§ 2294. Application of State laws

(a) In general

Except where inconsistent with the provisions of this part and subject to such regulations as the Secretary may prescribe, the availability and disqualification provisions of the State law—

(1) under which an adversely affected worker is entitled to unemployment insurance (whether or not he has filed a claim for such insurance), or

(2) if he is not so entitled to unemployment insurance, of the State in which he was totally or partially separated,

shall apply to any such worker who files a claim for trade readjustment allowances. The State law so determined with respect to a separation of a worker shall remain applicable, for purposes of the preceding sentence, with respect to such separation until such worker becomes entitled to unemployment insurance under another State law (whether or not he has filed a claim for such insurance).

(b) Special rule on good cause for waiver of time limits or late filing of claims

The Secretary shall establish procedures and criteria that allow for a waiver for good cause of the time limitations with respect to an application for a trade readjustment allowance or enrollment in training under this part.


Reversion to Provisions in Effect on February 13, 2011

For reversion, beginning on Jan. 1, 2014, to provisions in effect on Feb. 13, 2011, with certain exceptions and subject to section 233(b) of Pub. L. 112–40, see Codification and Effective and Termination Dates of 2011 Revival notes below.

Codification


Amendments

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

Subsec. (b). Pub. L. 112–40, § 212(b), 233, temporarily amended subsec. (b) generally. Prior to amendment, text read as follows: “Any law, regulation, policy, or practice of a cooperating State that allows for a waiver for good cause of any time limitation relating to the administration of the State unemployment insurance law shall, in the administration of the program under this part by the State, apply to any time limitation with respect to an application for a trade readjustment allowance or enrollment in training under this part.” See Codification note above and 2009 Amendment and Effective and Termination Dates of 2011 Revival notes below.

Effective and Termination Dates of 2011 Revival

For temporary revival and applicability of provisions as in effect on Feb. 12, 2011, see sections 201(b), (c) and 233 of Pub. L. 112–40, set out as notes preceding section 2271 of this title. For reversion, beginning on Jan. 1, 2014, to provisions in effect on Feb. 13, 2011, with certain exceptions and subject to section 233(b) of Pub. L. 112–40, see section 233 of Pub. L. 112–40, 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, 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. See Codification note above.

Termination Date

No trade adjustment assistance, vouchers, allowances, or other payments or benefits may be provided under this section after Dec. 31, 2013, except as otherwise provided, see section 285 of Pub. L. 93–618, set out as a note preceding section 2271 of this title.