject to adjustment under subsection (d))”; and

(4) by adding at the end the following:

“(d) ADJUSTMENT OF MAXIMUM PAYMENT LIMITATION FOR INFLATION.—

“(1) IN GENERAL.—The Secretary of Labor shall adjust the maximum payment limitation under
subsection (b)(2) on the date that is 30 days after
the date of the enactment of this subsection, and at
the beginning of each fiscal year thereafter, to re-
fect the percentage (if any) of the increase in the
average of the Consumer Price Index for the pre-
ceeding 12-month period compared to the Consumer
Price Index for fiscal year 2020.

“(2) SPECIAL RULES FOR CALCULATION OF AD-
JUSTMENT.—In making an adjustment under para-
graph (1), the Secretary—

“(A) shall round the amount of any in-
crease in the Consumer Price Index to the near-
est dollar; and

“(B) may ignore any such increase of less
than 1 percent.

“(3) CONSUMER PRICE INDEX DEFINED.—For
purposes of this subsection, the term ‘Consumer
Price Index’ means the Consumer Price Index for
All Urban Consumers published by the Bureau of
Labor Statistics of the Department of Labor.”.

(c) CHILD CARE ALLOWANCES.—

(1) IN GENERAL.—Part II of subchapter B of
chapter 2 of title II of the Trade Act of 1974 (19
U.S.C. 2295 et seq.) is amended by adding at the
end the following:
“SEC. 238A. CHILD CARE ALLOWANCES.

“(a) Child Care Allowances Authorized.—

“(1) In general.—Each State shall use, from funds made available to the State to carry out sections 235 through 238A, such amounts as may be necessary to allow an adversely affected worker covered by a certification issued under subchapter A of this chapter to file an application for a child care allowance with the Secretary, and the Secretary may grant the child care allowance, subject to the terms and conditions of this section.

“(2) Conditions for granting allowance.—A child care allowance shall be granted if the allowance will assist an adversely affected worker to attend training or seek suitable employment, by providing for the care of one or more of the minor dependents of the worker.

“(b) Amount of Allowance.—Any child care allowance granted to a worker under subsection (a) shall not exceed $2,000 per minor dependent per year.

“(c) Adjustment of Maximum Allowance Limitation for Inflation.—

“(1) In general.—The Secretary of Labor shall adjust the maximum allowance limitation under subsection (b) on the date that is 30 days after the date of the enactment of this subsection, and at the
beginning of each fiscal year thereafter, to reflect the percentage (if any) of the increase in the average of the Consumer Price Index for the preceding 12-month period compared to the Consumer Price Index for fiscal year 2020.

“(2) SPECIAL RULES FOR CALCULATION OF ADJUSTMENT.—In making an adjustment under paragraph (1), the Secretary—

“(A) shall round the amount of any increase in the Consumer Price Index to the nearest dollar; and

“(B) may ignore any such increase of less than 1 percent.

“(3) CONSUMER PRICE INDEX DEFINED.—For purposes of this subsection, the term ‘Consumer Price Index’ means the Consumer Price Index for All Urban Consumers published by the Bureau of Labor Statistics of the Department of Labor.”.

(2) CONFORMING AMENDMENTS.—

(A) LIMITATIONS ON ADMINISTRATIVE EXPENSES AND EMPLOYMENT AND CASE MANAGEMENT SERVICES.—Section 235A of the Trade Act of 1974 (19 U.S.C. 2295a) is amended in the matter preceding paragraph (1) by striking “through 238” and inserting “through 238A”.
(B) TRAINING.—Section 236(a)(2) of the Trade Act of 1974 (19 U.S.C. 2296(a)(2)) is amended—

(i) in subparagraph (A), by striking “and 238” and inserting “238, and 238A”;

(ii) in subparagraph (B), by striking “and 238” each place it appears and inserting “238, and 238A”;

(iii) in subparagraph (C)(i), by striking “and 238” and inserting “238, and 238A”;

(iv) in subparagraph (C)(v), by striking “and 238” and inserting “238, and 238A”; and

(v) in subparagraph (E), by striking “and 238” each place it appears and inserting “238, and 238A”.

(3) CLERICAL AMENDMENT.—The table of contents for the Trade Act of 1974 is amended by adding after the item relating to section 238 the following new item:

“Sec. 238A. Child care allowances.”.

SEC. 133111. AGREEMENTS WITH STATES.

(a) COORDINATION.—Section 239(f) of the Trade Act of 1974 (19 U.S.C. 2311(f)) is amended—
(1) by striking “(f) Any agreement” and inserting the following:

“(f)(1) Any agreement”; and

(2) by adding at the end the following:

“(2) In arranging for training programs to be carried out under this chapter, each cooperating State agency shall, among other factors, take into account and measure the progress of the extent to which such programs—

“(A) achieve a satisfactory rate of completion and placement in jobs that provide a living wage and that increase economic security;

“(B) assist workers in developing the skills, networks, and experiences necessary to advance along a career path;

“(C) assist workers from underserved communities to establish a work history, demonstrate success in the workplace, and develop the skills that lead to entry into and retention in unsubsidized employment; and

“(D) adequately serve individuals who face the greatest barriers to employment, including people with low incomes, people of color, immigrants, persons with disabilities, and formerly incarcerated individuals.
“(3) Each cooperating State agency shall facilitate joint cooperation between training programs, representatives of workers, employers, and communities, especially in underserved rural and urban regions, to ensure a fair and engaging workplace that balances the priorities and well-being of workers with the needs of businesses.

“(4) Each cooperating State agency shall seek, including through agreements and training programs described in this subsection, to ensure the reemployment of adversely affected workers upon completion of training as described in section 236.”.

(b) Administration.—Section 239(g) of the Trade Act of 1974 (19 U.S.C. 2311(g)) is amended—

(1) by redesignating—

(A) paragraphs (1) through (4) as paragraphs (3) through (6), respectively; and

(B) paragraph (5) as paragraph (8);

(2) by inserting before paragraph (3) (as redesignated) the following:

“(1) review each layoff of more than 5 workers in a firm to determine whether trade played a role in the layoff and whether workers in such firm are potentially eligible to receive benefits under this chapter,
“(2) perform sustained outreach to firms to facilitate and assist with filing petitions under section 221 and collecting necessary supporting information,”;

(3) in paragraph (3) (as redesignated), by striking “who applies for unemployment insurance of” and inserting “identified under paragraph (1) of unemployment insurance benefits and”;

(4) in paragraph (4) (as redesignated), by inserting “and assist with” after “facilitate”;

(5) in paragraph (6) (as redesignated), by striking “and” at the end;

(6) by inserting after paragraph (6) (as redesignated) the following:

“(7) perform sustained outreach to workers from underserved communities and to firms that employ a majority or a substantial percentage of workers from underserved communities and develop a plan, in consultation with the Secretary, for addressing common barriers to receiving services that such workers have faced,”;

(7) in paragraph (8) (as redesignated), by striking “funds provided to carry out this chapter are insufficient to make such services available, make arrangements to make such services available through
other Federal programs” and inserting “support services are needed beyond what this chapter can provide, make arrangements to coordinate such services available through other Federal programs” ; and

(8) by adding at the end the following:

“(9) develop a strategy to engage with local workforce development institutions, including local community colleges and other educational institutions, and

“(10) develop a comprehensive strategy to provide agency staffing to support the requirements of paragraphs (1) through (9).”.

