

employer will continue to employ such worker for at least 26 weeks after completion of such training if the worker desires to continue such employment and the employer does not have due cause to terminate such employment.”.

Subsec. (f). Pub. L. 107–210, §118(c), added subsec. (f). 1998—Subsec. (a)(5)(B). Pub. L. 105–277, §101(f) [title VIII, §405(f)(11)(A)], struck out “section 1653 of title 29 or” before “title I of”.

Pub. L. 105–277, §101(f) [title VIII, §405(d)(14)(A)], substituted “section 1653 of title 29 or title I of the Workforce Investment Act of 1998” for “section 1653 of title 29”.

1993—Subsec. (a)(2)(A). Pub. L. 103–66 inserted before period at end “, except that for fiscal year 1997, the total amount of payments made under paragraph (1) shall not exceed \$70,000,000”.

1988—Subsec. (a)(1). Pub. L. 100–418, §1424(a)(5)–(7), struck out “(to the extent appropriated funds are available)” after “the Secretary shall” in first sentence, and in second sentence inserted “(subject to the limitations imposed by this section)” after “costs of such training” and “directly or through a voucher system” after “by the Secretary”.

Subsec. (a)(1)(D). Pub. L. 100–418, §1424(a)(1), substituted “is reasonably available” for “is available”.

Subsec. (a)(1)(F). Pub. L. 100–418, §1424(a)(2)–(4), added subpar. (F).

Subsec. (a)(2). Pub. L. 100–418, §1424(a)(11), (12), added par. (2) and redesignated former par. (2) as (3).

Subsec. (a)(2)(A). Pub. L. 100–418, §1424(b), directed the amendment of subpar. (A) by substituting “\$120,000,000” for “\$80,000,000”, which amendment did not become effective pursuant to section 1430(d) of Pub. L. 100–418, as amended, set out as an Effective Date note under section 2397 of this title.

Subsec. (a)(3), (4). Pub. L. 100–418, §1424(a)(11), redesignated pars. (2) and (3) as (3) and (4), respectively. Former par. (4) redesignated (5).

Subsec. (a)(5). Pub. L. 100–418, §1424(a)(8)–(11), redesignated former par. (4) as (5), added subpars. (D) and (E), and redesignated former subpar. (D) as (F).

Subsec. (a)(6). Pub. L. 100–418, §1424(a)(13), added par. (6).

Subsec. (a)(6)(B). Pub. L. 100–647 substituted “in clause (i) or (ii) of subparagraph (A)” for “in subparagraph (A) or (B) of paragraph (1)”.

Subsec. (a)(7) to (9). Pub. L. 100–418, §1424(a)(13), added pars. (7) to (9).

Subsec. (c). Pub. L. 100–418, §1424(c)(1), substituted present introductory provisions for “Notwithstanding any provision of subsection (a)(1) of this section, the Secretary may pay the costs of on-the-job training of an adversely affected worker under subsection (a)(1) of this section only if—”.

Pub. L. 100–418, §1424(c)(2), (3), redesignated subsec. (d) as (c), and struck out former subsec. (c) which related to refusal to accept or continue training, or failure to make satisfactory progress.

Subsecs. (d) to (f). Pub. L. 100–418, §1424(c)(3), redesignated subsecs. (e) and (f) as (d) and (e), respectively. Former subsec. (d) redesignated (c).

1986—Subsec. (a)(1). Pub. L. 99–272, §13004(a)(2), substituted “shall (to the extent appropriated funds are available) approve” for “may approve” in first sentence.

Subsec. (a)(1)(A). Pub. L. 99–272, §13004(a)(1), substituted “for an adversely affected worker” for “for a worker”.

Subsec. (a)(2) to (4). Pub. L. 99–272, §13004(a)(6), added pars. (2) to (4). Former pars. (2) and (3) redesignated subsecs. (e) and (f), respectively.

Subsec. (d). Pub. L. 99–272, §13004(a)(7), added subsec. (d).

Subsec. (e). Pub. L. 99–272, §13004(a)(3), (5), redesignated par. (2) of subsec. (a) as subsec. (e) and substituted “under subsection (a) of this section” for “under paragraph (1)” in two places.

Subsec. (f). Pub. L. 99–272, §13004(a)(4), (5), redesignated par. (3) of subsec. (a) as subsec. (f) and substituted “this section” for “this subsection”.

1981—Subsec. (a). Pub. L. 97–35 redesignated existing provisions as par. (1), revised provisions, made changes in nomenclature, inserted provisions respecting availability, payment, and scope of training, and added pars. (2) and (3).

Subsec. (b). Pub. L. 97–35 substituted provisions limiting the maximum amount of travel expenses on the basis of amounts paid under Federal travel regulations for provisions establishing specific maximum amounts for subsistence and transportation expenses.

