

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Jan. 1, 2014, of the provisions of this section to those in effect on Feb. 13, 2011, subject to certain exceptions, was repealed by Pub.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 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, formerly set out as a Termination Date of 2009 Amendment note preceding section 2271 of this title, 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 L. 111-5 had never been enacted, was repealed by Pub.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, effective Oct. 21, 2011. See Codification note above.

#### TERMINATION DATE

No trade adjustment assistance, vouchers, allowances, or other payments or benefits may be provided under this section after June 30, 2021, except as otherwise provided, see section 285 of Pub. L. 93-618, set out as a note preceding section 2271 of this title.

### § 2317. Authorization of appropriations

#### (a) In general

There are authorized to be appropriated to the Department of Labor, for the period beginning October 1, 2001, and ending June 30, 2021, such sums as may be necessary to carry out the purposes of this part.

#### (b) Period of expenditure

Funds obligated for any fiscal year to carry out activities under sections 2295 through 2298 of this title may be expended by each State receiving such funds during that fiscal year and the succeeding two fiscal years.

#### (c) Reallotment of funds

##### (1) In general

The Secretary may—

(A) reallot funds that were allotted to any State to carry out sections 2295 through 2298 of this title and that remain unobligated by the State during the second or third fiscal year after the fiscal year in which the funds were provided to the State; and

(B) provide such reallotted funds to States to carry out sections 2295 through 2298 of this title in accordance with procedures established by the Secretary.

##### (2) Requests by States

In establishing procedures under paragraph (1)(B), the Secretary shall include procedures that provide for the distribution of reallotted

funds under that paragraph pursuant to requests submitted by States in need of such funds.

#### (3) Availability of amounts

The reallotment of funds under paragraph (1) shall not extend the period for which such funds are available for expenditure.

(Pub. L. 93-618, title II, § 245, Jan. 3, 1975, 88 Stat. 2026; Pub. L. 97-35, title XXV, § 2510, Aug. 13, 1981, 95 Stat. 888; Pub. L. 98-120, § 2(a), Oct. 12, 1983, 97 Stat. 809; Pub. L. 99-272, title XIII, § 13008(a), Apr. 7, 1986, 100 Stat. 305; Pub. L. 100-418, title I, § 1426(b)(1), Aug. 23, 1988, 102 Stat. 1251; Pub. L. 103-66, title XIII, § 13803(a)(2), Aug. 10, 1993, 107 Stat. 668; Pub. L. 103-182, title V, § 504, Dec. 8, 1993, 107 Stat. 2151; Pub. L. 105-277, div. J, title I, § 1012(a), Oct. 21, 1998, 112 Stat. 2681-900; Pub. L. 106-113, div. B, § 1000(a)(5) [title VII, § 702(a)], Nov. 29, 1999, 113 Stat. 1536, 1501A-319; Pub. L. 107-210, div. A, title I, §§ 111(a), 120, Aug. 6, 2002, 116 Stat. 936, 942; Pub. L. 109-280, title XIV, § 1635(f)(3), Aug. 17, 2006, 120 Stat. 1171; Pub. L. 110-89, § 1(a), Sept. 28, 2007, 121 Stat. 982; Pub. L. 111-5, div. B, title I, § 1892(a), Feb. 17, 2009, 123 Stat. 421; Pub. L. 111-344, title I, § 101(c)(2), Dec. 29, 2010, 124 Stat. 3613; Pub. L. 112-40, title II, §§ 201(b), (c), 214(c), 217, Oct. 21, 2011, 125 Stat. 403, 405, 409; Pub. L. 114-27, title IV, §§ 402(b), (c), 403(d)(1), June 29, 2015, 129 Stat. 374.)

#### REVERSION TO PROVISIONS IN EFFECT ON JANUARY 1, 2014

*For reversion, beginning on July 1, 2021, to provisions in effect on Jan. 1, 2014, with certain exceptions and subject to section 406(b) of Pub. L. 114-27, see Codification and Effective and Termination Dates of 2015 Revival notes below.*

#### CODIFICATION

Section 233 of Pub. L. 112-40, which provided for the Jan. 1, 2014, revival 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 provisions of this section, as in effect on Dec. 31, 2013, were temporarily revived, effective June 29, 2015, until July 1, 2021, by Pub. L. 114-27, §§ 402(b), (c), 406. See 2011 and 2015 Amendment notes, Effective and Termination Dates of 2011 Revival notes, and Effective and Termination Dates of 2015 Revival notes below.

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 Pub. L. 111-344 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, 2010, and 2011 Amendment notes, Effective and Termination Dates of 2009 Amendment notes, Effective Date of 2010 Amendment note, and Effective and Termination Dates of 2011 Revival notes below.

