

Stat. 403, and Pub. L. 114–27, title IV, § 402(b), (c), June 29, 2015, 129 Stat. 374.)

RENUMBERING OF SECTION

For termination of renumbering of section, beginning on July 1, 2021, 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which provided for the Jan. 1, 2014, revival of the numbering of this section as in effect on Feb. 13, 2011, was repealed by Pub.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 renumbering of this section, as in effect on Dec. 31, 2013, was temporarily revived, effective June 29, 2015, until July 1, 2021, by Pub. L. 114–27, §§ 402(b), (c), 406. See Effective and Termination Dates of 2015 Revival notes below.

Section 1893 of Pub. L. 111–5, which provided for Feb. 13, 2011, termination of renumbering by Pub. L. 111–5, was repealed by Pub. L. 112–40, title II, § 201(a), Oct. 21, 2011, 125 Stat. 403, and the renumbering of this section by Pub. L. 111–5 was temporarily revived, effective Oct. 21, 2011, until Jan. 1, 2014, by Pub. L. 112–40, §§ 201(b), (c), 233. See Effective and Termination Dates of 2011 Revival notes below.

PRIOR PROVISIONS

A prior section 262 of Pub. L. 93–618 was temporarily renumbered section 260 and is classified to section 2352 of this title.

AMENDMENTS

1984—Subsec. (a). Pub. L. 98–369, § 2673(1), inserted “or workers” after “of firms” and inserted reference to section 2273 of this title.

Subsec. (b). Pub. L. 98–369, § 2673(2), substituted “\$10,000,000” for “\$2,000,000”.

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

Section effective Aug. 13, 1981, except as otherwise provided with respect to applications for adjustment assistance, see section 2529 of Pub. L. 97–35, set out as an Effective Date of 1981 Amendment note under section 2343 of this title.

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.

§ 2356. Repealed. Pub. L. 112–40, title II, § 221(a)(3), Oct. 21, 2011, 125 Stat. 410

Section, Pub. L. 111–5, div. B, title I, § 1866, Feb. 17, 2009, 123 Stat. 399, required the Secretary of Commerce to submit and publish an annual report on trade adjustment assistance for firms and proscribed the release of certain confidential business information.

EFFECTIVE DATE OF REPEAL

Pub. L. 112–40, title II, § 221(a)(3), Oct. 21, 2011, 125 Stat. 410, provided that the repeal of this section is effective on the day after the date on which the Secretary of Commerce submits the report required by this section for fiscal year 2011 [report submitted Dec. 15, 2011].

PART 4—TRADE ADJUSTMENT ASSISTANCE FOR COMMUNITIES

CODIFICATION

Section 1893 of Pub. L. 111–5, which provided for Feb. 13, 2011, termination of general amendment of this part 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 part, as amended by Pub. L. 111–5 and as in effect on Feb. 12, 2011, were revived, effective Oct. 21, 2011, by Pub. L. 112–40, § 201(b), (c). See Amendment of Part notes below.

AMENDMENT OF PART

Pub. L. 112–40, title II, § 222(a)(1), (2), Oct. 21, 2011, 125 Stat. 411, amended this part by striking out subparts A “Trade Adjustment Assistance for Communities” (§ 2371 et seq.), C “Industry or Sector Partnership Grant Program for Communities Impacted by Trade” (§ 2373 et seq.), and D “General Provisions” (§ 2374) and designation and heading of subpart B “Community College and Career Training Grant Program” (§ 2372 et seq.).

Pub. L. 112–40, title II, § 201(b), (c), Oct. 21, 2011, 125 Stat. 403, revived the provisions of this part, as in effect on Feb. 12, 2011. See Codification note above and note below.

Pub. L. 111–5, div. B, title I, § 1872(a), Feb. 17, 2009, 123 Stat. 401, temporarily generally amended this part. See Codification note above.

EFFECTIVE DATE OF REVIVAL

For revival and applicability of provisions as in effect on Feb. 12, 2011, see section 201(b), (c) of Pub. L. 112–40, set out as an Effective and Termination Dates of 2011 Revival note preceding section 2271 of this title.

§ 2371. Community College and Career Training Grant Program

(a) Grants authorized

(1) In general

Beginning August 1, 2009, the Secretary may award Community College and Career Training Grants to eligible institutions for the purpose of developing, offering, or improving educational or career training programs for workers eligible for training under section 2296 of this title.

