

EMPLOYMENT AND TRAINING ADMINISTRATION ADVISORY SYSTEM U.S. DEPARTMENT OF LABOR Washington, D.C. 20210	CLASSIFICATION Trade Adjustment Assistance
	CORRESPONDENCE SYMBOL OTAA
	DATE August 2, 2023

ADVISORY: TRAINING AND EMPLOYMENT GUIDANCE LETTER NO. 02-23

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
RAPID RESPONSE COORDINATORS
TRADE ADJUSTMENT ASSISTANCE LEADS

FROM: BRENT PARTON 
Principal Deputy Assistant Secretary

SUBJECT: Fiscal Year (FY) 2023 Trade Adjustment Assistance (TAA) Program Training and Other Activities (TaOA) Funds Distribution, SF-424 Instructions, and Grants Management Requirements for Accessing TaOA Funds

1. **Purpose.** To advise State Workforce Agencies, or agencies designated by Governors as “Cooperating State Agencies” (CSAs) (also jointly referred to as “states”) of the state distribution amounts of FY 2023 TAA Program TaOA funds.
2. **Action Requested.** States are required to implement the guidance set forth herein and must continue to administer the TAA Program in accordance with applicable regulations and administrative guidance. States must inform all appropriate staff of the contents of this guidance. States must complete their SF-424 and submit these forms via www.grants.gov no later than thirty days from the publication date of this guidance.
3. **Summary and Background.**
 - a. **Summary** – [Training and Employment Guidance Letter \(TEGL\) No. 24-20](#), *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* reminds states that although the termination provision of the Trade Adjustment Assistance Reauthorization Act of 2015 (TAARA 2015) prohibits the Department from certifying petitions for TAA group eligibility as of July 1, 2022, workers certified as eligible to apply for assistance under a petition approved prior to July 1, 2022, and who were separated on or before June 30, 2022, continue to be

RESCISSIONS None	EXPIRATION DATE Continuing
----------------------------	--------------------------------------

entitled to TAA Program benefits and services. Attachment I to this TEGL contains the total amount of states' FY 2023 TaOA allocation of funds based on each state's most recent four quarters of expenditure data. The Department calculated each state's expenditures over the four-quarters ending March 31, 2023. The Department then calculated 66% of that amount. That amount is reflected in Attachment I unless the calculation resulted in an amount less than \$100,000. In those cases, the state will receive \$100,000. States are required to continue to fully operate their TAA programs in accordance with the termination provision, which includes providing ongoing and sustained outreach to workers included in certifications who have not yet received services, and conducting the administrative activities described in [20 CFR 618.860\(b\)](#). For FY 2023, each state will receive a minimum allocation of \$100,000 of FY 2023 TaOA funds. To access FY 2023 TaOA funds, states must complete their SF-424 and submit these forms via www.grants.gov no later than thirty days from the publication date of this guidance.

- b. Background – TEGL No. 14-22, *Trade Adjustment Assistance (TAA) for Workers Program Phase-out Termination Frequently Asked Questions (FAQs)*, is companion guidance to TEGLs No. 24-20 and its Change 1, *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*. In these three TEGLs, the Department instructs states on how to operate the TAA Program, first under reversion and then under the current program, referred to as phase-out termination. Under phase-out termination, states must continue to provide ongoing and sustained outreach to identify affected workers and must serve any workers covered by a certified petition who were separated or threatened with separation from trade-affected employment on or before June 30, 2022. Case managers must continue to determine the best mix of benefits and services available to eligible workers based on the version of the TAA Program in effect when the petition covering the worker was filed. The TAA Program continues to operate under Section 285(a) of the Trade Act, as amended, and states are still obligated to comply with the provisions of Governor-Secretary Agreements executed between each State Governor and the Secretary of Labor. See [20 CFR § 618.804](#). The Department will continue to make funding available to the states as annual appropriations remain in effect while the program operates under phase-out termination.

