

TERMINATION DATE

Except as otherwise provided, assistance may not be provided under this section after June 30, 2021, see section 285 of Pub. L. 93-618, set out as a note preceding section 2271 of this title.

§ 2342. Approval of adjustment proposals**(a) Application for adjustment assistance**

A firm certified under section 2341 of this title as eligible to apply for adjustment assistance may, at any time within 2 years after the date of such certification, file an application with the Secretary for adjustment assistance under this part. Such application shall include a proposal for the economic adjustment of such firm.

(b) Technical assistance

(1) Adjustment assistance under this part consists of technical assistance. The Secretary shall approve a firm's application for adjustment assistance only if the Secretary determines that the firm's adjustment proposal—

(A) is reasonably calculated to materially contribute to the economic adjustment of the firm,

(B) gives adequate consideration to the interests of the workers of such firm, and

(C) demonstrates that the firm will make all reasonable efforts to use its own resources for economic development.

(2) The Secretary shall make a determination as soon as possible after the date on which an application is filed under this section, but in no event later than 60 days after such date.

(c) Termination of certification of eligibility

Whenever the Secretary determines that any firm no longer requires assistance under this part, he shall terminate the certification of eligibility of such firm and promptly have notice of such termination published in the Federal Register. Such termination shall take effect on the termination date specified by the Secretary.

(Pub. L. 93-618, title II, § 252, Jan. 3, 1975, 88 Stat. 2030; Pub. L. 99-272, title XIII, § 13006(a)(1), (2), Apr. 7, 1986, 100 Stat. 304.)

AMENDMENTS

1986—Subsec. (b)(1). Pub. L. 99-272, § 13006(a)(1), amended par. (1) generally. Prior to amendment, par. (1) read as follows: “Adjustment assistance under this part consists of technical assistance and financial assistance, which may be furnished singly or in combination. The Secretary shall approve a firm's application for adjustment assistance only if he determines—

“(A) that the firm has no reasonable access to financing through the private capital market, and

“(B) that the firm's adjustment proposal—

“(i) is reasonably calculated materially to contribute to the economic adjustment of the firm,

“(ii) gives adequate consideration to the interests of the workers of such firm, and

“(iii) demonstrates that the firm will make all reasonable efforts to use its own resources for economic development.”

Subsecs. (c), (d). Pub. L. 99-272, § 13006(a)(2), redesignated subsec. (d) as (c) and struck out former subsec. (c) which authorized the Secretary to assist an eligible firm in the preparation of a viable adjustment proposal.

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tion 285 of Pub. L. 93-618, set out as a note preceding section 2271 of this title.

§ 2343. Technical assistance**(a) Discretion of Secretary; types of assistance**

The Secretary may provide a firm, on terms and conditions as the Secretary determines to be appropriate, with such technical assistance as in his judgment will carry out the purposes of this part with respect to the firm. The technical assistance furnished under this part may consist of one or more of the following:

(1) Assistance to a firm in preparing its petition for certification of eligibility under section 2341 of this title.

(2) Assistance to a certified firm in developing a proposal for its economic adjustment.

(3) Assistance to a certified firm in the implementation of such a proposal.

(b) Utilization of existing agencies, private individuals, etc., in furnishing assistance; grants to intermediary organizations

(1) The Secretary shall furnish technical assistance under this part through existing agencies and through private individuals, firms, or institutions (including private consulting services), or by grants to intermediary organizations (including Trade Adjustment Assistance Centers).

(2) In the case of assistance furnished through private individuals, firms, or institutions (including private consulting services), the Secretary may share the cost thereof (but not more than 75 percent of such cost for assistance described in paragraph (2) or (3) of subsection (a) may be borne by the United States).

(3) The Secretary may make grants to intermediary organizations in order to defray up to 100 percent of administrative expenses incurred in providing such technical assistance to a firm.

(Pub. L. 93-618, title II, § 253, Jan. 3, 1975, 88 Stat. 2031; Pub. L. 97-35, title XXV, § 2521, Aug. 13, 1981, 95 Stat. 890; Pub. L. 99-272, title XIII, § 13006(a)(3), Apr. 7, 1986, 100 Stat. 304; Pub. L. 111-5, div. B, title I, § 1867(b), Feb. 17, 2009, 123 Stat. 400; Pub. L. 112-40, title II, § 201(b), (c), Oct. 21, 2011, 125 Stat. 403; Pub. L. 114-27, title IV, § 402(b), (c), 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,