(e) STAFFING.—Section 239 of the Trade Act of 1974 (19 U.S.C. 2311) is amended by striking subsection (k) and inserting the following:

“(k) STAFFING.—An agreement entered into under this section shall provide that the cooperating State or cooperating State agency shall require that any individual engaged in functions (other than functions that are not inherently governmental) to carry out the trade adjustment assistance program under this chapter shall be a State employee covered by a merit system of personnel administration.”.
SEC. 133112. REEMPLOYMENT TRADE ADJUSTMENT ASSISTANCE PROGRAM.

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

(1) in paragraph (3)(B)(ii), by striking "$50,000" and inserting "$70,000 (subject to adjustment under paragraph (8))";

(2) in paragraph (5)(B)(i), by striking "$10,000" and inserting "$20,000 (subject to adjustment under paragraph (8))"; and

(3) by adding at the end the following:

"(8) ADJUSTMENT OF SALARY LIMITATION AND TOTAL AMOUNT OF PAYMENTS FOR INFLATION.—

"(A) IN GENERAL.—The Secretary of Labor shall adjust the salary limitation under paragraph (3)(B)(ii) and the amount under paragraph (5)(B)(i) on the date that is 30 days after the date of the enactment of this paragraph, and at the beginning of each fiscal year thereafter, to reflect the percentage (if any) of the increase in the average of the Consumer Price Index for the preceding 12-month period compared to the Consumer Price Index for fiscal year 2020."
“(B) SPECIAL RULES FOR CALCULATION
OF ADJUSTMENT.—In making an adjustment
under subparagraph (A), the Secretary—

“(i) shall round the amount of any in-
crease in the Consumer Price Index to the
nearest dollar; and

“(ii) may ignore any such increase of
less than 1 percent.

“(C) CONSUMER PRICE INDEX DEFINED.—
For purposes of this paragraph, the term ‘Con-
sumer Price Index’ means the Consumer Price
Index for All Urban Consumers published by
the Bureau of Labor Statistics of the Depart-
ment of Labor.”.

SEC. 133113. EXTENSION OF TRADE ADJUSTMENT ASSIST-
ANCE TO PUBLIC AGENCY WORKERS.

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

(1) in paragraph (3)—

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

(B) in subparagraph (A), by striking “or
service sector firm” and inserting “, service sec-
tor firm, or public agency”; and
(2) by adding at the end the following:

“(20) The term ‘public agency’ means a department or agency of a State or local government or of the Federal Government.’’.

(b) GROUP ELIGIBILITY REQUIREMENTS.—Section 222 of the Trade Act of 1974 (19 U.S.C. 2272), as amended by subsections (b) and (c) of section 133102, is further amended—

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

(2) by inserting after subsection (b) the following:

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

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

“(2) the public agency has acquired from a foreign country services like or directly competitive with services which are supplied by such agency; and
“(3) the acquisition of services described in paragraph (2) contributed to such workers’ separation or threat of separation.”;

(3) in subsection (d) (as redesignated), by adding at the end the following:

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

(4) in paragraph (2) of subsection (e) (as redesignated), by striking “subsection (a) or (b)” and inserting “subsection (a), (b), or (e)”.

SEC. 133114. DEFINITIONS.

(a) EXTENSION OF ADJUSTMENT ASSISTANCE FOR WORKERS TO TERRITORIES.—Section 247(7) of the Trade Act of 1974 (19 U.S.C. 2319(7)) is amended—

(1) by inserting “, Guam, the Virgin Islands of the United States, American Samoa, the Commonwealth of the Northern Mariana Islands,” after “District of Columbia”; and

(2) by striking “such Commonwealth.” and inserting “such territories.”.

(b) UNDERSERVED COMMUNITY.—Section 247 of the Trade Act of 1974 (19 U.S.C. 2319), as amended by section 133113(a), is further amended by adding at the end the following:
“(21) The term ‘underserved community’ means a community with populations sharing a particular characteristic that have been systematically denied a full opportunity to participate in aspects of economic, social, or civic life, such as Black, Latino, and Indigenous and Native American persons, Asian Americans and Pacific Islanders, other persons of color, members of other minority communities, persons with disabilities, persons who live in rural areas, and other populations otherwise adversely affected by persistent poverty or inequality.”.

SEC. 133115. SUBPOENA POWER.

Section 249 of the Trade Act of 1974 (19 U.S.C. 2321) is amended—

(1) in subsection (a), by adding at the end the following: “The authority under the preceding sentence includes the authority of States to require, by subpoena, a firm to provide information on workers employed by, or totally or partially separated from, the firm that is necessary to make a determination under this chapter or to provide outreach to workers, including the names and address of workers.”;

and

(2) by adding at the end the following:
“(c) Enforcement of Subpoenas by States.—

A State may enforce compliance with a subpoena issued under subsection (a)—

“(1) as provided for under State law; and

“(2) by petitioning an appropriate United States district court for an order requiring compliance with the subpoena.”.

PART 2—TRADE ADJUSTMENT ASSISTANCE FOR FIRMS

SEC. 133201. PETITIONS AND DETERMINATIONS.

Section 251 of the Trade Act of 1974 (19 U.S.C. 2341) is amended—

(1) in the second sentence of subsection (a), by striking “Upon” and inserting “Not later than 15 days after”;

(2) by amending subsection (c) to read as follows:

“(c)(1) The Secretary shall certify a firm (including any agricultural firm or service sector firm) as eligible to apply for adjustment assistance under this chapter if the Secretary determines—

“(A)(i) that a significant number or proportion of the workers in such firm have become totally or partially separated, or are threatened to become totally or partially separated, or
“(ii) that—

“(I) sales or production, or both, of the firm have decreased absolutely or failed to increase,

“(II) sales or production, or both, of an article or service that accounted for not less than 25 percent of the total sales or production of the firm during the 12-month period preceding the most recent 12-month period for which data are available have decreased absolutely or failed to increase,

“(III) sales or production, or both, of the firm during the most recent 12-month period for which data are available have decreased or failed to increase compared to—

“(aa) the average annual sales or production for the firm during the 24-month period preceding that 12-month period, or

“(bb) the average annual sales or production for the firm during the 36-month period preceding that 12-month period, and

“(IV) sales or production, or both, of an article or service that accounted for not less than 25 percent of the total sales or production
of the firm during the most recent 12-month
period for which data are available have de-
creased or failed to increase compared to—

“(aa) the average annual sales or pro-
duction for the article or service during the
24-month period preceding that 12-month
period, or

“(bb) the average annual sales or pro-
duction for the article or service during the
36-month period preceding that 12-month
period, and

“(B)(i) increases of imports of articles or serv-
ices like or directly competitive with articles which
are produced or services which are supplied by such
firm contributed to such total or partial separation,
or threat thereof, or to such decline or failure to in-
crease in sales or production, or

“(ii) decreases in exports of articles produced or
services supplied by such firm, or imports of articles
or services necessary for the production of articles or
services supplied by such firm, contributed to such
total or partial separation, or threat thereof, or to
such decline in sales or production.