4. FY 2023 TaOA Funds.

- a. Use of Funds –States may use TaOA funds to provide benefits and services to members of worker groups covered by a certification under the 2002 Program, the 2009 Program, the 2011 Program, the 2015 Program, and the Reversion 2021 program in accordance with the requirements in the TAA law in effect at the time of filing of such petition for certification. FY 2023 TaOA funds are available for expenditure for three fiscal years (FY 2023, FY 2024, and FY 2025). The 10-percent limitation on the use of TaOA funds for state administration will not apply to FY

2023 funds to accommodate states' need for administrative activities funds. In compliance with the Uniform Guidance at [2 CFR § 200.403\(a\)](#), the use of such funds must be necessary and reasonable for the performance of the TAA Program. The provision of benefits and services during phase-out, including ongoing and sustained outreach activities, and to enroll members of worker groups certified on or before June 30, 2022, must be charged as employment and case management expenses. This includes providing employment and case management services to ATAA and RTAA recipients. These costs may not be charged as administrative costs. Section [20 CFR 618.860\(b\)](#) lays out the specific activities for which TAA Program TaOA administrative funds may be used. State administrative activities include recommending and reviewing the waiver of the training requirement; issuing, approving, continuing, or revoking training waivers; approving or denying training programs and plans; participating as needed in adjudication or appellate activity associated with any TAA benefit or service; and other administrative activities relating to the TAA Program.

- b. Process for Requesting TaOA Reserve Funds – In the event a state needs an amount greater than the amount indicated on Attachment I of this guidance for the provision of benefits and services to eligible workers, the state should contact the appropriate Regional Office.
- c. Grants Management – States must submit an FY 2023 SF-424 for the amount of funding set out for their state in Attachment I of this guidance. States must: 1) enter the announcement number of this TEGL, ETA-TEGL-NO-02-23, into the opportunity number field of the application, and 2) enter the applicable amount set out for the state in Attachment I of this TEGL as the dollar amount of funds requested for FY 2023. Attachment IV of this TEGL provides detailed instructions for submitting the SF-424 and includes links to resources, including customer service contacts and other information, available at www.grants.gov. States must also submit their applications via www.grants.gov. The Department's Office of Grants Management (OGM), in conjunction in the Office of Trade Adjustment Assistance, will review the submitted application materials and request. Once approved, OGM will incorporate the application with the Annual Financial Agreement (AFA), which will be executed by the Department's Grant Officer and transmitted to the Authorized Organizational Representative and the Point of Contact identified on the SF-424 for the state. Any subsequent changes to the information submitted on the SF-424 (individuals identified, address, etc.) must be submitted to the Department as a request to modify the AFA via the assigned Federal Project Officer. Links to reporting databases, as well as general guidance on how to administer a grant award and the regulations governing grant awards, may be found at: <https://www.dol.gov/agencies/eta/grants/management>, TAA Community page at <https://taa.workforcegps.org>, our Office of Grants Management Grants Application and Management community page at: <https://grantsapplicationandmanagement.workforcegps.org/resources/2016/12/14/10/45/Grant-Management-Training>, and in the Uniform Guidance at 2 CFR 200 et. seq. at: <https://www.ecfr.gov/current/title-2/subtitle-A/chapter-II/part-200>.

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);
- Trade Adjustment Assistance under the Trade Act of 1974, as Amended, 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;
- Joint WIOA Final Rule, as applicable, published in the *Federal Register* at: <https://www.gpo.gov/fdsys/pkg/FR-2016-08-19/pdf/2016-15977.pdf>;
- Department-Only WIOA Final Rule, as applicable, published in the *Federal Register* at: <https://www.gpo.gov/fdsys/pkg/FR-2016-08-19/pdf/2016-15975.pdf>;
- Consolidated Appropriations Act, 2023, Division H, (Pub. L. 117-328), Enacted December 29, 2022;
- [2 CFR part 200](#) (Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards) and 2 CFR part 2900 (Department's Supplement to 2 CFR part 200);
- Balanced Budget and Emergency Deficit Control Act of 1985 (BBEDCA), as amended by the Budget Control Act of 2011 (BCA);
- [TEGL No. 24-20](#) and its Change 1, *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*;
- [TEGL No. 17-16](#), *Infrastructure Funding of the One-Stop Delivery System*;
- [TEGL No. 03-19](#), *Real Property Under Employment and Training Administration-Funded Grants*; and
- [TEGL No. 10-19](#), *Technical Assistance regarding the Submission Deadline for the Unified and Combined State Plans under the Workforce Innovation and Opportunity Act (WIOA) for Program Years (PYs) 2020-2023 and Other Related Requirements*.

