

117TH CONGRESS
1ST SESSION

S. 2218

To expand the trade adjustment assistance for workers program, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JUNE 24, 2021

Ms. STABENOW (for herself and Mr. PETERS) introduced the following bill; which was read twice and referred to the Committee on Finance

A BILL

To expand the trade adjustment assistance for workers program, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

4 (a) **SHORT TITLE.**—This Act may be cited as the
5 “Trade Adjustment Assistance For Workers Reauthoriza-
6 tion Act of 2021”.

7 (b) **TABLE OF CONTENTS.**—The table of contents for
8 this Act is as follows:

Sec. 1. Short title; table of contents.

TITLE I—TRADE ADJUSTMENT ASSISTANCE PROGRAM

Subtitle A—Petitions and Determinations

- Sec. 101. Filing petitions.
- Sec. 102. Group eligibility requirements.
- Sec. 103. Eligibility of staffed workers and teleworkers.
- Sec. 104. Application of determinations of eligibility to workers employed by successors-in-interest.
- Sec. 105. Notifications to political subdivisions of certain certifications.
- Sec. 106. Pilot program for expanded eligibility.
- Sec. 107. Provision of benefit information to workers.

Subtitle B—Program Benefits

- Sec. 111. Modification of qualifying requirements for workers.
- Sec. 112. Modifications to trade readjustment allowances.
- Sec. 113. Automatic extension of trade readjustment allowances.
- Sec. 114. Employment and case management services.
- Sec. 115. Training for workers.

Subtitle C—Other Matters

- Sec. 121. Agreements with States.
- Sec. 122. Eligibility criteria for reemployment trade adjustment assistance.
- Sec. 123. Subpoena power.
- Sec. 124. Data collection with respect to training.

Subtitle D—General Provisions

- Sec. 131. Extension of trade adjustment assistance program.
- Sec. 132. Applicability of trade adjustment assistance provisions.
- Sec. 133. Sense of Congress.

TITLE II—AMENDMENTS TO WORKER ADJUSTMENT AND RETRAINING NOTIFICATION ACT

- Sec. 201. Worker Adjustment and Retraining Notification Act.

TITLE III—HEALTH CARE TAX CREDIT

- Sec. 301. Permanent credit for health insurance costs.

1 **TITLE I—TRADE ADJUSTMENT**
 2 **ASSISTANCE PROGRAM**
 3 **Subtitle A—Petitions and**
 4 **Determinations**

5 **SEC. 101. FILING PETITIONS.**

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

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

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

3 (2) in subparagraph (C)—

4 (A) by striking “or a State dislocated
5 worker unit” and inserting “a State dislocated
6 worker unit”; and

7 (B) by adding at the end before the period
8 the following: “, or workforce intermediaries, in-
9 cluding labor-management organizations that
10 carry out re-employment and training services”.

11 **SEC. 102. GROUP ELIGIBILITY REQUIREMENTS.**

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

14 (1) in subparagraph (A)—

15 (A) in clause (i), by inserting “or failed to
16 increase” after “absolutely”; and

17 (B) in clause (iii)—

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

21 (ii) by striking “or” at the end;

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

24 (3) by adding at the end the following:

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

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

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

8 “(iii) the decrease in exports or imports de-
9 scribed in clause (ii) contributed to such workers’
10 separation or threat of separation and to the decline
11 in the sales or production of such firm.”.

12 (b) REPEAL.—Section 222 of the Trade Act of 1974
13 (19 U.S.C. 2272) is amended—

14 (1) in subsections (a) and (b), by striking “im-
15 portantly” each place it appears; and

16 (2) in subsection (c)—

17 (A) by striking paragraph (1); and

18 (B) by redesignating paragraphs (2)
19 through (4) as paragraphs (1) through (3), re-
20 spectively.

21 **SEC. 103. ELIGIBILITY OF STAFFED WORKERS AND TELE-**
22 **WORKERS.**

23 Section 222 of the Trade Act of 1974 (19 U.S.C.
24 2272) is amended by adding at the end the following:

1 “(f) TREATMENT OF STAFFED WORKERS AND TELE-
2 WORKERS.—

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

6 “(2) DEFINITIONS.—In this subsection:

7 “(A) STAFFED WORKER.—The term
8 ‘staffed worker’ means a worker who performs
9 work under the operational control of a firm
10 that is the subject of a petition filed under sec-
11 tion 221, even if the worker is directly em-
12 ployed by another firm.

13 “(B) TELEWORKER.—The term ‘tele-
14 worker’ means a worker who works remotely
15 but who reports to the location listed for a firm
16 in a petition filed under section 221.”.

17 **SEC. 104. APPLICATION OF DETERMINATIONS OF ELIGI-**
18 **BILITY TO WORKERS EMPLOYED BY SUCCES-**
19 **SORS-IN-INTEREST.**

20 Section 223 of the Trade Act of 1974 (19 U.S.C.
21 2273) is further amended by adding at the end the fol-
22 lowing:

23 “(f) TREATMENT OF WORKERS OF SUCCESSORS-IN-
24 INTEREST.—If the Secretary certifies a group of workers
25 of a firm as eligible to apply for adjustment assistance

1 under this chapter, a worker of a successor-in-interest to
 2 that firm shall be covered by the certification to the same
 3 extent as a worker of that firm.”.

4 **SEC. 105. NOTIFICATIONS TO POLITICAL SUBDIVISIONS OF**
 5 **CERTAIN CERTIFICATIONS.**

6 Section 223 of the Trade Act of 1974 (19 U.S.C.
 7 2273), as amended by section 104, is further amended by
 8 adding at the end the following:

9 “(g) NOTIFICATIONS TO POLITICAL SUBDIVISIONS
 10 OF CERTAIN CERTIFICATIONS.—

11 “(1) NOTIFICATION TO SECRETARY OF COM-
 12 MERCE.—Upon issuing a certification or certifi-
 13 cations of eligibility under subsection (a) pursuant
 14 to one or more petitions filed under section 221 cov-
 15 ering more than 1,000 workers within a political
 16 subdivision during a calendar year, the Secretary
 17 shall notify the Secretary of Commerce.

