Trade Adjustment Assistance for Workers

Fiscal Year 2011 Report to the Committee on Finance of the Senate and Committee on Ways and Means of the House of Representatives

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The Department of Labor (Department) submits the following report on the Trade Adjustment Assistance (TAA) for Workers Program to the Committee on Finance of the Senate and Committee on Ways and Means of the House of Representatives. This report is in accordance with Section 249B(d) of the Trade Act of 1974. That provision requires the Department to provide a summary of specified data collected by the Department on the TAA Program for the preceding fiscal year (FY). This report reflects data reported through FY2011.

The TAA Program is a federal program that offers a variety of benefits and services to workers who have lost their jobs as a result of foreign trade. Through the provision of a number of benefits and services, the TAA Program seeks to provide these trade-affected workers with opportunities to obtain the skills, resources, and support they need to become reemployed. These include Training, Job Search and Relocation Allowances, income support in the form of Trade Readjustment Allowances (TRA), the Health Coverage Tax Credit (HCTC)* to provide assistance with health insurance premium costs, and Employment and Case Management Services.

For a worker to be eligible to apply for TAA, the worker must be part of a group of workers that is the subject of a petition filed with and certified by the Department. Three workers of a company, a company official, a union or other duly authorized representative, a One-Stop Career Center operator or One-Stop partner may file that petition with the Department and simultaneously with the Governor of the State in which the workers' firm is located. In response to the filing, the Department initiates an investigation into whether the statutory criteria for determining that foreign trade was an important cause of the workers' job loss or threat of job loss have been met. If the Department makes an affirmative determination, the Department certifies the petition, identifies the worker group covered by the certification, and sends a notice of affirmative determination to the state and petitioner(s).

Once the state has received the notice of affirmative determination, it notifies the workers covered by the certification that they may apply to the state for benefits and services under the TAA program through the One-Stop Career Center system. These benefits and services each have statutory eligibility criteria that are in addition to the criteria for certifying the group of workers. Such criteria

^{*} Data on the number of workers receiving HCTC and the duration of their receipt of this benefit are not included in this report, as this information is collected by the IRS and reported by them in a separate annual report.

include previous work history, unemployment insurance (UI) eligibility, and individual skill levels, all of which states apply in determining the assistance to provide to individual workers.

Section 1: TAA in FY 2011

Statutory Amendments

At the beginning of FY 2011, the TAA Program operated under the requirements of chapter 2 of title II of the Trade Act of 1974 (the Trade Act), as amended by the Trade and Globalization Adjustment Assistance Act of 2009 (TGAAA) (the 2009 Program). Before the 2009 Program went into effect, the TAA Program was operated under the requirements of the Trade Act as amended by the TAA Reform Act of 2002 (the 2002 Program). Compared to the 2002 Program, the 2009 Program broadened the criteria for certification and expanded coverage and benefits for workers, including coverage for service sector workers, expanded training opportunities, extended income support, eligibility for workers whose jobs were offshored to countries in addition to those countries covered by Free Trade Agreements (FTAs), and eligibility for increased assistance with payments for health insurance coverage under the Health Coverage Tax Credit (HCTC). The TGAAA provided that its amendments to the TAA Program would expire on December 31, 2010. However, on December 29, 2010, the Omnibus Trade Act of 2010 extended the expiration date of the 2009 Program to February 12, 2011, with some modifications. After that date, the TAA Program "reverted" to the 2002 Program benefits, services, and eligibility for those workers covered by petitions filed after February 12, 2011.

For the remainder of FY 2011, the Department applied two sets of certification requirements to petitions, contingent on the date of filing. For petitions filed before February 12, 2011, the Department continued to apply the certification criteria of the 2009 Program, while for petitions filed after February 12, 2011, the Department applied the certification criteria of the 2002 Program. Following guidance issued by the Department, the states continued to provide the 2009 Program benefits and services to workers already covered under the 2009 program, and provided the 2002 Program benefits and services to workers covered under certifications of petitions filed after the expiration of the 2009 Program.

On October 21, 2011, the Trade Adjustment Assistance Extension Act of 2011 (TAAEA) was signed into law by the President. Under the amendments contained in that Act, workers covered by petitions filed on or after that date (and certain other petitions) would be eligible to apply for benefits and services that were generally at the level and conditions offered under the 2009 Program as discussed above, with some modifications. Therefore, at that time, the

Department began operating three TAA Programs: the 2002 Program, the 2009 Program, and the 2011 Program.

The benefits and services available to workers vary depending on whether the certification under which a worker is covered is issued under the 2002 Program, the 2009 Program, or the 2011 Program. Because this report covers FY 2011, and the 2011 Program was not implemented until the beginning of FY 2012, program benefits, services and outcomes related to the 2011 Program are not included in this report. However, for detailed information on the differences between the 2002 Program, the 2009 Program, and the 2011 Program, please see Attachment A of this report.

Investigations and Petition Activity

In FY 2011, the Department maintained its progress in petition processing even though investigations had to be carried out using different sets of eligibility criteria that were based on when the petitions were filed. The Department began FY 2011 with 430 pending investigations of petitions covered under the 2009 Program, completed the remaining 2009 Program petitions midway through the fiscal year, and ended FY 2011 with a total of 117 pending investigations of petitions filed under the 2002 Program.

During the fiscal year, there were 1,347 petitions filed and 1,518 determinations issued, 73.5 percent of which were certifications of eligibility to apply for benefits and services, which covered an estimated 98,379 workers from various industries. Twenty-six and a half percent of the determinations issued were denials of certifications of eligibility, covering an estimated 28,304 workers. The average petition processing time was reduced to 61 days by the fourth quarter of FY 2011, decreasing the average processing time in FY 2010 by almost half.

Guidance to States

In the first quarter of FY 2011, the Department prepared for the expiration of the TGAAA amendments to the TAA Program. During the remainder of the fiscal year, the Department administered both the 2009 Program and the 2002 Program, worked and prepared for the passage and implementation of the 2011 Program, and drafted and delivered guidance to ETA Regional Coordinators and states. The Department issued a total of nine guidance documents related to TAA, which served the following purposes: 1) announced the availability of online petition processing for trade-affected workers; 2) explained TAA Program changes due to the expiration of the TGAAA and enactment of the Omnibus Trade Act of 2010; 3) announced the designation of new certifying officers; 4) provided instruction on submitting requests for amendments to determinations

issued by the Department; 5) advised states of the process for requesting reserve funds; and 6) announced the allocation of funding to states.