7. **Attachment(s).**

- Attachment I – FY 2023 Training and Other Activities (TaOA) State Amounts
- Attachment II – Award Description for Trade Adjustment Assistance (TAA) Program Training and Other Activities (TaOA) Grants
- Attachment III – TAA Program Requirements
- Attachment IV – Form SF-424 Submission Instructions
- Attachment V – Use of Funds for Systems Development and Maintenance

**Fiscal Year (FY) 2023 Trade Adjustment Assistance (TAA) Program
Training and Other Activities (TaOA) Allocations, by State**

State	FY 2023 Allocation Amounts
Alabama	\$ 107,176
Alaska	\$ 100,000
Arizona	\$ 100,000
Arkansas	\$ 205,749
California	\$ 1,105,666
Colorado	\$ 492,166
Connecticut	\$ 214,178
Delaware	\$ 100,000
District Of Columbia	\$ 100,000
Florida	\$ 156,728
Georgia	\$ 369,291
Hawaii	\$ 100,000
Idaho	\$ 100,000
Illinois	\$ 462,057
Indiana	\$ 315,636
Iowa	\$ 263,170
Kansas	\$ 111,130
Kentucky	\$ 202,944
Louisiana	\$ 100,000
Maine	\$ 100,000
Maryland	\$ 100,000
Massachusetts	\$ 584,169
Michigan	\$ 433,602
Minnesota	\$ 600,747
Mississippi	\$ 100,000
Missouri	\$ 210,524
Montana	\$ 100,000
Nebraska	\$ 100,000
Nevada	\$ 100,000
New Hampshire	\$ 100,000
New Jersey	\$ 192,793
New Mexico	\$ 280,659
New York	\$ 906,396
North Carolina	\$ 528,613
North Dakota	\$ 100,000
Ohio	\$ 647,263
Oklahoma	\$ 100,000
Oregon	\$ 2,121,013
Pennsylvania	\$ 1,761,749
Puerto Rico	\$ 100,000
Rhode Island	\$ 100,000
South Carolina	\$ 300,464
South Dakota	\$ 100,000
Tennessee	\$ 406,448
Texas	\$ 1,609,876
Utah	\$ 100,000
Vermont	\$ 100,000
Virginia	\$ 100,000
Washington	\$ 866,399
West Virginia	\$ 282,534
Wisconsin	\$ 319,816
Wyoming	\$ 100,000
TOTAL	\$18,358,956.00

**Award Description for Trade Adjustment Assistance (TAA) Program
Training and Other Activities (TaOA) Grants**

Award Description. States receiving an award must comply with the Trade Act of 1974 as amended, the TAA Program Regulations, the Notice of Award which the Department provides at the time of the award, applicable program guidance, applicable agreements governing the TAA Program such as Governor-Secretary Agreement, and the TAA Annual Funding Agreement.

- 1. Purpose:** States may use TAA Program TaOA funds provided under this grant to cover the cost of related state administration and the provision of training, employment and case management services including ongoing and sustained outreach, job search allowances, and relocation allowances to trade affected workers.
- 2. Activities to be Performed:** States must continue to operation the TAA Program in compliance with the regulations at 20 CFR part 618, published in the Federal Register on August 21, 2020, applicable statutes, and guidance governing the TAA Program that describe program requirements and states' responsibilities regarding the use of TAA program TaOA funds.
- 3. Expected Outcomes:** States must use TAA Program funds provided under this grant to operate the TAA Program in support of the goals, objectives, and outcomes provided in the [FY 2023 Federal Unemployment Benefits and Allowances](#) section of the President's Annual Budget.
- 4. Intended Beneficiaries:** TaOA grant funds are intended to serve trade affected workers. Adversely affected workers are, individuals who, because of lack of work in adversely affected employment, have been totally or partially separated from such employment; and, adversely affected incumbent workers (individuals who (A) are members of a group of workers who have been certified as eligible to apply for adjustment assistance; (B) have not been totally or partially separated from adversely affected employment; and (C) workers for whom the Secretary determines, on an individual basis, are threatened with total or partial separation).
- 5. Subrecipient Activities:** Subrecipient means a non-Federal entity or Federal agency that receives a subaward from the grant award recipient under the TaOA funds award. Subrecipients are accountable to the grantee for the use of the Federal funds provided by the subaward. Specifications of subrecipient activities and the requirements subrecipients must comply with, are set out in the TAA Annual Funding Agreement, which DOL sends to each grantee upon grant award.

