

voked in accordance with law by the President, the Secretary of Labor or other authorized official, a court of competent jurisdiction, or by operation of law.

“(2) PROCEEDINGS NOT AFFECTED.—The provisions of this section shall not affect any proceedings, including notices of proposed rulemaking, or any application for any license, permit, certificate, or financial assistance pending before the Department of Housing and Urban Development at the time this section takes effect, with respect to functions transferred by this section but such proceedings and applications shall be continued. Orders shall be issued in such proceedings, appeals shall be taken therefrom, and payments shall be made pursuant to such orders, as if this section had not been enacted, and orders issued in any such proceedings shall continue in effect until modified, terminated, superseded, or revoked by a duly authorized official, by a court of competent jurisdiction, or by operation of law. Nothing in this paragraph shall be deemed to prohibit the discontinuance or modification of any such proceeding under the same terms and conditions and to the same extent that such proceeding could have been discontinued or modified if this section had not been enacted.

“(3) SUITS NOT AFFECTED.—The provisions of this section shall not affect suits commenced before the effective date of this section, and in all such suits, proceedings shall be had, appeals taken, and judgments rendered in the same manner and with the same effect as if this section had not been enacted.

“(4) NONABATEMENT OF ACTIONS.—No suit, action, or other proceeding commenced by or against the Department of Housing and Urban Development, or by or against any individual in the official capacity of such individual as an officer of the Department of Housing and Urban Development, shall abate by reason of the enactment of this section.

“(5) ADMINISTRATIVE ACTIONS RELATING TO PROMULGATION OF REGULATIONS.—Any administrative action relating to the preparation or promulgation of a regulation by the Department of Housing and Urban Development relating to a function transferred under this section may be continued by the Department of Labor with the same effect as if this section had not been enacted.

“(k) SEPARABILITY.—If a provision of this section or its application to any person or circumstance is held invalid, neither the remainder of this section nor the application of the provision to other persons or circumstances shall be affected.

“(l) TRANSITION.—The Secretary of Labor is authorized to utilize—

“(1) the services of such officers, employees, and other personnel of the Department of Housing and Urban Development with respect to functions transferred to the Department of Labor by this section; and

“(2) funds appropriated to such functions for such period of time, as may reasonably be needed to facilitate the orderly implementation of this section.

“(m) ACCOMPLISHING ORDERLY TRANSFER.—Consistent with the requirements of this section, the Secretary of Labor and the Secretary of Housing and Urban Development shall take such actions as the Secretaries determine are appropriate to accomplish the orderly transfer of functions as described in subsection (b).

“(n) ADMINISTRATION OF PRIOR GRANTS.—Notwithstanding any other provision of this Act [See Short Title of 2006 Amendment note set out under section 2801 of this title], grants awarded under subtitle D of title IV of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 12899 et seq.) with funds appropriated for fiscal year 2006 or a preceding fiscal year shall be subject to the continuing authority of the Secretary of Housing and Urban Development under the provisions of such subtitle, as in effect on the day before the date of enactment of this Act [Sept. 22, 2006], until the au-

thority to expend applicable funds for the grants, as specified by the Secretary of Housing and Urban Development, has expired and the Secretary has completed the administrative responsibilities associated with the grants.

“(o) REFERENCES.—A reference in any other Federal law, Executive order, rule, regulation, or delegation of authority, or any document of or relating to—

“(1) the Secretary of Housing and Urban Development with regard to functions transferred under subsection (b), shall be deemed to refer to the Secretary of Labor; and

“(2) the Department of Housing and Urban Development with regard to functions transferred under subsection (b), shall be deemed to refer to the Department of Labor.

“(p) EFFECTIVE DATE.—This section takes effect on the earlier of—

“(1) the date of enactment of this Act [Sept. 22, 2006]; and

“(2) September 30, 2006.”

§ 2918b. Re-enrollment in alternative school by high-school dropout

For program year 2010 and each program year thereafter, the YouthBuild program may serve an individual who has dropped out of high school and re-enrolled in an alternative school, if that re-enrollment is part of a sequential service strategy.

(Pub. L. 111–117, div. D, title I, (2)(E), Dec. 16, 2009, 123 Stat. 3227.)

CODIFICATION

Section was enacted as part of the Department of Labor Appropriations Act, 2010, and also as part of the Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 2010, and the Consolidated Appropriations Act, 2010, and not as part of title I of the Workforce Investment Act of 1998 which comprises this chapter.

§ 2919. Authorization of appropriations

(a) Native American programs; migrant and seasonal farmworker programs; veterans' workforce investment programs

(1) In general

Subject to paragraph (2), there are authorized to be appropriated to carry out sections 2911 through 2913 of this title such sums as may be necessary for each of the fiscal years 1999 through 2003.

(2) Reservations

Of the amount appropriated pursuant to the authorization of appropriations under paragraph (1) for a fiscal year, the Secretary shall—

(A) reserve not less than \$55,000,000 for carrying out section 2911 of this title;

(B) reserve not less than \$70,000,000 for carrying out section 2912 of this title; and

(C) reserve not less than \$7,300,000 for carrying out section 2913 of this title.

(b) Technical assistance; demonstration and pilot projects; evaluations; incentive grants

(1) In general

Subject to paragraph (2), there are authorized to be appropriated to carry out sections 2915 through 2917 of this title and section 9273 of title 20 such sums as may be necessary for each of the fiscal years 1999 through 2003.

