## FY 2022

# CONGRESSIONAL BUDGET JUSTIFICATION EMPLOYMENT AND TRAINING ADMINISTRATION

**Federal Unemployment Benefits and Allowances** 

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#### **APPROPRIATION LANGUAGE<sup>1</sup>**

For payments during fiscal year [2021] 2022 of trade adjustment benefit payments and allowances under part I of subchapter B of chapter 2 of title II of the Trade Act of 1974, and section 246 of that Act; and for training, employment and case management services, allowances for job search and relocation, and related State administrative expenses under part II of subchapter B of chapter 2 of title II of the Trade Act of 1974, and including benefit payments, allowances, training, employment and case management services, and related State administration provided pursuant to section 231(a) of the Trade Adjustment Assistance Extension Act of 2011, [and section] *sections* 405(a) *and* 406 of the Trade Preferences Extension Act of 2015, *and section* 285(*a*)(2) of the Trade Act of 1974 (as amended by section 406(*a*)(7) of the Trade Preferences Extension Act of 2015), [\$633,600,000] \$551,000,000 together with such amounts as may be necessary to be charged to the subsequent appropriation for payments for any period subsequent to September 15, [2021] 2022: Provided, That notwithstanding section 502 of this Act, any part of the appropriation provided under this heading may remain available for obligation beyond the current fiscal year pursuant to the authorities of section 245(c) of the Trade Act of 1974 (19 U.S.C. 2317(c)).

(Department of Labor Appropriations Act, 2021.)

<sup>&</sup>lt;sup>1</sup> The appropriation language presented here for Federal Unemployment Benefits and Allowances does not match the appropriation language in the President's Budget Appendix. The appropriation language above includes additional citations to section 406 of the Trade Preferences Extension Act of 2015 and section 285(a)(2) of the Trade Act of 1974. There will be a correction to the Appendix in the errata package.

#### ANALYSIS OF APPROPRIATION LANGUAGE

#### Language Provision

#### Explanation

[and section] sections 405(a) and 406 of the Trade Preferences Extension Act of 2015, and section 285(a)(2) of the Trade Act of 1974 (as amended by section 406(a)(7) of the Trade Preferences Extension Act of 2015), The additional references provide that the funds may be used to provide benefits and services to workers who continue to be served by the 2015 version of the TAA program under section 406 of the Trade Preferences Act of 2015 after Reversion of the TAA Program to an earlier version of the program takes effect with respect to petitions filed on or after July 1, 2021, and to provide benefits and services to workers who continue to be served under the TAA program under section 285(a)(2) of the Trade Act of 1974 (as amended by section 406(a)(7) of the Trade Preferences Act of 2016) after the TAA phase-out termination provisions take effect on July 1, 2022.

AMOUNTS	AVAILA	BLE FOR	OBLIC	GATION		
	(Dollars	in Thousands	)			
	FY	Z 2020	I	Y 2022		
	Revise	d Enacted	]	Enacted	F	Request
	FTE	Amount	FTE	Amount	FTE	Amount
A. Appropriation	0	\$680,000	0	\$677,000	0	\$551,000
Reduction Pursuant to the Balanced	0	4000,000	v	<i><b>40</b>77</i> <b>,000</b>	v	\$331,000
Budget and Emergency Deficit Control Act of 1985	0	-\$40,120	0	-\$36,115	0	\$0
Reduction Pursuant to Reversion 2021	0	\$0	0	-\$43,400	0	\$0
Appropriation, Revised	0	\$639,880	0	\$597,485	0	\$551,000
Subtotal Appropriation	0	\$639,880	0	\$597,485	0	\$551,000
B. Gross Budget Authority	0	\$639,880	0	\$597,485	0	\$551,000
C. Budget Authority	0	\$639,880	0	\$597,485	0	\$551,000
D. Total Budgetary Resources	0	\$639,880	0	\$597,485	0	\$551,000
Unobligated Balance Expiring	0	-\$86,880	0	\$0	0	\$0
E. Total, Estimated Obligations	0	\$553,000	0	\$597,485	0	\$551,000

#### **SUMMARY OF CHANGES**

(Dollars in Thousands)

	FY 2021 Enacted	FY 2022 Request	Net Change
Budget Authority			
General Funds	\$597,485	\$551,000	-\$46,485
Total	\$597,485	\$551,000	-\$46,485
Full Time Equivalents			
General Funds	0	0	0
Total	0	0	0

