

115TH CONGRESS  
2D SESSION

**S.** \_\_\_\_\_

To make trade adjustment assistance available to workers whose jobs are  
eliminated through automation, and for other purposes.

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IN THE SENATE OF THE UNITED STATES

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Mr. DONNELLY (for himself, Mr. PETERS, and Mrs. GILLIBRAND) introduced  
the following bill; which was read twice and referred to the Committee  
on \_\_\_\_\_

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**A BILL**

To make trade adjustment assistance available to workers  
whose jobs are eliminated through automation, 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.**

4       This Act may be cited as the “TAA for Automation  
5       Act of 2018”.

1 **SEC. 2. ELIGIBILITY OF WORKERS WHOSE JOBS ARE ELIMI-**  
2 **NATED THROUGH AUTOMATION FOR TRADE**  
3 **ADJUSTMENT ASSISTANCE.**

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

6 (1) in subparagraph (A)(iii), by striking “; or”  
7 and inserting a semicolon;

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

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

11 “(C)(i) there has been a shift in production of  
12 articles or supply of services by such workers’ firm  
13 from utilizing the workers to methods or systems  
14 primarily utilizing automation; and

15 “(ii) the shift described in clause (i) contributed  
16 importantly to such workers’ separation or threat of  
17 separation.”.

18 (b) AUTOMATION DEFINED.—Section 222(c) of the  
19 Trade Act of 1974 (19 U.S.C. 2272(c)) is amended—

20 (1) by redesignating paragraphs (1) through  
21 (4) as paragraphs (2) through (5), respectively; and

22 (2) by inserting before paragraph (2), as redes-  
23 igned by paragraph (1), the following:

24 “(1) AUTOMATION.—The term ‘automation’  
25 means using technology to produce a good or service  
26 previously produced by human work.”.

1 (c) SPECIFICATION OF BASIS FOR ELIGIBILITY.—

2 Section 222 of the Trade Act of 1974 (19 U.S.C. 2272)

3 is amended by adding at the end the following:

4 “(f) SPECIFICATION OF BASIS FOR ELIGIBILITY.—

5 When the Secretary certifies a group of workers under this

6 section as eligible to apply for adjustment assistance, the

7 Secretary shall specify in the certification the basis for the

8 eligibility of the group under subsection (a).”.

9 (d) CONFORMING AMENDMENTS.—Subsections (b)

10 and (c) of section 222 of the Trade Act of 1974 (19

11 U.S.C. 2272) are amended by striking “subsection (a)”

12 each place it appears and inserting “subparagraph (A) or

13 (B) of subsection (a)(2)”.

14 (e) REGULATIONS; RECOMMENDATIONS.—Not later

15 than 2 years after the date of the enactment of this Act,

16 the Secretary of Labor shall—

17 (1) prescribe regulations to carry out the

18 amendments made by this section; and

19 (2) submit to Congress a report that includes

20 recommendations for any changes to law necessary

21 to carry out the amendments made by this section,

22 including any changes to section 236(a)(2)(A) of the

23 Trade Act of 1974 (19 U.S.C. 2296(a)(2)(A)).

24 (f) EFFECTIVE DATE.—The amendments made by

25 this section shall—

1           (1) take effect on the date that is 2 years after  
2           the date of the enactment of this Act; and

3           (2) apply with respect to petitions for certifi-  
4           cations of eligibility filed under section 221 of the  
5           Trade Act of 1974 (19 U.S.C. 2271) on or after the  
6           date described in paragraph (1).

7   **SEC. 3. INDEPENDENT ADVISORY COMMISSION ON LABOR**  
8                           **AUTOMATION.**

9           (a) ESTABLISHMENT.—The Secretary of Labor shall  
10          establish an independent advisory commission on labor au-  
11          tomation to advise the Secretary on matters relating to  
12          jobs and occupations at risk of elimination as a result of  
13          automation.

14          (b) MEMBERSHIP.—The Secretary shall ensure that  
15          membership on the advisory commission established under  
16          subsection (a) includes individuals with expertise in labor,  
17          individuals with expertise in technology, and individuals  
18          with expertise in business.

19          (c) ANNUAL REPORT.—Not less frequently than an-  
20          nually, the advisory commission established under sub-  
21          section (a) shall submit to the Secretary and make avail-  
22          able to the public a report describing jobs and occupations  
23          at risk of elimination as a result of automation that in-  
24          cludes—

1           (1) an identification of the States most affected  
2       by that risk; and

3           (2) recommendations for collaboration with  
4       State workforce agencies to identify and address  
5       that risk.

6       (d) AUTOMATION DEFINED.—In this section, the  
7       term “automation” means using technology to produce a  
8       good or service previously produced by human work.