

## HR 2832

To extend the Generalized System of Preferences, and for other purposes.

**Congress:** 112 (2011–2013, Ended)

**Chamber:** House

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

**Introduced:** Sep 2, 2011

**Current Status:** Became Public Law No: 112-40.

**Latest Action:** Became Public Law No: 112-40. (Oct 21, 2011)

**Law:** 112-40 (Enacted Oct 21, 2011)

**Official Text:** <https://www.congress.gov/bill/112th-congress/house-bill/2832>

### Sponsor

**Name:** Rep. Camp, Dave [R-MI-4]

**Party:** Republican • **State:** MI • **Chamber:** House

### Cosponsors (3 total)

Cosponsor	Party / State	Role	Date Joined
Rep. Brady, Kevin [R-TX-8]	R · TX		Sep 2, 2011
Rep. Levin, Sander M. [D-MI-12]	D · MI		Sep 2, 2011
Rep. McDermott, Jim [D-WA-7]	D · WA		Sep 2, 2011

### Committee Activity

Committee	Chamber	Activity	Date
Ways and Means Committee	House	Referred To	Sep 6, 2011

### Subjects & Policy Tags

#### Policy Area:

Foreign Trade and International Finance

### Related Bills

Bill	Relationship	Last Action
112 HRES 418	Related bill	Oct 11, 2011: Pursuant to the provisions of H. Res. 425, H. Res. 418 is laid on the table.
112 HRES 425	Related bill	Oct 11, 2011: Motion to reconsider laid on the table Agreed to without objection.

**(This measure has not been amended since it was passed by Senate on September 22, 2011. The summary of that version is repeated here.)**

(Sec. 1) Amends the Trade Act of 1974 to extend duty-free treatment under the Generalized System of Preferences (GSP) through July 31, 2013.

Requires the liquidation or reliquidation (refund of duties) on duty-free articles that entered into the United States after December 31, 2010, and before the 15th day after enactment of this Act.

(Sec. 2) Amends the Consolidated Omnibus Budget Reconciliation Act of 1985 (COBRA) to increase from 0.21% ad valorem to 0.3464% ad valorem, for the period between October 1, 2011, and July 1, 2014, the customs user fee for the processing of merchandise entered or released into the United States.

**Title II: Trade Adjustment Assistance [sic] - Trade Adjustment Assistance Extension Act of 2011 - Subtitle A: Extension of Trade Adjustment Assistance - Part I: Application of Provisions Relating to Trade Adjustment Assistance** - (Sec. 201) Amends the Trade and Globalization Adjustment Assistance Act of 2009 to repeal the December 31, 2011, termination date for trade adjustment assistance (TAA) programs.

**Part II: Trade Adjustment Assistance for Workers** - (Sec. 211) Amends the Trade Act of 1974 to repeal the eligibility for TAA of adversely affected workers in public agencies.

(Sec. 212) Revises requirements for waivers from training for workers under the trade readjustment allowance (TRA) program. Eliminates the waivers from training requirements for workers who: (1) are recalled to work, (2) possess marketable skills for employment, or (3) are within two years of retirement eligibility.

Repeals the application of state unemployment insurance law to allowance of a good cause waiver of time limitations with respect to an application for TRA or enrollment in training. Prescribes a special rule to require the Secretary of Labor to establish procedures to allow a waiver for good cause for workers who file late for TRA or enrollment in a training program.

(Sec. 213) Decreases: (1) from 130 to 104 weeks the length of TRA payments for an adversely affected worker who requires a program of prerequisite education or remedial education in order to complete approved training, and (2) from 78 additional weeks of TRA payments in a 91-week period to 65 additional weeks of such payments in a 78-week period the length of additional time permissible to complete training.

Reduces from up to 26 additional weeks of TRA payments to complete training which includes a program of prerequisite or remedial education to up to 13 additional weeks of such payments for approved training leading to completion of a degree or industry-recognized credential the maximum additional TRA a worker may receive to account for a break in training or for justifiable cause.

