

Subsec. (a)(1)(A). Pub. L. 99-272, §13004(a)(1), substituted “for an adversely affected worker” for “for a worker”.

Subsec. (a)(2). Pub. L. 99-272, §13004(a)(6), added par. (2). Former par. (2) redesignated subsec. (e).

Pub. L. 99-272, §13004(a)(3), which directed substitution of “under subsection (a)” for “under paragraph (1)” was executed by making the substitution for “under paragraph (1)” in both places it appeared, to reflect the probable intent of Congress.

Subsec. (a)(3). Pub. L. 99-272, §13004(a)(6), added par. (3). Former par. (3) redesignated subsec. (f).

Pub. L. 99-272, §13004(a)(4), substituted “this section” for “this subsection”.

Subsec. (a)(4). Pub. L. 99-272, §13004(a)(6), added par. (4).

Subsec. (d). Pub. L. 99-272, §13004(a)(7), added subsec. (d).

Subsecs. (e), (f). Pub. L. 99-272, §13004(a)(5), redesignated pars. (2) and (3) of subsec. (a) as subsecs. (e) and (f), respectively.

1981—Subsec. (a). Pub. L. 97-35 redesignated existing provisions as par. (1), revised provisions, made changes in nomenclature, inserted provisions respecting availability, payment, and scope of training, and added pars. (2) and (3).

Subsec. (b). Pub. L. 97-35 substituted provisions limiting the maximum amount of travel expenses on the basis of amounts paid under Federal travel regulations for provisions establishing specific maximum amounts for subsistence and transportation expenses.

#### EFFECTIVE AND TERMINATION DATES OF 2011 REVIVAL

For temporary revival and applicability of provisions as in effect on Feb. 12, 2011, see sections 201(b), (c) and 233 of Pub. L. 112-40, set out as notes preceding section 2271 of this title. For reversion, beginning on Jan. 1, 2014, to provisions in effect on Feb. 13, 2011, with certain exceptions and subject to section 233(b) of Pub. L. 112-40, see section 233 of Pub. L. 112-40, set out as a note preceding section 2271 of this title.

#### EFFECTIVE DATE OF 2010 AMENDMENT

Amendment by Pub. L. 111-344 effective Jan. 1, 2011, see section 101(d) of Pub. L. 111-344, set out as a note preceding section 2271 of this title.

#### EFFECTIVE AND TERMINATION DATES OF 2009 AMENDMENT

Pub. L. 111-5, div. B, title I, §1828(d), Feb. 17, 2009, 123 Stat. 382, provided that: “This section [amending this section] and the amendments made by this section shall take effect upon the expiration of the 90-day period beginning on the date of the enactment of this Act [Feb. 17, 2009], except that—

“(1) subparagraph (A) of section 236(a)(2) of the Trade Act of 1974 [19 U.S.C. 2296(a)(2)(A)], as amended by subsection (a) of this section, shall take effect on the date of the enactment of this Act; and

“(2) subparagraphs (B), (C), and (D) of such section 236(a)(2) [19 U.S.C. 2296(a)(2)(B) to (D)] shall take effect on October 1, 2009.”

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, 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. 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 1998 AMENDMENT

Amendment by section 101(f) [title VIII, §405(d)(14)(A)] of Pub. L. 105-277 effective Oct. 21, 1998, and amendment by section 101(f) [title VIII, §405(f)(11)(A)] of Pub. L. 105-277 effective July 1, 2000, see section 101(f) [title VIII, §405(g)(1), (2)(B)], set out as a note under section 3502 of Title 5, Government Organization and Employees.

#### EFFECTIVE DATE OF 1988 AMENDMENTS

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.

Amendment by section 1424(c)(2), (3) of Pub. L. 100-418 effective on date that is 90 days after Aug. 23, 1988, see section 1430(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 effective for determinations made or filed after Sept. 30, 1981, with transition provisions applicable, and with the amendment of subsec. (a)(2) of this section applicable, except as otherwise provided, to laws for certification purposes under section 3304 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 section after Dec. 31, 2013, except as otherwise provided, see section 285 of Pub. L. 93-618, set out as a note preceding section 2271 of this title.

#### TERMINATION OF REPORTING REQUIREMENTS

For termination, effective May 15, 2000, of provisions in subsec. (d) relating to submitting a quarterly report to Congress on funds for training under subsec. (a), see section 3003 of Pub. L. 104-66, set out as a note under section 1113 of Title 31, Money and Finance, and page 124 of House Document No. 103-7.

### § 2297. Job search allowances

#### (a) Job search allowance authorized

##### (1) In general

Each State may use funds made available to the State to carry out sections 2295 through 2298 of this title to allow an adversely affected worker covered by a certification issued under subpart A of this part to file an application with the Secretary for payment of a job search allowance.