(2) Limitations

- An eligible institution may not be awarded—
- (A) more than one grant under this section; or
 - (B) a grant under this section in excess of \$1,000,000.

(b) Definitions

In this section:

(1) Eligible institution

The term “eligible institution” means an institution of higher education (as defined in

section 1002 of title 20), but only with respect to a program offered by the institution that can be completed in not more than 2 years.

(2) Secretary

The term “Secretary” means the Secretary of Labor.

(c) Grant proposals

(1) In general

An eligible institution seeking to receive a grant under this section shall submit a grant proposal to the Secretary at such time, in such manner, and containing such information as the Secretary may require.

(2) Guidelines

Not later than June 1, 2009, the Secretary shall—

(A) promulgate guidelines for the submission of grant proposals under this section; and

(B) publish and maintain such guidelines on the website of the Department of Labor.

(3) Assistance

The Secretary shall offer assistance in preparing a grant proposal to any eligible institution that requests such assistance.

(4) General requirements for grant proposals

(A) In general

A grant proposal submitted to the Secretary under this section shall include a detailed description of—

(i) the specific project for which the grant proposal is submitted, including the manner in which the grant will be used to develop, offer, or improve an educational or career training program that is suited to workers eligible for training under section 2296 of this title;

(ii) the extent to which the project for which the grant proposal is submitted will meet the educational or career training needs of workers in the community served by the eligible institution who are eligible for training under section 2296 of this title; and

(iii) any previous experience of the eligible institution in providing educational or career training programs to workers eligible for training under section 2296 of this title.

(B) Absence of experience

The absence of any previous experience in providing educational or career training programs described in subparagraph (A)(iii) shall not automatically disqualify an eligible institution from receiving a grant under this section.

(5) Community outreach required

In order to be considered by the Secretary, a grant proposal submitted by an eligible institution under this section shall—

(A) demonstrate that the eligible institution—

(i) reached out to employers to identify—

(I) any shortcomings in existing educational and career training opportuni-

ties available to workers in the community; and

(II) any future employment opportunities within the community and the educational and career training skills required for workers to meet the future employment demand; and

(ii) reached out to other similarly situated institutions in an effort to benefit from any best practices that may be shared with respect to providing educational or career training programs to workers eligible for training under section 2296 of this title; and

(B) include a detailed description of—

(i) the extent and outcome of the outreach conducted under subparagraph (A);

(ii) the extent to which the project for which the grant proposal is submitted will contribute to meeting any shortcomings identified under subparagraph (A)(i)(I) or any educational or career training needs identified under subparagraph (A)(i)(II); and

(iii) the extent to which employers, including small- and medium-sized firms within the community, have demonstrated a commitment to employing workers who would benefit from the project for which the grant proposal is submitted.

(d) Criteria for award of grants

(1) In general

Subject to the appropriation of funds, the Secretary shall award a grant under this section based on—

(A) a determination of the merits of the grant proposal submitted by the eligible institution to develop, offer, or improve educational or career training programs to be made available to workers eligible for training under section 2296 of this title;

(B) an evaluation of the likely employment opportunities available to workers who complete an educational or career training program that the eligible institution proposes to develop, offer, or improve; and

(C) an evaluation of prior demand for training programs by workers eligible for training under section 2296 of this title in the community served by the eligible institution, as well as the availability and capacity of existing training programs to meet future demand for training programs.

(2) Matching requirements

A grant awarded under this section may not be used to satisfy any private matching requirement under any other provision of law.

(e) Annual report

Not later than December 15, 2009, and annually thereafter, the Secretary shall submit to the Committee on Finance of the Senate and the Committee on Ways and Means of the House of Representatives a report—

(1) describing each grant awarded under this section during the preceding fiscal year;

(2) assessing the impact of each award of a grant under this section in a fiscal year preceding the fiscal year referred to in paragraph

(1) on workers receiving training under section 2296 of this title; and

(3) providing the following data relating to program performance and outcomes:

(A) Of the grants awarded under this section, the amount of funds spent by grantees.

(B) The average dollar amount of grants awarded under this section.

(C) The average duration of grants awarded under this section.

(D) The percentage of workers receiving benefits under part 2 that are served by programs developed, offered, or improved using grants awarded under this section.

(E) The percentage and number of workers receiving benefits under part 2 who obtained a degree through such programs and the average duration of the participation of such workers in training under section 2296 of this title.