#### AMENDMENTS

2015—Pub. L. 114-27, §§ 402(b), (c), 406, temporarily revived the provisions of this section, as in effect on Dec. 31, 2013. See Codification note above and 2011 Amendment and Effective and Termination Dates of 2015 Revival notes below.

Subsec. (a). Pub. L. 114-27, §§ 403(d)(1), 406, temporarily substituted “June 30, 2021” for “December 31, 2013”. See Codification note above and Effective and Termination Dates of 2015 Revival note below.

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 and 2010 Amendment and Effective and Termination Dates of 2011 Revival notes below.

Subsec. (a). Pub. L. 112-40, §§217, 233, temporarily substituted “December 31, 2013” for “February 12, 2011”. See Codification note above and Effective and Termination Dates of 2011 Revival note below.

Subsec. (c). Pub. L. 112-40, §§214(c), 233, temporarily added subsec. (c). See Codification note above and Effective and Termination Dates of 2011 Revival note below.

2010—Subsec. (a). Pub. L. 111-344 substituted “February 12, 2011” for “December 31, 2010”. See Codification note above.

2009—Subsec. (a). Pub. L. 111-5, §§1892(a), 1893, temporarily substituted “December 31, 2010” for “December 31, 2007”. See Codification note above and Effective and Termination Dates of 2009 Amendment note below.

2007—Subsec. (a). Pub. L. 110-89 substituted “December 31, 2007” for “September 30, 2007”.

2006—Subsec. (a). Pub. L. 109-280 struck out “, other than subpart D” before period at end.

2002—Subsec. (a). Pub. L. 107-210, §111(a), substituted “October 1, 2001, and ending September 30, 2007,” for “October 1, 1998, and ending September 30, 2001.”

Subsec. (b). Pub. L. 107-210, §120, amended heading and text of subsec. (b) generally. Prior to amendment, text read as follows: “There are authorized to be appropriated to the Department of Labor, for the period beginning October 1, 2001, and ending September 30, 2007, such sums as may be necessary to carry out the purposes of subpart D of this part.”

Pub. L. 107-210, §111(a), substituted “October 1, 2001, and ending September 30, 2007,” for “October 1, 1998, and ending September 30, 2001.”

1999—Subsecs. (a), (b). Pub. L. 106-113 substituted “September 30, 2001” for “June 30, 1999”.

1998—Subsec. (a). Pub. L. 105-277, §1012(a)(1), substituted “for the period beginning October 1, 1998, and ending June 30, 1999,” for “for each of the fiscal years 1993, 1994, 1995, 1996, 1997, and 1998.”

Subsec. (b). Pub. L. 105-277, §1012(a)(2), substituted “for the period beginning October 1, 1998, and ending June 30, 1999,” for “for each of fiscal years 1994, 1995, 1996, 1997, and 1998.”

1993—Pub. L. 103-182 designated existing provisions as subsec. (a), inserted heading and “, other than subpart D” after “this part”, and added subsec. (b).

Pub. L. 103-66 substituted “1993, 1994, 1995, 1996, 1997, and 1998” for “1988, 1989, 1990, 1991, 1992, and 1993”.

1988—Pub. L. 100-418 substituted “1988, 1989, 1990, 1991, 1992, and 1993” for “1986, 1987, 1988, 1989, 1990, and 1991”.

1986—Pub. L. 99-272 substituted “1986, 1987, 1988, 1989, 1990, and 1991” for “1982 through 1985”.

1983—Pub. L. 98-120 substituted “each of the fiscal years 1982 through 1985” for “each of fiscal years 1982 and 1983”.

1981—Pub. L. 97-35 substituted provisions relating to authorization of appropriations for fiscal years 1982 and 1983 for provisions relating to establishment of the Adjustment Assistance Trust Fund.

#### 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 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

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, formerly set out as a Termination Date of 2009 Amendment note preceding section 2271 of this title, 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, effective Oct. 21, 2011. See Codification note above.

#### EFFECTIVE DATE OF 2007 AMENDMENT

Pub. L. 110-89, §1(e), Sept. 28, 2007, 121 Stat. 982, provided that: “The amendments made by this section [amending this section and sections 2346 and 2401g of this title and provisions set out as a note preceding section 2271 of this title] shall be effective as of October 1, 2007.”

#### EFFECTIVE DATE OF 2006 AMENDMENT

Amendment by Pub. L. 109-280 applicable with respect to goods entered, or withdrawn from warehouse for consumption, on or after the 15th day after Aug. 17, 2006, see section 1641 of Pub. L. 109-280, set out as a note under section 58c of this title.

#### 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 1999 AMENDMENT

Pub. L. 106-113, div. B, §1000(a)(5) [title VII, §702(e)], Nov. 29, 1999, 113 Stat. 1536, 1501A-319, provided that: “The amendments made by this section [amending this section and sections 2331 and 2346 of this title and provisions set out as a note preceding section 2271 of this title] shall be effective as of July 1, 1999.”