State Operations

The administration of the TAA Program proved to be increasingly complex at the state level, largely due to the reversion to the 2002 Program in February of 2011, when the provisions of the 2009 Program expired. As a result, states were administering benefit and service provisions to workers covered under certified petitions under provisions of both the 2002 Program and the 2009 Program, depending on the date the workers' petition was filed. Additionally, the legislative delay in appropriating funds to operate the TAA Program for the full fiscal year complicated the process for providing funding to the states. The different levels of funding allowed for services – both at the state operations level and for each individual worker – under the 2002 Program and the 2009 Program also complicated the process for determining the allocation and making the distribution of FY 2011 funds to states.

Participant Data and Outcomes

In FY 2011, over 196,000 workers participated in the TAA Program. Of these, over 86,000 participated in training and over 46,000 received TRA income support. Over 161,000 workers received Employment and Case Management Services. 66 percent of those who exited the program found employment within one quarter after exit, and of those workers who became employed, 90 percent were still employed six months later with average earnings of \$18,184 for that six-month period. These performance outcomes surpassed the Department's performance goals for FY 2011.

Section 2: Data on TAA Petition Activity

Production Activities for Investigations

The Department began FY 2010 with a record number of TAA petitions due to a combination of the economic recession and a spike in petition activity that began in FY 2009 with the enactment of the TGAAA and its expanded coverage. As a result, the Department received an increased number of petitions leading to a delay in processing time in FY 2010. By the end of FY 2010, the multiple strategies that the Department implemented succeeded in significantly reducing the number of petitions awaiting determinations. For more information, please see the FY 2010 Annual Report at www.doleta.gov/trade act.

To manage the challenge of changing statutory requirements for certification when the TGAAA amendments expired, and the uncertainty over whether those amendments would be reinstated, the Department implemented several

strategies to ensure efficiency and productivity throughout the investigation process. Attachment B illustrates the complete investigative process from petition filing and intake to determination issuance and notification procedure.

To maintain efficiency in petition investigations during FY 2011, the Department focused on the following strategies:

- Ensure appropriate staffing and training on the requirements under both the 2002 Program and the 2009 Program. In particular, all new staff hired since the enactment of the 2009 Program required training on the amendments to the eligibility criteria under the 2002 Program.
- Create a user-friendly online petition filing system to enhance convenience for petitioners and increase accuracy in petition filings.
- Improve internal petition screening procedures to verify that petitions are complete and prevent duplicate filings.
- Increase accountability by implementing a series of Quality Control checks to enhance efficiency and production outputs of Management Information Systems (MIS) data entry and investigations, as highlighted in grey diamonds in the process map (see Attachment B). The Quality Control checks are internal reviews to ensure that timelines are being met, data quality is verified, and proper procedures are followed.
- Ensure the accuracy of the petition case files and determination documents, and increase the efficiency of case processing and notification procedures.

As a result, in FY 2011, the Department reduced the completion time for petition processing from an average of 142 days in FY 2010 to 61 days in the last quarter of FY 2011.

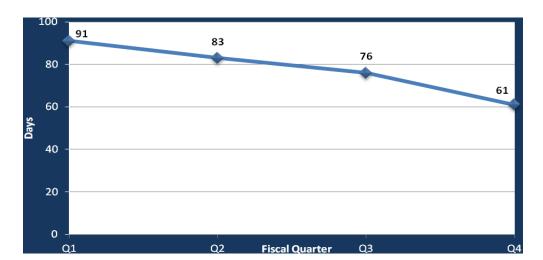


Chart 1 - FY 2011 Average Petition Processing Time by Quarter

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Overview of Determinations

In FY 2011, the Department experienced a reduction in petition filings compared to FY 2010, which helped the Department eliminate a backlog that had developed after implementation of the 2009 Program. In FY 2011, the Department certified workers in 45 states, as well as Puerto Rico and the District of Columbia, which covered an estimated 98,379 workers. Under the 2009 Program, we issued 893 certifications and 259 denials. The Department issued an additional 222 certifications and 144 denials under the 2002 Program.

During FY 2011, a total of 1,115 petitions, or 73.5 percent of the total 1,518 determinations issued during the year, met the group eligibility criteria applicable to the 2002 Program or the 2009 Program. The top three industry sectors covered by certifications were Manufacturing; Professional, Scientific and Technical Services; and Finance and Insurance. Chart 2 provides the total number of estimated certified workers in FY 2011 by industry sector.

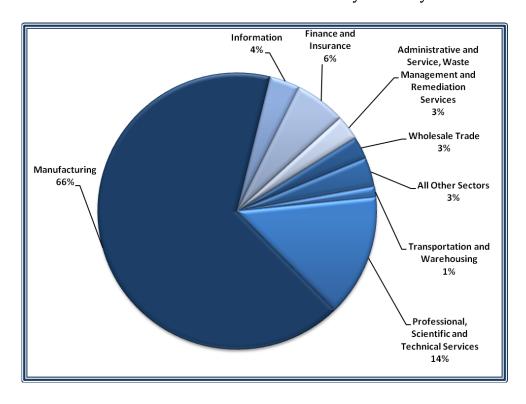


Chart 2 - FY 2011 Petition Certifications by Industry Sector

A total of 403, or 26.5 percent of determinations, were denials covering approximately 28,304 workers. The top industry sectors in which denials were issued were also the top two industries in which certifications were issued: Manufacturing; and Professional, Scientific and Technical Services. Chart 3 provides the total number of petition denials by industry sector.

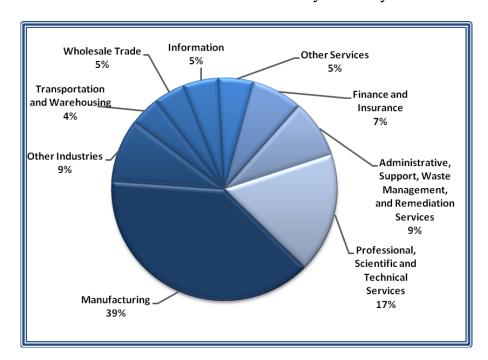


Chart 3 - FY 2011 Petition Denials by Industry Sector

Table 1 shows the petition filing and determination activity for fiscal years 2008 – 2011. Due to passage of the 2011 TAAEA, all petitions denied under the 2002 Program were reopened after October 21, 2011 and reconsidered under the 2011 Program criteria. In order to capture these cases, these numbers have been included in the table in parentheses, and are updated as of January 13, 2012.

