

## HR 3920

Trade and Globalization Assistance Act of 2007

**Congress:** 110 (2007–2009, Ended)

**Chamber:** House

**Policy Area:** Foreign Trade and International Finance

**Introduced:** Oct 22, 2007

**Current Status:** Referred to the Subcommittee on Health.

**Latest Action:** Referred to the Subcommittee on Health. (Nov 8, 2007)

**Official Text:** <https://www.congress.gov/bill/110th-congress/house-bill/3920>

### Sponsor

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**Name:** Rep. Rangel, Charles B. [D-NY-15]

**Party:** Democratic • **State:** NY • **Chamber:** House

**Cosponsors** (39 total)

Cosponsor	Party / State	Role	Date Joined
Rep. Baird, Brian [D-WA-3]	D · WA		Oct 22, 2007
Rep. Becerra, Xavier [D-CA-31]	D · CA		Oct 22, 2007
Rep. Berkley, Shelley [D-NV-1]	D · NV		Oct 22, 2007
Rep. Bishop, Timothy H. [D-NY-1]	D · NY		Oct 22, 2007
Rep. Blumenauer, Earl [D-OR-3]	D · OR		Oct 22, 2007
Rep. Courtney, Joe [D-CT-2]	D · CT		Oct 22, 2007
Rep. Crowley, Joseph [D-NY-7]	D · NY		Oct 22, 2007
Rep. Davis, Artur [D-AL-7]	D · AL		Oct 22, 2007
Rep. Emanuel, Rahm [D-IL-5]	D · IL		Oct 22, 2007
Rep. Hare, Phil [D-IL-17]	D · IL		Oct 22, 2007
Rep. Jones, Stephanie Tubbs [D-OH-11]	D · OH		Oct 22, 2007
Rep. Kind, Ron [D-WI-3]	D · WI		Oct 22, 2007
Rep. Larson, John B. [D-CT-1]	D · CT		Oct 22, 2007
Rep. Levin, Sander M. [D-MI-12]	D · MI		Oct 22, 2007
Rep. Lewis, John [D-GA-5]	D · GA		Oct 22, 2007
Rep. McDermott, Jim [D-WA-7]	D · WA		Oct 22, 2007
Rep. McNulty, Michael R. [D-NY-21]	D · NY		Oct 22, 2007
Rep. Meek, Kendrick B. [D-FL-17]	D · FL		Oct 22, 2007
Rep. Michaud, Michael H. [D-ME-2]	D · ME		Oct 22, 2007
Rep. Miller, George [D-CA-7]	D · CA		Oct 22, 2007
Rep. Neal, Richard E. [D-MA-2]	D · MA		Oct 22, 2007
Rep. Pascrell, Bill, Jr. [D-NJ-8]	D · NJ		Oct 22, 2007
Rep. Pomeroy, Earl [D-ND-At Large]	D · ND		Oct 22, 2007
Rep. Schwartz, Allyson Y. [D-PA-13]	D · PA		Oct 22, 2007
Rep. Sestak, Joe [D-PA-7]	D · PA		Oct 22, 2007
Rep. Smith, Adam [D-WA-9]	D · WA		Oct 22, 2007
Rep. Stark, Fortney Pete [D-CA-13]	D · CA		Oct 22, 2007
Rep. Tauscher, Ellen O. [D-CA-10]	D · CA		Oct 22, 2007
Rep. Thompson, Mike [D-CA-1]	D · CA		Oct 22, 2007
Rep. Van Hollen, Chris [D-MD-8]	D · MD		Oct 22, 2007
Rep. Wasserman Schultz, Debbie [D-FL-20]	D · FL		Oct 22, 2007
Rep. Altmire, Jason [D-PA-4]	D · PA		Oct 23, 2007
Rep. Etheridge, Bob [D-NC-2]	D · NC		Oct 23, 2007
Rep. Gillibrand, Kirsten E. [D-NY-20]	D · NY		Oct 23, 2007
Rep. Harman, Jane [D-CA-36]	D · CA		Oct 23, 2007
Rep. Woolsey, Lynn C. [D-CA-6]	D · CA		Oct 23, 2007
Rep. Donnelly, Joe [D-IN-2]	D · IN		Oct 25, 2007
Rep. Hinojosa, Ruben [D-TX-15]	D · TX		Oct 25, 2007
Rep. Sarbanes, John P. [D-MD-3]	D · MD		Oct 25, 2007

Committee Activity

Committee	Chamber	Activity	Date
Education and Workforce Committee	House	Discharged From	Oct 30, 2007
Energy and Commerce Committee	House	Referred to	Nov 8, 2007
Finance Committee	Senate	Referred To	Nov 5, 2007
Ways and Means Committee	House	Reported By	Oct 30, 2007