18 “(2) NOTIFICATION TO POLITICAL SUBDIVI-
 19 SIONS.—Upon receiving a notification under para-
 20 graph (1) with respect to a political subdivision, the
 21 Secretary of Commerce, acting through the Assist-
 22 ant Secretary of Commerce for Economic Develop-
 23 ment, shall—

24 “(A) notify the political subdivision of eco-
 25 nomic assistance grants, loans, and other finan-

1 cial assistance available from the Economic De-
2 velopment Administration; and

3 “(B) if the political subdivision applies for
4 any such assistance and meets the requirements
5 for receiving the assistance, provide the political
6 subdivision with priority for receiving that as-
7 sistance.”.

8 **SEC. 106. PILOT PROGRAM FOR EXPANDED ELIGIBILITY.**

9 Section 223 of the Trade Act of 1974 (19 U.S.C.
10 2273), as amended by section 105, is further amended by
11 adding at the end the following:

12 “(h) PILOT PROGRAM FOR EXPANDED ELIGI-
13 BILITY.—

14 “(1) IN GENERAL.—The Secretary of Labor
15 may establish a pilot program under which the Sec-
16 retary may certify under subsection (a) as eligible to
17 apply for adjustment assistance under this sub-
18 chapter groups of workers who do not meet the eligi-
19 bility requirements under section 222.

20 “(2) REQUIREMENT.—The Secretary may not
21 provide to workers covered by a certification of eligi-
22 bility under paragraph (1) benefits that are reduced
23 relative to the benefits received by other workers
24 under this subchapter.

1 “(3) NOTIFICATION TO CONGRESS.—Before im-
2 plementing the pilot program under paragraph (1),
3 the Secretary shall submit to Congress a report that
4 includes—

5 “(A) a detailed plan for the program; and

6 “(B) a justification for each requirement
7 under section 222 to be waived under the pro-
8 gram.

9 “(4) TERMINATION.—The pilot program under
10 paragraph (1) shall terminate at such time as the
11 Secretary considers appropriate.

12 “(5) REPORT REQUIRED.—Not later than 90
13 days after the termination under paragraph (4) of
14 the pilot program under paragraph (1), the Sec-
15 retary shall submit to Congress a report on the out-
16 comes for the workers who participated in the pro-
17 gram.”.

18 **SEC. 107. PROVISION OF BENEFIT INFORMATION TO WORK-**

19 **ERS.**

20 Section 225 of the Trade Act of 1974 (19 U.S.C.
21 2275) is amended—

22 (1) in subsection (a), by inserting after the sec-
23 ond sentence the following new sentence: “The Sec-
24 retary shall make every effort to provide such infor-

1 mation and assistance to workers in their native lan-
2 guage.”; and

3 (2) in subsection (b)—

4 (A) by redesignating paragraph (2) as
5 paragraph (3);

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

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

14 (C) in paragraph (3), as redesignated by
15 subparagraph (A), by inserting “print or dig-
16 ital” before “newspapers”; and

17 (D) by adding at the end the following:

18 “(4) For purposes of providing outreach regarding
19 the benefits available under this chapter to workers cov-
20 ered by a certification made under this subchapter, the
21 Secretary may take any necessary actions, including the
22 following:

23 “(A) Collecting the email addresses and tele-
24 phone numbers of such workers from the employers
25 of such workers to provide outreach to such workers.

1 “(B) Partnering with the certified or recognized
2 union, a community-based worker organization, or
3 other duly authorized representatives of such work-
4 ers.

5 “(C) Hiring peer support workers to perform
6 outreach to other workers covered by that certifi-
7 cation.

8 “(D) Using advertising methods and public in-
9 formation campaigns, including social media, in ad-
10 dition to notice published in print or digital news-
11 papers under paragraph (3).”.

12 **Subtitle B—Program Benefits**

13 **SEC. 111. MODIFICATION OF QUALIFYING REQUIREMENTS** 14 **FOR WORKERS.**

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

17 (1) by striking paragraph (2);

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

20 (3) in paragraph (4), as redesignated by para-
21 graph (2), by striking “paragraphs (1) and (2)”
22 each place it appears and inserting “paragraph (1)”.

23 (b) CONFORMING AMENDMENTS.—

24 (1) WEEKLY AMOUNTS.—Section 232 of the
25 Trade Act of 1974 (19 U.S.C. 2292) is amended by

1 striking “section 231(a)(3)(B)” each place it ap-
2 pears and inserting “section 231(a)(2)(B)”.

3 (2) LIMITATIONS.—Section 233(a) of the Trade
4 Act of 1974 (19 U.S.C. 2293(a)) is amended—

5 (A) in paragraph (1), by striking “section
6 231(a)(3)(A)” and inserting “section
7 231(a)(2)(A)”; and

8 (B) in paragraph (2)—

9 (i) by striking “adversely affected em-
10 ployment” and all that follows through
11 “(A) within” and inserting “adversely af-
12 fected employment within”;

13 (ii) by striking “, and” and inserting
14 a period; and

15 (iii) by striking subparagraph (B).