#### FY 2022 Change

Explanation of Change	FY 2	2021 Base	Tru	ust Funds	Gen	eral Funds	Total		
1 8	FTE	Amount	FTE	Amount	FTE	Amount	FTE	Amount	
Increases:									
<b>A. Built-Ins:</b> To Provide For:									
Costs of pay adjustments Grants, subsidies, and	0	\$0	0	\$0	0	\$0	0	\$0	
contributions	0	\$0	0	\$0	0	\$0	0	\$0	
<b>Built-Ins Subtotal</b>	0	<b>\$0</b>	0	<b>\$0</b>	0	\$0	0	<b>\$0</b>	
B. Programs:									
Programs Subtotal			0	\$0	0	\$0	0	\$0	
Total Increase	0	\$0	0	\$0	0	\$0	0	\$0	
Decreases:									
<b>A. Built-Ins:</b> To Provide For:									
Grants, subsidies, and	0	<b><b><b><b>6507</b> 405</b></b></b>	0	<b>#</b> 0	0	¢46.405	0	¢ 4 6 405	
contributions	0	\$597,485	0	\$0	0	-\$46,485	0	-\$46,485	
<b>Built-Ins Subtotal</b>	0	+\$597,485	0	\$0	U	-\$46,485	U	-\$46,485	
B. Programs:									
Programs Subtotal			0	\$0	0	\$0	0	\$0	
Total Decrease	0	+\$597,485	0	\$0	0	-\$46,485	0	-\$46,485	
Total Change	0	+\$597,485	0	\$0	0	-\$46,485	0	-\$46,485	

SUMMA	RY BUDGET A (1	UTHORITY Dollars in Thous		ГЕ ВҮ АСТ	TIVITY <sup>2</sup>			
		FY 2020 Revised Enacted		FY 2021 Enacted		2022 Juest <sup>3 4</sup>	Diff. FY22 Request / FY21 Enacted	
	FTE	Amount	FTE	Amount	FTE	Amount	FTE	Amount
Trade Adjustment Assistance	0	639,880	0	597,485	0	551,000	0	-46,485
General Funds	0	639,880	0	597,485	0	551,000	0	-46,485
TAA Benefits	0	208,000	0	207,000	0	272,000	0	65,000
General Funds	0	208,000	0	207,000	0	272,000	0	65,000
TAA Training	0	409,880	0	370,485	0	266,000	0	-104,485
General Funds	0	409,880	0	370,485	0	266,000	0	-104,485
Alternative-Reemployment TAA	0	22,000	0	20,000	0	13,000	0	-7,000
General Funds	0	22,000	0	20,000	0	13,000	0	-7,000
Total	0	639,880	0	597,485	0	551,000	0	-46,485
General Funds	0	639,880	0	597,485	0	551,000	0	-46,485

<sup>&</sup>lt;sup>2</sup> FY 2020 reflects 5.9 percent reduction and FY 2021 reflects 5.7 percent reduction for mandatory authority pursuant to the Balanced Budget and Emergency Deficit Control Act, as amended.

 <sup>&</sup>lt;sup>3</sup> FY 2022 Budget Request reflects full-year operation under Reversion 2021 of the TAA Program. An errata package will be transmitted to reflect current law, including termination of the TAA Program beginning on July 1, 2022. The errata package will reduce the FY 2022 Request for TAA Training to \$255,000.
<sup>4</sup> If the 2015 Program of TAA is reauthorized, FY 2022 amounts would be \$276,000 for TAA Benefits, \$450,000 for TAA Training, and \$13,000 for Alternative-Reemployment TAA.