Subjects & Policy Tags

Policy Area:

Foreign Trade and International Finance

Related Bills

Bill	Relationship	Last Action
110 HR 3801	Related bill	Nov 9, 2007: Referred to the Subcommittee on Trade.
110 HR 3943	Related bill	Nov 9, 2007: Referred to the Subcommittee on Trade.
110 HRES 781	Procedurally related	Oct 31, 2007: Motion to reconsider laid on the table Agreed to without objection.
110 S 1848	Related bill	Jul 23, 2007: Read twice and referred to the Committee on Finance.

Trade and Globalization Assistance Act of 2007 - **Title I: Trade Adjustment Assistance for Workers - Subtitle A: Trade Adjustment Assistance for Service Sector Workers; Expansion of Covered Shifts in Production; Expansion of Downstream Secondary Worker Eligibility** - (Sec. 101) Amends the Trade Act of 1974 (the Act) to allow the filing of a petition with the Secretary of Labor for certification of eligibility to apply for trade adjustment assistance (TAA) by adversely affected workers in a service sector firm or a public agency.

Revises group eligibility requirements for TAA to cover: (1) a shift, by such workers' firm or subdivision to a foreign country, of production of articles or in provision of services, like or directly competitive with articles which are produced, or services provided by the workers' firm or subdivision; or (2) instances where the workers' firm or subdivision obtains or is likely to obtain such articles or services from a foreign country.

Provides for the certification for TAA of: (1) adversely affected workers in a public agency or its subdivision; and (2) adversely affected secondary workers in a service sector firm or its subdivision.

(Sec. 102) Requires certification determinations of the Secretary of Labor to be published on the Department of Labor's website.

(Sec. 103) Requires the Secretary of Labor to: (1) implement a system to collect certain data on adversely affected service sector workers; and (2) conduct a study, and report to Congress, on ways to improve the timeliness and coverage of data on trade in services.

**Subtitle B: Industry-Wide Trade Adjustment Assistance** - (Sec. 111) Provides for certification for TAA of adversely affected workers in a domestic industry.

(Sec. 112) Requires the International Trade Commission (ITC) to notify the Secretary of Labor and the Secretary of Commerce of affirmative determinations of: (1) serious injury or market disruption, or threat of serious injury or market disruption, to a domestic industry; and (2) injury, or threat of injury, to a domestic industry by reason of imports which have been provided a countervailing or antidumping subsidy. Requires the ITC in cases of an affirmation determination to notify the firms of the affected industry of the allowances, training, employment services, assistance in filing petitions, and other benefits provided under the Act.

Requires the Secretary of Labor to notify the Secretary of Commerce of the identity of firms that have been certified as eligible for TAA.

**Subtitle C: Program Benefits** - (Sec. 121) Revises certain qualifying requirements for TAA for adversely affected workers.

(Sec. 122) Increases: (1) the length of time and amount of TAA payments for training of adversely affected workers; and (2) the maximum allowance to cover costs of such workers for job search expenses and relocation expenses.

(Sec. 126) Revises employment services provisions to require the Secretary of Labor to provide, directly or through the states, delineated employment and case management services to adversely affected workers.

(Sec. 127) Increases the training cap for FY2008-FY2010. Requires a new allocation formula.

(Sec. 128) Includes, as part of an approved training program for adversely affected workers, any program of prerequisite

education or coursework required to enroll in an approved training program.

(Sec. 129) Provides that an adversely affected worker shall not be ineligible or disqualified for unemployment insurance or TAA program benefits due to a break in or delay in the commencement of training by such worker.

(Sec. 130) Provides additional payments to states participating in the training of adversely affected workers under the TAA program for administrative expenses incurred and employment and case management services provided by the state.

**Subtitle D: Health Care Provisions** - (Sec. 141) Amends the Internal Revenue Code (IRC) to increase the credit for health insurance costs of an eligible: (1) TAA recipient, (2) alternative TAA recipient, or (3) Pension Benefit Guaranty Corporation (PBGC) pension recipient.

Sets forth requirements to provide continued eligibility for the first 36 months after the event for the credit for qualifying family members if the eligible individual: (1) becomes entitled to Medicare; (2) is divorced; or (3) dies.

Sunsets such credit after December 31, 2009.

Directs the Comptroller General to conduct a study, and report to Congress, on the health insurance tax credit.