16 **SEC. 112. MODIFICATIONS TO TRADE READJUSTMENT AL-**
17 **LOWANCES.**

18 (a) PAYMENT TO COMPLETE TRAINING.—Section
19 233 of the Trade Act of 1974 (19 U.S.C. 2293) is amend-
20 ed—

21 (1) in subsection (a)—

22 (A) in paragraph (2), by inserting after
23 “104-week period” the following: “(or, in the
24 case of an adversely affected worker who re-
25 quires a program of prerequisite education or

1 remedial education (as described in section
2 236(a)(5)(D)) in order to complete training ap-
3 proved for the worker under section 236, the
4 130-week period”;

5 (B) in paragraph (3), by striking “65 addi-
6 tional weeks in the 78-week period” and insert-
7 ing “78 additional weeks in the 91-week pe-
8 riod”; and

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

11 (2) by amending subsection (f) to read as fol-
12 lows:

13 “(f) PAYMENT OF TRADE READJUSTMENT ALLOW-
14 ANCES TO COMPLETE TRAINING.—Notwithstanding any
15 other provision of this section, in order to assist an ad-
16 versely affected worker to complete training approved for
17 the worker under section 236 that includes a program of
18 prerequisite education or remedial education (as described
19 in section 236(a)(5)(D)), and in accordance with regula-
20 tions prescribed by the Secretary, payments may be made
21 as trade readjustment allowances for up to 26 additional
22 weeks in the 26-week period that follows the last week of
23 entitlement to trade readjustment allowances otherwise
24 payable under this chapter.”.

1 (b) PAYMENT TO WORKERS IN ON-THE-JOB TRAIN-
2 ING, CUSTOMIZED TRAINING, OR APPRENTICESHIP PRO-
3 GRAMS.—Section 233(d) of the Trade Act of 1974 (19
4 U.S.C. 2293(d)) is amended to read as follows:

5 “(d) PAYMENT TO WORKERS IN ON-THE-JOB TRAIN-
6 ING, CUSTOMIZED TRAINING, OR APPRENTICESHIP PRO-
7 GRAMS.—

8 “(1) IN GENERAL.—Except as provided in para-
9 graph (2) and notwithstanding any other provision
10 of this chapter, a trade readjustment allowance may
11 be paid under this part to an adversely affected
12 worker for any week during which the worker is re-
13 ceiving on-the-job training or customized training, or
14 is participating in a registered apprenticeship pro-
15 gram, under section 236.

16 “(2) INCOME LIMITATION.—The Secretary shall
17 reduce the amount of the trade readjustment allow-
18 ance otherwise payable to a worker under paragraph
19 (1) to ensure that the sum of the income of the
20 worker from the on-the-job training, customized
21 training, or apprenticeship program described in
22 that paragraph and the trade readjustment allow-
23 ance paid to the worker under that paragraph does
24 not exceed \$55,000 during a year.

1 “(3) ADJUSTMENT OF INCOME LIMITATION FOR
2 INFLATION.—

3 “(A) IN GENERAL.—The Secretary of
4 Labor shall adjust the income limitation under
5 paragraph (2) on October 1, 2021, and at the
6 beginning of each fiscal year thereafter, to re-
7 flect the percentage (if any) of the increase in
8 the average of the Consumer Price Index for
9 the preceding 12-month period compared to the
10 Consumer Price Index for fiscal year 2020.

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

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

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

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

1 **SEC. 113. AUTOMATIC EXTENSION OF TRADE READJUST-**
 2 **MENT ALLOWANCES.**

3 (a) IN GENERAL.—Part I of subchapter B of chapter
 4 2 of title II of the Trade Act of 1974 (19 U.S.C. 2291
 5 et seq.) is amended by inserting after section 233 the fol-
 6 lowing new section:

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

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

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

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

20 “(b) JOB SEARCH REQUIRED.—A worker shall be eli-
 21 gible for an extension under subsection (a) only if the
 22 worker is complying with the job search requirements as-
 23 sociated with unemployment insurance in the applicable
 24 State.

25 “(c) PERIOD OF HEIGHTENED UNEMPLOYMENT DE-
 26 FINED.—In this section, the term ‘period of heightened

1 unemployment' with respect to a State means a 90-day
 2 period during which, in the determination of the Sec-
 3 retary, either of the following average rates equals or ex-
 4 ceeds 5.5 percent:

5 “(1) The average rate of total unemployment in
 6 the State (seasonally adjusted) for the period con-
 7 sisting of the most recent 90 days for which data for
 8 all States are published before the close of such pe-
 9 riod.

10 “(2) The average rate of total unemployment in
 11 all States (seasonally adjusted) for the period con-
 12 sisting of the most recent 90 days for which data for
 13 all States are published before the close of such pe-
 14 riod.”.

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

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

18 **SEC. 114. EMPLOYMENT AND CASE MANAGEMENT SERV-**
 19 **ICES.**

20 Section 235 of the Trade Act of 1974 (19 U.S.C.
 21 2295) is amended—

22 (1) in paragraph (3)—

23 (A) by inserting after “regional areas” the
 24 following: “(including information about reg-
 25 istered apprenticeship programs, on-the-job

1 training opportunities, and other work-based
2 learning opportunities)”; and

3 (B) by inserting after “suitable training”
4 the following: “, information regarding the
5 track record of a training provider’s ability to
6 successfully place participants into suitable em-
7 ployment”;

8 (2) by redesignating paragraph (8) as para-
9 graph (9); and

10 (3) by inserting after paragraph (7) the fol-
11 lowing:

12 “(8) Information related to direct job place-
13 ment, including facilitating the extent to which em-
14 ployers within the community commit to employing
15 workers who would benefit from the employment and
16 case management services under this section.”.

17 **SEC. 115. TRAINING FOR WORKERS.**

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

20 (1) in subsection (a)—

21 (A) in paragraph (1)—

22 (i) by striking subparagraph (A);

23 (ii) by redesignating subparagraphs

24 (B) through (F) as subparagraphs (A)

25 through (E), respectively; and

1 (iii) in subparagraph (C), as redesignig-
2 nated by clause (ii), by inserting “, with a
3 demonstrated ability to place participants
4 into employment” before the comma at the
5 end;

6 (B) in paragraph (2)(A)—

7 (i) by striking “shall not exceed
8 \$450,000,000” and inserting the following:
9 “shall not exceed—

10 “(i) \$450,000,000”;

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

13 (iii) by adding at the end the fol-
14 lowing:

15 “(ii) \$1,000,000,000 for each of fiscal years
16 2022 through 2028.”;

17 (C) by striking paragraph (3);

