

TEXAS WORKFORCE COMMISSION
Workforce Development Letter

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Effective:	October 2, 2024

To: Local Workforce Development Board Executive Directors
Commission Executive Offices
Integrated Service Area Managers



From: Mary York, Director, Workforce Development Division

Subject: **Trade Adjustment Assistance Program Sunset—Update**

PURPOSE:

The purpose of this WD Letter is to provide Local Workforce Development Boards (Boards) with guidance on the sunset of the Trade Adjustment Assistance (TAA) program, including the following categories:

- Operating Procedures
- Petitions
- Funding
- Trade Readjustment Allowance (TRA)
- Rapid Response

This updated letter provides clarification regarding future TAA program funding.

RESCISSIONS:

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BACKGROUND:

TAA is a federal entitlement program established by the Trade Act of 1974 (Trade Act) to assist workers adversely impacted by foreign trade. The Trade Act was amended in 2002, 2009, 2011, and 2015. The Trade Adjustment Assistance Reauthorization Act of 2015 (TAARA 2015), Section 406, started a phase-out termination of the TAA program on July 1, 2022. The phase-out termination followed a one-year period from July 1, 2021, to June 30, 2022, known as Reversion 2021, which allowed limited group eligibility, reduced program funding, and restricted benefits available to workers. The US Department of Labor (DOL) is no longer certifying petitions for TAA under the phase-out termination. However, Trade-affected workers will continue to receive access to all appropriate benefits and services to which they are entitled.

Subject to previous grant documents and appropriate Training and Employment Guidance Letters (TEGLs), updates on grant funds will be provided as they are released. If funding for the TAA program becomes unavailable, TWC will provide additional guidance on local program administration.

PROCEDURES:

No Local Flexibility (NLF): This rating indicates that Boards must comply with the federal and state laws, rules, policies, and required procedures set forth in this WD Letter and have no local flexibility in determining whether and/or how to comply. All information with an NLF rating is indicated by “must.”

Local Flexibility (LF): This rating indicates that Boards have local flexibility in determining whether and/or how to implement guidance or recommended practices set forth in this WD Letter. All information with an LF rating is indicated by “may” or “recommend.”

Operating Procedures

NLF: Boards must continue to administer the TAA program and serve Trade-affected workers in accordance with the existing regulations and prior administrative guidance based on the petition certification date.

NLF: Boards must inform appropriate staff that for a worker to be entitled to TAA benefits and services on and after July 1, 2022, the worker must:

- be covered by a petition certified on or before June 30, 2022;
- meet or continue to meet individual eligibility requirements; and
 - under the 2002, 2009, 2011 TAA programs, and Reversion 2021, be an adversely affected worker who has been totally or partially separated from employment on or before June 30, 2022; or
 - under the 2015 TAA program, be an adversely affected incumbent worker who has been threatened with total or partial separation from employment on or before June 30, 2022.

NLF: Boards must continue to coenroll all Trade-affected workers in the Workforce Innovation and Opportunity Act (WIOA) Dislocated Worker program as outlined in [WD Letter 18-21, Change 1](#), issued March 18, 2024, and titled “Coenrollment in the Trade Adjustment Assistance and Workforce Innovation and Opportunity Act Dislocated Worker Programs—Update.”

Petitions

NLF: Boards must inform appropriate staff that any pending petitions and any petitions submitted after June 30, 2022, will not be investigated or certified by DOL.

LF: Boards may submit petitions to the Office of Trade Adjustment Assistance through the online system; however, these petitions will be held, will not be investigated, and will remain uncertified in the absence of future legislation.

Funding

LF: Boards may use WIOA Dislocated Worker funds or apply for National Dislocated Worker grants to serve customers who are not eligible for TAA services after June 30, 2022.

Trade Readjustment Allowance

NLF: Boards must inform appropriate staff that:

- Reemployment Trade Adjustment Assistance (RTAA) and Alternative Trade Adjustment Assistance (ATAA) are limited to workers who received their first payment prior to June 30, 2022; and
- The Texas Workforce Commission (TWC) TRA unit will not approve new applications for RTAA or ATAA after June 30, 2022.

NLF: Boards must continue to submit TRA applications for Trade-affected workers under a certified petition. These applications will be accepted by the TRA unit. The TAA Sunset will not affect TRA payments.

Rapid Response

NLF: Boards must continue to provide Rapid Response services to dislocated workers and refer them to the WIOA Dislocated Worker program.

INQUIRIES:

Send inquiries regarding this WD Letter to wfpolicy.clarifications@twc.texas.gov.

ATTACHMENTS:

Attachment 1: Revisions to WD Letter 12-22 Shown in Track Changes

REFERENCES:

Trade Adjustment Assistance Reauthorization Act of 2015

20 CFR Part 618, Trade Adjustment Assistance Under the Trade Act of 1974, as Amended

[TEGL No. 13-21](#), issued June 10, 2022, and titled “Trade Adjustment Assistance (TAA) for Workers and Alternative Trade Adjustment Assistance (ATAA) and Reemployment Trade Adjustment Assistance (RTAA) Program Operations after June 30, 2022”

[TEGL No. 14-22](#), issued April 14, 2023, and titled “Trade Adjustment Assistance for Workers Program Phase-out Termination Frequently Asked Questions (FAQs)”

[TEGL No. 07-23](#), issued January 3, 2024, and titled “Ongoing Operations of the Trade Adjustment Assistance (TAA) for Workers Program During Phase-Out Termination”

[WD Letter 18-21, Change 1](#), issued March 18, 2024, and titled “Coenrollment in the Trade Adjustment Assistance and Workforce Innovation and Opportunity Act Dislocated Worker Programs—Update”

[Trade Adjustment Assistance Guide](#)