TAA Program Requirements

- A. **Overview.** The TAA Program includes training, employment and case management services, job search allowances, relocation allowances, Trade Readjustment Allowances (TRA), Alternative Trade Adjustment Assistance (ATAA), and Reemployment Trade Adjustment Assistance (RTAA). TAA Program Training and Other Activities (TaOA) funds provided under this grant award may be used for: the cost of training (and training related costs), employment and case management services including outreach activities, job search allowances, relocation allowances, and related state administration. Funds for TRA, ATAA, and RTAA are governed by the Trade Act of 1974, as amended, 20 CFR part 618, administrative guidance and, the terms and conditions of the Unemployment Insurance Annual Funding Agreement (AFA).
- B. **States' Responsibilities.** The Trade Act of 1974, as amended, 20 CFR part 618, and Agreements Between the Governor and Secretary of Labor, outline states' responsibilities for ensuring that Workforce Innovation and Opportunity Act (WIOA) partner programs are integrated into the American Job Center (AJC) network, also known as the one-stop system. The TAA Program is a required one-stop partner under the WIOA statute and regulations at WIOA sec. 121(b)(1)(B), 20 CFR 678.400, 34 CFR 361.400, and 34 CFR 463.400, respectively. As a WIOA required partner, the TAA Program is responsible for providing access to TAA benefits and services to adversely affected workers through the AJC network. As explained in the Required Elements for Submission of the Unified and Combined State Plan and Plan for Modifications under WIOA, states must integrate TAA Program services into their one-stop delivery system; provide rapid response and appropriate career services to worker groups on whose behalf a petition has been filed; and disseminate benefit information that provides workers an accurate understanding of the TAA Program's benefits and services. States must also use their AJCs as the main point of contact for participant intake and the delivery of TAA benefits and services. For additional information about this and other State Plan requirements, see *TEGL No. 04-21, Modification Requirements for Workforce Innovation and Opportunity Act (WIOA) State Plans for Program Years (PYs) 2022 and 2023*.

1) Program Access

If the TAA Program is carried out in a local area, the state must provide access to the TAA Program services in the local area's comprehensive one-stop centers in accordance with 20 CFR 678.305(d) and with WIOA sec. 121(b)(1)(A)(i). Access to the TAA Program occurs in one of three ways:

- a) Option 1: Having a TAA Program staff member, whether fully or partially funded by TAA, physically present at the one-stop center and responsible for TAA;
- b) Option 2: Having a staff member from a different partner program physically present at the one-stop center appropriately trained to provide information to

TAA Program Requirements

customers about the TAA Program, services, and activities available through all partner programs; or

- c) Option 3: Making available a direct linkage through technology to a TAA Program staff member who can provide meaningful information or services.

The options above offer a wide range of possibilities to partners. Option 2 could require a state to have varying levels of assistance depending on the trade-affected worker's needs. For example, this could be as simple as having an adequately trained one-stop center staff member providing basic program information to a one-stop customer regarding group and individual eligibility requirements of the TAA Program. In this example, the partner staff member has been trained on TAA Program eligibility requirements, as well as how to search for and file a TAA petition. Once the Department renders a determination on a petition, the partner staff member will connect the worker to appropriately trained one-stop center staff who can further assist them. If the petition is certified, the worker is eligible to apply for individual benefits and appropriately trained one-stop center staff must guide them through the application and enrollment process. This option allows the customer to receive high-quality service through the one-stop center in a timely manner.

The third option, Option 3, a direct linkage, can take many forms as well. As described in 20 CFR 678.305(d)(3), a "direct linkage" means providing a direct connection at the one-stop center within a reasonable time, by phone or through a real-time web-based communication, to a program staff member who can provide program information or services, including career services, to the customer. Solely providing a phone number, website, information, pamphlets, or materials does not constitute a "direct linkage."

The flexibility provided through the three optional methods for assuring customer access to required one-stop center partner services and activities at the comprehensive centers ensures that the TAA Program remains accessible through the one-stop center network.

