

equipment and provide for appropriate worker retraining, directed Secretary of Labor to prepare and submit to Congress plan of action for assisting workers in communities adversely affected by imports of steel products, and provided that section 805 which provided enforcement authority for President would terminate Mar. 31, 1992.

#### LIMITATION ON MEAT IMPORTS

Pub. L. 88-482, § 2, Aug. 22, 1964, 78 Stat. 594, as amended by Pub. L. 96-177, Dec. 31, 1979, 93 Stat. 1291; Pub. L. 100-418, title I, § 1214(u), Aug. 23, 1988, 102 Stat. 1162; Pub. L. 100-449, title III, § 301(b), Sept. 28, 1988, 102 Stat. 1867; Pub. L. 103-182, title III, § 321(a), Dec. 8, 1993, 107 Stat. 2108, provided that this section was to be cited as the "Meat Import Act of 1979", defined terms for purposes of this section, limited with exception the aggregate quantity of meat articles which could enter the country in any calendar year after 1979, provided for adjustment of aggregate quantity for calendar years after 1979, required Secretary of Agriculture to estimate and publish yearly aggregate quantity, authorized President to increase or limit by proclamation the total quantity of meat articles entering this country under certain circumstances, and provided for suspension of such proclamations after providing notice in Federal Register and opportunity to comment, prior to repeal by Pub. L. 103-465, title IV, § 403, Dec. 8, 1994, 108 Stat. 4959, effective on the date of entry into force of the WTO Agreement with respect to the United States (Jan. 1, 1995).

#### § 2254. Monitoring, modification, and termination of action

##### (a) Monitoring

(1) So long as any action taken under section 2253 of this title remains in effect, the Commission shall monitor developments with respect to the domestic industry, including the progress and specific efforts made by workers and firms in the domestic industry to make a positive adjustment to import competition.

(2) If the initial period during which the action taken under section 2253 of this title is in effect exceeds 3 years, or if an extension of such action exceeds 3 years, the Commission shall submit a report on the results of the monitoring under paragraph (1) to the President and to the Congress not later than the date that is the midpoint of the initial period, and of each such extension, during which the action is in effect.

(3) In the course of preparing each report under paragraph (2), the Commission shall hold a hearing at which interested persons shall be given a reasonable opportunity to be present, to produce evidence, and to be heard.

(4) Upon request of the President, the Commission shall advise the President of its judgment as to the probable economic effect on the industry concerned of any reduction, modification, or termination of the action taken under section 2253 of this title which is under consideration.

##### (b) Reduction, modification, and termination of action

(1) Action taken under section 2253 of this title may be reduced, modified, or terminated by the President (but not before the President receives the report required under subsection (a)(2)(A) of this section) if the President—

(A) after taking into account any report or advice submitted by the Commission under subsection (a) of this section and after seeking the advice of the Secretary of Commerce and

the Secretary of Labor, determines, on the basis that either—

(i) the domestic industry has not made adequate efforts to make a positive adjustment to import competition, or

(ii) the effectiveness of the action taken under section 2253 of this title has been impaired by changed economic circumstances,

that changed circumstances warrant such reduction, or termination; or

(B) determines, after a majority of the representatives of the domestic industry submits to the President a petition requesting such reduction, modification, or termination on such basis, that the domestic industry has made a positive adjustment to import competition.

(2) Notwithstanding paragraph (1), the President is authorized to take such additional action under section 2253 of this title as may be necessary to eliminate any circumvention of any action previously taken under such section.

(3) Notwithstanding paragraph (1), the President may, after receipt of a Commission determination under section 3538(a)(4) of this title and consulting with the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate, reduce, modify, or terminate action taken under section 2253 of this title.

##### (c) Extension of action

(1) Upon request of the President, or upon petition on behalf of the industry concerned filed with the Commission not earlier than the date which is 9 months, and not later than the date which is 6 months, before the date any action taken under section 2253 of this title is to terminate, the Commission shall investigate to determine whether action under section 2253 of this title continues to be necessary to prevent or remedy serious injury and whether there is evidence that the industry is making a positive adjustment to import competition.