“(2) For purposes of paragraph (1)(B):
“(A) Any firm which engages in exploration or drilling for oil or natural gas shall be considered to be a firm producing oil or natural gas.

“(B) Any firm that engages in exploration or drilling for oil or natural gas, or otherwise produces oil or natural gas, shall be considered to be producing articles directly competitive with imports of oil and with imports of natural gas.”; and

(3) in subsection (d)—

(A) by striking “this section,” and inserting “this section.”; and

(B) by striking “but in any event” and all that follows and inserting the following: “If the Secretary does not make a determination with respect to a petition within 55 days after the date on which an investigation is initiated under subsection (a) with respect to the petition, the Secretary shall be deemed to have certified the firm as eligible to apply for adjustment assistance under this chapter.”.

SEC. 133202. APPROVAL OF ADJUSTMENT PROPOSALS.

Section 252 of the Trade Act of 1974 (19 U.S.C. 2342) is amended—

(1) in the second sentence of subsection (a), by adding at the end before the period the following:
“and an assessment of the potential employment
outcomes of such proposal”;
(2) in subsection (b)(1)(B), by striking “gives
adequate consideration to” and inserting “is in”;
(3) by redesignating subsection (c) as sub-
section (d); and
(4) by inserting after subsection (b) the fol-
lowing:
“(c) AMOUNT OF ASSISTANCE.—
“(1) IN GENERAL.—A firm may receive adjust-
ment assistance under this chapter with respect to
the firm’s economic adjustment proposal in an
amount not to exceed $300,000, subject to adjust-
ment under paragraph (2) and the matching re-
quirement under paragraph (3).
“(2) ADJUSTMENT OF ASSISTANCE LIMITATION
FOR INFLATION.—
“(A) IN GENERAL.—The Secretary of
Commerce shall adjust the technical assistance
limitation under paragraph (1) on the date that
is 30 days after the date of the enactment of
this paragraph, and at the beginning of each
fiscal year thereafter, to reflect the percentage
(if any) of the increase in the average of the
Consumer Price Index for the preceding 12-
month period compared to the Consumer Price
Index for fiscal year 2020.

“(B) SPECIAL RULES FOR CALCULATION
OF ADJUSTMENT.—In making an adjustment
under subparagraph (A), the Secretary—

“(i) shall round the amount of any in-
crease in the Consumer Price Index to the
nearest dollar; and

“(ii) may ignore any such increase of
less than 1 percent.

“(C) CONSUMER PRICE INDEX DEFINED.—
For purposes of this paragraph, the term ‘Con-
sumer Price Index’ means the Consumer Price
Index for All Urban Consumers published by
the Bureau of Labor Statistics of the Depart-
ment of Labor.

“(3) MATCHING REQUIREMENT.—A firm may
receive adjustment assistance under this chapter
only if the firm provides matching funds in an
amount equal to the amount of adjustment assist-
ance received under paragraph (1).”.

SEC. 133203. TECHNICAL ASSISTANCE.

Section 253(a)(3) of the Trade Act of 1974 (19
U.S.C. 2343(a)(3)) is amended by adding at the end be-
fore the period the following: “, including assistance to
provide skills training programs to employees of the firm”.

SEC. 133204. DEFINITIONS.

Section 259 of the Trade Act of 1974 (19 U.S.C.
2351) is amended by adding at the end the following:
“(3) UNDERSERVED COMMUNITY.—The term ‘underserved community’ has the meaning given that term in section 247.”.

SEC. 133205. PLAN FOR SUSTAINED OUTREACH TO POTEN-
TIALY-ELIGIBLE FIRMS.

(a) IN GENERAL.—Chapter 3 of title II of the Trade Act of 1974 (19 U.S.C. 2341 et seq.) is amended by add-
ing at the end the following:

“SEC. 263. PLAN FOR SUSTAINED OUTREACH TO POTEN-
TIALY-ELIGIBLE FIRMS.

“(a) IN GENERAL.—The Secretary shall develop a plan to provide sustained outreach to firms that may be eligible for adjustment assistance under this chapter.

“(b) MATTERS TO BE INCLUDED.—The plan re-
quired by paragraph (1) shall include the following:

“(1) Outreach to the United States Inter-
national Trade Commission and to such firms in indus-
tries with increased imports identified in the Commission’s annual report regarding the operation
of the trade agreements program under section 163(e).

“(2) Outreach to such firms in the service sector.

“(3) Outreach to such firms that are small businesses.

“(4) Outreach to such firms that are minority- or women-owned firms.

“(5) Outreach to such firms that employ a majority or a substantial percentage of workers from underserved communities.

“(c) UPDATES.—The Secretary shall update the plan required under this section on an annual basis.

“(d) SUBMISSION TO CONGRESS.—The Secretary shall submit the plan and each update to the plan required under this section to Congress.”.

(b) CLERICAL AMENDMENT.—The table of contents for the Trade Act of 1974 is amended by inserting after the item relating to section 262 the following new item:

“Sec. 263. Plan for sustained outreach to potentially-eligible firms.”.

PART 3—TRADE ADJUSTMENT ASSISTANCE FOR COMMUNITIES AND COMMUNITY COLLEGES

SEC. 133301. TRADE ADJUSTMENT ASSISTANCE FOR COMMUNITIES.

(a) IN GENERAL.—Chapter 4 of title II of the Trade Act of 1974 (19 U.S.C. 2371 et seq.) is amended—
(1) by inserting after the chapter heading the following:

“Subchapter B—Trade Adjustment Assistance for Community Colleges and Career Training”; and

(2) by redesignating sections 271 and 272 as sections 279 and 279A, respectively; and

(3) by inserting before subchapter B (as designated by paragraph (1)) the following:

“Subchapter A—Trade Adjustment Assistance for Communities

“SEC. 271. DEFINITIONS.

“In this subchapter:

“(1) AGRICULTURAL COMMODITY PRODUCER.—The term ‘agricultural commodity producer’ has the meaning given that term in section 291.