	<b>BUDGET AUTHORITY BY OBJECT CLASS</b> (Dollars in Thousands)								
		FY 2020 Revised Enacted	FY 2021 Enacted	FY 2022 Request	Diff. FY22 Request / FY21 Enacted				
	Full-Time Equivalent								
	Total	0	0	0	0				
11.1	Full-time permanent	0	0	0	0				
11.9	Total personnel compensation	0	0	0	0				
41.0	Grants, subsidies, and contributions	639,880	597,485	551,000	-46,485				
	Total	639,880	597,485	551,000	-46,485				

	APPRO	PRIATION HIS	FORY		
	· · · ·	ollars in Thousand	s)		
	Budget Estimates to Congress	House Allowance	Senate Allowance	Appropriations	FTE
2012					
Base Appropriation	\$1,100,100			\$1,100,100	0
Legislative Proposal	\$571,000				0
2013					
Base Appropriation1/2/	\$1,421,000			\$756,353	0
Legislative Proposal	-\$323,000				0
2014					
Base Appropriation1/	\$656,000			\$608,768	0
2015					
Base Appropriation1/	\$710,600			\$658,726	0
2016					
Base Appropriation1/	\$664,200			\$802,452	0
Legislative Proposal	\$986,000				0
2017					
Base Appropriation1/	\$861,000			\$790,419	0
2018					
Base Appropriation1/	\$790,000	\$790,000		\$737,860	0
2019					
Base Appropriation1/3/	\$790,000		\$790,000	\$741,020	0
2020					
Base Appropriation1/4/	\$680,000	\$680,000		\$639,880	0
2021					
Base Appropriation1/	\$633,600			\$597,485	0
2022					
Base Appropriation5/	\$551,000				

<u>1/</u> Appropriations reflect sequestration reduction for mandatory authority, pursuant to the Balanced Budget and Emergency Deficit Control Act, as amended.

2/ TRA costs declined (-\$323,000) in FY 2013 due to the Emergency Unemployment Compensation (EUC) program, enacted under the American Taxpayer Relief Act of 2012 (P.L. 112-240) in effect until January 1, 2014.

3/ This bill was passed by the Senate (S. 3158). It was passed out of the House Subcommittee but was not reported out of the House Committee or by the full House.

4/ This bill was passed by the House (H.R. 2740). It was not taken up by the Senate Appropriations Subcommittee or full Appropriations Committee.

5/ FY 2022 Budget Estimate to Congress assumes that TAA is not reauthorized, resulting in sunset provisions taking effect on July 1, 2021. If the current version of TAA is reauthorized, the FY 2022 budget estimate would be \$739,000.

FY 2020			Diff. FY22
Revised	FY 2021 Enacted	FY 2022 Bequest	Request / FY21 Enacted
<u>639,880</u>	597,485	551,000	-46,485
R	levised nacted	RevisedFY 2021nactedEnacted	RevisedFY 2021FY 2022nactedEnactedRequest

*Note:* FY 2020 reflects 5.9 percent reduction and FY 2021 reflects 5.7 percent reduction for mandatory authority pursuant to the Balanced Budget and Emergency Deficit Control Act, as amended. FY 2022 Request reflects full-year operation under Reversion 2021 of the TAA Program. If the 2015 Program of TAA is reauthorized, FY 2022 amount would be \$739,000.

#### **Introduction**

The Trade Act of 1974, as amended, (the Trade Act) established the Trade Adjustment Assistance for Workers (TAA), Alternative Trade Adjustment Assistance (ATAA), and Reemployment Trade Adjustment Assistance (RTAA) programs (19 U.S.C. 2271 et seq.). These programs, collectively referred to as the Trade Adjustment Assistance Program (TAA Program), provide assistance to workers who are adversely affected by foreign trade.

Any member of a worker group certified by the Department of Labor (DOL) as trade-affected is potentially eligible to receive TAA Program benefits and services through a local American Job Center (AJC). These benefits and services include employment and case management, training, income support in the form of Trade Readjustment Allowances (TRA) for up to 130 weeks, job search allowances, and relocation allowances. The Reemployment TAA (RTAA) benefit is also available and provides wage supplements for eligible reemployed workers, age 50 and over, whose reemployment resulted in lower wages than those earned in their trade-affected employment.

#### **Background**

The Trade Adjustment Assistance (TAA) program provides workers displaced by foreign trade with an opportunity to reskill for a new career and is currently authorized under the TAA Reauthorization Act of 2015 (TAARA 2015 or 2015 Program), enacted on July 29, 2015. While the current program is authorized through June 30, 2022, the program includes a sunset provision that takes effect on July 1, 2021. At that time, TAA will revert to more restrictive eligibility criteria, covering only manufacturing workers and excluding those in service sectors, and a reduced annual training cap of \$220 million from \$450 million, among other changes. DOL refers to this more restrictive program as Reversion 2021.<sup>5</sup> Without reauthorization, the program will terminate on July 1, 2022.