Table 1 - FY 2008 - FY 2011 TAA Petition Filing and Determination Activity

| Fiscal Year | Petitions Filed | Petitions Certified | Percent Certified | Petitions Denied | Percent Denied | Est. Certified Workers |
|----------------|--------------------|------------------------|----------------------|---------------------|-------------------|---------------------------|
| 2008 | 2,224 | 1,471 | 70.0 | 601 | 30.0 | 126,633 |
| 2009* | 4,889 | 1,888 | 80.8 | 448 | 19.2 | 201,774 |
| 2010 | 2,542 | 2,810 | 77.5 | 817 | 22.5 | 287,061 |
| 2011 | 1,347 | 1,115 | 73.5 | 403 | 26.5 | 98,379 |
| 2011 | | (1,195) | (79.2) | (312) | (20.7) | (103,283) |

^{*}The spike in the number of petitions filed resulted from the implementation of the 2009 Program on May 18, 2009.

It is important to note that the number of petitions certified and denied certification during any fiscal year will not equal the number of petitions filed in that year because the processing time for petitions can overlap fiscal years, and because petitioners can withdraw a petition once it has been filed, resulting in the termination of an investigation.

Impact of Reversion on Investigations

With the expiration of the 2009 Program on February 12, 2011, the group eligibility criteria set forth in Section 222 of the Trade Act of 1974 (the Act) reverted to those in effect under the 2002 Program for petitions filed after that date. The most significant change to the group eligibility criteria under this reversion was the elimination of TAA coverage for workers in service sector firms. This contraction in coverage was a major factor in the certification and denial of petitions in FY 2011. During the fiscal year, the Department certified 344 petitions based on service sector-related criteria compared to 950 service sector worker certifications in FY 2010. The group eligibility criteria of the 2002 Program restricted certifications in the following ways:

- Workers in service sector firms could no longer be certified;
- Workers in public agencies could no longer be certified;
- Workers in firms that produce component parts could no longer be certified based on increased imports of finished articles containing similar component parts;
- Workers in firms that shifted production to countries that are not a party to a free trade agreement or a "beneficiary" country could only be certified with a finding of likely or actual increased imports;
- Workers could not be certified based on their firm being identified in an International Trade Commission "injury" determination;
- Workers in a "Downstream Producer" firm could only be certified if their TAA-certified customer increased imports from, or shifted production to, Canada or Mexico.
- Eligibility for Alternative Trade Adjustment Assistance (ATAA), a wage supplement program for older workers, required a determination of group eligibility based on the unique criteria for that program.

Aside from the denials of certification for worker groups that would otherwise have been certified under the 2009 Program, reversion of the group eligibility criteria also increased the complexity of certain types of investigations. For example, the Department received many petitions for workers in "back office" divisions of manufacturing firms, such as information technology support or accounting. Under the 2009 Program, many of these petitions could be resolved quickly when there was clear evidence of a shift of information technology or accounting services by the firm to a foreign country. However, under the 2002 Program, the Department needed to determine whether a shift in production or increased imports of articles contributed importantly to worker separations in those "back office" divisions. To make these types of determinations, the Department's investigators needed to make additional, more complex data requests to company officials, which led to increased processing times for those petitions. Similarly, a common finding by the Department was a company's shift

in production was to China, which under the 2002 Program required additional data in order to determine whether imports had increased or were likely to increase. Lastly, determinations of ATAA eligibility under the 2002 Program required additional data from the firm regarding the age and skill-level of their workforce, and company officials often found the wording of the criteria confusing.

Chart 4 illustrates two important trends in the processing of petitions over the course of the fiscal year. First, it illustrates the elimination of the backlog of 2009 Program petitions, which peaked in August of 2009 at 1,600 pending petitions. Second, it illustrates how the transition to the 2002 Program was preceded by a modest spike in petition filings in February 2011, followed by a period during which investigative staff were evaluating petitions under both programs, with the emphasis on completing the oldest cases first.

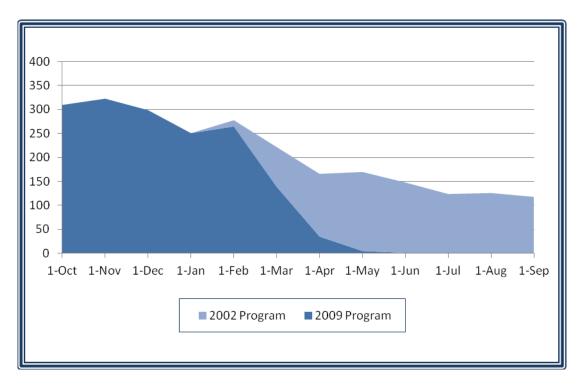


Chart 4 - FY 2011 Petition Investigations in Process by Month

The following tables provide a breakout of certifications by TAA Program by statutory provision of the Trade Act (Table 2 and Table 3), by state (Table 4), and by industry sector (Table 5). For a breakout of certifications by Congressional District, please see Attachment C.

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Table 2 - FY 2011 Certification Types under the TGAAA

