A BILL

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

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Trade Adjustment Assistance Enhancement Act of 2015”.

SEC. 2. APPLICATION OF PROVISIONS RELATING TO TRADE ADJUSTMENT ASSISTANCE.

(a) REPEAL OF SNAPBACK.—Section 233 of the Trade Adjustment Assistance Extension Act of 2011 (Public Law 112–40; 125 Stat. 416) is repealed.
(b) Applicability of Certain Provisions.—Except as otherwise provided in this Act, the provisions of chapters 2 through 6 of title II of the Trade Act of 1974, as in effect on December 31, 2013, and as amended by this Act, shall—

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

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

c) References.—Except as otherwise provided in this Act, whenever in this Act 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 December 31, 2013.

SEC. 3. EXTENSION OF TRADE ADJUSTMENT ASSISTANCE PROGRAM.


(b) Training Funds.—Section 236(a)(2)(A) of the Trade Act of 1974 (19 U.S.C. 2296(a)(2)(A)) is amended
by striking “shall not exceed” and all that follows and inserting “shall not exceed $450,000,000 for each of fiscal years 2015 through 2021.”.

(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 “December 31, 2013” and inserting “June 30, 2021”.

(d) Authorizations of Appropriations.—

(1) Trade adjustment assistance for workers.—Section 245(a) of the Trade Act of 1974 (19 U.S.C. 2317(a)) is amended by striking “December 31, 2013” and inserting “June 30, 2021”.

(2) Trade adjustment assistance for firms.—Section 255(a) of the Trade Act of 1974 (19 U.S.C. 2345(a)) is amended by striking “fiscal years 2012 and 2013” and all that follows through “December 31, 2013” and inserting “fiscal years 2015 through 2021”.

(3) Trade adjustment assistance for farmers.—Section 298(a) of the Trade Act of 1974 (19 U.S.C. 2401g(a)) is amended by striking “fiscal years 2012 and 2013” and all that follows through “December 31, 2013” and inserting “fiscal years 2015 through 2021”.

SEC. 4. PERFORMANCE MEASUREMENT AND REPORTING.

(a) PERFORMANCE MEASURES.—Section 239(j) of the Trade Act of 1974 (19 U.S.C. 2311(j)) is amended—

(1) in the subsection heading, by striking “DATA REPORTING” and inserting “PERFORMANCE MEASURES”;

(2) in paragraph (1)—

(A) in the matter preceding subparagraph (A)—

(i) by striking “a quarterly” and inserting “an annual”; and

(ii) by striking “data” and inserting “measures”;

(B) in subparagraph (A), by striking “core” and inserting “primary”; and

(C) in subparagraph (C), by inserting “that promote efficiency and effectiveness” after “assistance program”; 

(3) in paragraph (2)—

(A) in the paragraph heading, by striking “CORE INDICATORS DESCRIBED” and inserting “INDICATORS OF PERFORMANCE”; and

(B) by striking subparagraph (A) and inserting the following:

“(A) PRIMARY INDICATORS OF PERFORMANCE DESCRIBED.—
“(i) In general.—The primary indicators of performance referred to in paragraph (1)(A) shall consist of—

“(I) the percentage and number of workers who received benefits under the trade adjustment assistance program who are in unsubsidized employment during the second calendar quarter after exit from the program;

“(II) the percentage and number of workers who received benefits under the trade adjustment assistance program and who are in unsubsidized employment during the fourth calendar quarter after exit from the program;

“(III) the median earnings of workers described in subclause (I);

“(IV) the percentage and number of workers who received benefits under the trade adjustment assistance program who, subject to clause (ii), obtain a recognized postsecondary credential or a secondary school diploma or its recognized equivalent, during
participation in the program or within
one year after exit from the program;
and

“(V) the percentage and number
of workers who received benefits
under the trade adjustment assistance
program who, during a year while re-
ceiving such benefits, are in an edu-
cation or training program that leads
to a recognized postsecondary creden-
tial or employment and who are
achieving measurable gains in skills
toward such a credential or employ-
ment.

“(ii) Indicator relating to creden-
tial.—For purposes of clause (i)(IV),
a worker who received benefits under the
trade adjustment assistance program who
obtained a secondary school diploma or its
recognized equivalent shall be included in
the percentage counted for purposes of
that clause only if the worker, in addition
to obtaining such a diploma or its recog-
nized equivalent, has obtained or retained
employment or is in an education or train-
ing program leading to a recognized post-
secondary credential within one year after
exit from the program.”;

(4) in paragraph (3)—

(A) in the paragraph heading, by striking
“DATA” and inserting “MEASURES”; 

(B) by striking “quarterly” and inserting
“annual”; and

(C) by striking “data” and inserting
“measures”; and

(5) by adding at the end the following:

“(4) ACCESSIBILITY OF STATE PERFORMANCE
reports.—The Secretary shall, on an annual basis,
make available (including by electronic means), in an
easily understandable format, the reports of cooper-
ating States or cooperating State agencies required
by paragraph (1) and the information contained in
those reports.”.

