

§ 2354. Study by Secretary of Commerce when International Trade Commission begins investigation; action where there is affirmative finding

(a) Subject matter of study

Whenever the Commission begins an investigation under section 2252 of this title with respect to an industry, the Commission shall immediately notify the Secretary of such investigation, and the Secretary shall immediately begin a study of—

(1) the number of firms in the domestic industry producing the like or directly competitive article which have been or are likely to be certified as eligible for adjustment assistance, and

(2) the extent to which the orderly adjustment of such firms to the import competition may be facilitated through the use of existing programs.

(b) Report; publication

The report of the Secretary of the study under subsection (a) shall be made to the President not later than 15 days after the day on which the Commission makes its report under section 2252(f) of this title. Upon making its report to the President, the Secretary shall also promptly make it public (with the exception of information which the Secretary determines to be confidential) and shall have a summary of it published in the Federal Register.

(c) Information to firms

Whenever the Commission makes an affirmative finding under section 2252(b) of this title that increased imports are a substantial cause of serious injury or threat thereof with respect to an industry, the Secretary shall make available, to the extent feasible, full information to the firms in such industry about programs which may facilitate the orderly adjustment to import competition of such firms, and he shall provide assistance in the preparation and processing of petitions and applications of such firms for program benefits.

(Pub. L. 93–618, title II, § 264, Jan. 3, 1975, 88 Stat. 2035; Pub. L. 100–418, title I, § 1401(b)(1)(B), Aug. 23, 1988, 102 Stat. 1239; temporarily renumbered § 261, Pub. L. 111–5, div. B, title I, § 1864(a)(2), Feb. 17, 2009, 123 Stat. 397, and Pub. L. 112–40, title II, § 201(b), (c), Oct. 21, 2011, 125 Stat. 403, and 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

Source credit of Pub. L. 93–618 reflects the July 1, 2021, reversion to section number 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 the numbering 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 re-

numbering of this section, as in effect on Dec. 31, 2013, was temporarily revived, effective June 29, 2015, until July 1, 2021, by Pub. L. 114–27, §§ 402(b), (c), 406. See Effective and Termination Dates of 2015 Revival notes below.

Section 1893 of Pub. L. 111–5, which provided for Feb. 13, 2011, termination of renumbering by Pub. L. 111–5, was repealed by Pub. L. 112–40, title II, § 201(a), Oct. 21, 2011, 125 Stat. 403, and the renumbering of this section by Pub. L. 111–5 was temporarily revived, effective Oct. 21, 2011, until Jan. 1, 2014, by Pub. L. 112–40, §§ 201(b), (c), 233. See Effective and Termination Dates of 2011 Revival notes below.

AMENDMENTS

1988—Subsec. (a). Pub. L. 100–418 substituted “section 2252” for “section 2251”.

Subsec. (b). Pub. L. 100–418 substituted “section 2252(f)” for “section 2251”.

Subsec. (c). Pub. L. 100–418 substituted “section 2252(b)” for “section 2251(b)”.

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 DATE OF 1988 AMENDMENT

Amendment by Pub. L. 100–418 effective Aug. 23, 1988, and applicable with respect to investigations initiated under part 1 (§ 2251 et seq.) of this subchapter on or after that date, see section 1401(c) of Pub. L. 100–418, set out as a note under section 2251 of this title.

TERMINATION DATE

Except as otherwise provided, technical assistance and grants may not be provided under this part after June 30, 2022, see section 285 of Pub. L. 93–618, as modified by section 406(a) of Pub. L. 114–27, set out as notes preceding section 2271 of this title.

§ 2355. Assistance to industries

(a) Technical assistance

The Secretary may provide technical assistance, on such terms and conditions as the Secretary deems appropriate, for the establishment of industrywide programs for new product development, new process development, export development, or other uses consistent with the purposes of this part. Such technical assistance may be provided through existing agencies, private individuals, firms, universities and institutions, and by grants, contracts, or cooperative agreements to associations, unions, or other nonprofit industry organizations in which a sub-

stantial number of firms or workers have been certified as eligible to apply for adjustment assistance under section 2273 or 2341 of this title.

(b) Expenditures

Expenditures for technical assistance under this section may be up to \$10,000,000 annually per industry and shall be made under such terms and conditions as the Secretary deems appropriate.