(Sec. 142) Amends the Employee Retirement Income Security Act of 1974 (ERISA), the IRC, and the Public Health Service Act to set forth requirements providing for the extension of Consolidated Omnibus Budget Reconciliation Act (COBRA) continuation coverage for certain qualified TAA-eligible individuals and PBGC recipients.

**Subtitle E: Wage Insurance** - (Sec. 151) Amends the Trade Act of 1974 to replace provisions providing for a demonstration project for alternative trade adjustment assistance for older workers with a program establishing reemployment TAA program eligibility requirements for the payment of reemployment TAA (or wage insurance) to eligible older workers.

**Subtitle F: Other Matters** - (Sec. 161) Prohibits TAA program benefits from being provided to an alien worker unless such worker is a lawful permanent resident living in the United States.

(Sec. 162) Imposes additional requirements upon state agencies advising and interviewing adversely affected workers.

(Sec. 163) Requires (currently, authorizes) a state agency or the Secretary of Labor to waive the repayment of TAA paid mistakenly to a person in cases where it was not fault of the person and it would cause a financial hardship for the person.

(Sec. 165) Establishes in the Department of Labor the Office of Trade Adjustment Assistance.

(Sec. 166) Directs the Secretary of Labor to implement a system to collect, and make publicly available on the Department of Labor's website, data on all adversely affected workers who apply for or receive TAA. Requires the Secretary of Labor to report to Congress on whether changes to TAA eligibility requirements, benefits, or training should be made based on such collected data.

(Sec. 167) Extends through FY2012 the TAA program for workers and farmers.

(Sec. 168) Gives the United States Court of International Trade authority to either remand a case to take further evidence or reverse the action of the appropriate Secretary.

(Sec. 169) States that provisions relating to adjustment assistance for workers and provisions relating to adjustment assistance for firms shall be liberally construed in favor of certifying workers for assistance.

**Title II: Trade Adjustment Assistance for Firms** - (Sec. 201) Allows the filing of a petition with the Secretary of Commerce for certification of eligibility to apply for TAA by a service sector firm.

(Sec. 202) Extends the TAA program for firms through FY2012.

(Sec. 203) Authorizes the Secretary of Commerce to provide technical assistance for the establishment of industry-wide programs for the development of new services. (Currently, such assistance is available only for new product development.)

(Sec. 204) Directs the Secretary of Commerce to: (1) conduct a demonstration project that will allow small- and medium-sized U.S. manufacturers to gain access to resources that will help them better compete domestically and globally; (2) establish an advisory board; and (3) report to Congress on such project.

Earmarks amounts through FY2012.

**Title III: Trade Adjustment Assistance for Farmers** - (Sec. 301) Requires the Secretary of Agriculture to publish petitions for certification for TAA by a group of agricultural commodity producers on the Department of Agriculture's website. (Currently, publication is only required in the Federal Register.)

Authorizes an agricultural commodity producer or group of producers that resides outside of the state or region identified in a petition to file a request to become a party to such petition.

**Title IV: Unemployment Insurance** - Unemployment Insurance Modernization Act - (Sec. 402) Amends the Social Security Act to require the Secretary of Labor to make unemployment compensation modernization incentive payments in FY2008-FY2012 by certain transfers from the federal unemployment account to the accounts of the states in the Unemployment Trust Fund.

(Sec. 403) Amends the IRC to extend the Federal Unemployment Tax Act (FUTA) excise tax imposed on every employer through 2011.

(Sec. 404) Directs the Secretary of Labor to establish the Safety Net Review Commission.

**Title V: Manufacturing Redevelopment Zones** - (Sec. 501) Authorizes the designation of 24 nominated areas as manufacturing redevelopment zones and limits the maximum aggregate population of all such zones to 2,000,000. Sets forth eligibility criteria for nominated areas.

Provides for the issuance of manufacturing redevelopment bonds (qualified tax credit bonds) and tax-exempt facility bonds and requires the proceeds to be used for promoting development or other economic activity in such zones, including environmental remediation and public infrastructure improvements. Increases the state low-income housing credit for buildings located in such zones. Allows a credit to holders of such qualified tax credit bonds.

Provides the state housing credit ceiling of a state which includes such a manufacturing redevelopment zone shall be increased by a specified amount.

Provides for a tax credit to holders of qualified tax credit bonds.

(Sec. 502) Delays until 2012 the application of special rules for the worldwide allocation of interest for purposes of computing the limitation on the foreign tax credit.

**Title VI: Worker Adjustment and Retraining Notification** - Early Warning and Health Care for Workers Affected by Globalization Act - (Sec. 602) Amends the Worker Adjustment and Retraining Notification Act (the Act) to redefine the terms "employer," "plant closing," "mass layoff", and "employees" for purposes of the Act.