2) Compliance with Regulations and Guidance

In performing its responsibilities under the Governor-Secretary Agreement, as a condition for receipt of funds, the state agrees to fully comply with all program regulations and administrative directives, including, but not limited to:

- a) Trade Adjustment Assistance Final Rule, 20 C.F.R. Part 618, published in the Federal Register at: <https://www.federalregister.gov/documents/2020/08/21/2020-13802/trade-adjustment-assistance-for-workers>, effective on September 21, 2020;
- b) Joint WIOA Final Rule, as applicable, published in the Federal Register at: <https://www.gpo.gov/fdsys/pkg/FR-2016-08-19/pdf/2016-15977.pdf>;
- c) Department-Only WIOA Final Rule, as applicable, published in the Federal Register at: <https://www.gpo.gov/fdsys/pkg/FR-2016-08-19/pdf/2016-15975.pdf>;
- d) Consolidated Appropriations Act, 2023, Division H, (Pub. L. 117-328), enacted December 29, 2022;

TAA Program Requirements

- e) 2 CFR part 200 (Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards) and 2 CFR part 2900 (Department's Supplement to 2 CFR part 200);
 - f) 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.);
 - g) Balanced Budget and Emergency Deficit Control Act of 1985 (BBEDCA), as amended by the Budget Control Act of 2011 (BCA);
 - h) *Delivery of Benefits and Services to Trade Adjustment Assistance (TAA) Program Recipients through the American Job Center Network Delivery System*;
 - i) [TEGL No. 17-16](#), *Infrastructure Funding of the One-Stop Delivery System*;
 - j) [TEGL No. 03-19](#), *Real Property Under Employment and Training Administration-Funded Grants*;
 - k) [TEGL No. 13-20](#), *Fiscal Year (FY) 2021 Trade Adjustment Assistance (TAA) Training and Other Activities (TaOA) Grant Management Guidance*;
 - l) [TEGL No. 24-20](#) and Change 1: *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*;
 - m) [TEGL No. 13-21](#), *Trade Adjustment Assistance (TAA) for Workers and Alternative Trade Adjustment Assistance (ATAA) and Reemployment Trade Adjustment Assistance (RTAA) Program Operations after June 30, 2022*;
 - n) [TEGL No. 14-21](#), *Fiscal Year (FY) 2022 Trade Adjustment Assistance (TAA) Training and Other Activities (TaOA) Grant Management Guidance*; and
 - o) [TEGL No. 14-22](#), *Trade Adjustment Assistance (TAA) for Workers Program Phase-out Termination Frequently Asked Questions (FAQs)*.
- 3) Compliance with Requirements

In performing its responsibilities under this award, the state hereby certifies and assures that it will fully comply with the following requirements:

- a) Real Property. The requirements and restrictions related to real property in 2 CFR § 200.439(b)(3), provide that capital expenditures for improvements to land or buildings, which materially increase their value or useful life, are unallowable as a direct cost, except in cases where the Grant Officer has granted prior written approval. All requests for construction related expenses must come to the Secretary of Labor for prior approval.

The requirements relating to Real Property, above and explained in [TEGL No. 03-19, Real Property Under Employment and Training Administration-Funded Grants](#), also apply. This guidance provides information on using ETA grant funds for capital expenditures and other real property costs, depreciation, maintaining insurance, handling idle facilities and idle facility capacity, retaining records, disposing of real property acquired with ETA grant funds; renting real property, and using and disposing of SWA real property that has DOL equity or Reed Act equity.

TAA Program Requirements

- b) Equipment. Equipment purchases under the TAA Program are subject to the provisions at 2 CFR § 200.313. Consistent with 20 CFR § 618.860(c)(1), the Department delegates the authority of prior approval to the Governor for equipment purchases made using TaOA funds.
- c) Oversight Roles and Responsibilities. Each recipient and subrecipient of funds under the Trade Act, as amended, must conduct regular oversight and monitoring of its program and those of any subrecipients and contractors as required under WIOA sec. 239(i), and 2 CFR part 200, including 2 CFR § 200.331 through 2 CFR § 200.333, in order to:
- i. determine that expenditures have been made against the proper cost categories and within the cost limitations specified in the Act, the regulations, and administrative guidance;
 - ii. determine whether there is compliance with other provisions of the Act, the regulations, and administrative guidance;
 - iii. assure compliance with 2 CFR part 200 and the Department's exceptions at 2 CFR part 2900;
 - iv. assure compliance with 20 CFR part 618; and,
 - v. determine compliance with the nondiscrimination, disability, and equal opportunity requirements of sec. 188 of WIOA, including the Assistive Technology Act of 1998 (29 U.S.C. 3003).
- d) Procedures and Resolution of Findings. (See 20 CFR § 618.860 (d)(2))
- i. Oversight and monitoring. Each recipient and subrecipient of funds under the Act must conduct regular oversight and monitoring of its program and those of any subrecipients and contractors,
 - ii. Resolution of subrecipient-level findings.
 - (1) The Governor is responsible for resolving findings that arise from state and Federal monitoring reviews, investigations, and audits (including under 2 CFR part 200) of subrecipients awarded funds through the Trade Act, as amended.
 - (a) A state must use the written monitoring and audit resolution, debt collection and appeal procedures that it uses for other Federal grant programs.
 - (b) If a state does not have such written procedures, it must prescribe standards and procedures to be used for this grant program.
 - (2) For subrecipients awarded funds through a pass-through entity, the pass-through entity must ensure that the subrecipient has written monitoring and resolution procedures in place that are consistent with 2 CFR part 200.
 - iii. Resolution of state findings.

