

111TH CONGRESS
1ST SESSION

H. R. 494

To amend the Trade Act of 1974 to require the Secretary of Labor to certify a group of workers in a subdivision of a firm as eligible to apply for assistance under the trade adjustment assistance program if the subdivision is a seller of articles of the firm that employed a group of workers who received a certification of eligibility under such program and such sales are related to the article that was the basis for such certification.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 14, 2009

Mr. SPRATT introduced the following bill; which was referred to the
Committee on Ways and Means

A BILL

To amend the Trade Act of 1974 to require the Secretary of Labor to certify a group of workers in a subdivision of a firm as eligible to apply for assistance under the trade adjustment assistance program if the subdivision is a seller of articles of the firm that employed a group of workers who received a certification of eligibility under such program and such sales are related to the article that was the basis for such certification.

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

1 **SECTION 1. REQUIREMENT TO CERTIFY CERTAIN AD-**
2 **VERSELY AFFECTED SECONDARY WORKERS**
3 **AS ELIGIBLE TO APPLY FOR ASSISTANCE**
4 **UNDER THE TRADE ADJUSTMENT ASSIST-**
5 **ANCE PROGRAM.**

6 (a) REQUIREMENT.—Section 222 of the Trade Act
7 of 1974 (19 U.S.C. 2272) is amended—

8 (1) by redesignating subsection (c) as sub-
9 section (d); and

10 (2) by inserting after subsection (b) the fol-
11 lowing:

12 “(c) OTHER ADVERSELY AFFECTED SECONDARY
13 WORKERS.—A group of workers in a subdivision of a firm
14 shall be certified by the Secretary as eligible to apply for
15 trade adjustment assistance benefits under this chapter
16 pursuant to a petition filed under section 221 if the Sec-
17 retary determines that—

18 “(1) a significant number or proportion of the
19 workers have become totally or partially separated,
20 or are threatened to become totally or partially sepa-
21 rated;

22 “(2) the workers’ subdivision is a seller of arti-
23 cles of the firm (or another subdivision of the firm)
24 that employed a group of workers who received a
25 certification of eligibility under subsection (a), and
26 such sales are related to the article that was the

1 basis for such certification (as defined in subsection
2 (d)(5)); and

3 “(3) a loss of business by the workers’ subdivi-
4 sion with the firm (or another subdivision of the
5 firm) described in paragraph (2) contributed impor-
6 tantly to the workers’ separation or threat of separa-
7 tion determined under paragraph (1).”.

8 (b) CONFORMING AMENDMENT.—Subsection (c) of
9 such section, as redesignated by subsection (a)(1) of this
10 section, is amended in paragraph (2) by striking “sub-
11 section (c)” and inserting “subsection (d)”.

12 (c) DEFINITION.—Subsection (d) of such section, as
13 redesignated by subsection (a)(1) of this section, is
14 amended by adding by adding at the end the following:

15 “(5) SELLER.—The term ‘seller’ means a sub-
16 division of firm that sells articles of the firm (or an-
17 other subdivision of the firm) that were the basis for
18 a certification of eligibility under subsection (a) of a
19 group of workers employed by such firm (or another
20 subdivision of the firm).”.

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