#### 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 1998 AMENDMENT

Amendment by section 101(f) [title VIII, §405(d)(14)(A)] of Pub. L. 105–277 effective Oct. 21, 1998, and amendment by section 101(f) [title VIII, §405(f)(11)(A)] of Pub. L. 105–277 effective July 1, 2000, see section 101(f) [title VIII, §405(g)(1), (2)(B)], set out as a note under section 3502 of Title 5, Government Organization and Employees.

#### EFFECTIVE DATE OF 1988 AMENDMENTS

Amendment by Pub. L. 100–647 applicable as if such amendment took effect on Aug. 23, 1988, see section 9001(b) of Pub. L. 100–647, set out as an Effective and Termination Dates of 1988 Amendments note under section 58c of this title.

Amendment by section 1424(c)(2), (3) of Pub. L. 100–418 effective on date that is 90 days after Aug. 23, 1988, see section 1430(f) of Pub. L. 100–418, set out as an Effective Date note under section 2397 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, and with the amendment of subsec. (a)(2) of this section applicable, except as otherwise provided, to laws for certification purposes under section 3304 of title 26 on Oct. 31, of any taxable year after 1981, 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 part after Dec. 31, 2007, except as otherwise provided, see section 285 of Pub. L. 93–618, as amended, set out as a note preceding section 2271 of this title.

#### TERMINATION OF REPORTING REQUIREMENTS

For termination, effective May 15, 2000, of provisions in subsec. (d) of this section relating to submitting a quarterly report to Congress on funds for training under subsection (a) of this section, see section 3003 of Pub. L. 104–66, as amended, set out as a note under section 1113 of Title 31, Money and Finance, and page 124 of House Document No. 103–7.

### § 2297. Job search allowances

#### (a) Job search allowance authorized

##### (1) In general

An adversely affected worker covered by a certification issued under subpart A of this part may file an application with the Secretary for payment of a job search allowance.

##### (2) Approval of applications

The Secretary may grant an allowance pursuant to an application filed under paragraph (1) when all of the following apply:

**(A) Assist adversely affected worker**

The allowance is paid to assist an adversely affected worker who has been totally separated in securing a job 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) Application**

The worker has filed an application for the allowance with the Secretary before—

(i) the later of—

(I) the 365th day after the date of the certification under which the worker is certified as eligible; or

(II) the 365th 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, unless the worker received a waiver under section 2291(c) of this title.

**(b) Amount of allowance****(1) In general**

An allowance granted under subsection (a) of this section shall provide reimbursement to the worker of 90 percent of the cost of necessary job search expenses as prescribed by the Secretary in regulations.

**(2) Maximum allowance**

Reimbursement under this subsection may not exceed \$1,250 for any worker.

**(3) Allowance for subsistence and transportation**

Reimbursement under this subsection may not be made for subsistence and transportation expenses at levels exceeding those allowable under section 2296(b) (1) and (2) of this title.

**(c) Exception**

Notwithstanding subsection (b) of this section, the Secretary shall reimburse any adversely affected worker for necessary expenses incurred by the worker in participating in a job search program approved by the Secretary.

(Pub. L. 93-618, title II, §237, Jan. 3, 1975, 88 Stat. 2023; Pub. L. 97-35, title XXV, §2507, Aug. 13, 1981, 95 Stat. 886; Pub. L. 98-369, div. B, title VI, §2672(a), July 18, 1984, 98 Stat. 1172; Pub. L. 99-272, title XIII, §13005(a), Apr. 7, 1986, 100 Stat. 303; Pub. L. 107-210, div. A, title I, §121, Aug. 6, 2002, 116 Stat. 942.)

## AMENDMENTS

2002—Pub. L. 107-210 amended section generally. Prior to amendment, section related to applications for job search allowances, amounts of allowances, conditions for granting allowances, and reimbursement of worker expenses.

1986—Subsec. (c). Pub. L. 99-272 added subsec. (c).

1984—Subsec. (a)(1). Pub. L. 98-369 substituted “\$300” for “\$600”.

1981—Subsec. (a). Pub. L. 97-35, §2507(1), amended provisions generally, increasing percent of reimbursement of cost of job search from 80 to 90 and maximum amount from \$500 to \$600, and striking out requirement of total separation.

Subsec. (b)(1). Pub. L. 97-35, §2507(2)(A), inserted “who has been totally separated” after “to assist an adversely affected worker”.

Subsec. (b)(3). Pub. L. 97-35, §2507(2)(B), amended par. (3) generally, substituting the 182-day period for a reasonable period of time and inserting provision relating to 365 days after certification.

## 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 part after Dec. 31, 2007, except as otherwise provided, see section 285 of Pub. L. 93-618, as amended, set out as a note preceding section 2271 of this title.

**§ 2298. Relocation allowances****(a) Relocation allowance authorized****(1) In general**

Any adversely affected worker covered by a certification issued under subpart A of this part may 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