| Certification Type | Statutory Provision Section 222 | % of Certs | # of Certs | Estimated # of Workers |
|---|------------------------------------|---------------|---------------|---------------------------|
| Shift in Production to a Foreign Country | (a)(2)(B)(i)(I) | 23% | 207 | 31,122 |
| Increased Aggregate Imports | (a)(2)(A)(ii)(I) | 14% | 122 | 8,341 |
| Shift of Services to a Foreign Country | (a)(2)(B)(i)(I) | 21% | 190 | 8,066 |
| Company Imports of Articles | (a)(2)(A)(ii)(I) | 6% | 56 | 7,408 |
| Secondary Component Supplier | (c)(2) & (c)(3)(A)/(c)(3)(B) | 6% | 56 | 6,324 |
| Customer Imports of Articles | (a)(2)(A)(ii)(I) | 7% | 61 | 4,449 |
| Acquisition of Services From a Foreign Country | (a)(2)(B)(i)(II) | 13% | 116 | 4,348 |
| Customer Imports of Services | (a)(2)(A)(ii)(I) | 2% | 17 | 4,139 |
| Acquisition of Articles From a Foreign Country | (a)(2)(B)(i)(II) | 3% | 27 | 3,930 |
| Downstream Producer | (c)(2) & (c)(3)(B) | 1% | 9 | 1,258 |
| Secondary Service Supplier | (c)(2) & (c)(3)(B) | 2% | 15 | 957 |
| Company Imports of Services | (a)(2)(A)(ii)(I) | <1% | 5 | 455 |
| Imports of Articles Produced Using Firm Services | (a)(2)(A)(II)(bb) | <1% | 1 | 155 |
| Imports of Finished Articles Containing Like or Directly Competitive Components | (a)(2)(A)(II)(aa) | <1% | 5 | 145 |
| Imports of Finished Articles Containing Foreign Components | (a)(2)(A)(III) | <1% | 4 | 129 |
| ITC Determination | (f) | <1% | 2 | 111 |
| Public Agency | (b) | 0% | 0 | 0 |
| Total | | | 893 | 81,337 |

Table 3 - FY 2011 Certification Types under TAA Reform Act of 2002

| Certification Type | Statutory Provision Section 222 | % of Certs | # of Certs | Estimated # of Workers |
|---|------------------------------------|---------------|---------------|------------------------|
| Shift in Production to an FTA Country or Beneficiary | (a)(2)(B)(ii)(II) | 32% | 70 | 5,929 |
| Actual/Likely Increased in Imports following a Shift Abroad | (a)(2)(B)(ii)(III) | 23% | 51 | 3,319 |
| Increased Company Imports | (a)(2)(A) | 18% | 40 | 3,173 |
| Increased Aggregate Imports | (a)(2)(A) | 15% | 33 | 3,014 |
| Increased Customer Imports | (a)(2)(A) | 7% | 16 | 1,226 |
| Secondary Component Supplier | (b) | 5% | 12 | 381 |
| Downstream Producer | (b) | 0% | 0 | 0 |
| Total | | 100% | 222 | 17,042 |

Table 4 - FY 2011 Certifications by State

| | | C 4 - 1 1 2011 (|
|---------------|----------------|---------------------------|
| State | Certifications | Estimated # of Workers |
| Alabama | 17 | 2,615 |
| Alaska | 0 | 0 |
| Arizona | 12 | 331 |
| Arkansas | 15 | 4,017 |
| California | 97 | 8,185 |
| Colorado | 17 | 727 |
| Connecticut | 39 | 2,259 |
| DC | 1 | 50 |
| Delaware | 1 | 5 |
| Florida | 17 | 827 |
| Georgia | 21 | 1,457 |
| Hawaii | 0 | 0 |
| Idaho | 4 | 252 |
| Illinois | 36 | 1,817 |
| Indiana | 28 | 3,704 |
| Iowa | 13 | 1,236 |
| Kansas | 8 | 4,520 |
| Kentucky | 21 | 1,676 |
| Louisiana | 6 | 600 |
| Maine | 14 | 1,137 |
| Maryland | 11 | 2,151 |
| Massachusetts | 40 | 2,238 |
| Michigan | 61 | 4,743 |
| Minnesota | 24 | 2,320 |
| Mississippi | 3 | 97 |
| Missouri | 18 | 2,546 |
| | | |

| State | Certifications | Estimated # of Workers |
|----------------|----------------|---------------------------|
| Montana | 3 | 42 |
| Nebraska | 9 | 940 |
| Nevada | 3 | 227 |
| New Hampshire | 10 | 578 |
| New Jersey | 24 | 1,685 |
| New Mexico | 3 | 11 |
| New York | 57 | 8,906 |
| North Carolina | 65 | 3,090 |
| North Dakota | 0 | 0 |
| Ohio | 50 | 2,965 |
| Oklahoma | 10 | 925 |
| Oregon | 29 | 1,287 |
| Pennsylvania | 90 | 6,460 |
| Puerto Rico | 1 | 42 |
| Rhode Island | 5 | 200 |
| South Carolina | 22 | 1,658 |
| South Dakota | 0 | 0 |
| Tennessee | 34 | 7,042 |
| Texas | 56 | 4,315 |
| Utah | 4 | 56 |
| Vermont | 4 | 88 |
| Virginia | 25 | 1,766 |
| Washington | 31 | 1,627 |
| West Virginia | 6 | 131 |
| Wisconsin | 50 | 4,828 |
| Wyoming | 0 | 0 |
| Total | 1,115 | 98,379 |

Table 5 - FY 2011 Certifications by Industry Sector

| | 2009 | Program | 2002 | ? Program | FY 2 | FY 2011 Total | |
|---|---------------|------------------------------|---------------|---------------------------|---------------|---------------------------|--|
| Industry Sector | # of Certs | Estimated # of Workers | # of Certs | Estimated # of Workers | # of Certs | Estimated # of Workers | |
| Manufacturing | 540 | 60,139 | 198 | 15,895 | 738 | 76,034 | |
| Professional, Scientific and Technical Services | 156 | 7,439 | 3 | 278 | 159 | 7,717 | |
| Finance and Insurance | 66 | 4,645 | 0 | 0 | 66 | 4,645 | |
| Wholesale Trade | 23 | 2,666 | 6 | 251 | 29 | 2,917 | |
| Administrative and Service, Waste Management and Remediation Services | 32 | 2,7 53 | 0 | 0 | 32 | 2,753 | |
| Transportation and Warehousing | 13 | 1,496 | 1 | 50 | 14 | 1,546 | |
| Information | 34 | 1,009 | 5 | 136 | 39 | 1,145 | |
| Accommodation and Food Services | 4 | 371 | 0 | 0 | 4 | 371 | |
| Health Care and Social Assistance | 5 | 354 | 0 | 0 | 5 | 354 | |
| Construction | 3 | 176 | 1 | 26 | 4 | 202 | |
| Utilities | 0 | 0 | 1 | 173 | 1 | 173 | |
| Agriculture, Forestry, Fishing and Housing | 1 | 7 | 2 | 166 | 3 | 173 | |
| Mining, Quarrying, and Oil and Gas Extraction | 1 | 83 | 3 | 51 | 4 | 134 | |
| Other Services | 3 | 68 | 2 | 16 | 5 | 84 | |
| Management of Companies and Enterprises | 3 | 73 | 0 | 0 | 3 | 73 | |
| Retail Trade | 1 | 26 | 0 | 0 | 1 | 26 | |
| Real Estate Rental and Leasing | 7 | 25 | 0 | 0 | 7 | 25 | |
| Arts, Entertainment and Social Assistance | 1 | 7 | 0 | 0 | 1 | 7 | |
| Total | 893 | 81,337 | 222 | 17,042 | 1,115 | 98,379 | |