<sup>&</sup>lt;sup>5</sup> *Reversion 2021* refers to the Trade Adjustment Assistance for Workers program, chapter 2 of title II of the Trade Act of 1974 as administered under section 233 Sunset Provisions of the Trade Adjustment Assistance Extension Act of 2011, Title II of P. L. No. 112-40 (TAAEA).

The President strongly believes that workers who are affected by trade need robust services and support to help them find new jobs or retrain for careers in other fields. The Administration looks forward to working with Congress to reauthorize TAA before program reversion occurs on July 1, 2021, avoiding the loss of services for certain trade-impacted workers, and is committed to working with Congress on a long-term reauthorization that includes reforms to ensure that displaced workers receive effective training and adequate supports and services to transition to a good job.

Without reauthorizing legislation, and at a time when America is working to recover from the devastating challenges of a deadly pandemic, an economic crisis, and a reckoning on race that resurfaced longstanding disparities; workers already hardest hit by the COVID emergency: women, people of color, older, high tenured, less educated, American workers will lose access to TAA. Program reversion will result in an estimated 48,000 fewer workers per year being eligible for TAA, and the Americans who remain eligible will receive significantly less help — both in the amount of the benefit, and also in the type of benefits available. Without congressional action, to implement reversion, DOL must redirect staff duties, and in doing so, will absorb approximately \$13,000,000 in PA costs and 111,000 staff hours as federal and state staff spend time to plan, implement, and support Reversion 2021.

The Budget Request amount, \$551 million, reflects the amount needed to support Reversion 2021 and assumes that TAA is not reauthorized and consequently that Reversion 2021 took effect on July 1, 2021 and that program termination will begin on July 1, 2022. The termination provision begins a phase-out of the program, with no new petitions certified after June 30, 2022. Workers covered by petitions certified on or before June 30, 2022 and adversely affected (totally or partially separated from trade-affected employment) on or before that date will continue to be eligible for TAA benefits if they otherwise meet or continue to meet the requirements for such benefits after that date.

#### Resource and Program Data (Dollars in Thousands)

	FY 2019 Enacted <sup>6</sup>	FY 2020 Enacted <sup>7</sup>	FY 2021 Enacted	FY 2022 President's Budget
Data Category				Duuget
<b><u>Resource Data:</u></b>				
Service Grant	\$582,109	\$553,000	\$597,485	\$551,000
Formula	\$582,109	\$553,000	\$597,485	\$551,000
Competitive				
Research Evaluation Demonstration Development Training/Technical Assistance				
Program Support				
<b>Total Resources</b>	\$582,109	\$553,000	\$597,485	\$551,000
Program Data:				
Total Grants				
New Starts				
#	144	144	144	144
\$	\$582,109	\$553,000	\$597,485	\$551,000
Continuing				
#				
\$				
Contracts				
#				
\$				
Interagency Agreements				
#				
\$				

#### **Five-Year Budget Activity History**

<u>Fiscal Year</u>	ar <u>Funding</u> (Dollars in Thousands)		
2017	\$790,419	0	
2018	\$737,860	0	
2019	\$741,020	0	
2020	\$639,880	0	
2021	\$597,485	0	

<sup>6</sup> FY 2019 actual.

<sup>7</sup> FY 2020 actual.

#### **Funding Mechanism**

The amount of funding appropriated annually for the TAA Program is based on projected costs of the program for the fiscal year. Unemployment Insurance models calculate estimates of the amount of funds needed in the fiscal year for TRA and A/RTAA (wage supplements). These models consider the economic assumptions in the President's Budget, including the projected Gross Domestic Product, unemployment rate, and other factors to forecast the amount of funds needed. The estimate of funds for Training and Other Activities (TaOA) is subject to an annual cap according to the statutory amount specified. If the appropriated amount is insufficient to cover the costs of the program during the fiscal year, there is authority for the program to use additional amounts from the Advances to the Unemployment Trust Fund account to add funds up to the training cap amount, and authority to use such sums as required for TRA and A/RTAA.