“(2) COMMUNITY.—The term ‘community’ means—

“(A) a city or other political subdivision of a State, including a special purpose unit of a State or local government engaged in economic or infrastructure development activities, or a consortium of political subdivisions;

“(B) an Economic Development District designated by the Economic Development Ad-
ministration of the Department of Commerce;

or

“(C) an Indian Tribe.

“(3) ELIGIBLE COMMUNITY.—The term ‘eligible community’ means a community that is impacted by trade under section 273(a)(2) and is determined to be eligible for assistance under this subchapter.

“(4) ELIGIBLE ENTITY.—The term ‘eligible entity’ means—

“(A) an eligible community;

“(B) an institution of higher education or a consortium of institutions of higher education;

or

“(C) a public or private nonprofit organization or association acting in cooperation with officials of a political subdivision of a State.

“(4) SECRETARY.—The term ‘Secretary’ means the Secretary of Commerce.

“(5) UNDERSERVED COMMUNITY.—The term ‘underserved community’ has the meaning given that term in section 247.

“SEC. 272. ESTABLISHMENT OF TRADE ADJUSTMENT ASSISTANCE FOR COMMUNITIES PROGRAM.

“The Secretary, acting through the Assistant Secretary for Economic Development, shall, not later than
180 days after the date of enactment of this subchapter, establish a program to provide communities impacted by trade with assistance in accordance with the requirements of this subchapter.

**SEC. 273. ELIGIBILITY; NOTIFICATION OF ELIGIBILITY.**

“(a) Eligibility.—

“(1) In general.—A community shall be eligible for assistance under this subchapter if the community is a community impacted by trade under paragraph (2).

“(2) Community impacted by trade.—A community is impacted by trade if it meets each of the following requirements:

“(A) One or more of the following certifications are made with respect to the community:

“(i) By the Secretary of Labor, that a group of workers located in the community is eligible to apply for assistance under section 223.

“(ii) By the Secretary of Commerce, that a firm located in the community is eligible to apply for adjustment assistance under section 251.
“(iii) By the Secretary of Agriculture, that a group of agricultural commodity producers located in the community is eligible to apply for adjustment assistance under section 293.

“(B) The community—

“(i) applies for assistance not later than 180 days after the date on which the most recent certification described in subparagraph (A) is made; or

“(ii) in the case of a community with respect to which one or more such certifications were made on or after January 1, 1994, and before the date of the enactment of this subchapter, applies for assistance not later than September 30, 2024.

“(C) The community—

“(i) has a per capita income of 80 percent or less of the national average;

“(ii) has an unemployment rate that is, for the most recent 24-month period for which data are available, at least 1 percent greater than the national average unemployment rate; or
“(iii) is significantly affected by a loss of, or threat to, the jobs associated with any certification described in subparagraph (A), or the community is undergoing transition of its economic base as a result of changing trade patterns, as determined by the Secretary.

“(b) Notification of Eligibility.—If one or more certifications described in subsection (a)(2)(A) are made with respect to a community, the applicable Secretary with respect to such certification shall concurrently, notify the Governor of the State in which the community is located of the ability of the community to apply for assistance under this section.

“SEC. 274. GRANTS TO ELIGIBLE COMMUNITIES.

“(a) In General.—The Secretary may—

“(1) upon the application of an eligible community, award a grant under this section to the community to assist in developing or updating a strategic plan that meets the requirements of section 275; or

“(2) upon the application of an eligible entity, award an implementation grant under this section to the entity to assist in implementing projects included
in a strategic plan that meets the requirements of
section 275.

“(b) Special Provisions.—

“(1) Revolving Loan Fund Grants.—

“(A) In general.—The Secretary shall
maintain the proper operation and financial in-
tegrity of revolving loan funds established by el-
igible entities with assistance under this section.

“(B) Efficient Administration.—The
Secretary may—

“(i) at the request of an eligible enti-
ty, amend and consolidate grant agree-
ments governing revolving loan funds to
provide flexibility with respect to lending
areas and borrower criteria; and

“(ii) assign or transfer assets of a re-
volving loan fund to third party for the
purpose of liquidation, and the third party
may retain assets of the fund to defray
costs related to liquidation.

“(C) Treatment of Actions.—An action
taken by the Secretary under this subsection
with respect to a revolving loan fund shall not
constitute a new obligation if all grant funds
associated with the original grant award have
been disbursed to the recipient.

“(2) Use of funds in projects constructed under project cost.—

“(A) In general.—In the case of a grant for a construction project under this section, if the Secretary determines, before closeout of the project, that the cost of the project, based on the designs and specifications that were the basis of the grant, has decreased because of decreases in costs, the Secretary may approve the use of the excess funds (or a portion of the excess funds) to improve the project.

“(B) Other uses of excess funds.—Any amount of excess funds remaining after application of subparagraph (A) may be used by the Secretary for providing assistance under this section.

“(c) Coordination.—If an eligible institution (as such term is defined in section 279) located in an eligible community is seeking a grant under section 279 at the same time the community is seeking an implementation grant under subsection (a)—

“(1) the Secretary, upon receipt of such information from the Secretary of Labor as required
under section 279(e), shall notify the community that the institution is seeking a grant under section 279; and

“(2) the community shall provide to the Secretary, in coordination with the institution, a description of how the community will integrate projects included in the strategic plan with the specific project for which the institution submits the grant proposal under section 279.

“(d) LIMITATION.—The total amount of grants awarded with respect to an eligible community under this section for fiscal years 2022 through 2026 may not exceed $25,000,000.

“(e) PRIORITY.—The Secretary shall, in awarding grants under this section, provide higher levels of funding with respect to eligible communities that have a history of economic distress and long-term unemployment, as determined by the Secretary.

“(f) GEOGRAPHIC DIVERSITY.—

“(1) IN GENERAL.—The Secretary shall, in awarding grants under this section, ensure that grants are awarded with respect to eligible communities from geographically diverse areas.

“(2) GEOGRAPHIC REGION REQUIREMENT.—The Secretary shall, in meeting the requirement
under paragraph (1), award a grant under this sec-
tion for each of the fiscal years 2022 through 2026
to at least one eligible community located in each ge-
ographic region for which regional offices of the
Economic Development Administration of the De-
partment of Commerce are responsible, to the extent
that the Secretary receives an application from at
least one eligible community in each such geographic
region.

“SEC. 275. STRATEGIC PLANS.

“(a) IN GENERAL.—A strategic plan meets the re-
quirements of this section if—

“(1) the consultation requirements of sub-
section (b) are met with respect to the development
of the plan;

“(2) the plan meets the requirements of sub-
section (c); and

“(3) the plan is approved in accordance with
the requirements of subsection (d).