TAA Program Requirements

- (1) The Secretary is responsible for resolving findings that arise from Federal audits, monitoring reviews, investigations, incident reports, and audits under 2 CFR part 200 for direct recipients of Federal awards under the Trade Act, as amended.
- (2) The Secretary will use the Department's audit resolution process, consistent with 2 CFR part 200, Subpart F.
- (3) A final determination issued by a Grant Officer under this process may be appealed to the Department's Office of Administrative Law Judges under the procedures in 2 CFR § 2900.22.

e) Nondiscrimination. Requirements and restrictions for nondiscrimination and equal opportunity, which are provided in 29 CFR part 38, Implementation of the Nondiscrimination and Equal Opportunity Provisions of WIOA.

- C. **Use of Funds**. States may use TaOA funds to provide training, job search allowances, relocation allowances, and employment and case management services to members of worker groups covered by a certification – including outreach to workers - under all versions of the TAA Program, in accordance with the requirements of the TAA law in effect at the time of filing of such petition for certification. States may use TaOA funds for TAA Program related state administration to provide outreach to trade affected workers, pay for the TAA Program's share of AJC infrastructure costs, and for systems development and maintenance. See Attachment V of this guidance, *Use of Funds for Systems Development and Maintenance*, for additional information.

In FY 2023, the expenditures for related state administration under the FY 2023 awards are not limited to 10 percent of the total amount of TaOA funds awarded to the state. State expenditures for employment and case management services costs, including outreach activities, must not be less than 5 percent of TaOA funds awarded under the FY 2023 allocation. ETA strongly recommends that recipients spend funds with the shortest period of availability first.

- D. **Deobligation of Funds**. The Recipient agrees to accept a deobligation of the TaOA funds, as set forth in the Notice of Award, in the event of underutilization of those funds. The Grantor will consider underutilization of TaOA funds to exist when the Recipient will be unable to use some or all of the unexpended and/or unobligated balance of such funds provided to the recipient within a reasonable period of time. Underutilized funds will be recaptured only after notification to and consultation with the Recipient.
- E. **Remedies**. All TAA Program funds must be expended in accordance with the provisions of the AFA and any special terms and conditions of approved funding requests. Any expenditure of funds that does not comply with these provisions will be subject to the enforcement remedies at 2 CFR § 200.339, and the procedures located at 2 CFR § 2900.20 through 2900.22, 20 CFR § 618.804, or any succeeding regulations. The state will take such action as is reasonably necessary to recover for the account of the United States all amounts

TAA Program Requirements

paid out as program benefits or services that were erroneously paid to ineligible claimants or others, and to restore any losses or misapplication of funds allocated to the state for TAA Program benefits or services.

- F. **Merit Staff**. The state agrees that staff employed to carry out state administration of the TAA Program and funded by the TAA Program, will comply with 20 CFR § 618.890.

- G. **Administrative and Program Costs**. The administrative cost limit of the FY 2023 TaOA funding allocation is explained above in paragraph C of this Attachment III, with which states must comply. For purposes of the TAA Program, the costs of administration are established at 20 CFR § 618.860(b). For FY2023 funds, the 10 percent limit on administrative expenditures does not apply.

- H. **Ongoing and Sustained Outreach**. Although the TAA Program is currently in a phase out termination status, states are still required to conduct ongoing and sustained outreach to members of certified worker groups who were separated from adversely affected employment on or before June 30, 2022, and to provide eligible workers with the benefits and services available under the TAA Program.

