

APPLICATION OF SUBSECTION (c)(1)

Subsection (c)(1) of this section to be applied and administered as if subparagraphs (A), (B), and (C) were not in effect, see section 406(a)(1) of Pub. L. 114-27, set out in an Effective and Termination Dates of 2015 Revival note preceding section 2271 of this title.

§ 2292. Weekly amounts**(a) Formula**

Subject to subsections (b) and (c), the trade readjustment allowance payable to an adversely affected worker for a week of total unemployment shall be an amount equal to the most recent weekly benefit amount of the unemployment insurance payable to the worker for a week of total unemployment preceding the worker's first exhaustion of unemployment insurance (as determined for purposes of section 2291(a)(3)(B) of this title reduced (but not below zero) by—

(1) any training allowance deductible under subsection (c); and

(2) income that is deductible from unemployment insurance under the disqualifying income provisions of the applicable State law or Federal unemployment insurance law.

(b) Adversely affected workers who are undergoing training

Any adversely affected worker who is entitled to trade readjustment allowances and who is undergoing training approved by the Secretary shall receive for each week in which he is undergoing any such training, a trade readjustment allowance in an amount (computed for such week) equal to the amount computed under subsection (a) or (if greater) the amount of any weekly allowance for such training to which he would be entitled under any other Federal law for the training of workers, if he applied for such allowance. Such trade readjustment allowance shall be paid in lieu of any training allowance to which the worker would be entitled under such other Federal law.

(c) Deduction from total number of weeks of allowance entitlement

If a training allowance under any Federal law other than this chapter is paid to an adversely affected worker for any week of unemployment with respect to which he would be entitled (determined without regard to any disqualification under section 2291(b) of this title) to a trade readjustment allowance if he applied for such allowance, each such week shall be deducted from the total number of weeks of trade readjustment allowance otherwise payable to him under section 2293(a) of this title when he applies for a trade readjustment allowance and is determined to be entitled to such allowance. If such training allowance paid to such worker for any week of unemployment is less than the amount of the trade readjustment allowance to which he would be entitled if he applied for such allowance, he shall receive, when he applies for a trade readjustment allowance and is determined to be entitled to such allowance, a trade readjustment allowance for such week equal to such difference.

(Pub. L. 93-618, title II, § 232, Jan. 3, 1975, 88 Stat. 2021; Pub. L. 97-35, title XXV, § 2504(a), Aug. 13,

1981, 95 Stat. 883; Pub. L. 99-272, title XIII, § 13003(c), Apr. 7, 1986, 100 Stat. 301; Pub. L. 100-418, title I, § 1423(b), Aug. 23, 1988, 102 Stat. 1246; Pub. L. 111-5, div. B, title I, § 1822, Feb. 17, 2009, 123 Stat. 377; Pub. L. 112-40, title II, § 201(b), (c), Oct. 21, 2011, 125 Stat. 403; Pub. L. 114-27, title IV, § 402(b), (c), June 29, 2015, 129 Stat. 374.)

TERMINATION OF ASSISTANCE

For termination of assistance under this part after June 30, 2022, see Termination Date note below.

Editorial Notes

REFERENCES IN TEXT

This chapter, referred to in subsec. (c), was in the original “this Act”, meaning Pub. L. 93-618, Jan. 3, 1975, 88 Stat. 1978, which is classified principally to this chapter. For complete classification of this Act to the Code, see References in Text note set out under section 2101 of this title and Tables.

CODIFICATION

Section reflects the July 1, 2021, reversion to provisions in effect on Jan. 1, 2014. See Effective and Termination Dates of 2015 Revival note below.

Section 233 of Pub. L. 112-40, which provided for the Jan. 1, 2014, revival of this section as in effect on Feb. 13, 2011, was repealed by Pub. L. 114-27, title IV, § 402(a), June 29, 2015, 129 Stat. 374, and the provisions of this section, as in effect on Dec. 31, 2013, were temporarily revived, effective June 29, 2015, until July 1, 2021, by Pub. L. 114-27, §§ 402(b), (c), 406. See 2011 and 2015 Amendment notes, Effective and Termination Dates of 2011 Revival notes, and Effective and Termination Dates of 2015 Revival notes below.