“(b) CONSULTATION.—

“(1) IN GENERAL.—To the extent practicable,
an eligible community shall consult with the entities
described in paragraph (2) in developing the stra-
tegic plan.
“(2) ENTITIES DESCRIBED.—The entities described in this paragraph are public and private entities located in or serving the eligible community, including—

“(A) local, county, or State government agencies;

“(B) firms, including small- and medium-sized firms;

“(C) local workforce investment boards;

“(D) labor organizations, including State labor federations and labor-management initiatives, representing workers in the community;

“(E) educational institutions, local educational agencies, and other training providers; and

“(F) local civil rights organizations and community-based organizations, including organizations representing underserved communities.

“(c) CONTENTS.—The strategic plan may contain, as applicable to the community, the following:

“(1) A description and analysis of the capacity of the eligible community to achieve economic adjustment to the impact of trade.
“(2) An analysis of the economic development challenges and opportunities facing the community, including the strengths and weaknesses of the economy of the community.

“(3) An assessment of—

“(A) the commitment of the community to carry out the strategic plan on a long-term basis;

“(B) the participation and input of members of the community who are dislocated from employment due to the impact of trade; and

“(C) the extent to which underserved communities have been impacted by trade.

“(4) A description of how underserved communities will benefit from the strategic plan.

“(5) A description of the role of the entities described in subsection (b)(2) in developing the strategic plan.

“(6) A description of projects under the strategic plan to facilitate the community’s economic adjustment to the impact of trade, including projects to—

“(A) develop public facilities, public services, jobs, and businesses (including establishing a revolving loan fund);
“(B) provide for planning and technical assistance;

“(C) provide for training;

“(D) provide for the demolition of vacant or abandoned commercial, industrial, or residential property;

“(E) redevelop brownfields;

“(F) establish or support land banks;

“(G) support energy conservation; and

“(H) support historic preservation.

“(7) A strategy for continuing the community’s economic adjustment to the impact of trade after the completion of such projects.

“(8) A description of the educational and training programs and the potential employment opportunities available to workers in the community, including for workers under the age of 25, and the future employment needs of the community.

“(9) An assessment of—

“(A) the cost of implementing the strategic plan; and

“(B) the timing of funding required by the community to implement the strategic plan.
“(10) A description of the methods of financing to be used to implement the strategic plan, including—

“(A) an implementation grant received under section 274 or under other authorities;

“(B) a loan, including the establishment of a revolving loan fund; or

“(C) other types of financing.

“(11) An assessment of how the community will address unemployment among agricultural commodity producers, if applicable.

“(d) APPROVAL; CEDS EQUIVALENT.—

“(1) APPROVAL.—The Secretary shall approve the strategic plan developed by an eligible community under this section if the Secretary determines that the strategic plan meets the requirements of this section.

“(2) CEDS OR EQUIVALENT.—The Secretary may deem an eligible community’s Comprehensive Economic Development Strategy that substantially meets the requirements of this section to be an approved strategic plan for purposes of this subchapter.

“(e) ALLOCATION.—Of the funds appropriated to carry out this chapter for each of the fiscal years 2022
through 2026, the Secretary may make available not more
than $50,000,000 to award grants under section 274(a)(1).

"SEC. 276. COORDINATION OF FEDERAL RESPONSE AND
OTHER ADDITIONAL TECHNICAL ASSIST-
ANCE.

"(a) IN GENERAL.—The Secretary shall coordinate
the Federal response with respect to an eligible community
that is awarded an implementation grant under section
274(a)(2) to implement the community’s strategic plan
that meets the requirements of section 275 by—

"(1) identifying and consulting, as appropriate,
with any other Federal, State, regional, or local gov-
ernment agency;

"(2) assisting the community to access assist-
ance from other available Federal sources as nec-
essary to fulfill the community’s strategic plan devel-
oped under section 275; and

"(3) ensuring that such assistance is provided
in a targeted, integrated manner.

"(b) TRANSFER OF FUNDS.—

"(1) TRANSFER OF FUNDS TO OTHER FEDERAL
AGENCIES.—Funds appropriated to carry out this
chapter may be transferred between Federal agen-
cies, if the funds are used for the purposes for which
the funds are specifically appropriated.

“(2) Transfer of funds from other federal agencies.—

“(A) IN GENERAL.—Subject to subparagraph (B), for the purposes of this chapter, the
Secretary may accept transfers of funds from
other Federal agencies if the funds are used for
the purposes for which (and in accordance with
the terms under which) the funds are specifically appropriated.

“(B) USE OF FUNDS.—The transferred
funds—

“(i) shall remain available until ex-
pended; and

“(ii) may, to the extent necessary to
carry out this chapter, be transferred to
and merged by the Secretary with the ap-
propriations for salaries and expenses.

“(c) Additional technical assistance.—In ad-
dition to the coordination and assistance described in sub-
section (a), the Secretary shall provide technical assistance
for communities—

“(1) to identify significant impediments to eco-
nomic development that result from the impact of
trade on the community, including in the course of
developing a strategic plan under section 275; and

“(2) to access assistance under other available
sources, including State, local, or private sources, to
implement projects that diversify and strengthen the
economy in the community.

“SEC. 277. GENERAL PROVISIONS.

“(a) Regulations.—

“(1) In general.—The Secretary shall, sub-
ject to paragraph (3), promulgate such regulations
as may be necessary to carry out this subchapter, in-
cluding with respect to—

“(A) administering the awarding of grants
under section 274, including establishing guide-
lines for the submission and evaluation of grant
applications under such section; and

“(B) establishing guidelines for the evalua-
tion of strategic plans developed to meet the re-
quirements of section 275.

“(2) Consultations.—The Secretary shall
consult with the Committee on Ways and Means of
the House of Representatives and the Committee on
Finance of the Senate not later than 90 days prior
to promulgating any final rule or regulation under
this subsection.
“(3) RELATIONSHIP TO EXISTING REGULATIONS.—The Secretary, to the maximum extent practicable, shall—

“(A) rely on and apply regulations promulgated to carry out other economic development programs of the Department of Commerce in carrying out this subchapter; and

“(B) provide guidance regarding the manner and extent to which such other economic development programs relate to this subchapter.

“(b) RESOURCES.—The Secretary shall allocate such resources as may be necessary to provide sufficiently individualized assistance to each eligible community that receives a grant under section 274(a) or seeks technical assistance under section 276(c) to develop and implement a strategic plan that meets the requirements of section 275.”.

(b) CLERICAL AMENDMENT.—The table of contents for the Trade Act of 1974 is amended by striking the items relating to chapter 4 of title II and inserting the following:

“Chapter 4—Trade Adjustment Assistance for Communities

Subchapter A—Trade Adjustment Assistance for Communities

Sec. 271. Definitions.
Sec. 272. Establishment of trade adjustment assistance for communities program.
Sec. 273. Eligibility; notification of eligibility.
Sec. 274. Grants to eligible communities.
Sec. 275. Strategic plans.
SEC. 133302. TRADE ADJUSTMENT ASSISTANCE FOR COMMUNITY COLLEGES AND CAREER TRAINING.