(Pub. L. 93–618, title II, §265, as added Pub. L. 97–35, title XXV, §2527, Aug. 13, 1981, 95 Stat. 893; amended Pub. L. 98–369, div. B, title VI, §2673, July 18, 1984, 98 Stat. 1172; temporarily renumbered §262, Pub. L. 111–5, div. B, title I, §1864(a)(2), Feb. 17, 2009, 123 Stat. 397, and Pub. L. 112–40, title II, §201(b), (c), Oct. 21, 2011, 125 Stat. 403, and 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

Source credit of Pub. L. 93–618 reflects the July 1, 2021, reversion to section number 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 the numbering 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 renumbering of this section, as in effect on Dec. 31, 2013, was temporarily revived, effective June 29, 2015, until July 1, 2021, by Pub. L. 114–27, §§402(b), (c), 406. See Effective and Termination Dates of 2015 Revival notes below.

Section 1893 of Pub. L. 111–5, which provided for Feb. 13, 2011, termination of renumbering by Pub. L. 111–5, was repealed by Pub. L. 112–40, title II, §201(a), Oct. 21, 2011, 125 Stat. 403, and the renumbering of this section by Pub. L. 111–5 was temporarily revived, effective Oct. 21, 2011, until Jan. 1, 2014, by Pub. L. 112–40, §§201(b), (c), 233. See Effective and Termination Dates of 2011 Revival notes below.

AMENDMENTS

1984—Subsec. (a). Pub. L. 98–369, §2673(1), inserted “or workers” after “of firms” and inserted reference to section 2273 of this title.

Subsec. (b). Pub. L. 98–369, §2673(2), substituted “\$10,000,000” for “\$2,000,000”.

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 DATE

Section effective Aug. 13, 1981, except as otherwise provided with respect to applications for adjustment assistance, see section 2529 of Pub. L. 97–35, set out as an Effective Date of 1981 Amendment note under section 2343 of this title.

TERMINATION DATE

Except as otherwise provided, technical assistance and grants may not be provided under this part after June 30, 2022, see section 285 of Pub. L. 93–618, as modified by section 406(a) of Pub. L. 114–27, set out as notes preceding section 2271 of this title.

§ 2356. Repealed. Pub. L. 112–40, title II, § 221(a)(3), Oct. 21, 2011, 125 Stat. 410

Section, Pub. L. 111–5, div. B, title I, §1866, Feb. 17, 2009, 123 Stat. 399, required the Secretary of Commerce to submit and publish an annual report on trade adjustment assistance for firms and proscribed the release of certain confidential business information.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF REPEAL

Pub. L. 112–40, title II, §221(a)(3), Oct. 21, 2011, 125 Stat. 410, provided that the repeal of this section is effective on the day after the date on which the Secretary of Commerce submits the report required by this section for fiscal year 2011 [report submitted Dec. 15, 2011].

PART 4—TRADE ADJUSTMENT ASSISTANCE FOR COMMUNITIES

Editorial Notes

CODIFICATION

Section 1893 of Pub. L. 111–5, which provided for Feb. 13, 2011, termination of general amendment of this part 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 part, as amended by Pub. L. 111–5 and as in effect on Feb. 12, 2011, were revived, effective Oct. 21, 2011, by Pub. L. 112–40, §201(b), (c). See Amendment of Part notes below.

AMENDMENT OF PART

Pub. L. 112–40, title II, §222(a)(1), (2), Oct. 21, 2011, 125 Stat. 411, amended this part by striking out subparts A “Trade Adjustment Assistance for Communities” (§2371 et seq.), C “Industry or Sector Partnership Grant Program for Communities Impacted by Trade” (§2373 et seq.), and D “General Provisions” (§2374) and designation and heading of subpart B “Community College and Career Training Grant Program” (§2372 et seq.).

Pub. L. 112–40, title II, §201(b), (c), Oct. 21, 2011, 125 Stat. 403, revived the provisions of this part, as in effect on Feb. 12, 2011. See Codification note above and note below.

Pub. L. 111–5, div. B, title I, §1872(a), Feb. 17, 2009, 123 Stat. 401, temporarily generally amended this part. See Codification note above.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF REVIVAL

For revival and applicability of provisions as in effect on Feb. 12, 2011, see section 201(b), (c) of Pub. L. 112–40,