Section 3: Delivery of Benefits and Services

During FY 2011, the Department continued to work to ensure that trade-affected workers received the benefits and services available to them under both the 2002 Program and the 2009 Program. States are responsible for directly administering

the benefits and services offered by the TAA Program. The Regional Trade Coordinators in the six Departmental regions provide state oversight and monitoring for TAA service delivery, with overall direction and guidance provided by National Office staff. Ensuring the consistent and timely delivery of those services nationwide continued to be a focus. Activity centered on furnishing guidance to the workforce system as legislative action first extended the 2009 Program for six weeks, and subsequently allowed for reversion to the 2002 Program.

Table 6 provides issue dates and links to the guidance documents issued during FY 2011 related to the TAA Program in the form of Training and Employment Notices (TEN), Training and Employment Guidance Letters (TEGL), Unemployment Insurance Program Letters (UIPL), or Employment and Training Orders (ETO).

Table 6 - FY 2011 Guidance Issued

| Date of Issuance | Guidance | |
|-------------------|--|--|
| November 10, 2010 | TEN NO. 14-10: Availability of an Electronic Submission Process | |
| | for Petitions for Trade Adjustment Assistance (TAA): ETA Form | |
| | 9042 (OMB Control No. 1205-0342) | |
| November 17, 2010 | TEGL NO. 13-10: Fiscal Year (FY) 2011 State Initial Allocations | |
| | the Process for Requesting Additional Trade Adjustment Assistance | |
| | (TAA) Program Reserve Funds | |
| December 15, 2010 | TEGL NO. 16-10: <u>Instructions for Phasing Out Changes to the</u> | |
| | Trade Act of 1974 Enacted by the Trade and Globalization | |
| | Adjustment Assistance Act of 2009 | |
| December 17, 2010 | ETO 1-11: Trade Adjustment Assistance Program (Trade Act of | |
| | 1974) - Designation of Certifying Officers | |
| January 14, 2011 | TEGL NO. 16-10 Change 1: The Effect of the Omnibus Trade Act of | |
| | 2010 on Phasing Out Changes to the Trade Act of 1974 Enacted by | |
| | the Trade and Globalization Adjustment Assistance Act of 2009 | |
| February 4, 2011 | TEGL NO. 16-10 Change 2: <u>Instructions for Phasing Out Changes</u> | |
| | to the Trade Act of 1974 Enacted by the Trade and Globalization | |
| | Adjustment Assistance Act of 2009 | |
| March 15, 2011 | UIPL 12-11: Heath Coverage Tax Credit (HCTC) for Eligible Trade | |
| | Adjustment Assistance Recipients - Expiration of American | |
| | Recovery and Reinvestment Act of 2009 Provisions Expanding | |
| 7 1 1 2 2011 | HCTC | |
| July 15, 2011 | TEGL NO. 02-11 Fiscal Year (FY) 2011 Second Distribution of Trade | |
| | Adjustment Assistance (TAA) Training Funds and Distribution of | |
| | Remainder of FY 2011 Training, Job Search and Relocation | |
| A (40 0044 | Allowance Funding | |
| August 19, 2011 | TEGL NO. 06-11 Instructions for Submitting Amendment Requests | |
| | to the Office of Trade Adjustment Assistance under the Trade Act of | |
| | <u>1974</u> | |

Total TAA Funding by State

The TAA Program provides funds to states for Training, Job Search and Relocation Allowances, Employment and Case Management Services, State Administration, TRA, and wage supplements in the form of ATAA and Reemployment Trade Adjustment Assistance for Older Workers (RTAA). In FY 2011, the total amounts allocated to states for these benefits were \$348,880,000 for Training; \$6,000,000 for Job Search and Relocation Allowances; \$70,032,012 for State Administration and Employment and Case Management Services; \$234,126,500 for TRA and \$43,227,212 for ATAA/RTAA for a total of \$702,265,694. Table 7 provides the amounts provided to each state for each of these benefits and services.

Table 7 - FY 2011 Total State TAA Funds

| State | Training | Administration* | Job Search & Relocation | TRA | ATAA/ RTAA | Total TAA |
|-------|--------------|-----------------|-------------------------------|--------------|---------------|--------------|
| AL | \$5,079,597 | \$1,130,871 | \$126,210 | \$3,612,000 | \$1,933,000 | \$11,881,678 |
| AK | \$0 | \$0 | \$0 | \$6,000 | \$0 | \$6,000 |
| AZ | \$1,614,780 | \$598,846 | \$44,192 | \$100,000 | \$382,000 | \$2,739,818 |
| AR | \$4,611,531 | \$1,055,316 | \$90,570 | \$5,657,000 | \$400,212 | \$11,814,629 |
| CA | \$7,793,707 | \$1,544,668 | \$170,747 | \$1,925,000 | \$895,000 | \$12,329,122 |
| CO | \$1,769,848 | \$621,327 | \$38,992 | \$769,000 | \$510,000 | \$3,709,167 |
| CT | \$2,414,440 | \$723,086 | \$72,797 | \$2,305,000 | \$155,000 | \$5,670,323 |
| DE | \$158,660 | \$374,160 | \$2,404 | \$50,000 | \$2,025,000 | \$2,610,224 |
| DC | \$208,000 | \$392,900 | \$78,000 | \$0 | \$0 | \$678,900 |
| FL | \$1,412,378 | \$566,890 | \$33,556 | \$445,000 | \$265,000 | \$2,722,824 |
| GA | \$5,747,725 | \$1,229,955 | \$118,641 | \$4,418,000 | \$960,000 | \$12,474,321 |
| HI | \$0 | \$0 | \$0 | \$15,000 | \$33,000 | \$48,000 |
| ID | \$2,905,448 | \$793,279 | \$49,746 | \$700,000 | \$165,000 | \$4,613,473 |
| IL | \$9,110,187 | \$1,745,436 | \$192,720 | \$12,619,000 | \$1,196,000 | \$24,863,343 |
| IN | \$12,053,295 | \$2,194,582 | \$243,917 | \$10,655,000 | \$1,925,000 | \$27,071,794 |
| IA | \$13,809,972 | \$2,449,084 | \$183,925 | \$5,567,000 | \$434,000 | \$22,443,981 |
| KS | \$1,764,074 | \$626,286 | \$77,828 | \$1,143,000 | \$294,500 | \$3,905,688 |
| KY | \$6,916,671 | \$1,413,381 | \$172,535 | \$6,939,000 | \$610,000 | \$16,051,587 |
| LA | \$1,011,241 | \$505,639 | \$26,348 | \$375,000 | \$295,000 | \$2,213,228 |
| ME | \$2,485,519 | \$733,008 | \$67,868 | \$2,329,000 | \$600,000 | \$6,215,395 |
| MD | \$835,083 | \$480,308 | \$33,634 | \$636,000 | \$163,000 | \$2,148,025 |
| MA | \$4,986,155 | \$1,111,865 | \$92,944 | \$1,950,000 | \$573,000 | \$8,713,964 |
| MI | \$55,101,237 | \$8,716,137 | \$673,007 | \$23,448,000 | \$5,790,000 | \$93,728,381 |
| MN | \$11,818,353 | \$2,142,765 | \$133,418 | \$6,362,000 | \$625,000 | \$21,081,536 |
| MS | \$1,310,930 | \$549,631 | \$19,947 | \$1,097,000 | \$789,000 | \$3,766,508 |
| MO | \$7,175,414 | \$1,447,371 | \$140,394 | \$3,000,000 | \$1,115,000 | \$12,878,179 |
| MT | \$1,720,975 | \$614,389 | \$41,615 | \$2,850,000 | \$332,000 | \$5,558,979 |

