

EMPLOYMENT AND TRAINING ADMINISTRATION ADVISORY SYSTEM U.S. DEPARTMENT OF LABOR Washington, D.C. 20210	CLASSIFICATION Office of Trade Adjustment Assistance
	CORRESPONDENCE SYMBOL OTAA
	DATE June 4, 2021

ADVISORY: TRAINING AND EMPLOYMENT GUIDANCE LETTER NO. 24-20

TO: STATE WORKFORCE AGENCIES
STATE WORKFORCE LIAISONS
AFFILIATE AMERICAN JOB CENTER MANAGERS
COMPREHENSIVE AMERICAN JOB CENTER MANAGERS
STATE WORKFORCE ADMINISTRATORS
STATE AND LOCAL WORKFORCE BOARD CHAIRS AND DIRECTORS
STATE LABOR COMMISSIONERS
STATE UI DIRECTORS
RAPID RESPONSE COORDINATORS
TRADE ADJUSTMENT ASSISTANCE LEADS

FROM: SUZAN G. LEVINE /s/
Principal Deputy Assistant Secretary

SUBJECT: Operating Instructions for Implementing the Reversion Provisions of the Amendments to the Trade Act of 1974 Enacted by the Trade Adjustment Assistance Reauthorization Act of 2015

- Purpose.** To assist State Workforce Agencies or agencies designated by Governors as “Cooperating State Agencies” (CSAs or “states”) to implement the Trade Adjustment Assistance (TAA) Program reversion provisions of the Trade Adjustment Assistance Reauthorization Act of 2015 (TAARA 2015) by providing operating instructions that apply to the program benefits applicable to adversely affected workers covered by petitions filed on or after July 1, 2021, and by identifying prior guidance that remains applicable to CSAs. Employment and Training Administration (ETA) refers to this version of the TAA Program, described in these operating instructions set out in Attachment A, as “Reversion 2021.”
- Action Requested.** CSAs are to implement the guidance set forth in these operating instructions for workers covered under petitions filed on or after July 1, 2021. Additionally, CSAs must continue to administer the 2002 Program, the 2009 Program, the 2011 Program, and the 2015 Program, in accordance with existing regulations and, where applicable, prior guidance. States must inform all appropriate staff of the contents of these instructions. Although the TAARA 2015 program expiration provision requires that the Department will no longer accept petitions for Trade Adjustment Assistance as of July 1, 2022, States are expected to continue serving those adversely affected workers from worker groups certified prior to that date.

RESCISSIONS None	EXPIRATION DATE Continuing
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3. **Summary and Background.**

- Summary – The TAA Program is a federal entitlement program that assists U.S. workers who lost their jobs as a result of foreign trade. The TAA Program, established by the Trade Act of 1974, has been amended a number of times over the past 46 years. The latest amendments, enacted in 2015, include reversion and sunset provisions effective July 1, 2021, and July 1, 2022, respectively. Currently, trade-affected workers covered by a certified TAA petition are covered and eligible to apply for TAA benefits and services under one of the versions of the TAA Program based upon the date of the relevant TAA certified Petition: the 2002 Amendments, the 2009 Amendments, the 2011 Amendments, or the 2015 Amendments. Workers receiving TAA Program benefits and services under any of these versions of the TAA program will continue to receive the applicable benefits and services provided under their applicable versions of the program. Any workers covered under a Petition for Trade Adjustment Assistance filed on or after July 1, 2021, will be covered under Reversion 2021.
- Background – TAARA 2015, at Section 406, includes a provision that creates a modified version of the TAA Program, Reversion 2021, effective for all petitions filed on or after July 1, 2021. This section 406 also provides that the TAA Program will expire (or sunset) on June 30, 2022. Guidance on the impacts of the sunset provision will be issued separately in Fiscal Year 2022, if needed. The TAA Program has previously reverted, in 2011 and 2014. In both instances, ETA issued Operating Instructions to administer reversion, and is doing the same for Reversion 2021.

4. **Operating Instructions.** The Operating Instructions set out at Attachment A to this Training and Employment Guidance Letter (TEGL) constitute controlling program guidance for Reversion 2021, which the states may not deviate from absent prior approval, pursuant to the terms and conditions of the *Agreement Between the Governor and Secretary of Labor, United States Department of Labor, to Carry Out the Provisions of Subchapters A, B, and C of Chapter 2 of Title II of the Trade Act of 1974, as amended by the Trade Adjustment Assistance Reauthorization Act of 2015* (Governor-Secretary Agreement). As explained in the attached Operating Instructions, the TAA Program regulations, codified at 20 CFR part 618, apply to Reversion 2021 unless otherwise indicated in the Operating Instructions. To that end, the Operating Instructions in the attachment to this guidance include statutory, regulatory, and administrative guidance references.

5. **Inquiries.** Please direct inquiries to the appropriate Regional Office.

6. **References.**

- Chapter 2 of Title II of the Trade Act of 1974, as amended (Pub. L. 93-618) (Trade Act) (codified at 19 U.S.C. §§ 2271 et seq.);
- Pub. L. 114-27, Trade Adjustment Assistance Reauthorization Act of 2015 (TAARA 2015)
- Pub. L. 112-40, Trade Adjustment Assistance Extension Act of 2011 (TAAEA)
- Pub. L. 111-5, Trade and Globalization Adjustment Assistance Act of 2009 (TGAAA)
- Pub. L. 107-210, Trade Adjustment Assistance Reform Act of 2002 (TAARA 2002)

- TAA Final Rule, 20 CFR Part 618, 85 FR 51896 (August 21, 2020);
- Agreement Between the Governor and Secretary of Labor, United States Department of Labor, to Carry Out the Provisions of Subchapters A, B, and C of Chapter 2 of Title II of the Trade Act of 1974, as amended by the Trade Adjustment Assistance Reauthorization Act of 2015
- TEGL No.: 11-02 and Changes 1, 2, and 3 - *Operating Instructions for Implementing the Amendments to the Trade Act of 1974 Enacted by the Trade Act of 2002*
- TEGL No.: 22-08 and Change 1 - *Operating Instructions for Implementing the Amendments to the Trade Act of 1974 Enacted by the Trade and Globalization Adjustment Assistance Act of 2009*

7. Attachment(s).

- A - Operating Instructions for the Reversion 2021 TAA Program
- B - Unofficial Version of the Trade Act, incorporating Reversion 2021 Provisions
- C - List of Nations for Shift in Production Determinations