Section 279 of the Trade Act of 1974, as redesignated by section 133301(a)(2), is amended as follows:

(1) In subsection (a)—

(A) in paragraph (1), by striking “eligible institutions” and inserting “eligible entities”; and

(B) in paragraph (2)—

(i) in the matter preceding subparagraph (A), by striking “eligible institution” and inserting “eligible entity”; and

(ii) in subparagraph (B)—

(I) by striking “$1,000,000” and inserting “$2,500,000”;

(II) by striking “(B)” and inserting “(B)(i) in the case of an eligible institution,”;

(III) by striking the period at the end and inserting “; or”; and
(IV) by adding at the end the following:

“(ii) in the case of a consortia of eligible institutions, a grant under this section in excess of $15,000,000.”.

(2) In subsection (b)—

(A) in paragraph (1), by striking “2 years” and inserting “4 years”; and

(B) by adding at the end the following:

“(3) ELIGIBLE ENTITY.—The term ‘eligible entity’ means an eligible institution or a consortia of eligible institutions.

“(4) UNDERSERVED COMMUNITY.—The term ‘underserved community’ has the meaning given that term in section 247.”.

(3) In subsection (c)—

(A) by striking “eligible institution” each place it appears and inserting “eligible entity”; and

(B) in paragraph (5)(A)(i)—

(i) in subclause (I), by striking “and” at the end; and

(ii) by adding at the end the following:
“(III) any opportunities to support industry or sector partnerships to develop or expand quality academic programs and curricula; and”.

(4) In subsection (d), by striking “eligible institution” each place it appears and inserting “eligible entity”.

(5) By redesignating subsection (e) as subsection (h) and inserting after subsection (d) the following:

“(e) USE OF FUNDS.—

“(1) IN GENERAL.—An eligible entity shall use a grant awarded under this section to establish and scale career training programs, including career and technical education programs, and career pathways and supports for students participating in such programs.

“(2) STUDENT SUPPORT AND EMERGENCY SERVICES.—Not less than 15 percent of the amount of a grant awarded to an eligible entity under this section shall be used to carry out student support services, which may include the following: —

“(A) Supportive services, including childcare, transportation, mental health services, or substance use disorder prevention and
treatment, assistance in obtaining health insurance coverage, housing, and other benefits, as appropriate.

“(B) Connecting students to State or Federal means-tested benefits programs.

“(C) The provision of direct financial assistance to help students facing financial hardships that may impact enrollment in or completion of a program assisted with such funds.

“(D) Navigation, coaching, mentorship, and case management services, including providing information and outreach to populations described in subsection (e) to take part in a program supported with such funds.

“(E) Providing access to necessary supplies, materials, technological devices, or required equipment, and other supports necessary to participate in such programs.

“(f) PLAN FOR OUTREACH TO UNDERSERVED COMMUNITIES.—

“(1) IN GENERAL.—In awarding grants under this section, the Secretary shall—

“(A) ensure that eligible institutions effectively serve individuals from underserved communities; and
“(B) develop a plan to ensure that grants provided under this subchapter effectively serve individuals from underserved communities.

“(2) UPDATES.—The Secretary shall update the plan required by paragraph (1)(B) on an annual basis.

“(3) SUBMISSION TO CONGRESS.—The Secretary shall submit the plan required by paragraph (1)(B) and each update to the plan required by paragraph (2) to Congress.

“(g) GEOGRAPHIC DIVERSITY.—The Secretary shall, in awarding grants under this section, ensure that grants are awarded with respect to eligible entities from geographically diverse areas.”.

PART 4—TRADE ADJUSTMENT ASSISTANCE FOR FARMERS

SEC. 133401. DEFINITIONS.

Section 291 of the Trade Act of 1974 (19 U.S.C. 2401) is amended—

(1) by striking paragraph (3);

(2) by redesignating paragraphs (4) through (7) as paragraphs (3) through (6), respectively; and

(3) by adding at the end the following:
“(7) UNDERSERVED COMMUNITY.—The term ‘underserved community’ has the meaning given that term in section 247.”.

SEC. 133402. GROUP ELIGIBILITY REQUIREMENTS.

Section 292 of the Trade Act of 1974 (19 U.S.C. 2401a) is amended—

(1) in subsection (e)—

(A) in paragraph (1)—

(i) by striking “85 percent of” each place it appears; and

(ii) in subparagraph (D), by adding “and” at the end;

(B) in paragraph (2), by striking “(2)” and inserting “(2)(A)(i)”;

(C) by redesignating paragraph (3) as clause (ii) paragraph (2)(A) (as designated by subparagraph (B));

(D) in clause (ii) of paragraph (2)(A) (as redesignated by subparagraph (C))—

(i) by striking “importantly”; and

(ii) by striking the period at the end and inserting “; or” ; and

(E) by adding at the end the following:

“(B)(i) the volume of exports of the agricultural commodity produced by the group in the marketing
year with respect to which the group files the petition decreased compared to the average volume of such exports during the 3 marketing years preceding such marketing year; and

“(ii) the decrease in such exports contributed to the decrease in the national average price, quantity of production, or value of production of, or cash receipts for, the agricultural commodity, as described in paragraph (1).”;

(2) in subsection (e)(3), by adding at the end before the period the following: “or exports”.

SEC. 133403. BENEFIT INFORMATION TO AGRICULTURAL COMMODITY PRODUCERS.

Section 295(a) of the Trade Act of 1974 (19 U.S.C. 2401d(a)) is amended by adding at the end the following: “The Secretary shall develop a plan to conduct targeted sustained outreach and offer assistance to agricultural commodity producers from underserved communities”.

SEC. 133404. QUALIFYING REQUIREMENTS AND BENEFITS FOR AGRICULTURAL COMMODITY PRODUCERS.

Section 296 of the Trade Act of 1974 (19 U.S.C. 2401e) is amended—

(1) in subsection (a)(1)(A), by striking “90 days” and inserting “120 days”;
(2) in subsection (b)—

(A) in paragraph (3)(B), by striking "$4,000" and inserting "$12,000"; and

(B) in paragraph (4)(C), by striking "$8,000" and inserting "$24,000";

(3) in subsection (c), by striking "$12,000" and inserting "$36,000"; and

(4) by adding at the end the following new subsection:

"(e) ADJUSTMENTS FOR INFLATION.—

“(1) IN GENERAL.—The Secretary of Agriculture shall adjust each dollar amount limitation described in this section on the date that is 30 days after the date of the enactment of this subsection, and at the beginning of each fiscal year thereafter, to reflect the percentage (if any) of the increase in the average of the Consumer Price Index for the preceding 12-month period compared to the Consumer Price Index for fiscal year 2020.