15

| State | Training | Administration* | Job Search & Relocation | TRA | ATAA/ RTAA | Total TAA |
|-------|---------------|-----------------|-------------------------------|---------------|---------------|---------------|
| NE | \$684,057 | \$455,608 | \$19,995 | \$500,000 | \$315,000 | \$1,974,660 |
| NV | \$0 | \$0 | \$0 | \$40,000 | \$10,000 | \$50,000 |
| NH | \$666,768 | \$452,484 | \$16,457 | \$849,000 | \$224,000 | \$2,208,709 |
| NJ | \$2,348,247 | \$710,092 | \$52,366 | \$2,672,000 | \$212,000 | \$5,994,705 |
| NM | \$1,550,122 | \$587,602 | \$33,894 | \$1,227,000 | \$100,000 | \$3,498,618 |
| NY | \$7,662,872 | \$1,534,925 | \$236,632 | \$3,584,000 | \$1,990,000 | \$15,008,429 |
| NC | \$20,835,675 | \$3,532,566 | \$381,434 | \$24,100,000 | \$1,206,000 | \$50,055,675 |
| ND | \$700,000 | \$470,000 | \$100,000 | \$542,000 | \$435,000 | \$2,247,000 |
| ОН | \$49,642,241 | \$7,844,595 | \$321,724 | \$23,250,000 | \$3,760,000 | \$84,818,560 |
| OK | \$1,630,541 | \$598,728 | \$27,645 | \$2,400,000 | \$405,000 | \$5,061,914 |
| OR | \$13,168,881 | \$2,351,146 | \$172,098 | \$8,105,000 | \$505,000 | \$24,302,125 |
| PA | \$13,503,952 | \$2,421,765 | \$307,816 | \$10,950,000 | \$2,354,000 | \$29,537,533 |
| PR | \$2,576,910 | \$761,300 | \$165,000 | \$20,000 | \$110,000 | \$3,633,210 |
| RI | \$1,588,601 | \$593,382 | \$33,941 | \$2,472,000 | \$101,000 | \$4,788,924 |
| SC | \$7,289,415 | \$1,465,755 | \$148,956 | \$3,145,000 | \$680,000 | \$12,729,126 |
| SD | \$725,226 | \$461,508 | \$18,162 | \$1,400,000 | \$225,000 | \$2,829,896 |
| TN | \$5,419,184 | \$1,181,285 | \$122,718 | \$3,740,000 | \$966,000 | \$11,429,187 |
| TX | \$9,657,675 | \$1,836,108 | \$249,706 | \$8,679,000 | \$1,019,000 | \$21,441,489 |
| UT | \$1,708,955 | \$611,949 | \$37,375 | \$2,743,000 | \$209,000 | \$5,310,279 |
| VT | \$275,230 | \$392,267 | \$6,548 | \$663,000 | \$190,000 | \$1,527,045 |
| VA | \$5,215,911 | \$1,151,175 | \$125,259 | \$5,609,000 | \$2,495,000 | \$14,596,345 |
| WA | \$6,443,667 | \$1,338,515 | \$146,430 | \$5,775,000 | \$551,000 | \$14,254,612 |
| WV | \$2,666,520 | \$760,264 | \$68,571 | \$6,931,000 | \$548,000 | \$10,974,355 |
| WI | \$29,104,100 | \$4,757,813 | \$281,318 | \$15,746,000 | \$2,150,000 | \$52,039,231 |
| WY | \$0 | \$0 | \$0 | \$12,500 | \$2,500 | \$15,000 |
| TOTAL | \$348,879,970 | \$70,032,012 | \$6,000,000 | \$234,126,500 | \$43,227,212 | \$702,265,694 |

^{*}Includes Employment and Case Management Services funds. If a state's adjusted initial allocation was less than \$100,000, the state received no initial allocation.

TAA Training Funds

The FY 2011 state training allocations included an initial allocation, a second allocation and supplemental reserve allocations. In summary, the Department:

Made an initial allocation of training funds to the states of \$143 million. The
statute required an initial distribution of training funds equal to 65 percent of
the funds available to carry out training for the fiscal year. Since no full year
appropriation had been made, the Department based this calculation on the
assumption that the total training cap for FY 2011 could be limited to \$220
million, the amount specified under the 2002 Program. This allocation was

- made under regulation at 20 CFR 618.910 which codified the 2009 Program formula distribution factors. Those factors are based upon the four most recent quarters of workload data for each state.
- Made a second formula allocation of training funds to the states on July 15, 2011 in the amount of \$107.3 million. That amount reflected the remainder of the funds available under the FY 2011 training cap (minus reserve requests granted). The formula was recalculated to reflect the most recent four quarters of workload data.
- Distributed \$104.6 million in funds to nine states that received approval of requests for reserve funds needed to cover unanticipated TAA training costs not covered by their formula allocation and expenses related to Job Search and Relocation Allowances for certified trade-affected workers.