18 (D) by redesignating paragraphs (4)
19 through (11) as paragraphs (3) through (10),
20 respectively;

21 (E) in subparagraph (E) of paragraph (4),
22 as redesignated by subparagraph (D), by insert-
23 ing “, including a pre-apprenticeship program,”
24 after “coursework”;

1 (F) in subparagraph (B) of paragraph (8),
2 as so redesignated—

3 (i) in clause (i), by striking “para-
4 graph (1)(E)” and inserting “paragraph
5 (1)(D)”;

6 (ii) in clause (ii), by striking “para-
7 graph (1)(F)” and inserting “paragraph
8 (1)(E)”;

9 (G) in paragraph (9), as so redesignated—

10 (i) in subparagraph (A), by striking
11 “paragraph (5)(A)(i)” and inserting “para-
12 graph (4)(A)(i)”;

13 (ii) in subparagraph (B), by striking
14 “paragraph (5)(A)(ii)” and inserting
15 “paragraph (4)(A)(ii)”;

16 (2) in subsection (c)(3)(B), by striking “, but
17 may not exceed 104 weeks in any case”;

18 (3) by striking subsection (e);

19 (4) by redesignating subsections (f) and (g) as
20 subsections (e) and (f), respectively; and

21 (5) by adding at the end the following:

22 “(g) REIMBURSEMENT FOR OUT-OF-POCKET TRAIN-
23 ING EXPENSES.—If the Secretary approves training for
24 a worker under paragraph (1) of subsection (a), the Sec-
25 retary may reimburse the worker for out-of-pocket ex-

1 penses relating to training programs described in para-
 2 graph (4) of that subsection that were incurred by the
 3 worker on and after the date of the worker’s total or par-
 4 tial separation and before the date on which the certifi-
 5 cation of eligibility under section 222 that covers the work-
 6 er is issued.

7 “(h) PRE-APPRENTICESHIP DEFINED.—For pur-
 8 poses of subsection (a)(4)(D), the term ‘pre-apprentice-
 9 ship’, with respect to a program, means an initiative or
 10 set of strategies that is designed to prepare individuals
 11 to enter and succeed in an apprenticeship program reg-
 12 istered under the Act of August 16, 1937 (commonly
 13 known as the ‘National Apprenticeship Act’; 50 Stat. 664,
 14 chapter 663; 29 U.S.C. 50 et seq.).”

15 **Subtitle C—Other Matters**

16 **SEC. 121. AGREEMENTS WITH STATES.**

17 (a) COORDINATION.—Section 239(f) of the Trade Act
 18 of 1974 (19 U.S.C. 2311(f)) is amended—

19 (1) by striking “(f) Any agreement” and insert-
 20 ing the following:

21 “(f)(1) Any agreement”; and

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

23 “(2) Each cooperating State agency shall arrange for
 24 training programs to be carried out by entities that—

1 “(A) have a proven track record in achieving a
2 satisfactory rate of completion and placement in jobs
3 that provides a living wage, basic benefits that in-
4 crease economic security, and develop the skills, net-
5 works, and experiences necessary to advance along a
6 career path;

7 “(B) work to assist workers from underserved
8 communities to establish a work history, dem-
9 onstrate success in the workplace, and develop the
10 skills that lead to entry into and retention in unsub-
11 sidized employment;

12 “(C) facilitate joint cooperation between rep-
13 resentatives of workers, employers, and communities,
14 especially in underserved rural and urban regions, to
15 ensure a fair and engaging workplace that balances
16 the priorities and well-being of workers with the
17 needs of businesses; and

18 “(D) have a proven track record in adequately
19 serving individuals who face the greatest barriers to
20 employment, including people with low incomes, peo-
21 ple of color, immigrants, and formerly incarcerated
22 individuals.

23 “(3) Each cooperating State agency shall seek, in-
24 cluding through agreements and training programs de-
25 scribed in this subsection, to ensure the reemployment of

1 adversely affected workers upon completion of training as
2 described in section 236.”.

3 (b) ADMINISTRATION.—

4 (1) IN GENERAL.—Section 239(g) of the Trade
5 Act of 1974 (19 U.S.C. 2311(g)) is amended—

6 (A) by redesignating—

7 (i) paragraphs (1) through (4) as
8 paragraphs (3) through (6), respectively;
9 and

10 (ii) paragraph (5) as paragraph (8);

11 (B) by inserting before paragraph (3), as
12 redesignated by subparagraph (A), the fol-
13 lowing:

14 “(1) review each layoff of more than 5 workers
15 in a firm to determine whether trade played a role
16 in the layoff and whether workers in such firm are
17 potentially eligible to receive benefits under this
18 chapter,

19 “(2) perform outreach to firms to facilitate and
20 assist with filing petitions under section 221 and col-
21 lecting necessary supporting information,”;

22 (C) in paragraph (3), as so redesignated,
23 by striking “who applies for unemployment in-
24 surance of” and inserting “identified under

1 paragraph (1) of unemployment insurance bene-
2 fits and”;

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

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

7 (F) by inserting after paragraph (6), as so
8 redesignated, the following:

9 “(7) perform outreach to workers from under-
10 served communities and to firms that employ a ma-
11 jority or a substantial percentage of workers from
12 underserved communities and develop a plan, in con-
13 sultation with the Secretary, for addressing common
14 barriers to receiving services that such workers have
15 faced,”;

16 (G) in paragraph (8), as so redesignated,
17 by striking “funds provided to carry out this
18 chapter are insufficient to make such services
19 available, make arrangements to make such
20 services available through other Federal pro-
21 grams.” and inserting “support services are
22 needed beyond what may be provided under this
23 chapter, make arrangements to coordinate such
24 services available through other Federal pro-
25 grams;”; and

1 (H) by adding at the end the following:

2 “(9) develop a strategy to engage with local
3 workforce development institutions, including local
4 community colleges and other educational institu-
5 tions, and

6 “(10) develop a comprehensive strategy to pro-
7 vide agency staffing to support the requirements of
8 paragraphs (1) through (9).”.