(F) The number of workers receiving benefits under part 2 served by such programs who did not complete a degree and the average duration of the participation of such workers in training under section 2296 of this title.

(Pub. L. 93-618, title II, § 271, formerly § 278, as added Pub. L. 111-5, div. B, title I, § 1872(a), Feb. 17, 2009, 123 Stat. 406; amended Pub. L. 111-344, title I, § 101(c)(8), Dec. 29, 2010, 124 Stat. 3614; as added, renumbered § 271, and amended Pub. L. 112-40, title II, §§ 201(b), (c), 222(a)(3), (b)(1), (c)(1), Oct. 21, 2011, 125 Stat. 403, 411.)

CODIFICATION

Section 1893 of Pub. L. 111-5, which provided for Feb. 13, 2011, termination of section, was repealed by Pub. L. 112-40, title II, § 201(a), Oct. 21, 2011, 125 Stat. 403, and this section, as added by Pub. L. 111-5, as amended by Pub. L. 111-344, and as in effect on Feb. 12, 2011, was revived, effective Oct. 21, 2011, by Pub. L. 112-40, § 201(b), (c). See 2010 and 2011 Amendment and Effective and Termination Dates notes below.

Section was formerly classified to section 2372 of this title prior to renumbering by Pub. L. 112-40.

PRIOR PROVISIONS

A prior section 2371, Pub. L. 93-618, title II, § 271, as added Pub. L. 111-5, div. B, title I, § 1872(a), Feb. 17, 2009, 123 Stat. 401, and Pub. L. 112-40, title II, § 201(b), (c), Oct. 21, 2011, 125 Stat. 403, which defined terms, was repealed by Pub. L. 112-40, title II, § 222(a)(1), Oct. 21, 2011, 125 Stat. 411.

Another prior section 2371, Pub. L. 93-618, title II, § 271, Jan. 3, 1975, 88 Stat. 2035, related to petitions and determinations and terminated Sept. 30, 1982, pursuant to section 285 of Pub. L. 93-618, set out as a Termination Date note preceding section 2271 of this title, prior to the general amendment of this part by Pub. L. 111-5.

AMENDMENTS

2011—Subsec. (c)(4)(A)(ii) to (v). Pub. L. 112-40, § 222(c)(1)(A)(i)(I), substituted “; and” for semicolon at end of cl. (ii), redesignated cl. (v) as (iii), and struck out former cls. (iii) and (iv) which read as follows:

“(iii) the extent to which the project for which the grant proposal is submitted fits within any overall strategic plan developed by an eligible community under section 2371e of this title;

“(iv) the extent to which the project for which the grant proposal is submitted relates to any project funded by a Sector Partnership Grant awarded under section 2373 of this title; and”.

See Codification note above.

Subsec. (c)(4)(B). Pub. L. 112-40, § 222(c)(1)(A)(i)(II), substituted “(A)(iii)” for “(A)(v)”. See Codification note above.

Subsec. (c)(5)(A)(i). Pub. L. 112-40, § 222(c)(1)(A)(ii)(I)(aa), struck out “, and other entities described in section 2371e(a)(2)(B) of this title” after “employers” in introductory provisions. See Codification note above.

Subsec. (c)(5)(A)(i)(II). Pub. L. 112-40, § 222(c)(1)(A)(ii)(I)(bb), substituted “; and” for semicolon at end. See Codification note above.

Subsec. (c)(5)(A)(iii). Pub. L. 112-40, § 222(c)(1)(A)(ii)(II), struck out cl. (iii) which read as follows: “reached out to any eligible partnership in the community that has sought or received a Sector Partnership Grant under section 2373 of this title to enhance the effectiveness of each grant and avoid duplication of efforts; and”. See Codification note above.

Subsec. (d)(2), (3). Pub. L. 112-40, § 222(c)(1)(B), redesignated par. (3) as (2) and struck out former par. (2). Prior to amendment, text of par. (2) read as follows: “In awarding grants under this section, the Secretary shall give priority to an eligible institution that serves a community that the Secretary of Commerce has determined under section 2371b of this title is eligible to apply for assistance under subpart A within the 5-year period preceding the date on which the grant proposal is submitted to the Secretary under this section.” See Codification note above.

Subsec. (e). Pub. L. 112-40, § 222(b)(1)(A), substituted “December 15, 2009,” for “December 15 in each of the calendar years 2009 through” in introductory provisions. See Codification note above.