(b) COLLECTION AND PUBLICATION OF DATA.—Sec-
is amended—

(1) in subsection (b)—

(A) in paragraph (3)—

(i) in subparagraph (A), by striking
“enrolled in” and inserting “who received”;

(4) A CCESSIBILITY OF STATE PERFORMANCE
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make available (including by electronic means), in an
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those reports.”.

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(A) in paragraph (3)—

(i) in subparagraph (A), by striking
“enrolled in” and inserting “who received”;

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easily understandable format, the reports of cooper-
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by paragraph (1) and the information contained in
those reports.”.

(b) COLLECTION AND PUBLICATION OF DATA.—Sec-
is amended—

(1) in subsection (b)—

(A) in paragraph (3)—

(i) in subparagraph (A), by striking
“enrolled in” and inserting “who received”;

(4) A CCESSIBILITY OF STATE PERFORMANCE
REPORTS.—The Secretary shall, on an annual basis,
make available (including by electronic means), in an
easily understandable format, the reports of cooper-
ating States or cooperating State agencies required
by paragraph (1) and the information contained in
those reports.”. 
(ii) in subparagraph (B)—

(I) by striking “complete” and inserting “exited”; and

(II) by striking “who were enrolled in” and inserting “, including who received”;

(iii) in subparagraph (E), by striking “complete” and inserting “exited”;

(iv) in subparagraph (F), by striking “complete” and inserting “exit”; and

(v) by adding at the end the following:

“(G) The average cost per worker of receiving training approved under section 236.

“(H) The percentage of workers who received training approved under section 236 and obtained unsubsidized employment in a field related to that training.”; and

(B) in paragraph (4)—

(i) in subparagraphs (A) and (B), by striking “quarterly” each place it appears and inserting “annual”; and

(ii) by striking subparagraph (C) and inserting the following:

“(C) The median earnings of workers described in section 239(j)(2)(A)(i)(III) during
the second calendar quarter after exit from the program, expressed as a percentage of the me-
dian earnings of such workers before the cal-
endar quarter in which such workers began re-
ceiving benefits under this chapter.”; and

(2) in subsection (c)—

(A) in paragraph (1)—

(i) by redesignating subparagraphs

(B) and (C) as subparagraphs (C) and

(D), respectively; and

(ii) by inserting after subparagraph

(A) the following:

“(B) the reports required under section

239(j));”; and

(B) in paragraph (2), by striking “a quar-
terly” and inserting “an annual”.

(c) RECOGNIZED POSTSECONDARY CREDENTIAL DE-
FINED.—Section 247 of the Trade Act of 1974 (19 U.S.C.
2319) is amended by adding at the end the following:

“(19) The term ‘recognized postsecondary cre-
dential’ means a credential consisting of an indus-
try-recognized certificate or certification, a certifi-
cate of completion of an apprenticeship, a license
recognized by a State or the Federal Government, or
an associate or baccalaureate degree.”.
SEC. 5. APPLICABILITY OF TRADE ADJUSTMENT ASSISTANCE PROVISIONS.

(a) Trade Adjustment Assistance for Workers.—

(1) Petitions filed on or after January 1, 2014, and before date of enactment.—

(A) Certifications of workers not certified before date of enactment.—

(i) 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 clause (iii), 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.

(ii) 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
11 adjustment assistance under section 222 of
the Trade Act of 1974 pursuant to a peti-
tion described in clause (iii), 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.

(iii) Petition described.—A peti-
tion described in this clause 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,
2014, and before the date of the enactment
of this Act.

(B) Eligibility for benefits.—

(i) In general.—Except as provided
in clause (ii), a worker certified as eligible
to apply for adjustment assistance under
section 222 of the Trade Act of 1974 pur-
suant to a petition described in subpara-
graph (A)(iii) shall be eligible, on and after
the date that is 90 days after the date of
the enactment of this Act, to receive bene-
fits only under the provisions of chapter 2
of title II of the Trade Act of 1974, as in
effect on such date of enactment.

(ii) COMPUTATION OF MAXIMUM BEN-
EFITS.—Benefits received by a worker de-
scribed in clause (i) 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 max-
imum benefits for which the worker is eli-
gible under the provisions of chapter 2 of
title II of the Trade Act of 1974, as in ef-
fect on the date of the enactment of this
Act.

(2) PETITIONS FILED BEFORE JANUARY 1,
2014.—A worker certified as eligible to apply for ad-
justment assistance pursuant to a petition filed
under section 221 of the Trade Act of 1974 on or
before December 31, 2013, shall continue to be eligi-
able to apply for and receive benefits under the provi-
sions of chapter 2 of title II of such Act, as in effect
on December 31, 2013.
(3) Qualifying separations with respect to petitions filed within 90 days of date of enactment.—Section 223(b) of the Trade Act of 1974, as in effect on the date of the enactment of this Act, shall be applied and administered by substituting “before January 1, 2014” for “more than one year before the date of the petition on which such certification was granted” for purposes of determining whether a worker is eligible to apply for adjustment assistance pursuant to a petition filed under section 221 of the Trade Act of 1974 on or after the date of the enactment of this Act and on or before the date that is 90 days after such date of enactment.