9 (2) LIMITATIONS ON ADMINISTRATIVE EX-
10 PENSES AND EMPLOYMENT AND CASE MANAGEMENT
11 SERVICES.—Section 235A of the Trade Act of 1974
12 (19 U.S.C. 2295a) is amended—

13 (A) by striking “Of the funds” and insert-
14 ing “(a) IN GENERAL.—Of the funds”; and

15 (B) by adding at the end the following:

16 “(b) CLARIFICATION.—Activities described in para-
17 graphs (1) through (9) of section 239(g) shall not be con-
18 sidered to be activities relating to the administration of
19 the trade adjustment assistance for workers program for
20 purposes of the limitation on administrative expenses
21 under subsection (a)(1).”.

22 (c) PERFORMANCE MEASURES.—Section 239(j)(2) of
23 the Trade Act of 1974 (19 U.S.C. 2311(j)(2)) is amend-
24 ed—

1 (1) by amending subparagraph (B) to read as
2 follows:

3 “(B) ADDITIONAL INDICATORS AND ANA-
4 LYTICS.—The Secretary and a cooperating
5 State or cooperating State agency—

6 “(i) shall conduct a comparative anal-
7 ysis between the median earnings of work-
8 ers described in subparagraph (A)(i)(I)
9 and the distributions of earnings across
10 the workforce in the affected economic re-
11 gion; and

12 “(ii) may agree upon additional indi-
13 cators of performance for the trade adjust-
14 ment assistance program under this chap-
15 ter, as appropriate.”; and

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

17 “(C) DASHBOARD.—The Secretary shall
18 require each cooperating State and cooperating
19 State agency to perform workforce analytics for
20 the purpose of creating a dashboard that in-
21 cludes different measures of job quality for re-
22 employment and training activities provided
23 under this chapter.”.

1 (d) STAFFING.—Section 239 of the Trade Act of
 2 1974 (19 U.S.C. 2311) is amended by striking subsection
 3 (k) and inserting the following:

4 “(k) STAFFING.—An agreement entered into under
 5 this section shall provide that the cooperating State or co-
 6 operating State agency shall require that any individual
 7 engaged in functions to carry out the trade adjustment
 8 assistance program under this chapter shall be a State em-
 9 ployee covered by a merit system of personnel administra-
 10 tion.”.

11 **SEC. 122. ELIGIBILITY CRITERIA FOR REEMPLOYMENT**
 12 **TRADE ADJUSTMENT ASSISTANCE.**

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

15 (1) in paragraph (3)(B)(ii), by striking
 16 “\$50,000” and inserting “\$55,000”;

17 (2) in paragraph (4)(A), by striking “the earlier
 18 of” and all that follows and inserting “the date on
 19 which the worker obtains reemployment described in
 20 paragraph (3)(B).”; and

21 (3) by adding at the end the following:

22 “(8) ADJUSTMENT OF SALARY LIMITATION AND
 23 TOTAL AMOUNT OF PAYMENTS FOR INFLATION.—

24 “(A) IN GENERAL.—The Secretary of
 25 Labor shall adjust the salary limitation under

1 paragraph (3)(B)(ii) and the amount under
2 paragraph (5)(B)(i) on October 1, 2021, and at
3 the beginning of each fiscal year thereafter, to
4 reflect the percentage (if any) of the increase in
5 the average of the Consumer Price Index for
6 the preceding 12-month period compared to the
7 Consumer Price Index for fiscal year 2020.

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

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

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

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

22 (b) PILOT PROGRAM FOR EXPANDED ELIGIBILITY.—

23 Section 246 of the Trade Act of 1974 (19 U.S.C. 2318)

24 is amended by adding at the end the following:

1 “(c) PILOT PROGRAM FOR EXPANDED ELIGI-
2 BILITY.—

3 “(1) IN GENERAL.—The Secretary may estab-
4 lish a pilot program under which the Secretary may
5 provide benefits under paragraph (2) of subsection
6 (a) to workers younger than 50 years of age who
7 otherwise meet the eligibility requirements set forth
8 in paragraph (3) of that subsection.

9 “(2) REQUIREMENT.—The Secretary may not
10 provide to workers under paragraph (1) benefits that
11 are reduced relative to the benefits received by other
12 workers under this section.

13 “(3) NOTIFICATION TO CONGRESS.—Before im-
14 plementing the pilot program under paragraph (1),
15 the Secretary shall submit to Congress a report that
16 includes a detailed plan for the program.

17 “(4) TERMINATION.—The pilot program under
18 paragraph (1) shall terminate at such time as the
19 Secretary considers appropriate.

20 “(5) REPORT REQUIRED.—Not later than 90
21 days after the termination under paragraph (4) of
22 the pilot program under paragraph (1), the Sec-
23 retary shall submit to Congress a report on the out-
24 comes for the workers who participated in the pro-
25 gram.”.

1 **SEC. 123. SUBPOENA POWER.**

2 Section 249 of the Trade Act of 1974 (19 U.S.C.
3 2321) is amended—

4 (1) in subsection (a), by adding at the end the
5 following: “That authority includes the authority of
6 States to require, by subpoena, a firm to provide in-
7 formation on workers employed by, or totally or par-
8 tially separated from, the firm that is necessary to
9 make a determination under this chapter or to pro-
10 vide outreach to workers, including the names and
11 address of workers.”; and

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

13 “(c) ENFORCEMENT OF SUBPOENAS BY STATES.—
14 A State may enforce compliance with a subpoena issued
15 under subsection (a)—

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

17 “(2) by petitioning an appropriate United
18 States district court for an order requiring compli-
19 ance with the subpoena.”.