Subsec. (e)(3). Pub. L. 112-40, § 222(b)(1)(B)-(D), added par. (3). See Codification note above.

2010—Subsec. (e). Pub. L. 111-344 substituted “and annually thereafter” for “2011” in introductory provisions. See Codification note above.

EFFECTIVE DATE OF 2011 AMENDMENT

Pub. L. 112-40, title II, § 222(b)(2), Oct. 21, 2011, 125 Stat. 411, provided that: “The amendments made by paragraph (1) [amending this section] shall—

“(A) take effect on October 1, 2011; and

“(B) apply with respect to reports submitted under subsection (e) of section 271 of the Trade Act of 1974 [19 U.S.C. 2371(e)], as redesignated by subsection (a)(3), on or after October 1, 2012.”

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

For revival and applicability of section, as in effect on Feb. 12, 2011, see section 201(b), (c) of Pub. L. 112-40, set out as an Effective and Termination Dates of 2011 Revival note preceding section 2271 of this title.

Except as otherwise provided and subject to certain applicability provisions, section 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 this title.

Section 1893 of Pub. L. 111-5, which provided that, except as otherwise provided, this section and the general amendment of this part not applicable on or after Feb. 13, 2011, and that this part be applied and administered beginning Feb. 13, 2011, as if this section and the general amendment of this part 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.

PURPOSE

Pub. L. 111-5, div. B, title I, § 1871, Feb. 17, 2009, 123 Stat. 401, provided that: “The purpose of the amendments made by this part [part III (§§ 1871-1873) of sub-

title I of title I of div. B of Pub. L. 111-5, enacting this part and amending section 2395 of this title and section 1581 of Title 28, Judiciary and Judicial Procedure] is to assist communities impacted by trade with economic adjustment through the coordination of Federal, State, and local resources, the creation of community-based development strategies, and the development and provision of programs that meet the training needs of workers covered by certifications under section 223 [probably means section 223 of Pub. L. 93-618, which is classified to section 2273 of this title].”

§§ 2371a to 2371f. Repealed. Pub. L. 112-40, title II, § 222(a)(1), Oct. 21, 2011, 125 Stat. 411

Section 2371a, Pub. L. 93-618, title II, § 272, as added Pub. L. 111-5, div. B, title I, § 1872(a), Feb. 17, 2009, 123 Stat. 401, and Pub. L. 112-40, title II, § 201(b), (c), Oct. 21, 2011, 125 Stat. 403, related to establishment of trade adjustment assistance for communities program.

Section 2371b, Pub. L. 93-618, title II, § 273, as added Pub. L. 111-5, div. B, title I, § 1872(a), Feb. 17, 2009, 123 Stat. 401, and Pub. L. 112-40, title II, § 201(b), (c), Oct. 21, 2011, 125 Stat. 403, related to eligibility for assistance and required notifications.

Section 2371c, Pub. L. 93-618, title II, § 274, as added Pub. L. 111-5, div. B, title I, § 1872(a), Feb. 17, 2009, 123 Stat. 403, and Pub. L. 112-40, title II, § 201(b), (c), Oct. 21, 2011, 125 Stat. 403, related to technical assistance to eligible communities.

Section 2371d, Pub. L. 93-618, title II, § 275, as added Pub. L. 111-5, div. B, title I, § 1872(a), Feb. 17, 2009, 123 Stat. 403; amended Pub. L. 111-344, title I, § 101(c)(5), Dec. 29, 2010, 124 Stat. 3613; as added Pub. L. 112-40, title II, § 201(b), (c), Oct. 21, 2011, 125 Stat. 403, related to grants for eligible communities.

Section 2371e, Pub. L. 93-618, title II, § 276, as added Pub. L. 111-5, div. B, title I, § 1872(a), Feb. 17, 2009, 123 Stat. 404; amended Pub. L. 111-344, title I, § 101(c)(6), Dec. 29, 2010, 124 Stat. 3613; as added Pub. L. 112-40, title II, § 201(b), (c), Oct. 21, 2011, 125 Stat. 403, related to strategic plans.

Section 2371f, Pub. L. 93-618, title II, § 277, as added Pub. L. 111-5, div. B, title I, § 1872(a), Feb. 17, 2009, 123 Stat. 405; amended Pub. L. 111-344, title I, § 101(c)(7), Dec. 29, 2010, 124 Stat. 3613; as added Pub. L. 112-40, title II, § 201(b), (c), Oct. 21, 2011, 125 Stat. 403, provided for regulations, personnel, and appropriations to carry out former subpart A.