(2) Reservations

Of the amount appropriated pursuant to the authorization of appropriations under paragraph (1) for a fiscal year, the Secretary shall—

(A)(i) for fiscal year 1999, reserve up to 40 percent for carrying out section 2915 of this title (other than subsection (b) of such section);

(ii) for fiscal year 2000, reserve up to 25 percent for carrying out section 2915 of this title (other than subsection (b) of such section); and

(iii) for each of the fiscal years 2001 through 2003, reserve up to 20 percent for carrying out section 2915 of this title (other than subsection (b) of such section);

(B)(i) for fiscal year 1999, reserve not less than 50 percent for carrying out section 2916 of this title; and

(ii) for each of the fiscal years 2000 through 2003, reserve not less than 45 percent for carrying out section 2916 of this title;

(C)(i) for fiscal year 1999, reserve not less than 10 percent for carrying out section 2917 of this title; and

(ii) for each of the fiscal years 2000 through 2003, reserve not less than 10 percent for carrying out section 2917 of this title; and

(D)(i) for fiscal year 1999, reserve no funds for carrying out section 9273 of title 20;

(ii) for fiscal year 2000, reserve up to 20 percent for carrying out section 9273 of title 20; and

(iii) for each of the fiscal years 2001 through 2003, reserve up to 25 percent for carrying out section 9273 of title 20.

(c) Assistance for eligible workers**(1) Appropriations**

There are authorized to be appropriated and appropriated—

(A) to carry out subsection (a)(4)(A) of section 2918 of this title—

(i) \$10,000,000 for fiscal year 2002; and

(ii) \$150,000,000 for the period of fiscal years 2009 through 2010; and

(B) to carry out subsection (a)(4)(B) of section 2918 of this title, \$50,000,000 for fiscal year 2002.

(2) Authorization of appropriations for subsequent fiscal years

There are authorized to be appropriated—

(A) to carry out subsection (a)(4)(A) of section 2918 of this title, \$60,000,000 for each of fiscal years 2003 through 2007; and

(B) to carry out subsection (a)(4)(B) of section 2918 of this title—

(i) \$100,000,000 for fiscal year 2003; and

(ii) \$50,000,000 for fiscal year 2004.

(3) Availability of funds

Funds appropriated pursuant to—

(A) paragraphs (1)(A) and (2)(A) for each fiscal year shall, notwithstanding section 2939(g) of this title, remain available for obligation during the pendency of any outstanding claim under the Trade Act of 1974 [19 U.S.C. 2101 et seq.], as amended by the Trade Act of 2002; and

(B) paragraph¹ (1)(B) and (2)(B), for each fiscal year shall, notwithstanding section 2939(g) of this title, remain available during the period that begins on August 6, 2002, and ends on September 30, 2004.

(Pub. L. 105-220, title I, §174, Aug. 7, 1998, 112 Stat. 1037; Pub. L. 107-210, div. A, title II, §203(c), Aug. 6, 2002, 116 Stat. 969; Pub. L. 111-5, div. B, title I, §1899K(b), Feb. 17, 2009, 123 Stat. 435.)

REFERENCES IN TEXT

The Trade Act of 1974, as amended by the Trade Act of 2002, referred to in subsec. (c)(3)(A), is Pub. L. 93-618, Jan. 3, 1975, 88 Stat. 1978, as amended by Pub. L. 107-210, which is classified principally to chapter 12 (§2101 et seq.) of Title 19, Customs Duties. For complete classification of this Act to the Code, see References in Text note set out under section 2101 of Title 19 and Tables.

AMENDMENTS

2009—Subsec. (c)(1). Pub. L. 111-5, §1899K(b)(1), substituted “Appropriations” for “Authorization and appropriation for fiscal year 2002” in heading.

Subsec. (c)(1)(A). Pub. L. 111-5, §1899K(b)(2), added subpar. (A) and struck out former subpar. (A) which read as follows: “to carry out subsection (a)(4)(A) of section 2918 of this title, \$10,000,000 for fiscal year 2002; and”.

2002—Subsec. (c). Pub. L. 107-210 added subsec. (c).

EFFECTIVE DATE 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 an Effective and Termination Dates of 2009 Amendment note under section 2271 of Title 19, Customs Duties.

EFFECTIVE DATE OF 2002 AMENDMENT

Amendment by Pub. L. 107-210 applicable to petitions for certification filed under part 2 or 3 of subchapter II of chapter 12 of Title 19, Customs Duties, 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 Title 19.

CONSTRUCTION OF 2002 AMENDMENT

Nothing in amendment by Pub. L. 107-210, other than provisions relating to COBRA continuation coverage and reporting requirements, to be construed as creating new mandate on any party regarding health insurance coverage, see section 203(f) of Pub. L. 107-210, set out as a note under section 2918 of this title.

§ 2920. Educational assistance and training**(a) Use of fund**

The Secretary of Labor shall provide for grants to States to provide educational assistance and training for United States workers. The Secretary shall consult with the Secretary of Education in making grants under this section.

(b) Allocation of funds

Within the purposes described in subsection (a) of this section, funds in the account used under this section shall be allocated among the States based on a formula, established jointly by the Secretaries of Labor and Education, that takes into consideration—

(1) the location of foreign workers admitted into the United States,

¹ So in original. Probably should be “paragraphs”.