20 **SEC. 124. DATA COLLECTION WITH RESPECT TO TRAINING.**

21 Section 249B of the Trade Act of 1974 (19 U.S.C.
22 2323) is amended—

23 (1) in subsection (b)—

24 (A) in paragraph (1)—

25 (i) in subparagraph (B), by adding at
26 the end before the period the following: “,

1 and the relevant demographic information
2 (including race, ethnicity, gender, income
3 level, and age) regarding such workers”;

4 (ii) in subparagraph (C)—

5 (I) by redesignating clauses (i)
6 and (ii) as clauses (ii) and (iii), re-
7 spectively; and

8 (II) by inserting before clause
9 (ii), as so redesignated, the following:

10 “(i) the country or countries in which
11 increased imports, shifts in production,
12 and other bases of eligibilities under sec-
13 tion 222 originated;”;

14 (B) in paragraph (4)(B), by inserting
15 “training provider,” after “age,”; and

16 (C) by adding at the end the following:

17 “(7) DATA ON INDIVIDUAL PETITIONS.—

18 “(A) IN GENERAL.—The following infor-
19 mation with respect to each petition filed under
20 this chapter:

21 “(i) The petition number.

22 “(ii) The names of the petitioner,
23 firm, and certified or recognized union or
24 other duly authorized representatives of
25 the group of workers.

1 “(iii) The names of the city and State
2 in which the firm is located.

3 “(iv) A description of the articles pro-
4 duced or services supplied by the firm.

5 “(v) The classification of the firm
6 under the North American Industry Classi-
7 fication System or the Standard Industrial
8 Classification.

9 “(vi) The relevant demographic infor-
10 mation (including race, ethnicity, gender,
11 income level, and age) regarding the work-
12 ers.

13 “(vii) The determination of the Sec-
14 retary to certify or deny the petition, in-
15 cluding the basis for the determination.

16 “(viii) If the petition was certified—

17 “(I) the country or countries in
18 which increased imports, shifts in pro-
19 duction, or other bases of eligibilities
20 under section 222 originated; and

21 “(II) the number of workers cov-
22 ered by the petition, the number of
23 workers who received benefits, and the
24 median earnings of workers upon

1 completion of training or receiving
2 other benefits under this chapter.

3 “(B) FORMAT.—The data collected and re-
4 ported under this paragraph shall be made
5 available to the public, in a searchable format
6 by each type of information required by clauses
7 (i) through (vii), with an option to receive
8 search results in an electronic spreadsheet for-
9 mat.”; and
10 (2) in subsection (d)—

11 (A) in paragraph (2), by striking “; and”
12 and inserting a semicolon;

13 (B) by redesignating paragraph (3) as
14 paragraph (4); and

15 (C) by inserting after paragraph (2) the
16 following:

17 “(3) information on compliance with section
18 239(g) and on the Secretary’s efforts to identify best
19 practices and support the development of proactive
20 outreach programs in each State; and”.

21 **Subtitle D—General Provisions**

22 **SEC. 131. EXTENSION OF TRADE ADJUSTMENT ASSISTANCE** 23 **PROGRAM.**

24 (a) REPEAL OF TERMINATION PROVISION.—

1 (1) IN GENERAL.—Section 285 of the Trade
2 Act of 1974 (19 U.S.C. 2271 note) is repealed.

3 (2) CLERICAL AMENDMENT.—The table of con-
4 tents for the Trade Act of 1974 is amended by strik-
5 ing the item relating to section 285.

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

9 (c) REEMPLOYMENT TRADE ADJUSTMENT ASSIST-
10 ANCE.—Section 246(b)(1) of the Trade Act of 1974 (19
11 U.S.C. 2318(b)(1)) is amended by striking “June 30,
12 2021” and inserting “September 30, 2028”.

13 (d) AUTHORIZATIONS OF APPROPRIATIONS.—

14 (1) TRADE ADJUSTMENT ASSISTANCE FOR
15 WORKERS.—Section 245(a) of the Trade Act of
16 1974 (19 U.S.C. 2317(a)) is amended by striking
17 “June 30, 2021” and inserting “September 30,
18 2028”.

19 (2) TRADE ADJUSTMENT ASSISTANCE FOR
20 FIRMS.—Section 255(a) of the Trade Act of 1974
21 (19 U.S.C. 2345(a)) is amended by striking “2021”
22 and inserting “2028”.

1 **SEC. 132. APPLICABILITY OF TRADE ADJUSTMENT ASSIST-**
2 **ANCE PROVISIONS.**

3 (a) **WORKERS CERTIFIED BEFORE DATE OF ENACT-**
4 **MENT.—**

5 (1) **IN GENERAL.—**Except as provided in para-
6 graphs (2) and (3), a worker certified as eligible for
7 adjustment assistance under section 222 of the
8 Trade Act of 1974 before the date of the enactment
9 of this Act shall be eligible, on and after such date
10 of enactment, to receive benefits only under the pro-
11 visions of chapter 2 of title II of the Trade Act of
12 1974, as in effect on such date of enactment, or as
13 such provisions may be amended after such date of
14 enactment.

15 (2) **COMPUTATION OF MAXIMUM BENEFITS.—**
16 Benefits received by a worker described in para-
17 graph (1) under chapter 2 of title II of the Trade
18 Act of 1974 before the date of the enactment of this
19 Act shall be included in any determination of the
20 maximum benefits for which the worker is eligible
21 under the provisions of chapter 2 of title II of the
22 Trade Act of 1974, as in effect on the date of the
23 enactment of this Act, or as such provisions may be
24 amended after such date of enactment.

25 (3) **AUTHORITY TO MAKE ADJUSTMENTS TO**
26 **BENEFITS.—**Notwithstanding any provision of chap-

1 ter 2 of title II of the Trade Act of 1974, for the
2 90-day period beginning on the date of the enact-
3 ment of this Act, the Secretary is authorized to
4 make any adjustments to benefits to workers de-
5 scribed in paragraph (1) that the Secretary deter-
6 mines to be necessary and appropriate in applying
7 and administering the provisions of such chapter 2,
8 as in effect on the date of the enactment of this Act,
9 or as such provisions may be amended after such
10 date of enactment, in a manner that ensures parity
11 of treatment between the benefits of such workers
12 and the benefits of workers certified after such date
13 of enactment.

