

**§ 2345a. Omitted****Editorial Notes****CODIFICATION**

Section, Pub. L. 93-618, title II, §255A, as added Pub. L. 112-40, title II, §221(a)(1), Oct. 21, 2011, 125 Stat. 409, and Pub. L. 114-27, title IV, §402(b), (c), June 29, 2015, 129 Stat. 374, was omitted in view of the reversion of this part, effective July 1, 2021, to provisions in effect on Jan. 1, 2014, by section 406 of Pub. L. 114-27, set out as a note preceding section 2271 of this title. Prior to omission, section 2345a read as follows:

**“§ 2345a. Annual report on trade adjustment assistance for firms**

“(a) IN GENERAL.—Not later than December 15, 2012, and annually thereafter, the Secretary shall prepare a report containing data regarding the trade adjustment assistance for firms program under this part for the preceding fiscal year. The data shall include the following:

“(1) The number of firms that inquired about the program.

“(2) The number of petitions filed under section 2341 of this title.

“(3) The number of petitions certified and denied by the Secretary.

“(4) The average time for processing petitions after the petitions are filed.

“(5) The number of petitions filed and firms certified for each congressional district of the United States.

“(6) Of the number of petitions filed, the number of firms that entered the program and received benefits.

“(7) The number of firms that received assistance in preparing their petitions.

“(8) The number of firms that received assistance developing business recovery plans.

“(9) The number of business recovery plans approved and denied by the Secretary.

“(10) The average duration of benefits received under the program nationally and in each region served by an intermediary organization referred to in section 2343(b)(1) of this title.

“(11) Sales, employment, and productivity at each firm participating in the program at the time of certification.

“(12) Sales, employment, and productivity at each firm upon completion of the program and each year for the 2-year period following completion of the program.

“(13) The number of firms in operation as of the date of the report and the number of firms that ceased operations after completing the program and in each year during the 2-year period following completion of the program.

“(14) The financial assistance received by each firm participating in the program.

“(15) The financial contribution made by each firm participating in the program.

“(16) The types of technical assistance included in the business recovery plans of firms participating in the program.

“(17) The number of firms leaving the program before completing the project or projects in their business recovery plans and the reason the project or projects were not completed.

“(18) The total amount expended by all intermediary organizations referred to in section 2343(b)(1) of this title and by each such organization to administer the program.

“(19) The total amount expended by intermediary organizations to provide technical assistance to firms under the program nationally and in each region served by such an organization.

“(b) CLASSIFICATION OF DATA.—To the extent possible, in collecting and reporting the data described in subsection (a), the Secretary shall classify the data by intermediary organization, State, and national totals.

“(c) REPORT TO CONGRESS; PUBLICATION.—The Secretary shall—

“(1) submit the report described in subsection (a) to the Committee on Finance of the Senate and the Committee on Ways and Means of the House of Representatives; and

“(2) publish the report in the Federal Register and on the website of the Department of Commerce.

“(d) PROTECTION OF CONFIDENTIAL INFORMATION.—

“(1) IN GENERAL.—The Secretary may not release information described in subsection (a) that the Secretary considers to be confidential business information unless the person submitting the confidential business information had notice, at the time of submission, that such information would be released by the Secretary, or such person subsequently consents to the release of the information.

“(2) RULE OF CONSTRUCTION.—Nothing in this subsection shall be construed to prohibit the Secretary from providing information the Secretary considers to be confidential business information under paragraph (1) to a court in camera or to another party under a protective order issued by a court.”

**§ 2346. Delegation of functions to Small Business Administration; authorization of appropriations****(a) Delegation of functions as to eligibility certification**

In the case of any firm which is small (within the meaning of the Small Business Act [15 U.S.C. 631 et seq.] and regulations promulgated thereunder), the Secretary may delegate all of his functions under this part (other than the functions under sections 2341 and 2342(d)<sup>1</sup> of this title with respect to the certification of eligibility and section 2354 of this title) to the Administrator of the Small Business Administration.

**(b) Authorization of appropriations**

There are authorized to be appropriated to the Secretary \$16,000,000 for each of fiscal years 2003 through 2007, and \$4,000,000 for the 3-month period beginning on October 1, 2007,<sup>2</sup> to carry out the Secretary’s functions under this part in connection with furnishing adjustment assistance to firms. Amounts appropriated under this subsection shall remain available until expended.

**(c) Transfer of unexpended appropriations**

The unexpended balances of appropriations authorized by section 1912(d)<sup>1</sup> of this title are transferred to the Secretary to carry out his functions under this part.

(Pub. L. 93-618, title II, §256, Jan. 3, 1975, 88 Stat. 2032; Pub. L. 97-35, title XXV, §2524, Aug. 13, 1981, 95 Stat. 892; Pub. L. 99-272, title XIII, §13008(b), Apr. 7, 1986, 100 Stat. 305; Pub. L. 100-418, title I, §1426(b)(2), Aug. 23, 1988, 102 Stat. 1251; Pub. L. 103-66, title XIII, §13803(a)(2), Aug. 10, 1993, 107 Stat. 668; Pub. L. 105-277, div. J, title I, §1012(c), Oct. 21, 1998, 112 Stat. 2681-901; Pub. L. 106-113, div. B, §1000(a)(5) [title VII, §702(c)], Nov. 29, 1999, 113 Stat. 1536, 1501A-319; Pub. L. 107-210, div. A, title I, §§111(b), 131, Aug. 6, 2002, 116 Stat. 936, 946; Pub. L. 108-429, title II, §2004(a)(3), Dec. 3, 2004, 118 Stat. 2589; Pub. L. 110-89, §1(b), Sept. 28, 2007, 121 Stat. 982.)

<sup>1</sup> See References in Text note below.

<sup>2</sup> See Application of Subsection (b) note below.