##### (2) Approval of applications

The Secretary may grant an allowance pursuant to an application filed under paragraph (1) when all of the following apply:

##### (A) Assist adversely affected worker

The allowance is paid to assist an adversely affected worker who has been totally separated in securing a job within the United States.

##### (B) Local employment not available

The Secretary determines that the worker cannot reasonably be expected to secure

suitable employment in the commuting area in which the worker resides.

**(C) Application**

The worker has filed an application for the allowance with the Secretary before—

- (i) the later of—
  - (I) the 365th day after the date of the certification under which the worker is certified as eligible; or
  - (II) the 365th day after the date of the worker's last total separation; or
- (ii) the date that is the 182d day after the date on which the worker concluded training.

**(b) Amount of allowance**

**(1) In general**

Any allowance granted under subsection (a) of this section shall provide reimbursement to the worker of not more than 90 percent of the necessary job search expenses of the worker as prescribed by the Secretary in regulations.

**(2) Maximum allowance**

Reimbursement under this subsection may not exceed \$1,250 for any worker.

**(3) Allowance for subsistence and transportation**

Reimbursement under this subsection may not be made for subsistence and transportation expenses at levels exceeding those allowable under section 2296(b) (1) and (2) of this title.

**(c) Exception**

Notwithstanding subsection (b) of this section, a State may reimburse any adversely affected worker for necessary expenses incurred by the worker in participating in a job search program approved by the Secretary.

(Pub. L. 93-618, title II, §237, Jan. 3, 1975, 88 Stat. 2023; Pub. L. 97-35, title XXV, §2507, Aug. 13, 1981, 95 Stat. 886; Pub. L. 98-369, div. B, title VI, §2672(a), July 18, 1984, 98 Stat. 1172; Pub. L. 99-272, title XIII, §13005(a), Apr. 7, 1986, 100 Stat. 303; Pub. L. 107-210, div. A, title I, §121, Aug. 6, 2002, 116 Stat. 942; Pub. L. 111-5, div. B, title I, §1833(a), Feb. 17, 2009, 123 Stat. 386; Pub. L. 112-40, title II, §§201(b), (c), 214(d), Oct. 21, 2011, 125 Stat. 403, 406.)

REVERSION TO PROVISIONS IN EFFECT ON  
FEBRUARY 13, 2011

*For reversion, beginning on Jan. 1, 2014, to provisions in effect on Feb. 13, 2011, with certain exceptions and subject to section 233(b) of Pub. L. 112-40, see Codification and Effective and Termination Dates of 2011 Revival notes below.*

CODIFICATION

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 note below.

AMENDMENTS

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. (a)(1). Pub. L. 112-40, §§214(d)(1), 233, temporarily substituted “Each State may use funds made available to the State to carry out sections 2295 through 2298 of this title to allow an adversely affected worker” for “An adversely affected worker” and “to file” for “may file”. See Codification note above and Effective and Termination Dates of 2011 Revival note below.

Subsec. (b)(1). Pub. L. 112-40, §§214(d)(2)(A), 233, temporarily substituted “Any” for “An” and “not more than 90 percent of the necessary job search expenses of the worker” for “all necessary job search expenses”. See Codification note above and Effective and Termination Dates of 2011 Revival note below.

Subsec. (b)(2). Pub. L. 112-40, §§214(d)(2)(B), 233, temporarily substituted “\$1,250” for “\$1,500”. See Codification note above and Effective and Termination Dates of 2011 Revival note below.

Subsec. (c). Pub. L. 112-40, §§214(d)(3), 233, temporarily substituted “a State may” for “the Secretary shall”. See Codification note above and Effective and Termination Dates of 2011 Revival note below.

2009—Subsec. (a)(2)(C)(ii). Pub. L. 111-5, §§1833(a)(1), 1893, temporarily struck out “, unless the worker received a waiver under section 2291(c) of this title” before period. See Codification note above and Effective and Termination Dates of 2009 Amendment note below.

Subsec. (b)(1). Pub. L. 111-5, §§1833(a)(2)(A), 1893, temporarily substituted “all” for “90 percent of the cost of”. See Codification note above and Effective and Termination Dates of 2009 Amendment note below.

Subsec. (b)(2). Pub. L. 111-5, §§1833(a)(2)(B), 1893, temporarily substituted “\$1,500” for “\$1,250”. See Codification note above and Effective and Termination Dates of 2009 Amendment note below.

2002—Pub. L. 107-210 amended section generally. Prior to amendment, section related to applications for job search allowances, amounts of allowances, conditions for granting allowances, and reimbursement of worker expenses.