Determining state funding levels for FY 2011 presented a unique challenge for the Department because of the uncertainty about the training cap that would apply to FY 2011, as well as the series of short-term appropriations and delay in obtaining the full-fiscal year appropriation. As shown in Table 8 during the first quarter of FY 2011, October 1, 2010 though December 31, 2010, the law governing the 2009 Program was in effect and authorized \$143,750,000 for training; January 1, 2011 through February 12, 2011, the short-term extension of the 2009 Program, the Omnibus Trade Act of 2010, was in effect and authorized \$66,500,000 for training; and finally, February 13, 2011 through September 30, 2011, the law governing the 2002 Program was in effect and, as prorated from a \$220 million annual training cap, authorized \$138,629,970 for training. These amounts totaled \$348,879,970, the total training cap applicable to FY 2011 for the TAA Program.

Table 8 - FY 2011 Training Cap Derivation and Job Search and Relocation Funding

| Time Period | Funding Amount | Authority |
|--|----------------|-----------------------------|
| October 1, 2010 - December 31, 2010 | \$ 143,750,000 | TGAAA |
| | + | |
| January 1, 2011 - February 12, 2011 | \$ 66,500,000 | Omnibus Trade Act |
| | + | |
| February 13, 2011 - September 30, 2011 | \$ 138,629,970 | Prorated \$220 million |
| | = | training cap under the 2002 |
| | | Program |
| FY 2011 Training Cap | \$ 348,879,970 | |
| | + | |
| Job Search and Relocation Allowance | \$ 6,000,000 | TGAAA, Omnibus Trade |
| | = | Act, 2002 Program |
| Total FY 2011 Training and Job | \$ 354,879,970 | |
| Search and Relocation Allowance | | |
| Funds to be Distributed | | |

Both the initial and second formula allocations in FY 2011 followed the methodology described in 20 CFR 618.910. The funding formula applied four equally weighted factors to determine the funding amounts of each state's allocation:

- 1. The trend in the number of workers covered by certifications of eligibility during the most recent four consecutive quarters for which data was available. The trend was established by assigning a greater weight to the most recent quarters, giving those quarters a larger share of the factor;
- 2. The trend in the number of workers participating in training during the most recent four consecutive calendar quarters for which data was available. The trend was established by assigning a greater weight to the most recent quarters, giving those quarters a larger share of the factor;
- 3. The number of workers estimated to be participating in training during the fiscal year; and
- 4. The amount of funding estimated to be necessary to provide approved training to such workers during the fiscal year.

After the four factors described above were calculated, the statutory Hold Harmless provision ensured that the amount of the initial allocation to a state was not less than 25 percent of the initial allocation to that state in FY 2010. The funding formula made adjustments if necessary if any state's initial allocation was less than 25 percent of FY 2010.

After the Hold Harmless provision was taken into account, the Minimum Initial Allocation Provision of the regulation required that if a state's adjusted initial allocation was less than \$100,000, that state received no initial allocation, and the funds that otherwise would have been allocated to that state were shared among the rest of the states. The District of Columbia, Alaska, Hawaii, Nevada, North Dakota, Puerto Rico and Wyoming did not receive an initial allocation for FY 2011 due to the Minimum Initial Allocation provision.

As required under 20 CFR 618.920, the remaining 35 percent of training funds for FY 2011 were held in reserve for any state that required additional training funds. In FY 2011, reserve funds totaling \$104.6 million were distributed to states that required supplemental funds. These states submitted a reserve request and provided a justification and data demonstrating need. States that did not receive an initial allocation were required to submit a reserve request for needed funds. The District of Columbia, Puerto Rico, and North Dakota, which did not receive an initial allocation, submitted reserve requests and were given supplemental reserve allocations. Iowa, Michigan, Minnesota, Oregon, Ohio, and Wisconsin received initial allocations and also submitted a request for (and were provided) supplemental reserve allocations.

Consistent with 20 CFR 618.930, which requires that at least 90 percent of the total training funds be distributed by July 15 of the fiscal year, the Department distributed 100 percent of the remaining training funds (\$101.7 million) to all states that received an initial allocation on July 15, 2011 using the funding formula. In addition, \$6 million was allotted for Job Search and Relocation Allowances for the fiscal year. These Job Search and Relocation funds were not distributed by formula in the initial distribution; states were instructed to submit requests for these funds throughout the year as needed. After all requests for reserve funds to cover Job Search and Relocation Allowances were funded, \$5,567,000 remained. These remaining funds were distributed among the states using the formula as part of the second distribution.

An additional 15 percent of the allocated funds were distributed to the states for Administration and Employment and Case Management Services with every distribution. For every state that received funds, an additional \$350,000 in Employment and Case Management funds authorized under the 2009 Program was provided.

Section 4: Participant Data and Outcomes

Participant Profile on New Participants in FY 2011

The TAA Program serves a unique population of displaced workers, comprised of older workers with longer job tenures and lower levels of education than the general dislocated worker population. These workers are served by the TAA Program through intensive retraining, as well as other benefits and services that serve the needs of this unique population. The demographic characteristics of TAA participants have remained largely unchanged from FY 2010, as demonstrated by the average demographic composition of New TAA Participants entering the TAA Program in FY 2011.

Table 9 - FY 2011 New TAA Participants Profile *

| Participants Description | FY 2010 (Average) | FY 2011 (Average) |
|--|--|--|
| Gender | Male (60.7%) | Male (55%) |
| Race | White (66.5%) | White (64.1%) |
| Education | High School Diploma, GED or less (64.1%) | High School Diploma, GED or less (63%) |
| Age | 46.7 | 47.4 |
| Tenure of Trade-Affected Employment | 13.75 years | 15.5 years |

^{*} This chart reflects participants served under both the 2009 and 2002 TAA Programs.