(2) The Commission shall publish notice of the commencement of any proceeding under this subsection in the Federal Register and shall, within a reasonable time thereafter, hold a public hearing at which the Commission shall afford interested parties and consumers an opportunity to be present, to present evidence, and to respond to the presentations of other parties and consumers, and otherwise to be heard.

(3) The Commission shall transmit to the President a report on its investigation and determination under this subsection not later than 60 days before the action under section 2253 of this title is to terminate, unless the President specifies a different date.

##### (d) Evaluation of effectiveness of action

(1) After any action taken under section 2253 of this title has terminated, the Commission shall evaluate the effectiveness of the actions in facilitating positive adjustment by the domestic industry to import competition, consistent with the reasons set out by the President in the report submitted to the Congress under section 2253(b) of this title.

(2) During the course of the evaluation conducted under paragraph (1), the Commission shall, after reasonable public notice, hold a

hearing on the effectiveness of the action. All interested persons shall have the opportunity to attend such hearing and to present evidence or testimony at such hearing.

(3) A report on the evaluation made under paragraph (1) and the hearings held under paragraph (2) shall be submitted by the Commission to the President and to the Congress by no later than the 180th day after the day on which the actions taken under section 2253 of this title terminated.

**(e) Other provisions**

(1) Action by the President under this part may be taken without regard to the provisions of section 2136(a) of this title but only after consideration of the relation of such actions to the international obligations of the United States.

(2) If the Commission treats as the domestic industry production located in a major geographic area of the United States under section 2252(c)(4)(C) of this title, then the President shall take into account the geographic concentration of domestic production and of imports in that area in taking any action authorized under paragraph (1).

(Pub. L. 93-618, title II, §204, as added Pub. L. 100-418, title I, §1401(a), Aug. 23, 1988, 102 Stat. 1238; amended Pub. L. 100-647, title IX, §9001(a)(8), Nov. 10, 1988, 102 Stat. 3807; Pub. L. 103-465, title I, §129(a)(7), title III, §302(c), (d), Dec. 8, 1994, 108 Stat. 4837, 4936.)

AMENDMENTS

1994—Subsec. (a)(2). Pub. L. 103-465, §302(c)(1), amended par. (2) generally. Prior to amendment, par. (2) read as follows: “The Commission shall submit a report on the results of the monitoring under paragraph (1) to the President and to the Congress not later than—

“(A) the 2nd-anniversary of the day on which the action under section 2253 of this title first took effect; and

“(B) the last day of each 2-year period occurring after the 2-year period referred to in subparagraph (A).”

Subsec. (a)(4). Pub. L. 103-465, §302(c)(2), struck out “extension,” before “reduction.”

Subsec. (b)(3). Pub. L. 103-465, §129(a)(7), added par. (3).

Subsecs. (c) to (e). Pub. L. 103-465, §302(d), added subsec. (c) and redesignated former subsecs. (c) and (d) as (d) and (e), respectively.

1988—Subsecs. (c) to (e). Pub. L. 100-647 redesignated subsecs. (d) and (e) as (c) and (d), respectively.

EFFECTIVE DATE OF 1994 AMENDMENT

Amendment by section 129(a)(7) of Pub. L. 103-465 effective on the date on which the WTO Agreement enters into force with respect to the United States [Jan. 1, 1995], see section 130 of Pub. L. 103-465, set out as an Effective Date note under section 3531 of this title.

Amendment by section 302(c), (d) of Pub. L. 103-465 effective on the date on which the WTO Agreement enters into force with respect to the United States [Jan. 1, 1995], see section 304(a) of Pub. L. 103-465, set out as a note under section 2252 of this title.