DOL provides grants to states for the operation of the TAA Program under an Annual Funding Agreement. The amount of funding allocated to each state for TaOA is determined through a funding formula for distribution codified at 20 CFR §§ 618.910 through 618.930. The funding formula is designed to target funds for TaOA to the states where the resources are most needed, using a formula methodology to ensure stability of funding and transparency in the distribution. Funds for TRA and A/RTAA are not determined by formula; rather, states notify ETA of the projected needs and request the requisite funds for trade-affected workers.

Timely allocations ensure that trade-affected workers can access needed employment and case management services, job search allowances, relocation allowances and workplace education as soon as an appropriate individual employment plan is developed. This maximizes their opportunity to return to employment, increases credential and education attainment, and improves earnings.

#### <u>FY 2022</u>

The FY 2022 Request under current law (without reauthorization) is \$551,000,000. This request includes \$272,000,000 for TRA; \$13,000,000 for A/RTAA; and \$266,000,000 for TaOA.

#### <u>FY 2021</u>

The FY 2021 appropriation is \$597,485,000. This includes \$207,000,000 for TRA; \$20,000,000 for A/RTAA; and \$370,485,000 for TaOA. The funding for TaOA is lower than the prior fiscal year due to the sunset provisions of Reversion 2021. The FY 2021 Enacted funds TaOA for the first three quarters of the fiscal year at the \$450,000,000 statutory level of the 2015 Program, and for the fourth quarter at the \$220,000,000 statutory level of Reversion 2021 as required under current law, less sequester of 5.7 percent. The necessary funds will be provided for TRA and A/RTAA.

#### <u>FY 2020</u>

The FY 2020 appropriation is \$680,000,000. The FY 2020 Enacted amount is \$639,880,000. This amount includes \$409,880,000 for TaOA, which is the statutory cap of \$450,000,000

sequestered by 5.9 percent of the TAA Program appropriation; \$208,000,000 for TRA; and \$22,000,000 for A/RTAA.

WORKLOAD AND PERFORMANCE SUMMARY								
			FY 2020 Revised Enacted		FY 2022 Request			
		Target	Result	Target	Target			
Trade Adjustme	ent Assistance							
	– Support the Ability of All Americans to Find Good Jobs tive ETA 1.1 – Create customer-focused workforce solutions for American workers	s <b>.</b>						
ETA-TAA-01	Employment Rate – 2nd Quarter After Exit (Trade Adjustment Assistance).	76.3%	75.9%	73.8%	70.8%			
ETA-TAA-02	Employment Rate – 4th Quarter After Exit (Trade Adjustment Assistance).	77.4%		75.5%	73.1%			
ETA-TAA-03	Median Earnings – 2nd Quarter After Exit (Trade Adjustment Assistance)	\$9,882	\$9,660	\$9,853	\$10,050			

Legend: (r) Revised (e) Estimate (base) Baseline -- Not Applicable TBD - To Be Determined [p] - Projection

#### Workload and Performance Summary

The performance indicators for the 2015 TAA Program align with WIOA authorization for five key common performance indicators. DOL is highlighting the following three in the TAA Program to track program progress, as they reflect one of the primary purposes of the program — to increase the employment and earnings of participants. These measures include: 1) Employment Rate – 2nd Quarter After Exit; 2) Employment Rate – 4th Quarter After Exit; and 3) Median Earnings – 2nd Quarter After Exit.

The TAA Program had robust performance results in FY 2020, but did not meet established targets due to certain macro-economic factors. FY 2021 and FY 2022 results will provide outcomes that occurred during the COVID-19 pandemic.

	BUDGET ACTIVITY BY OBJECT CLASS (Dollars in Thousands)								
		FY 2020 Revised Enacted	FY 2021 Enacted	FY 2022 Request	Diff. FY22 Request / FY21 Enacted				
11.1	Full-time permanent	0	0	0	0				
11.9	Total personnel compensation	0	0	0	0				
41.0	Grants, subsidies, and contributions	639,880	597,485	551,000	-46,485				
	Total	639,880	597,485	551,000	-46,485				

#### CHANGES IN FY 2022

(Dollars in Thousands)

Activity Changes Built-In To Provide For: Costs of pay adjustments Grants, subsidies, and contributions Built-Ins Subtotal		\$0 -46,485 <b>-\$46,485</b>
Net Program Direct FTE		\$0 0
	Estimate	FTE
Base	\$551,000	0
Program Increase Program Decrease	\$0 \$0	0 0