(b) Trade Adjustment Assistance for Firms.—

(1) Certification of firms 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 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.

(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, 2014, and before the date of the enactment of this Act.
(2) Certification of firms that did not submit petitions between January 1, 2014, 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 eligibility under section 251 of the Trade Act of 1974 on a date during the period beginning on January 1, 2014, and ending on the day before the date of the enactment of this Act; and
(ii) the provisions of chapter 3 of title II of the Trade Act of 1974, as in effect on such date of enactment, had been in effect on that date during the period described in clause (i).

SEC. 6. SUNSET PROVISIONS.

(a) APPLICATION OF PRIOR LAW.—Subject to subsection (b), beginning on July 1, 2021, the provisions of chapters 2, 3, 5, and 6 of title II of the Trade Act of 1974 (19 U.S.C. 2271 et seq.), as in effect on January 1, 2014, shall be in effect and apply, except that in applying and administering such chapters—

(1) paragraph (1) of section 231(c) of that Act shall be applied and administered as if subparagraphs (A), (B), and (C) of that paragraph were not in effect;

(2) section 233 of that Act shall be applied and administered—

(A) in subsection (a)—

(i) in paragraph (2), by substituting “104-week period” for “104-week period” and all that follows through “130-week period”; and

(ii) in paragraph (3)—
(I) in the matter preceding sub-
paragraph (A), by substituting “65”
for “52”; and

(II) by substituting “78-week pe-
riod” for “52-week period” each place
it appears; and

(B) by applying and administering sub-
section (g) as if it read as follows:

“(g) Payment of Trade Readjustment Allow-
ances To Complete Training.—Notwithstanding any
other provision of this section, in order to assist an ad-
versely affected worker to complete training approved for
the worker under section 236 that leads to the completion
of a degree or industry-recognized credential, payments
may be made as trade readjustment allowances for not
more than 13 weeks within such period of eligibility as
the Secretary may prescribe to account for a break in
training or for justifiable cause that follows the last week
for which the worker is otherwise entitled to a trade read-
justment allowance under this chapter if—

“(1) payment of the trade readjustment allow-
ance for not more than 13 weeks is necessary for the
worker to complete the training;

“(2) the worker participates in training in each
such week; and
“(3) the worker—

“(A) has substantially met the performance benchmarks established as part of the training approved for the worker;

“(B) is expected to continue to make progress toward the completion of the training; and

“(C) will complete the training during that period of eligibility.’’;

(3) section 245(a) of that Act shall be applied and administered by substituting “June 30, 2022” for “December 31, 2007”;

(4) section 246(b)(1) of that Act shall be applied and administered by substituting “June 30, 2022” for “the date that is 5 years” and all that follows through “State”;

(5) section 256(b) of that Act shall be applied and administered by substituting “the 1-year period beginning on July 1, 2021” for “each of fiscal years 2003 through 2007, and $4,000,000 for the 3-month period beginning on October 1, 2007”;

(6) section 298(a) of that Act shall be applied and administered by substituting “the 1-year period beginning on July 1, 2021” for “each of the fiscal
years” and all that follows through “October 1, 2007”; and

 (7) section 285 of that Act shall be applied and administered—

 (A) in subsection (a), by substituting “June 30, 2022” for “December 31, 2007” each place it appears; and

 (B) by applying and administering subsection (b) as if it read as follows:

 “(b) OTHER ASSISTANCE.—

 “(1) ASSISTANCE FOR FIRMS.—

 “(A) IN GENERAL.—Except as provided in subparagraph (B), assistance may not be provided under chapter 3 after June 30, 2022.

 “(B) EXCEPTION.—Notwithstanding subparagraph (A), any assistance approved under chapter 3 pursuant to a petition filed under section 251 on or before June 30, 2022, may be provided—

 “(i) to the extent funds are available pursuant to such chapter for such purpose; and

 “(ii) to the extent the recipient of the assistance is otherwise eligible to receive such assistance.
“(2) FARMERS.—

“(A) IN GENERAL.—Except as provided in subparagraph (B), assistance may not be provided under chapter 6 after June 30, 2022.

“(B) EXCEPTION.—Notwithstanding subparagraph (A), any assistance approved under chapter 6 on or before June 30, 2022, may be provided—

“(i) to the extent funds are available pursuant to such chapter for such purpose; and

“(ii) to the extent the recipient of the assistance is otherwise eligible to receive such assistance.”.

(b) EXCEPTIONS.—The provisions of chapters 2, 3, 5, and 6 of title II of the Trade Act of 1974, as in effect on the date of the enactment of this Act, shall continue to apply on and after July 1, 2021, with respect to—

(1) workers certified as eligible for trade adjustment assistance benefits under chapter 2 of title II of that Act pursuant to petitions filed under section 221 of that Act before July 1, 2021;

(2) firms certified as eligible for technical assistance or grants under chapter 3 of title II of that
Act pursuant to petitions filed under section 251 of that Act before July 1, 2021; and

(3) agricultural commodity producers certified as eligible for technical or financial assistance under chapter 6 of title II of that Act pursuant to petitions filed under section 292 of that Act before July 1, 2021.