Requires an employer to: (1) give 90-day written notice (currently, 60-day) to employees (including part-time employees) and appropriate state and local governments before ordering a plant closing or mass layoff; (2) notify the Secretary of Labor (Secretary) of such closing or layoff; and (3) provide affected employees with information regarding benefits and services available to them, including unemployment compensation, trade adjustment assistance, COBRA benefits, and certain other services.

Requires the Secretary to notify the appropriate U.S. Senators and Members of the House of Representatives who represent the area where such closing or mass layoff is to occur.

Makes an employer who violates such notice requirements liable to the employee for, among other things, two days pay (under current law, back pay for each day of violation) multiplied by the number of days short of the required 90 day notice that was not given, including interest on such pay.

Authorizes an affected employee to file a complaint against the employer individually and/or with the Secretary alleging a violation of the notice requirements. Requires the Secretary to investigate and attempt to resolve complaints of violations committed by an employer.

Requires an employer to post conspicuously upon its premises pertinent provisions of this Act and information on the filing of a complaint. Sets forth a civil penalty for willful violation of such requirement. Prohibits the rights and remedies provided under this Act from being waived, deferred, or lost pursuant to any agreement or settlement other than an agreement or settlement negotiated by the Secretary, an attorney general of any State, or a private attorney on behalf of affected employees.

Requires the Secretary to maintain a guide on the benefits and services available to affected employees.

## Actions Timeline

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- **Nov 8, 2007:** Referred to the Subcommittee on Health.
- **Nov 5, 2007:** Received in the Senate and Read twice and referred to the Committee on Finance.
- **Oct 31, 2007:** Rule H. Res. 781 passed House.
- **Oct 31, 2007:** Considered under the provisions of rule H. Res. 781. (consideration: CR H12253-12336, H12337; text of measure as introduced: CR H12253-12266)
- **Oct 31, 2007:** Rule provides for consideration of H.R. 3920 with 1 hour of general debate. Previous question shall be considered as ordered without intervening motions except motion to recommit with or without instructions. Measure will be considered read. A specified amendment is in order. The resolution waives all points of order against consideration of the bill except those arising under clause 9 or 10 of rule XXI. The resolution provides that the amendment in the nature of a substitute recommended by the Committee on Ways and Means, modified by the amendment printed in part A of this report shall be considered as adopted.
- **Oct 31, 2007:** DEBATE - The House proceeded with one hour of debate on H.R. 3920.
- **Oct 31, 2007:** DEBATE - Pursuant to the provisions of H.Res. 781, the House proceeded with 60 minutes of debate on the McCrery substitute amendment, as modified.
- **Oct 31, 2007:** Passed/agreed to in House: On passage Passed by the Yeas and Nays: 264 - 157 (Roll no. 1025).(text: CR H12266-12280)
- **Oct 31, 2007:** Motion to reconsider laid on the table Agreed to without objection.
- **Oct 31, 2007:** On passage Passed by the Yeas and Nays: 264 - 157 (Roll no. 1025). (text: CR H12266-12280)
- **Oct 31, 2007:** The Clerk was authorized to correct section numbers, punctuation, and cross references, and to make other necessary technical and conforming corrections in the engrossment of H.R. 3920.
- **Oct 30, 2007:** Rules Committee Resolution H. Res. 781 Reported to House. Rule provides for consideration of H.R. 3920 with 1 hour of general debate. Previous question shall be considered as ordered without intervening motions except motion to recommit with or without instructions. Measure will be considered read. A specified amendment is in order. The resolution waives all points of order against consideration of the bill except those arising under clause 9 or 10 of rule XXI. The resolution provides that the amendment in the nature of a substitute recommended by the Committee on Ways and Means, modified by the amendment printed in part A of this report shall be considered as adopted.
- **Oct 29, 2007:** Reported (Amended) by the Committee on Ways and Means. H. Rept. 110-414, Part I.
- **Oct 29, 2007:** Committee on Education and Labor discharged.
- **Oct 29, 2007:** Committee on Energy and Commerce discharged.
- **Oct 29, 2007:** Placed on the Union Calendar, Calendar No. 262.
- **Oct 24, 2007:** Committee Consideration and Mark-up Session Held.
- **Oct 24, 2007:** Ordered to be Reported (Amended) by the Yeas and Nays: 26 - 14.
- **Oct 22, 2007:** Introduced in House
- **Oct 22, 2007:** Referred to the Committee on Ways and Means, and in addition to the Committees on Education and Labor, and Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.