

Subsecs. (c), (d). Pub. L. 97-35 added subsecs. (c) and (d).

#### 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Jan. 1, 2014, of the provisions of this section to those in effect on Feb. 13, 2011, subject to certain exceptions, was repealed by Pub.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 L. 111-5 had never been enacted, was repealed by Pub.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 2002 AMENDMENT

Amendment by Pub. L. 107-210 applicable to petitions for certification filed under this part or part 3 of this subchapter on or after the date that is 90 days after Aug. 6, 2002, except as otherwise provided, see section 151 of Pub. L. 107-210, set out as a note preceding section 2271 of this title.

##### EFFECTIVE DATE OF 1988 AMENDMENT

Amendment by section 1423(c)(2) of Pub. L. 100-418 effective on date that is 90 days after Aug. 23, 1988, and amendment by section 1425(a) of Pub. L. 100-418 effective Aug. 23, 1988, but not applicable with respect to any total separation of a worker from adversely affected employment (within the meaning of section 2319 of this title) that occurs before Aug. 23, 1988, if the application of such amendment with respect to such total separation would reduce the period for which such worker would (but for such amendment) be allowed to receive trade readjustment allowances under this division, see section 1430(a), (f), (g) 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, and with the amendment of subsec. (d) of this section applicable, except as otherwise provided, to laws for certifi-

cation purposes under section 3304(c) of title 26 on Oct. 31, of any taxable year after 1981, 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.

##### APPLICATION OF CERTAIN PROVISIONS

For provisions relating to application and administration of subsecs. (a)(2), (3) and (g) of this section, see section 406(a)(2) of Pub. L. 114-27, set out in an Effective and Termination Dates of 2015 Revival note preceding section 2271 of this title.

##### WAIVER OF CERTAIN TIME LIMITATIONS

Pub. L. 100-418, title I, §1425(b), Aug. 23, 1988, 102 Stat. 1250, provided that:

“(1) The provisions of subsections (a)(2) and (b) of section 233 of the Trade Act of 1974 [19 U.S.C. 2293(a)(2), (b)] shall not apply with respect to any worker who became totally separated from adversely affected employment (within the meaning of section 247 of such Act [19 U.S.C. 2319]) during the period that began on August 13, 1981, and ended on April 7, 1986.

“(2)(A) Any worker who is otherwise eligible for payment of a trade readjustment allowance under part I of subchapter B of chapter 2 of title II of the Trade Act of 1974 [19 U.S.C. 2291 et seq.] by reason of paragraph (1) of this subsection may receive payments of such allowance only if such worker—

“(i) is enrolled in a training program approved by the Secretary under section 236(a) of such Act [19 U.S.C. 2296(a)], and

“(ii) has been unemployed continuously since the date on which the worker became totally separated from the adversely affected employment, not taking into account seasonal employment, odd jobs, or part-time, temporary employment.

“(B) If the Secretary of Labor determines that—

“(i) a worker—

“(I) has failed to begin participation in the training program the enrollment in which meets the requirement of subparagraph (A), or

“(II) has ceased to participate in such training program before completing such training program, and

“(ii) there is no justifiable cause for such failure or cessation,

no trade readjustment allowance may be paid to the worker under part I of subchapter B of chapter 2 of title II of the Trade Act of 1974 for the week in which such failure or cessation occurred, or any succeeding week, until the worker begins or resumes participation in a training program approved under section 236(a) of such Act.”

#### § 2294. Application of State laws

Except where inconsistent with the provisions of this part and subject to such regulations as the Secretary may prescribe, the availability and disqualification provisions of the State law—

(1) under which an adversely affected worker is entitled to unemployment insurance (whether or not he has filed a claim for such insurance), or

(2) if he is not so entitled to unemployment insurance, of the State in which he was totally or partially separated,

shall apply to any such worker who files a claim for trade readjustment allowances. The State

law so determined with respect to a separation of a worker shall remain applicable, for purposes of the preceding sentence, with respect to such separation until such worker becomes entitled to unemployment insurance under another State law (whether or not he has filed a claim for such insurance).

(Pub. L. 93-618, title II, §234, Jan. 3, 1975, 88 Stat. 2022; Pub. L. 111-5, div. B, title I, §1825, Feb. 17, 2009, 123 Stat. 378; Pub. L. 112-40, title II, §§201(b), (c), 212(b), Oct. 21, 2011, 125 Stat. 403, 404; 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

##### 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.

Subsec. (b). Pub. L. 112-40, §§212(b), 233, temporarily amended subsec. (b) generally. Prior to amendment, text read as follows: “Any law, regulation, policy, or practice of a cooperating State that allows for a waiver for good cause of any time limitation relating to the administration of the State unemployment insurance law shall, in the administration of the program under this part by the State, apply to any time limitation with respect to an application for a trade readjustment allowance or enrollment in training under this part.” See Codification note above and 2009 Amendment and Effective and Termination Dates of 2011 Revival notes below.

2009—Pub. L. 111-5, §§1825, 1893, temporarily designated existing provisions as subsec. (a), inserted heading, and added subsec. (b). See Codification note above and Effective and Termination Dates of 2009 Amendment note below.

#### Statutory Notes and Related Subsidiaries

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##### 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.

#### Division II—Training, Other Employment Services, and Allowances

#### § 2295. Employment services

The Secretary shall make every reasonable effort to secure for adversely affected workers covered by a certification under subpart A of this part counseling, testing, and placement services, and supportive and other services, provided for under any other Federal law, including the services provided through one-stop delivery systems described in section 2864(c) of title 29. The Secretary shall, whenever appropriate, procure such services through agreements with the States.

(Pub. L. 93-618, title II, §235, Jan. 3, 1975, 88 Stat. 2023; Pub. L. 100-418, title I, §1424(d)(1)(A), Aug. 23, 1988, 102 Stat. 1249; Pub. L. 107-210, div. A, title I, §119, Aug. 6, 2002, 116 Stat. 942; Pub. L. 111-5, div. B, title I, §1826(a), Feb. 17, 2009, 123 Stat. 379; 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.)