

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 L. 111-5 had never been enacted, was repealed by Pub.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

*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(e)(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 “Any 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). Pub. L. 112-40, §§214(e)(2)(A), 233, in introductory provisions, temporarily substituted “Any” for “The” and “shall include” for “includes”. See Codification note above and Effective and Termination Dates of 2011 Revival note below.

Subsec. (b)(1). Pub. L. 112-40, §§214(e)(2)(B), 233, temporarily substituted “not more than 90 percent of the” for “all”. See Codification note above and Effective and Termination Dates of 2011 Revival note below.

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

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

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

2004—Subsec. (b)(1). Pub. L. 108-429 substituted “Secretary” for “Secretary,”.

2002—Pub. L. 107-210 amended section generally. Prior to amendment, section consisted of subsections (a) to (d) authorizing relocation allowances, specifying the conditions for granting them, and defining “relocation allowance”.

1984—Subsec. (d)(2). Pub. L. 98-369 substituted “\$800” for “\$600”.

1981—Subsec. (a). Pub. L. 97-35, §2508(1), inserted provisions relating to time for filing application and struck out provisions respecting total separation.

Subsec. (b)(3). Pub. L. 97-35, §2508(2), added par. (3).

Subsec. (c). Pub. L. 97-35, §2508(3), substituted provisions respecting 182-day requirements for provisions respecting requirements involving entitlements for the week in which the application is filed and relocation occurring within a reasonable period of time.

Subsec. (d)(1). Pub. L. 97-35, §2508(4)(A), increased percentage from 80 to 90 percent and inserted provision respecting allowable levels of subsistence and travel expenses.

Subsec. (d)(2). Pub. L. 97-35, §2508(4)(B), increased maximum payment from \$500 to \$600.

#### 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.

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#### TERMINATION DATE

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#### SUBPART C—GENERAL PROVISIONS

### § 2311. Agreements with States

#### (a) Authority of Secretary to enter into agreements

The Secretary is authorized on behalf of the United States to enter into an agreement with any State, or with any State agency (referred to in this subpart as “cooperating States” and “cooperating States agencies” respectively). Under such an agreement, the cooperating State agency (1) as agent of the United States, shall receive applications for, and shall provide, payments on the basis provided in this part, (2) in accordance with subsection (f), shall make available to adversely affected workers and adversely affected incumbent workers covered by a certification under subpart A the employment and case management services described in section 2295 of this title, (3) shall make any certifications required under section 2291(c)(2)<sup>1</sup> of this title, and (4) shall otherwise cooperate with the Secretary and with other State and Federal agencies in providing payments and services under this part.

#### (b) Amendment, suspension, and termination of agreements

Each agreement under this subpart shall provide the terms and conditions upon which the agreement may be amended, suspended, or terminated.

#### (c) Form and manner of data

Each agreement under this subpart shall—

(1) provide the Secretary with the authority to collect any data the Secretary determines necessary to meet the requirements of this part; and

(2) specify the form and manner in which any such data requested by the Secretary shall be reported.

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