Submission Instructions for (TaOA) Funding via SF-424 and Grants.gov

Document submission for TAA Program TaOA funds for FY 2023 through www.grants.gov are the same procedure the Department instructed grantees to follow to apply for FY 2022 TaOA funds, with one change. On Line 18 of the SF-424, states will **enter the amount of funding set out in Attachment I of this TEGL**, rather than entering an estimate, as done in previous years. For FY 2023, the Department is allocating FY 2023 funding in a single distribution; therefore, it is not necessary to enter an estimate. The information below is provided to augment the instructions available on the www.grants.gov website and pertains to the SF-424. States must enter the exact amount of funds indicated in Attachment I of this guidance for their state on Line 18 of the SF-424 and submit this form via www.grants.gov.

In the event you encounter a problem with your submission via the www.grants.gov website and do not find a resolution in any of the other resources, call the www.grants.gov support center for assistance at 1-800-518-4726 or 1-606-545-5035, to speak to a customer support representative or email support@grants.gov. The www.grants.gov contact center is open 24 hours a day, seven days a week except for Federal holidays. *Note, the links in the sections below require Internet Explorer version IE11 or higher, Chrome, or Firefox. Please use one of these browsers to access the information available on the link.*

1. **Timely SF-424 Submissions.** To allow time to process FY 2023 TaOA grants and allocate requested funds to states, the Department strongly encourages states to submit their SF-424 TaOA via www.grants.gov as soon as possible, and no later than **thirty (30) days after the publication date of this guidance**. States are strongly advised to initiate the application submission and validation process via www.grants.gov as soon as possible and to plan for time to resolve technical problems. Since it is the state's responsibility to ensure a timely submission of their SF-424, states are encouraged to allot time for submission (two business days) and, if applicable, additional time to address errors and receive validation upon resubmission (an additional two business days for each ensuing submission). Only applications that have been successfully submitted in www.grants.gov by the deadline, which is 30 calendar days from the issue date of this guidance, and subsequently successfully validated by www.grants.gov, will be considered timely. Please note, validation in www.grants.gov does not mean the state's application has been accepted as complete or has been accepted for review. Rather, www.grants.gov only verifies the submission of certain parts of the application.
2. **How to Submit an Application.** Applicants can apply on www.grants.gov using Workspace, <https://www.grants.gov/web/grants/applicants/workspace-overview.html>. Workspace is a shared online environment that allows organizations or individuals to apply for federal grants by enabling multiple simultaneous form access and editing within a single application. To access complete instructions, see: <https://www.grants.gov/web/grants/applicants/apply-for-grants.html>. To apply for FY 2023 TaOA grant funds once you have logged into Workspace, select Search Grants at: <https://www.grants.gov/web/grants/applicants/apply-for-grants.html>, and enter ETA-TEGL- NO-02-23 in the Opportunity Number field of the Basic Search Criteria box. Be careful to use the specific syntax: ETA-TEGL-NO-02-23.

Submission Instructions for (TaOA) Funding via SF-424 and Grants.gov

3. Important Information.

- Completing a grant application requires the state to enter the organization's Authorized Organizational Representative (AOR) Username and Password. If the state does not have the AOR's Username and Password, please register as a new user here: <https://apply07.grants.gov/apply/register.faces>. *Note, if the state already has a www.grants.gov account and knows or can retrieve the AOR's logon information using the Forgot Username or Password function, there is no need to register another account to apply for FY 2023 TaOA grant funds.*
- When a state submits its application via www.grants.gov, an electronic time stamp is generated within the system when the application is successfully received by www.grants.gov. Grants.gov will send the applicant AOR an email acknowledgement of receipt and a tracking number, e.g., (GRANTXXXXXXXX), with the successful transmission of the application, serving as proof of their timely submission. During this process, the applicant will receive two email messages to provide the status of the application's progress through the system.
 - The first email, sent almost immediately, will contain a tracking number and will confirm receipt of the application by www.grants.gov.
 - The second email will indicate that the application has either been successfully validated or has been rejected due to errors.
- Effective April 4, 2022, the Data Universal Numbering System (DUNS) Number was replaced by a new, non-proprietary identifier requested in and assigned by the System for Award Management (SAM) www.SAM.gov (access requires Internet Explorer version of IE11 or higher, Chrome, or Firefox). This new identifier is being called the Unique Entity Identifier (UEI), or the Entity ID. Each applicant must have a UEI number and must be registered with www.SAM.gov before submitting an SF-424 Form in www.grants.gov. SAM.gov is an official government website that allows applicants to: 1) register to do business with the U.S. government; 2) update or renew entity registration; 3) check the status of an entity registration; or 4) search for entity registration and exclusion records. Applicants must have an active registration in SAM to complete the SF-424. If the applicant's registration in SAM is expired, www.grants.gov will reject the application.
- The official, electronically signed SF-424 Form must reflect the state amount listed in Attachment I for the requested estimated funding total in item #18, the Catalog of Federal Domestic Assistance Number "17.245" for item #11, and the grantee's 12-character UEI listed for item #8c on the SF-424 Form. Also, item #15 of the SF-424 must indicate the amount of Indirect Costs claimed by the recipient, if any.
- To ensure consideration, the components of the application must be saved as .doc, .docx, .xls, .xlsx, .rtf, or .pdf files. If submitted in any other format, the applicant bears the risk that compatibility or other issues may prevent a state's application from being considered. The Department will attempt to open the document but will not take any