14 (b) WORKERS NOT CERTIFIED PURSUANT TO CER-
15 TAIN PETITIONS FILED BEFORE DATE OF ENACT-
16 MENT.—

17 (1) CERTIFICATIONS OF WORKERS NOT CER-
18 TIFIED BEFORE DATE OF ENACTMENT.—

19 (A) CRITERIA IF A DETERMINATION HAS
20 NOT BEEN MADE.—If, as of the date of the en-
21 actment of this Act, the Secretary of Labor has
22 not made a determination with respect to
23 whether to certify a group of workers as eligible
24 to apply for adjustment assistance under sec-
25 tion 222 of the Trade Act of 1974 pursuant to

1 a petition described in subparagraph (C), the
2 Secretary shall make that determination based
3 on the requirements of section 222 of the Trade
4 Act of 1974, as in effect on such date of enact-
5 ment.

6 (B) RECONSIDERATION OF DENIALS OF
7 CERTIFICATIONS.—If, before the date of the en-
8 actment of this Act, the Secretary made a de-
9 termination not to certify a group of workers as
10 eligible to apply for adjustment assistance
11 under section 222 of the Trade Act of 1974
12 pursuant to a petition described in subpara-
13 graph (C), the Secretary shall—

14 (i) reconsider that determination; and

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

20 (C) PETITION DESCRIBED.—A petition de-
21 scribed in this subparagraph is a petition for a
22 certification of eligibility for a group of workers
23 filed under section 221 of the Trade Act of
24 1974 on or after January 1, 2021, and before
25 the date of the enactment of this Act.

1 (2) ELIGIBILITY FOR BENEFITS.—

2 (A) IN GENERAL.—Except as provided in
3 subparagraph (B), a worker certified as eligible
4 to apply for adjustment assistance under sec-
5 tion 222 of the Trade Act of 1974 pursuant to
6 a petition described in paragraph (1)(C) shall
7 be eligible, on and after the date of the enact-
8 ment of this Act, to receive benefits only under
9 the provisions of chapter 2 of title II of the
10 Trade Act of 1974, as in effect on such date of
11 enactment, or as such provisions may be
12 amended after such date of enactment.

13 (B) COMPUTATION OF MAXIMUM BENE-
14 FITS.—Benefits received by a worker described
15 in paragraph (1) under chapter 2 of title II of
16 the Trade Act of 1974 before the date of the
17 enactment of this Act shall be included in any
18 determination of the maximum benefits for
19 which the worker is eligible under the provisions
20 of chapter 2 of title II of the Trade Act of
21 1974, as in effect on the date of the enactment
22 of this Act, or as such provisions may be
23 amended after such date of enactment.

1 **SEC. 133. SENSE OF CONGRESS.**

2 It is the sense of Congress that, in administering the
3 trade adjustment assistance program under chapter 2 of
4 title II of the Trade Act of 1974 (19 U.S.C. 2271 et seq.),
5 a State should—

6 (1) prioritize providing training that leads to
7 employment outcomes that replace 100 percent of an
8 adversely affected worker’s wages; and

9 (2) steer workers toward training that leads to
10 a livable wage and sustainable employment.

11 **TITLE II—AMENDMENTS TO**
12 **WORKER ADJUSTMENT AND**
13 **RETRAINING NOTIFICATION**
14 **ACT**

15 **SEC. 201. WORKER ADJUSTMENT AND RETRAINING NOTIFI-**
16 **CATION ACT.**

17 (a) AVAILABILITY OF TRADE ADJUSTMENT ASSIST-
18 ANCE.—Section 3(a) of the Worker Adjustment and Re-
19 training Notification Act (29 U.S.C. 2102(a)) is amend-
20 ed—

21 (1) in the first sentence—

22 (A) by redesignating paragraphs (1) and
23 (2) as subparagraphs (A) and (B), respectively;
24 and

25 (B) by striking “An employer” and insert-
26 ing “(1) An employer”;

1 (2) in the second sentence, by striking “If
2 there” and inserting the following:

3 “(2) If there”; and

4 (3) by adding at the end the following:

5 “(3) If the plant closing or mass layoff involved is
6 caused by conditions described in section 222(a)(2) of the
7 Trade Act of 1974 (19 U.S.C. 2272(a)(2)), then, in serv-
8 ing notice under paragraph (1)(A), the employer shall in-
9 clude in the notice information on the availability of ad-
10 justment assistance under chapter 2 of title II of the
11 Trade Act of 1974 (19 U.S.C. 2271 et seq.) for eligible
12 workers.”.

13 (b) NOTICE REQUIREMENTS RELATING TO SHIFTS
14 IN PRODUCTION.—Section 3 of the Worker Adjustment
15 and Retraining Notification Act (29 U.S.C. 2102) is
16 amended—

17 (1) in subsection (d), by striking “(2) or (3)”
18 and inserting “(4)(A) or (5)”; and

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

20 “(e) STATEMENT RELATING TO SHIFTS IN PRODUC-
21 TION OF ARTICLES OR SUPPLY OF SERVICES.—(1) If the
22 plant closing or mass layoff involved is caused by condi-
23 tions described in section 222(a)(2)(B) of the Trade Act
24 of 1974 (19 U.S.C. 2272(a)(2)(B)), then, in serving notice

1 under subsection (a), the employer shall include in the no-
2 tice a statement that the closing or layoff was so caused.

3 “(2) Each State that receives a notice under sub-
4 section (a) that includes a statement described in para-
5 graph (1) shall notify the Secretary of that receipt, imme-
6 diately file a petition under subsection (a)(1) of section
7 221 of the Trade Act of 1974 (19 U.S.C. 2271) on behalf
8 of that group of workers, and act as the petitioner for
9 that petition under this chapter.