(Sec. 214) Prescribes cap limits for training, employment and case management services, and job search expenses and relocation expenses for FY2012 and FY2013, and for the period October 1-December 31, 2013 (first quarter of FY2014).

Limits to 10% of funds available a state's use of them for TAA for workers program administration and the provision of employment and case management services.

Authorizes the Secretary to reallocate to other states any funds that remain unobligated in the second or third fiscal year after the fiscal year in which they were provided.

Limits the job search allowance as well as the relocation allowance to 90% of related expenses, reducing the maximum allowance from \$1,500 to \$1,250.

Transfers from the Secretary to a state responsibility for reimbursement of job search expenses, and changes reimbursement from mandatory to discretionary.

(Sec. 215) Revises and extends through December 31, 2013, the reemployment trade adjustment assistance (RTAA) program. Decreases from \$12,000 to \$10,000 the maximum payment of RTAA (or wage subsidy) to an eligible older worker.

(Sec. 216) Revises core indicators of performance in mandatory data reporting, adding among other factors the percentage of workers receiving TAA benefits who obtain a recognized postsecondary schooling credential.

Revises and adds to elements of data in such reporting, including the number of workers who complete approved training, as well as data on spending.

(Sec. 217) Extends through December 31, 2013, the TAA program for workers.

**Part III: Other Adjustment Assistance** - (Sec. 221) Directs the Secretary to report annually to Congress on TAA for firms.

Extends for FY2012 and FY2013, and for the first quarter of FY2014, the TAA program for firms and farmers.

(Sec. 222) Eliminates the TAA for communities grant program and the Industry or Sector Partnership Grant program for communities impacted by trade.

Specifies additional program performance and outcome data to be included in the Secretary's annual reports on TAA Community College and Career Training Grant program and for the TAA for farmers program.

**Part IV: General Provisions** - (Sec. 231) Requires the Secretary, if no determination has been made upon enactment of this Act of whether to certify a group of workers or firms as eligible to apply for TAA pursuant to a petition filed between February 13, 2011, and enactment of this Act, to certify such workers or firms as so eligible based on TAA program requirements in effect on the date of enactment of this Act. Requires the Secretary to: (1) reconsider, according to the eligibility requirements of this Act, any determination not to certify workers or firms as so eligible between February 13, 2011, and the enactment of this Act; and (2) certify them as eligible to apply for TAA.

Declares that such workers or firms shall continue to be eligible for TAA under TAA program requirements in effect under the Trade Act of 1974: (1) as of February 12, 2011, with respect to petitions filed between May 18, 2009, and February 13, 2011; or (2) as of May 17, 2009, with respect to petitions filed before May 18, 2009.

(Sec. 232) Extends: (1) the TAA program for workers through December 31, 2013; and (2) the TAA program for firms and farmers through December 31, 2014.

(Sec. 233) Declares that TAA program requirements in effect as of February 13, 2011, under the Trade Act of 1974 shall apply to petitions for certification to apply for TAA for workers, firms, and farmers that are filed before January 1, 2014.

**Subtitle B: Health Coverage Improvement** - (Sec. 241) Amends the Internal Revenue Code to extend from February 13, 2011, through calendar year 2013 the tax credit for the health insurance costs paid by TAA (as well as Pension Benefit Guaranty Corporation [PBGC] pension and Alternate TAA [ATAA] wage subsidy) recipients for coverage under qualified health insurance (including qualifying family members). Increases the rate of such credit from 65% to 72.5% of health insurance costs for that period. Eliminates the 80% rate for eligible coverage months beginning before February 13, 2011.

(Sec. 242) Amends the Internal Revenue Code, the Employee Retirement Income Security Act of 1974 (ERISA), and the Public Health Service Act (PHSA) to extend through December 31, 2013, the TAA pre-certification period rule disregarding any 63-day lapse in creditable health care coverage for TAA workers.

Extends the continued eligibility for the credit for certain qualified TAA-eligible individuals and PBGC pension recipients for COBRA premium assistance through December 31, 2013.