Submission Instructions for (TaOA) Funding via SF-424 and Grants.gov

additional measures in the event of problems with opening it (i.e., conversions of any kind).

- The Department strongly advises applicants to use the various tools and documents, including Frequently Asked Questions that are available on the “Applicant Resources” page at: <https://www.grants.gov/web/grants/applicants/applicant-faqs.html>.
- To receive updated information about critical issues, new tips for users, and other time sensitive updates as information becomes available, subscribe to www.grants.gov updates at: <https://www.grants.gov/web/grants/manage-subscriptions.html>.

Use of Training and Other Activities Funds for Systems Improvement, Enhancement and Maintenance

Consistent with 20 CFR § 618.860(i), 20 CFR § 618.860(b)(5)(i) through (iii), 20 CFR § 618.305, and 20 CFR § 618.804, states shall use TAA Program Training and Other Activities (TaOA) administration and employment and case management funds in the purchase of, development of, maintenance of, and operational costs for all systems, including related Unemployment Insurance systems, used in carrying out the TAA Program. States are required to dedicate an appropriate portion of funding for this purpose.

Optimal operations of these systems provide a way for states to: 1) better serve adversely affected workers; 2) ensure accuracy of issuance, receipt, and reporting on TAA Program benefits and services; 3) ensure accuracy and timeliness of tracking the use of appropriated funds for TAA Program obligations and expenditures; and 4) reduce improper payments. States must use TaOA funds for these purposes to comply with the guidance provided in this TEGl and the regulations cited below:

- **§ 618.860 General fiscal and administrative requirements and cost classification. See (b)(5)(i) through (iii).**

(5) Costs of the information systems in [paragraphs \(b\)\(5\)\(i\) through \(iii\)](#) of this section, including the purchase, systems development, and operational costs, are charged to the program category:

- (i) Tracking or monitoring of participant and performance information, including employment and case management services and activities;
- (ii) Employment statistics information, including job listing information, job skills information, and demand occupation information. States must leverage existing resources provided under other Federal programs; and
- (iii) Maintenance and enhancement of the systems specified in [paragraphs \(b\)\(5\)\(i\) and \(ii\)](#) of this section.

- **§ 618.860(i) Designation of resources for Management Information Systems (MIS) development.** States are required to dedicate an appropriate portion of administrative and employment and case management funding under TAA for management information systems development, upgrades, and ongoing maintenance.
- **§ 618.305** The Trade Adjustment Assistance Program as a one-stop partner.
 - (a) As provided by WIOA section 121(b)(1)(B)(vii), the TAA Program is a required one-stop partner under WIOA.
 - (b) The State must ensure that the TAA Program complies with WIOA's one-stop partnership requirements at WIOA section 121(b)(1)(A)(i) through (v). This includes, among the other requirements, paying infrastructure costs where the TAA Program is being carried out.
 - (c) The TAA Program must also comply with, and be a party to, the memorandum of understanding required under the regulations implementing WIOA at [§ 678.500 of this chapter](#), where the TAA Program is being carried out.

Use of Training and Other Activities Funds for Systems Improvement, Enhancement and Maintenance

- **§ 618.804 Agreements with the Secretary of Labor.**

(a) Authority. A State or CSA must, before performing any function or exercising any jurisdiction under the Act and this part, execute an Agreement meeting the requirements of the Act with the Secretary.

(h)(3) The requirement that the State supply data to the Department on national TAA Program performance goals identified in applicable regulations, the Department's written directives, or any other written means used to communicate such goals.