10 “(3) If the Secretary receives a petition under para-
11 graph (2) regarding a plant closing or mass layoff affect-
12 ing a group of workers, the Secretary shall—

13 “(A) immediately initiate an investigation under
14 subsection (a)(3) of that section 221;

15 “(B) immediately waive the requirements for a
16 hearing under subsection (b) of that section 221;
17 and

18 “(C) unless the Secretary issues a determina-
19 tion that includes substantial evidence that the peti-
20 tion has not met the requirements of paragraph (1)
21 or (2)(B) of section 222(a) of the Trade Act of 1974
22 (19 U.S.C. 2272(a)) within 20 days after receipt of
23 the petition—

24 “(i) certify the group of workers under sec-
25 tion 222 of that Act (19 U.S.C. 2272); or

1 “(ii) be considered to have issued such cer-
2 tification on the 21st day after receipt of the
3 petition.

4 “(4) Even after the Secretary issues such a certifi-
5 cation for a group of workers at a firm under paragraph
6 (3)(C), the Secretary may conduct an investigation under
7 subsection (a)(3) of that section 221 to identify additional
8 groups of workers who may be eligible for benefits under
9 this chapter.

10 “(f) NOTIFICATION OF DOWNSTREAM PRODUCERS
11 AND SUPPLIERS.—On certification of a group of workers
12 as described in subsection (e)(3)(C), the Secretary, in con-
13 junction with the State in which the site of employment
14 involved is located, shall—

15 “(1) endeavor to identify downstream producers
16 and suppliers as defined in section 222(c) of the
17 Trade Act of 1974 (19 U.S.C. 2272(c)) that are po-
18 tentially impacted by the plant closing or mass layoff
19 involved;

20 “(2) provide to such producers and suppliers—

21 “(A) concerning benefits available under
22 chapter 2 of title II of the Trade Act of 1974
23 (19 U.S.C. 2271 et seq.), a description of the
24 benefits, of the means for filing a petition and

1 applying for such benefits, and of the avail-
2 ability of assistance in filing the petition; and

3 “(B) concerning benefits available under
4 chapter 3 of that title (19 U.S.C. 2341 et seq.),
5 the description specified in subparagraph (A);
6 and

7 “(3) direct the producers and suppliers to pro-
8 vide to their workers the description specified in
9 paragraph (2)(A), concerning benefits described in
10 paragraph (2)(A).

11 “(g) STATE TRANSMITTAL OF NOTICES.—Each
12 State that receives 1 or more notices described in sub-
13 section (a)(2) during a calendar quarter shall, not later
14 than 10 days after the end of the quarter, transmit the
15 notices to the Secretary.”.

16 (c) ADMINISTRATIVE ENFORCEMENT AND DATA-
17 BASE.—Section 5 of the Worker Adjustment and Retraining
18 Notification Act (29 U.S.C. 2104) is amended—

19 (1) by redesignating subsection (b) as sub-
20 section (d); and

21 (2) by inserting after subsection (a) the fol-
22 lowing:

23 “(b) ADMINISTRATIVE ENFORCEMENT.—(1) The
24 Secretary may impose a fine on any employer who orders
25 a plant closing or mass layoff in violation of section 3.

1 “(2) The Secretary shall deposit the fines in an ac-
2 count. Funds in the account shall be available to States,
3 without appropriation, for an activity authorized under
4 subchapter B of chapter 2 of title II of the Trade Act
5 of 1974 (19 U.S.C. 2291 et seq.).

6 “(c) DATABASE.—

7 “(1) IN GENERAL.—The Secretary shall estab-
8 lish and maintain a database, available to the public,
9 of notices served under section 3(a).

10 “(2) FEATURES.—In carrying out paragraph
11 (1), the Secretary shall ensure that all such notices
12 are accessible and searchable by including in the
13 database—

14 “(A) a link to the notices, or files con-
15 taining the notices in portable document for-
16 mat; and

17 “(B) an interactive map and search tool
18 that is capable of—

19 “(i) sorting the notices, by date and
20 region of the plant closings and mass lay-
21 offs described in the notices; and

22 “(ii) enabling the user to locate plant
23 closings and mass layoffs of various sizes,
24 in terms of numbers of employees affected.

25 “(3) OTHER INFORMATION.—

1 “(A) IN GENERAL.—The Secretary shall
 2 ensure that the database includes, for each such
 3 notice, information on the political subdivision,
 4 county, and local area where the plant closing
 5 or mass layoff takes place, the number of af-
 6 fected workers, the date of the notice, the date
 7 of the beginning of the plant closing or mass
 8 layoff, and the North American Industry Classi-
 9 fication System code for the affected industry.

10 “(B) DEFINITION.—In this paragraph, the
 11 term ‘local area’ has the meaning given the
 12 term in section 3 of the Workforce Innovation
 13 and Opportunity Act (29 U.S.C. 3102).”.

14 (d) REPORT ON PLANT CLOSINGS AND MASS LAY-
 15 OFFS.—The Worker Adjustment and Retraining Notifica-
 16 tion Act is amended by inserting after section 10 (29
 17 U.S.C. 2109) the following:

18 **“SEC. 10A. REPORT ON PLANT CLOSINGS AND MASS LAY-**
 19 **OFFS.**

20 “The Secretary shall annually prepare, submit to
 21 Congress, and make available to the public, a report that
 22 specifies, for the year involved—

23 “(1) the number of plant closings and mass lay-
 24 offs that occurred, for which employers were subject
 25 to the notification requirements of section 3; and

1 is amended by striking “72.5 percent” and inserting “80
2 percent”.

3 (c) CONFORMING AMENDMENTS.—Subsections (b)
4 and (e)(1) of section 7527 of the Internal Revenue Code
5 of 1986 are each amended by striking “72.5 percent” and
6 inserting “80 percent”.

7 (d) EFFECTIVE DATE.—The amendments made by
8 this section shall apply to coverage months beginning after
9 December 31, 2021.

○