**Subtitle C: Offsets - Part 1: Unemployment Compensation Program Integrity** - (Sec. 251) Amends the Social Security Act (SSA) to prohibit the Secretary from certifying a state for grants for unemployment compensation unless such state has a law that provides for assessment of a penalty for fraudulent claims made by an individual for unemployment compensation.

(Sec. 252) Amends the Internal Revenue Code to treat a state law as meeting requirements with respect to the allowance of an additional federal unemployment tax credit to a taxpayer (employer) for its contributions to the state unemployment compensation fund only if the law provides that an employer's unemployment compensation account shall not be relieved of charges relating to a payment from the state unemployment fund if: (1) that payment was made because the employer (or agent) was at fault for failing to respond timely to a state agency request for information regarding an unemployment compensation claim, and (2) the employer or agent has established a pattern of failing to respond timely or adequately to such requests.

(Sec. 253) Amends the SSA to require each employer to report to a State Directory of New Hires certain information on employees the employer has rehired after at least a 60-day separation.

**Part II: Additional Offsets** - (Sec. 261) Amends the SSA to: (1) rename a utilization and quality control peer review organization a quality improvement organization (QIO), and (2) revise requirements for contracts with Medicare QIOs with respect to the quality of care furnished to beneficiaries under SSA title XVIII (Medicare).

Requires the Secretary to establish throughout the United States local, state, regional, national, or other geographic areas with respect to QIO contracts.

Extends the term of QIO contracts from three years to five years.

Authorizes the Secretary to consider a variety of factors in selecting QIO contractors that would provide for the most efficient and effective administration, such as geographic location, size, and prior experience in health care quality improvement.

Repeals the requirement that the Secretary provide a QIO with an opportunity to provide performance information before terminating a QIO contract.

Requires a QIO to review all ambulatory surgical procedures performed in an area, or, at the Secretary's discretion, a sample of such procedures.

Requires a QIO contracting with the Secretary to perform a certain function to perform all specified activities, except to the extent otherwise negotiated with the Secretary pursuant to the contract or except for a function for which the Secretary determines it is not appropriate for the organization to perform, such as a function that could cause a conflict of interest with another function.

Requires a QIO to perform any activities the Secretary determines necessary for improving the quality of care furnished Medicare beneficiaries.

(Sec. 262) Amends COBRA to increase from 0.21% ad valorem to 0.3464% ad valorem, for the period between July 1, 2014, and November 30, 2015, and reduce from 0.21% ad valorem to 0.1740% ad valorem, for the period between October 1, 2016, and September 30, 2019, the customs user fee (merchandise processing fee) for the processing of merchandise entered or released into the United States.

(Sec. 263) Requires any fees for processing merchandise entered between October 1 and November 12, 2012, to be paid no later than September 25, 2012, in an amount equivalent to the amount of such fees paid with respect to merchandise entered between October 1 and November 12, 2011. Requires the Secretary of the Treasury to refund with interest any overpayment of such fees. Prohibits any assessment of interest for any underpayments based on the amount of fees paid for merchandise entered between October 1 and November 12, 2012.