Section 1893 of Pub. L. 111-5, which provided for Feb. 13, 2011, termination of amendment by Pub. L. 111-5, was repealed by Pub. L. 112-40, title II, § 201(a), Oct. 21, 2011, 125 Stat. 403, and the provisions of this section, as amended by Pub. L. 111-5 and as in effect on Feb. 12, 2011, were temporarily revived, effective Oct. 21, 2011, until Jan. 1, 2014, by Pub. L. 112-40, §§ 201(b), (c), 233. See 2009 and 2011 Amendment notes, Effective and Termination Dates of 2009 Amendment notes, and Effective and Termination Dates of 2011 Revival notes below.

AMENDMENTS

2015—Pub. L. 114-27, §§ 402(b), (c), 406, temporarily revived the provisions of this section, as in effect on Dec. 31, 2013. See Codification note above and 2011 Amendment and Effective and Termination Dates of 2015 Revival notes below.

2011—Pub. L. 112-40, §§ 201(b), (c), 233, temporarily revived the provisions of this section, as in effect on Feb. 12, 2011. See Codification note above and 2009 Amendment and Effective and Termination Dates of 2011 Revival notes below.

2009—Subsec. (a). Pub. L. 111-5, §§ 1822(1)(A), (B), 1893, temporarily substituted “unemployment shall” for “total unemployment shall” and “subsections (b), (c), and (d)” for “subsections (b) and (c)” in introductory provisions. See Codification note above and Effective and Termination Dates of 2009 Amendment note below.

Subsec. (a)(2). Pub. L. 111-5, §§ 1822(1)(C), 1893, temporarily inserted “, except that in the case of an adversely affected worker who is participating in training under this part, such income shall not include earnings from work for such week that are equal to or less than the most recent weekly benefit amount of the unemployment insurance payable to the worker for a week of total unemployment preceding the worker's first exhaustion of unemployment insurance (as determined for purposes of section 2291(a)(3)(B) of this title)” before period. See Codification note above and Effective and Termination Dates of 2009 Amendment note below.

Subsec. (d). Pub. L. 111-5, §§1822(2), 1893, temporarily added subsec. (d). See Codification note above and Effective and Termination Dates of 2009 Amendment note below.

1988—Subsec. (b). Pub. L. 100-418, §1423(b)(1), struck out “, including on-the-job training,” after “approved by the Secretary”.

Subsec. (c). Pub. L. 100-418, §1423(b)(2), substituted “under section 2291(b)” for “under section 2291(c) or 2296(c)”.

1986—Subsec. (c). Pub. L. 99-272 substituted “under any Federal law other than this chapter” for “under any Federal law,” “section 2291(c) or 2296(c) of this title” for “section 2296(c) of this title”, and “If such training allowance” for “If the training allowance”.

1981—Subsec. (a). Pub. L. 97-35, §2504(a)(1), substituted provisions setting forth amount of allowance as reduced (but not below zero) by training allowance and income deductions for provisions setting forth amount of allowance as computed by specified percentages of wages and reduced by paid remuneration.

Subsecs. (c), (d). Pub. L. 97-35, §2504(a)(2)–(4), redesignated subsec. (d) as (c) and struck out references to unemployment insurance and to the inapplicability of former subsecs. (c) and (e) of this section. Former subsec. (c), which related to the computation of unemployment insurance, was struck out.

Subsec. (e). Pub. L. 97-35, §2504(a)(2), struck out subsec. (e) which related to maximum total for all remuneration and allowances.

Subsec. (f). Pub. L. 97-35, §2504(a)(2), struck out subsec. (f) which authorized rounding off to whole dollar amounts.

Statutory Notes and Related Subsidiaries

EFFECTIVE AND TERMINATION DATES OF 2015 REVIVAL

For revival and applicability, beginning on June 29, 2015, of the provisions of this section as in effect on Dec. 31, 2013, see section 402(b), (c) of Pub. L. 114-27, set out as a note preceding section 2271 of this title.

For reversion, beginning on July 1, 2021, to the provisions of this section as in effect on Jan. 1, 2014, with certain exceptions and subject to section 406(b) of Pub. L. 114-27, see section 406 of Pub. L. 114-27, set out as a note preceding section 2271 of this title.