EFFECTIVE DATE OF 1988 AMENDMENT

Amendment by Pub. L. 100-647 applicable as if such amendment took effect on Aug. 23, 1988, see section 9001(b) of Pub. L. 100-647, set out as an Effective and Termination Dates of 1988 Amendments note under section 58c of this title.

EFFECTIVE DATE

Section effective Aug. 23, 1988, and applicable with respect to investigations initiated under this part on or

after that date, see section 1401(c) of Pub. L. 100-418, set out as an Effective Date of 1988 Amendment note under section 2251 of this title.

PART 2—ADJUSTMENT ASSISTANCE FOR WORKERS

EFFECTIVE AND TERMINATION DATES OF 2011 REVIVAL

Pub. L. 112-40, title II, §201(b), (c), Oct. 21, 2011, 125 Stat. 403, provided that:

“(b) APPLICABILITY OF CERTAIN PROVISIONS.—Except as otherwise provided in this subtitle [subtitle A (§§201-233) of title II of Pub. L. 112-40, see Tables for classification], the provisions of chapters 2 through 6 of title II of the Trade Act of 1974 [this part, parts 3 to 6 of this subchapter, and provisions set out as a note below], as in effect on February 12, 2011, and as amended by this subtitle, shall—

“(1) take effect on the date of the enactment of this Act [Oct. 21, 2011]; and

“(2) apply to petitions for certification filed under chapter 2, 3, or 6 of title II of the Trade Act of 1974 [this part and parts 3 and 6 of this subchapter] on or after such date of enactment.

“(c) REFERENCES.—Except as otherwise provided in this subtitle, whenever in this subtitle an amendment or repeal is expressed in terms of an amendment to, or repeal of, a provision of chapters 2 through 6 of title II of the Trade Act of 1974, the reference shall be considered to be made to a provision of any such chapter, as in effect on February 12, 2011.”

Pub. L. 112-40, title II, §233, Oct. 21, 2011, 125 Stat. 416, provided that:

“(a) APPLICATION OF PRIOR LAW.—Subject to subsection (b), beginning on January 1, 2014, the provisions of chapters 2, 3, 5, and 6 of title II of the Trade Act of 1974 (19 U.S.C. 2271 et seq.) [this part, parts 3, 5, and 6 of this subchapter, and provisions set out as a note below], as in effect on February 13, 2011, shall apply, except that in applying and administering such chapters—

“(1) paragraph (1) of section 231(c) of that Act [19 U.S.C. 2291(c)(1)] shall be applied and administered as if subparagraphs (A), (B), and (C) of that paragraph were not in effect;

“(2) section 233 of that Act [19 U.S.C. 2293] shall be applied and administered—

“(A) in subsection (a)—

“(i) in paragraph (2), by substituting ‘104-week period’ for ‘104-week period’ and all that follows through ‘130-week period’; and

“(ii) in paragraph (3)—

“(I) in the matter preceding subparagraph (A), by substituting ‘65’ for ‘52’; and

“(II) by substituting ‘78-week period’ for ‘52-week period’ each place it appears; and

“(B) by applying and administering subsection (g) as if it read as follows:

“(g) PAYMENT OF TRADE READJUSTMENT ALLOWANCES TO COMPLETE TRAINING.—Notwithstanding any other provision of this section, in order to assist an adversely affected worker to complete training approved for the worker under section 236 [19 U.S.C. 2296] that leads to the completion of a degree or industry-recognized credential, payments may be made as trade readjustment allowances for not more than 13 weeks within such period of eligibility as the Secretary may prescribe to account for a break in training or for justifiable cause that follows the last week for which the worker is otherwise entitled to a trade readjustment allowance under this chapter [this part] if—

“(1) payment of the trade readjustment allowance for not more than 13 weeks is necessary for the worker to complete the training;

“(2) the worker participates in training in each such week; and

“(3) the worker—

“(A) has substantially met the performance benchmarks established as part of the training approved for the worker;

“(B) is expected to continue to make progress toward the completion of the training; and