## Actions Timeline

---

- **Oct 21, 2011:** Signed by President.
- **Oct 21, 2011:** Became Public Law No: 112-40.
- **Oct 13, 2011:** Presented to President.
- **Oct 12, 2011:** Considered as unfinished business. (consideration: CR H6832-6836)
- **Oct 12, 2011:** DEBATE - Pursuant to the provisions of H.Res. 425, the House proceeded with further debate on the motion to concur in the Senate amendment to H.R. 2832.
- **Oct 12, 2011:** POSTPONED PROCEEDINGS - At the conclusion of debate on concurring in the Senate amendment to H.R. 2832, the Chair put the question on adoption of the motion, and by voice vote announced that the ayes had prevailed. Mr. McDermott demanded the yeas and nays and pursuant to clause 8(a)(1)(A) of rule 20, the Chair postponed further proceedings on the motion to concur in the Senate amendment to H.R. 2832 until a time to be announced.
- **Oct 12, 2011:** Considered as unfinished business. (consideration: CR H6840)
- **Oct 12, 2011:** Resolving differences -- House actions: On motion that the House agree to the Senate amendment Agreed to by the Yeas and Nays: 307 - 122 (Roll no. 784). (text as House agreed to Senate amendment: CR 10/11/2011 H6771-6777)
- **Oct 12, 2011:** On motion that the House agree to the Senate amendment Agreed to by the Yeas and Nays: 307 - 122 (Roll no. 784). (text as House agreed to Senate amendment: CR 10/11/2011 H6771-6777)
- **Oct 12, 2011:** Motion to reconsider laid on the table Agreed to without objection.
- **Oct 11, 2011:** Mr. Camp moved that the House agree to the Senate amendment. (consideration: CR H6771-6779)
- **Oct 11, 2011:** DEBATE - The House proceeded with 90 minutes of debate on the motion to concur in the Senate amendment to H.R. 2832.
- **Oct 11, 2011:** Pursuant to clause 1(c), rule 19, further proceedings on the motion to concur in the Senate amendment to H.R. 2832 were postponed.
- **Sep 23, 2011:** Message on Senate action sent to the House.
- **Sep 22, 2011:** Considered by Senate. (consideration: CR S5853-5891)
- **Sep 22, 2011:** Passed/agreed to in Senate: Passed Senate, under the order of 9/21/2011, having achieved 60 votes in the affirmative, with an amendment by Yea-Nay Vote. 70 - 27. Record Vote Number: 150. (text as passed Senate: CR S5885-5891)
- **Sep 22, 2011:** Passed Senate, under the order of 9/21/2011, having achieved 60 votes in the affirmative, with an amendment by Yea-Nay Vote. 70 - 27. Record Vote Number: 150. (text as passed Senate: CR S5885-5891)
- **Sep 21, 2011:** Considered by Senate. (consideration: CR S5800-5830)
- **Sep 20, 2011:** Motion to proceed to consideration of measure agreed to in Senate. (consideration: CR S5739)
- **Sep 20, 2011:** Measure laid before Senate by motion. (consideration: CR S5739-5745, S5750-5760, S5763-5764)
- **Sep 19, 2011:** Motion to proceed to measure considered in Senate. (consideration: CR S5715-5720)
- **Sep 19, 2011:** Cloture on the motion to proceed to the measure invoked in Senate by Yea-Nay Vote. 84 - 8. Record Vote Number: 139. (consideration: CR S5720; text: CR S5720)
- **Sep 16, 2011:** Motion to proceed to consideration of measure made in Senate. (consideration: CR S5703-5704)
- **Sep 16, 2011:** Cloture motion on the motion to proceed presented in Senate. (consideration: CR S5703-5704; text: CR S5703-5704)
- **Sep 14, 2011:** Read the second time. Placed on Senate Legislative Calendar under General Orders. Calendar No. 166.
- **Sep 13, 2011:** Read the first time. Placed on Senate Legislative Calendar under Read the First Time.
- **Sep 8, 2011:** Received in the Senate.
- **Sep 7, 2011:** Mr. Camp moved to suspend the rules and pass the bill.
- **Sep 7, 2011:** Considered under suspension of the rules. (consideration: CR H5943-5947)
- **Sep 7, 2011:** DEBATE - The House proceeded with forty minutes of debate on H.R. 2832.
- **Sep 7, 2011:** Passed/agreed to in House: On motion to suspend the rules and pass the bill Agreed to by voice vote. (text: CR H5943-5944)
- **Sep 7, 2011:** Motion to reconsider laid on the table Agreed to without objection.
- **Sep 7, 2011:** On motion to suspend the rules and pass the bill Agreed to by voice vote. (text: CR H5943-5944)
- **Sep 6, 2011:** Referred to the House Committee on Ways and Means.
- **Sep 2, 2011:** Introduced in House