#### EFFECTIVE DATE OF 1993 AMENDMENT

Amendment by Pub. L. 103-182 effective on the date the North American Free Trade Agreement enters into force with respect to the United States [Jan. 1, 1994], see section 506(a) of Pub. L. 103-182, set out as a note under section 2271 of this title.

#### EFFECTIVE DATE OF 1986 AMENDMENT

Parts 2 and 3 of this subchapter to be applied as if the amendment of this section by Pub. L. 99-272 had taken effect Dec. 18, 1985, see section 13009(c) of Pub. L. 99-272, set out as a note under section 2291 of this title.

#### EFFECTIVE DATE OF 1981 AMENDMENT AND TRANSITION PROVISIONS

Amendment by Pub. L. 97-35 effective Aug. 13, 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 June 30, 2021, except as otherwise provided, see section 285 of Pub. L. 93-618, set out as a note preceding section 2271 of this title.

### § 2318. Reemployment trade adjustment assistance program

#### (a) In general

##### (1) Establishment

The Secretary shall establish a reemployment trade adjustment assistance program that provides the benefits described in paragraph (2).

##### (2) Benefits

###### (A) Payments

A State shall use the funds provided to the State under section 2313 of this title to pay, for the eligibility period under subparagraph (A) or (B) of paragraph (4) (as the case may be), to a worker described in paragraph (3)(B), 50 percent of the difference between—

- (i) the wages received by the worker at the time of separation; and
- (ii) the wages received by the worker from reemployment.

###### (B) Health insurance

A worker described in paragraph (3)(B) participating in the program established under paragraph (1) is eligible to receive, for the eligibility period under subparagraph (A) or (B) of paragraph (4) (as the case may be), a credit for health insurance costs under section 35 of title 26.

###### (C) Training and other services

A worker described in paragraph (3)(B) participating in the program established under paragraph (1) is eligible to receive training approved under section 2296 of this title and employment and case management services under section 2295 of this title.

#### (3) Eligibility

##### (A) In general

A group of workers certified under subpart A as eligible for adjustment assistance under subpart A is eligible for benefits described in paragraph (2) under the program established under paragraph (1).

##### (B) Individual eligibility

A worker in a group of workers described in subparagraph (A) may elect to receive benefits described in paragraph (2) under the program established under paragraph (1) if the worker—

- (i) is at least 50 years of age;
- (ii) earns not more than \$50,000 each year in wages from reemployment;
- (iii)(I) is employed on a full-time basis as defined by the law of the State in which the worker is employed and is not enrolled in a training program approved under section 2296 of this title; or
- (II) is employed at least 20 hours per week and is enrolled in a training program

approved under section 2296 of this title; and

(iv) is not employed at the firm from which the worker was separated.

#### (4) Eligibility period for payments

##### (A) Worker who has not received trade readjustment allowance

In the case of a worker described in paragraph (3)(B) who has not received a trade readjustment allowance under division I of subpart B pursuant to the certification described in paragraph (3)(A), the worker may receive benefits described in paragraph (2) for a period not to exceed 2 years beginning on the earlier of—

- (i) the date on which the worker exhausts all rights to unemployment insurance based on the separation of the worker from the adversely affected employment that is the basis of the certification; or
- (ii) the date on which the worker obtains reemployment described in paragraph (3)(B).

##### (B) Worker who has received trade readjustment allowance

In the case of a worker described in paragraph (3)(B) who has received a trade readjustment allowance under division I of subpart B pursuant to the certification described in paragraph (3)(A), the worker may receive benefits described in paragraph (2) for a period of 104 weeks beginning on the date on which the worker obtains reemployment described in paragraph (3)(B), reduced by the total number of weeks for which the worker received such trade readjustment allowance.

#### (5) Total amount of payments

##### (A) In general

The payments described in paragraph (2)(A) made to a worker may not exceed—

- (i) \$10,000 per worker during the eligibility period under paragraph (4)(A); or
- (ii) the amount described in subparagraph (B) per worker during the eligibility period under paragraph (4)(B).

##### (B) Amount described

The amount described in this subparagraph is the amount equal to the product of—

- (i) \$10,000, and
- (ii) the ratio of—
  - (I) the total number of weeks in the eligibility period under paragraph (4)(B) with respect to the worker, to
  - (II) 104 weeks.

#### (6) Calculation of amount of payments for certain workers

##### (A) In general

In the case of a worker described in paragraph (3)(B)(iii)(II), paragraph (2)(A) shall be applied by substituting the percentage described in subparagraph (B) for “50 percent”.

##### (B) Percentage described

The percentage described in this subparagraph is the percentage—