EFFECTIVE AND TERMINATION DATES OF 2011 REVIVAL

For revival and applicability, beginning on Oct. 21, 2011, of the provisions of this section as in effect on Feb. 12, 2011, see section 201(b), (c) of Pub. L. 112-40, set out as a note preceding section 2271 of this title.

Section 233 of Pub. L. 112-40, formerly set out as a note preceding section 2271 of this title, which provided for the reversion, beginning on Jan. 1, 2014, of the provisions of this section to those in effect on Feb. 13, 2011, subject to certain exceptions, was repealed by Pub. L. 114-27, title IV, §402(a), June 29, 2015, 129 Stat. 374, effective June 29, 2015. See Codification note above.

EFFECTIVE AND TERMINATION DATES OF 2009 AMENDMENT

Except as otherwise provided and subject to certain applicability provisions, amendment by Pub. L. 111-5 effective upon the expiration of the 90-day period beginning on Feb. 17, 2009, see section 1891 of Pub. L. 111-5, set out as a note under section 2271 of this title.

Section 1893 of Pub. L. 111-5, formerly set out as a Termination Date of 2009 Amendment note preceding section 2271 of this title, which provided that, except as otherwise provided, amendment by Pub. L. 111-5 not applicable on or after Feb. 13, 2011, and that this section be applied and administered beginning Feb. 13, 2011, as if amendment by Pub. L. 111-5 had never been enacted, was repealed by Pub. L. 112-40, title II, §201(a), Oct. 21, 2011, 125 Stat. 403, effective Oct. 21, 2011. See Codification note above.

EFFECTIVE DATE OF 1988 AMENDMENT

Amendment by section 1423(b)(1) effective Aug. 23, 1988, and amendment by section 1423(b)(2) of Pub. L.

100-418 effective on the date that is 90 days after Aug. 23, 1988, see section 1430(a), (f) of Pub. L. 100-418, set out as an Effective Date note under section 2397 of this title.

EFFECTIVE DATE OF 1981 AMENDMENT AND TRANSITION PROVISIONS

Amendment by Pub. L. 97-35 applicable to allowances payable for weeks of unemployment which begin after Sept. 30, 1981, with transition provisions applicable, see section 2514 of Pub. L. 97-35, set out as a note under section 2291 of this title.

TERMINATION DATE

No trade adjustment assistance, vouchers, allowances, or other payments or benefits may be provided under this part after June 30, 2022, except as otherwise provided, see section 285 of Pub. L. 93-618, as modified by section 406(a)(7) of Pub. L. 114-27, set out as notes preceding section 2271 of this title.

REFERENCE TO SUBSEC. (d) DEEMED REFERENCE TO (c)

Pub. L. 97-35, title XXV, §2504(b), Aug. 13, 1981, 95 Stat. 883, provided that: “Any reference in any law to subsection (d) of section 232 of the Trade Act of 1974 [former subsec. (d) of this section] shall be considered a reference to subsection (c) thereof [subsec. (c) of this section].”

§ 2293. Limitations on trade readjustment allowances

(a) Maximum allowance; deduction for unemployment insurance; additional payments for approved training periods

(1) The maximum amount of trade readjustment allowances payable with respect to the period covered by any certification to an adversely affected worker shall be the amount which is the product of 52 multiplied by the trade readjustment allowance payable to the worker for a week of total unemployment (as determined under section 2292(a) of this title), but such product shall be reduced by the total sum of the unemployment insurance to which the worker was entitled (or would have been entitled if he had applied therefor) in the worker's first benefit period described in section 2291(a)(3)(A) of this title.

(2)¹ A trade readjustment allowance shall not be paid for any week occurring after the close of the 104-week period (or, in the case of an adversely affected worker who requires a program of remedial education (as described in section 2296(a)(5)(D) of this title) in order to complete training approved for the worker under section 2296 of this title, the 130-week period) that begins with the first week following the week in which the adversely affected worker was most recently totally separated from adversely affected employment—

(A) within the period which is described in section 2291(a)(1) of this title, and

(B) with respect to which the worker meets the requirements of section 2291(a)(2) of this title.

(3)¹ Notwithstanding paragraph (1), in order to assist the adversely affected worker to complete training approved for him under section 2296 of this title, and in accordance with regulations prescribed by the Secretary, payments may be

¹ See Application of Certain Provisions note below.