1986—Subsec. (c). Pub. L. 99-272 added subsec. (c).

1984—Subsec. (a)(1). Pub. L. 98-369 substituted “\$800” for “\$600”.

1981—Subsec. (a). Pub. L. 97-35, §2507(1), amended provisions generally, increasing percent of reimbursement of cost of job search from 80 to 90 and maximum amount from \$500 to \$600, and striking out requirement of total separation.

Subsec. (b)(1). Pub. L. 97-35, §2507(2)(A), inserted “who has been totally separated” after “to assist an adversely affected worker”.

Subsec. (b)(3). Pub. L. 97-35, §2507(2)(B), amended par. (3) generally, substituting the 182-day period for a reasonable period of time and inserting provision relating to 365 days after certification.

EFFECTIVE AND TERMINATION DATES OF 2011 REVIVAL

For temporary revival and applicability of provisions as in effect on Feb. 12, 2011, see sections 201(b), (c) and 233 of Pub. L. 112-40, set out as notes preceding section 2271 of this title. For reversion, beginning on Jan. 1, 2014, to provisions in effect on Feb. 13, 2011, with certain exceptions and subject to section 233(b) of Pub. L. 112-40, see section 233 of Pub. L. 112-40, set out as a note preceding section 2271 of this title.

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, 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. 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 1981 AMENDMENT AND TRANSITION PROVISIONS

Amendment by Pub. L. 97-35 effective for determinations made or filed 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 section after Dec. 31, 2013, except as otherwise provided, see section 285 of Pub. L. 93-618, set out as a note preceding section 2271 of this title.

§ 2298. Relocation allowances

(a) Relocation allowance authorized

(1) In general

Each State may use funds made available to the State to carry out sections 2295 through 2298 of this title to allow an adversely affected worker covered by a certification issued under subpart A of this part to file an application for a relocation allowance with the Secretary, and the Secretary may grant the relocation allowance, subject to the terms and conditions of this section.

(2) Conditions for granting allowance

A relocation allowance may be granted if all of the following terms and conditions are met:

(A) Assist an adversely affected worker

The relocation allowance will assist an adversely affected worker in relocating within the United States.

(B) Local employment not available

The Secretary determines that the worker cannot reasonably be expected to secure suitable employment in the commuting area in which the worker resides.

(C) Total separation

The worker is totally separated from employment at the time relocation commences.

(D) Suitable employment obtained

The worker—

(i) has obtained suitable employment affording a reasonable expectation of long-term duration in the area in which the worker wishes to relocate; or

(ii) has obtained a bona fide offer of such employment.

(E) Application

The worker filed an application with the Secretary before—

(i) the later of—

(I) the 425th day after the date of the certification under subpart A of this part; or

(II) the 425th day after the date of the worker's last total separation; or

(ii) the date that is the 182d day after the date on which the worker concluded training.

(b) Amount of allowance

Any relocation allowance granted to a worker under subsection (a) of this section shall include—

(1) not more than 90 percent of the reasonable and necessary expenses (including, but not limited to, subsistence and transportation expenses at levels not exceeding those allowable under section 2296(b)(1) and (2) of this title specified in regulations prescribed by the Secretary) incurred in transporting the worker, the worker's family, and household effects; and

(2) a lump sum equivalent to 3 times the worker's average weekly wage, up to a maximum payment of \$1,250.

(c) Limitations

A relocation allowance may not be granted to a worker unless—

(1) the relocation occurs within 182 days after the filing of the application for relocation assistance; or

(2) the relocation occurs within 182 days after the conclusion of training, if the worker entered a training program approved by the Secretary under section 2296(b)(1) and (2) of this title.

(Pub. L. 93-618, title II, § 238, Jan. 3, 1975, 88 Stat. 2024; Pub. L. 97-35, title XXV, § 2508, Aug. 13, 1981, 95 Stat. 886; Pub. L. 98-369, div. B, title VI, § 2672(b), July 18, 1984, 98 Stat. 1172; Pub. L. 107-210, div. A, title I, § 122, Aug. 6, 2002, 116 Stat. 943; Pub. L. 108-429, title II, § 2004(a)(6), Dec. 3, 2004, 118 Stat. 2590; Pub. L. 111-5, div. B, title I, § 1833(b), Feb. 17, 2009, 123 Stat. 386; Pub. L. 112-40, title II, §§ 201(b), (c), 214(e), Oct. 21, 2011, 125 Stat. 403, 406.)

REVERSION TO PROVISIONS IN EFFECT ON FEBRUARY 13, 2011

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CODIFICATION

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AMENDMENTS

2011—Pub. L. 112-40, §§ 201(b), (c), 233, temporarily revived the provisions of this section, as in effect on Feb.