“(2) SPECIAL RULES FOR CALCULATION OF ADJUSTMENT.—In making an adjustment under paragraph (1), the Secretary—

“(A) shall round the amount of any increase in the Consumer Price Index to the nearest dollar; and
“(B) may ignore any such increase of less
than 1 percent.

“(3) CONSUMER PRICE INDEX DEFINED.—For
purposes of this subsection, the term ‘Consumer
Price Index’ means the Consumer Price Index for
All UrbanConsumers published by the Bureau of
Labor Statistics of the Department of Labor.”.

PART 5—APPROPRIATIONS AND OTHER MATTERS

SEC. 133501. EXTENSION OF AND APPROPRIATIONS FOR
TRADE ADJUSTMENT ASSISTANCE PROGRAM.

(a) EXTENSION OF TERMINATION PROVISIONS.—
Section 285 of the Trade Act of 1974 (19 U.S.C. 2271
note) is amended by striking “2021” each place it appears
and inserting “2028”.

(b) TRAINING FUNDS.—Section 236(a)(2)(A) of the
Trade Act of 1974 (19 U.S.C. 2296(a)(2)(A)) , as amend-
ed by section 133110(c)(2)(B), is further amended—

(1) by striking “shall not exceed $450,000,000”
and inserting the following: “shall not exceed—

“(i) $450,000,000”;

(2) by striking the period at the end and insert-
ing “; and”; and

(3) by adding at the end the following:

“(ii) $1,000,000,000 for each of the fiscal years 2022
through 2028.”.
(c) Reemployment Trade Adjustment Assistance.—Section 246(b)(1) of the Trade Act of 1974 (19 U.S.C. 2318(b)(1)) is amended by striking “2021” and inserting “2028”.

(d) Authorizations of Appropriations.—

(1) Trade adjustment assistance for workers.—Section 245 of the Trade Act of 1974 (19 U.S.C. 2317) is amended—

(A) in subsection (a), by striking “2021” and inserting “2028”; and

(B) by adding at the end the following:

“(d) Reservation by the Secretary.—Of the funds appropriated to carry out this chapter for any fiscal year, the Secretary of Labor may reserve not more than 0.5 percent for technical assistance, pilots and demonstrations, and the evaluation of activities carried out under this chapter.”.

(2) Trade adjustment assistance for firms.—Section 255(a) of the Trade Act of 1974 (19 U.S.C. 2345(a)) is amended in the first sentence by adding at the end before the period the following:

“and $50,000,000 for each of the fiscal years 2022 through 2028”.
(3) TRADE ADJUSTMENT ASSISTANCE FOR FARMERS.—Section 298 of the Trade Act of 1974 (19 U.S.C. 2401g(a)) is amended—

(A) in subsection (a)—

(i) by striking “$90,000,000” and inserting “$50,000,000”; and

(ii) by striking “2021” and inserting “2028”; and

(B) by adding at the end the following:

“(c) RESERVATION BY THE SECRETARY.—Of the funds appropriated to carry out this chapter for any fiscal year, the Secretary of Agriculture may not reserve more than 5 percent for technical assistance, pilots and demonstrations, and the evaluation of activities carried out under this chapter.”.

(e) APPROPRIATIONS.—

(1) TRADE ADJUSTMENT ASSISTANCE FOR WORKERS.—In addition to amounts otherwise available, there is appropriated for each of fiscal years 2022 through 2028, out of any money in the Treasury not otherwise appropriated, $1,000,000,000, to remain available until expended, to carry out the purposes of chapter 2 of title II of the Trade Act of 1974, as authorized by section 245 of the Trade
Act of 1974 (19 U.S.C. 2317) (as amended by subsection (d)).

(2) Trade Adjustment Assistance for Firms.—In addition to amounts otherwise available, there is appropriated for each of fiscal years 2022 through 2028, out of any money in the Treasury not otherwise appropriated, $50,000,000, to remain available until expended, to carry out the provisions of chapter 3 of title II of the Trade Act of 1974, as authorized by section 255 of the Trade Act of 1974 (19 U.S.C. 2345) (as amended by subsection (d)).

(3) Trade Adjustment Assistance for Communities.—

(A) In General.—In addition to amounts otherwise available, there is appropriated for each of fiscal years 2022 through 2026, out of any money in the Treasury not otherwise appropriated, $1,000,000,000, to remain available until expended, to carry out subchapter A of chapter 4 of title II of the Trade Act of 1974, as added by section 133301 of this Act, as added by subsection (d).

(B) Salaries and Expenses.—Of the amounts appropriated pursuant subparagraph
(A) for each of fiscal years 2022 through 2026, not more than $40,000,000 shall be made available for the salaries and expenses of personnel administering subchapter A of chapter 4 of title II of the Trade Act of 1974.

(C) Supplement and not supplant.—
Amounts appropriated pursuant to subparagraph (A) for each of the fiscal years 2022 through 2026 shall be used to supplement, and not supplant, other Federal, State, regional, and local government funds made available to provide economic development assistance for communities.

(4) Trade Adjustment Assistance for Community Colleges and Career Training.—

(A) In general.—In addition to amounts otherwise available, there is appropriated for each of fiscal years 2022 through 2028, out of any money in the Treasury not otherwise appropriated, $1,300,000,000, to remain available until expended, to carry out subchapter B of chapter 4 of title II of the Trade Act of 1974, as designated by section 13301 of this Act, as authorized by section 279A of such subchapter B (as redesignated).
(B) Reservation by the Secretary.—

Of the funds appropriated to carry out sub-
chapter B of chapter 4 of title II of the Trade
Act of 1974 for each of fiscal years 2002
through 2028, the Secretary of Labor may re-
serve not more than 5 percent for administra-
tion of the program, including providing tech-
nical assistance, sustained outreach to eligible
institutions effectively serving underserved com-
munities, pilots and demonstrations, and a rig-
orous third-party evaluation of the program
carried out under such subchapter.

(5) Trade Adjustment Assistance for
Farmers.—In addition to amounts otherwise avail-
able, there is appropriated for each of fiscal years
2022 through 2028, out of any money in the Treas-
ury not otherwise appropriated, $50,000,000, to re-
main available until expended, to carry out the pur-
poses of chapter 6 of title II of the Trade Act of
1974, as authorized by section 298 of the Trade Act
of 1974 (19 U.S.C. 2401) (as amended by sub-
section (d)).
SEC. 133502. APPLICABILITY OF TRADE ADJUSTMENT ASSISTANCE PROVISIONS.