§ 2372. Authorization of appropriations

(a) Authorization of appropriations

There are authorized to be appropriated to the Secretary of Labor \$40,000,000 for each of the fiscal years 2009 and 2010, and \$10,000,000 for the period beginning October 1, 2010, and ending December 31, 2010, to fund the Community College and Career Training Grant Program. Funds appropriated pursuant to this section shall remain available until expended.

(b) Additional funds; minimum allocation to States

There are appropriated \$500,000,000 for each of fiscal years 2011, 2012, 2013, and 2014 to carry out this subpart,¹ except that the limitations contained in section 2371(a)(2) of this title shall not apply to such funds and each State shall receive not less than 0.5 percent of the amount appropriated pursuant to this subsection for each such fiscal year.

(Pub. L. 93-618, title II, § 272, formerly § 279, as added Pub. L. 111-5, div. B, title I, § 1872(a), Feb. 17, 2009, 123 Stat. 409; amended Pub. L. 111-152,

title I, § 1501, Mar. 30, 2010, 124 Stat. 1070; as added, renumbered § 272, and amended Pub. L. 112-40, title II, §§ 201(b), (c), 222(a)(3), (c)(2), Oct. 21, 2011, 125 Stat. 403, 411, 412.)

REFERENCES IN TEXT

This subpart, referred to in subsec. (b), means former subpart B (§§ 2372, 2372a) of this part. Subpart B was redesignated as this part, and remaining subparts A, C, and D were struck out, by Pub. L. 112-40, title II, § 222(a)(1), (2), Oct. 21, 2011, 125 Stat. 411.

CODIFICATION

Section 1893 of Pub. L. 111-5, which provided for Feb. 13, 2011, termination of section, was repealed by Pub. L. 112-40, title II, § 201(a), Oct. 21, 2011, 125 Stat. 403, and this section, as added by Pub. L. 111-5, as amended by Pub. L. 111-152, and as in effect on Feb. 12, 2011, was revived, effective Oct. 21, 2011, by Pub. L. 112-40, § 201(b), (c). See 2010 and 2011 Amendment and Effective and Termination Dates notes below.

Section was formerly classified to section 2372a of this title prior to renumbering by Pub. L. 112-40.

PRIOR PROVISIONS

A prior section 2372 was transferred to section 2371 of this title.

Another prior section 2372, Pub. L. 93-618, title II, § 272, Jan. 3, 1975, 88 Stat. 2036, related to Trade Impacted Area Councils for Adjustment Assistance and terminated Sept. 30, 1982, pursuant to section 285 of Pub. L. 93-618, set out as a Termination Date note preceding section 2271 of this title, prior to the general amendment of this part by Pub. L. 111-5.

AMENDMENTS

2011—Subsec. (b). Pub. L. 112-40, § 222(c)(2), substituted “2371(a)(2)” for “2372(a)(2)”. See Codification note above.

2010—Subsec. (b). Pub. L. 111-152 struck out heading which read “Supplement not supplant” and in text substituted “There are” for “Funds” and “\$500,000,000 for each of fiscal years 2011, 2012, 2013, and 2014 to carry out this subpart, except that the limitations contained in section 2372(a)(2) of this title shall not apply to such funds and each State shall receive not less than 0.5 percent of the amount appropriated pursuant to this subsection for each such fiscal year.” for “pursuant to this section shall be used to supplement and not supplant other Federal, State, and local public funds expended to support community college and career training programs.” See Codification note above.

EFFECTIVE AND TERMINATION DATES

For revival and applicability of section, as in effect on Feb. 12, 2011, see section 201(b), (c) of Pub. L. 112-40, set out as an Effective and Termination Dates of 2011 Revival note preceding section 2271 of this title.

Except as otherwise provided and subject to certain applicability provisions, section 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 this title.

Section 1893 of Pub. L. 111-5, which provided that, except as otherwise provided, this section and the general amendment of this part not applicable on or after Feb. 13, 2011, and this part to be applied and administered beginning Feb. 13, 2011, as if this section and the general amendment of this part 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.

§ 2372a. Transferred

CODIFICATION

Section, Pub. L. 93-618, title II, § 272, formerly § 279, as added Pub. L. 111-5, div. B, title I, § 1872(a), Feb. 17, 2009,

¹ See References in Text note below.