(a) WORKERS CERTIFIED BEFORE DATE OF ENACTMENT.—

(1) IN GENERAL.—Except as provided in paragraphs (2) and (3), a worker certified as eligible for adjustment assistance under section 222 of the Trade Act of 1974 before the date of the enactment of this Act shall be eligible, on and after such date of enactment, to receive benefits only under the provisions of chapter 2 of title II of the Trade Act of 1974, as in effect on such date of enactment, or as such provisions may be amended after such date of enactment.

(2) COMPUTATION OF MAXIMUM BENEFITS.—Benefits received by a worker described in paragraph (1) under chapter 2 of title II of the Trade Act of 1974 before the date of the enactment of this Act shall be included in any determination of the maximum benefits for which the worker is eligible under the provisions of chapter 2 of title II of the Trade Act of 1974, as in effect on the date of the enactment of this Act, or as such provisions may be amended after such date of enactment.

(3) AUTHORITY TO MAKE ADJUSTMENTS TO BENEFITS.—For the 90-day period beginning on the
date of the enactment of this Act, the Secretary is authorized to make any adjustments to benefits to workers described in paragraph (1) that the Secretary determines to be necessary and appropriate in applying and administering the provisions of chapter 2 of title II of the Trade Act of 1974, as in effect on the date of the enactment of this Act, or as such provisions may be amended after such date of enactment, in a manner that ensures parity of treatment between the benefits of such workers and the benefits of workers certified after such date of enactment.

(b) Workers Not Certified Pursuant to Certain Petitions Filed Before Date of Enactment.—

(1) CERTIFICATIONS OF WORKERS NOT CERTIFIED BEFORE DATE OF ENACTMENT.—

(A) CRITERIA IF A DETERMINATION HAS NOT BEEN MADE.—If, as of the date of the enactment of this Act, the Secretary of Labor has not made a determination with respect to whether to certify a group of workers as eligible to apply for adjustment assistance under section 222 of the Trade Act of 1974 pursuant to a petition described in subparagraph (C), the
Secretary shall make that determination based on the requirements of section 222 of the Trade Act of 1974, as in effect on such date of enactment.

(B) RECONSIDERATION OF DENIALS OF CERTIFICATIONS.—If, before the date of the enactment of this Act, the Secretary made a determination not to certify a group of workers as eligible to apply for adjustment assistance under section 222 of the Trade Act of 1974 pursuant to a petition described in subparagraph (C), the Secretary shall—

(i) reconsider that determination; and

(ii) if the group of workers meets the requirements of section 222 of the Trade Act of 1974, as in effect on such date of enactment, certify the group of workers as eligible to apply for adjustment assistance.

(C) PETITION DESCRIBED.—A petition described in this subparagraph is a petition for a certification of eligibility for a group of workers filed under section 221 of the Trade Act of 1974 on or after January 1, 2021, and before the date of the enactment of this Act.

(2) ELIGIBILITY FOR BENEFITS.—
(A) IN GENERAL.—Except as provided in subparagraph (B), a worker certified as eligible to apply for adjustment assistance under section 222 of the Trade Act of 1974 pursuant to a petition described in paragraph (1)(C) shall be eligible, on and after the date of the enactment of this Act, to receive benefits only under the provisions of chapter 2 of title II of the Trade Act of 1974, as in effect on such date of enactment, or as such provisions may be amended after such date of enactment.

(B) COMPUTATION OF MAXIMUM BENEFITS.—Benefits received by a worker described in paragraph (1) under chapter 2 of title II of the Trade Act of 1974 before the date of the enactment of this Act shall be included in any determination of the maximum benefits for which the worker is eligible under the provisions of chapter 2 of title II of the Trade Act of 1974, as in effect on the date of the enactment of this Act, or as such provisions may be amended after such date of enactment.

(e) CONFORMING AMENDMENTS.—
(1) Trade Act of 2002.—Section 151 of the Trade Act of 2002 (19 U.S.C. note prec. 2271) is amended by striking subsections (a), (b), and (c).


(3) Trade Adjustment Assistance Extension Act of 2011.—The Trade Adjustment Assistance Extension Act of 2011 is amended—

   (A) in section 201 (19 U.S.C. note prec. 2271), by striking subsections (b) and (c); and
   
   (B) in section 231(a) (19 U.S.C. 2271 note), by striking paragraphs (1)(B) and (2).

(4) Trade Adjustment Assistance Reauthorization Act of 2015.—The Trade Adjustment Assistance Reauthorization Act of 2015 is amended—

   (A) in section 402 (19 U.S.C. note prec. 2271), by striking subsections (b) and (c); and
   
   (B) in section 405(a)(1) (19 U.S.C. 2319(a)(1)), by striking subparagraph (B).

(d) Trade Adjustment Assistance for Firms.—

   (1) Certification of firms not certified before date of enactment.—
1. **(A) Criteria if a determination has not been made.**—If, as of the date of the enactment of this Act, the Secretary of Commerce has not made a determination with respect to whether to certify a firm as eligible to apply for adjustment assistance under section 251 of the Trade Act of 1974 pursuant to a petition described in subparagraph (C), the Secretary shall make that determination based on the requirements of section 251 of the Trade Act of 1974, as in effect on such date of enactment.

2. **(B) Reconsideration of denial of certain petitions.**—If, before the date of the enactment of this Act, the Secretary made a determination not to certify a firm as eligible to apply for adjustment assistance under section 251 of the Trade Act of 1974 pursuant to a petition described in subparagraph (C), the Secretary shall—

   (i) reconsider that determination; and

   (ii) if the firm meets the requirements of section 251 of the Trade Act of 1974, as in effect on such date of enactment, certify the firm as eligible to apply for adjustment assistance.
(C) Petition described.—A petition described in this subparagraph is a petition for a certification of eligibility filed by a firm or its representative under section 251 of the Trade Act of 1974 on or after January 1, 2021, and before the date of the enactment of this Act.

(2) Certification of firms that did not submit petitions between January 1, 2021, and date of enactment.—

(A) In general.—The Secretary of Commerce shall certify a firm described in subparagraph (B) as eligible to apply for adjustment assistance under section 251 of the Trade Act of 1974, as in effect on the date of the enactment of this Act, if the firm or its representative files a petition for a certification of eligibility under section 251 of the Trade Act of 1974 not later than 90 days after such date of enactment.

(B) Firm described.—A firm described in this subparagraph is a firm that the Secretary determines would have been certified as eligible to apply for adjustment assistance if—

(i) the firm or its representative had filed a petition for a certification of eli-
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1 bility under section 251 of the Trade Act
2 of 1974 on a date during the period begin-
3 ning on January 1, 2021, and ending on
4 the day before the date of the enactment
5 of this Act; and
6 
7 (ii) the provisions of chapter 3 of title
8 II of the Trade Act of 1974, as in effect
9 on such date of enactment, had been in ef-
10 fect on that date during the period de-
11 scribed in clause (i).