The TAA Program includes a range of benefits and services (with varying eligibility criteria), of which participants may receive one or more. Of all TAA participants served in FY 2011, 44 percent were enrolled in training, 24 percent received TRA, and approximately 4 percent received ATAA or RTAA. With regard to FY 2011 TRA recipients, because all available UI benefits must be completely exhausted before TRA benefits can be accessed, the availability of Emergency Unemployment Compensation (EUC) reduced or replaced TRA payments in many cases, and is reflected in the TRA activity level. This was also the case in FY 2010.

Both training participants and TRA recipients may receive more than one relevant benefit sub-type (for example, a TRA recipient may receive both Basic TRA and Additional TRA, or may participate in both a program of remedial education and Occupational Training) in a given period, so the sum of sub-types of Training and TRA in the table below does not add up to the respective totals.

Table 10 - TAA Participants by Benefit or Service*

| Participant Benefit or Service** | Number of Participants FY 2011 | Percentage of Participants FY 2011 |
|-------------------------------------|--------------------------------------|--|
| TAA (All) | 196,030 | - |
| Case Management | 161,305 | 82.3% |
| Training | 86,523 | 44.1% |
| Occupational | 79,162 | 40.4% |
| Remedial | 19,503 | 9.9% |
| Prerequisite | 1,225 | 0.6% |
| Customized | 206 | 0.1% |
| On the Job | 914 | 0.5% |
| Distance Learning | 2,235 | 1.1% |
| Part Time Training | 691 | 0.3% |
| TRA | 25,689 | 23.6% |
| Basic | 10,192 | 15.8% |
| Additional | 19,053 | 12.6% |
| Remedial | 2,695 | 1.9% |
| Job Search Allowances | 343 | 0.15% |
| Relocation Allowances | 403 | 0.17% |
| ATAA/RTAA | 1,133 | 0.58% |

^{*} This chart reflects participants served under both the 2009 Program and the 2002 Program.

^{**}The Department is continuing to work on methods to effectively collect data on Rapid Response services.

Training Waivers Issued in FY 2011

Waivers issued by states in accordance with statutory requirements allow workers to receive TRA in certain situations in which the worker is not enrolled in training. Under the 2002 Program and the 2009 Program, there are six different bases for which waivers are available: the worker has marketable skills for suitable employment; the worker will be recalled to work reasonably soon; the worker is within two years of eligibility for a pension or social security; the worker is unable to participate in or complete training due to a health condition; an enrollment date is not immediately available; and no training program is available. The waiver application deadlines vary between the 2002 Program and the 2009 Program. Of note, under the 2011 Program, three waivers - marketable skills, recall, and retirement - were eliminated. For more information on the different training waivers and deadlines under all three TAA Programs, please see Attachment A.

In FY 2011, the total number of training waivers issued decreased from the number issued in FY 2010 by 42 percent. Additionally, since FY 2009, the number of total waivers issued by the states has decreased, and continues to decline.

| Table II - Trainin | g waivers | Issuea in | FY 2011* |
|--------------------|-----------|-----------|----------|
| | | | |

| Training Waiver Type | FY 2008 | FY 2009 | FY 2010 | FY 2011 |
|-------------------------------|---------|---------|---------|---------|
| Recall | 508 | 777 | 2,378 | 2,619 |
| Marketable Skills | 44,189 | 66,493 | 71,770 | 36,341 |
| Retirement | 2,696 | 3,272 | 3,602 | 2,182 |
| Health | 194 | 242 | 188 | 142 |
| Enrollment Unavailable | 9,415 | 15,635 | 7,198 | 7,363 |
| Training Unavailable | 3,498 | 7,770 | 4,828 | 3,157 |
| Waivers Issued (Total) | 60,500 | 94,189 | 89,964 | 51,804 |

^{*} This chart reflects participants served under both the 2009 and 2002 TAA Programs.

Benefit and Service Information Collected at Program Exit

The numbers in this section reflect information on those workers who exited the program between July 1, 2010 and June 30, 2011. Almost half of the workers exiting the TAA Program in this period received training at some point in their participation. Of those who received training, 70 percent completed training, and 30 percent did not complete training.

Table 12 - Average Duration of TAA Benefits and Services*

| Benefit or Service | Average Duration (Days) |
|----------------------------------|-------------------------|
| TAA Participation (All services) | 565 |
| TAA Training (Completed) | 427 |
| TRA | 121 |
| Employment and Case Management | 343 |

The average duration of TRA reflected in the chart above was significantly lower than it would have been if EUC had not been available. Weeks of EUC received reduced the number of weeks of TRA collected by eligible workers.

Performance Outcomes

Performance outcomes are based on data reported in FY 2011 for workers who exited the program during various periods prior to FY 2011. This lag is caused by the need to collect wage record data for activity that occurs during the four quarters after a worker exits the program. Information is reported as it becomes available.

The Trade Act Participant Report (TAPR) was designed to allow for the collection of two sets of performance measures on employment outcomes, each of which contain the same three measures. Those are: (1) Entered Employment Rate (EER), which tracks the percentage of those who obtained employment in a report quarter shortly after program exit (the reference quarter differs for the two measures); (2) Employment Retention Rate (ERR), which tracks whether those same employed individuals retained their job for an additional two quarters, and; (3) Average Earnings (AE), which represents total earnings in the second and third quarters after the exit quarter. The difference between the two sets of measures relates to the quarters in which the performance is tracked. The first, known as Common Measures, is a consistent set of measures used to assess performance across all ETA workforce programs, and tracks the measures described above based on the first, second, and third quarter after a participant exits a program. The second set of measures, known as Trade Act Measures, corresponds to core indicators mandated by the TGAAA, and tracks the measures based on the second, third and fourth quarters after exit.

It is important to note that, for both sets of measures, only those participants who have entered employment in the initial quarter are considered when calculating the ERR and the AE.

The table below reflects Common Measures outcomes achieved by all TAA participants who exited the program between January 1, 2010 and December 31, 2010 for EER, and July 1, 2009 and June 30, 2010 for ERR and AE.

Table 13 - Common Measures Performance Results Reported in FY 2011 for TAA Exiters*

| Measure | Common Measures Performance Results | Performance Goals |
|-----------------------------|--|-------------------|
| Entered Employment Rate | 66% | 62.7% |
| Employment Retention Rate | 90% | 83.9% |
| Average Earnings (6 months) | \$18,184 | \$13,391 |

^{*} This chart reflects participants served under both the 2009 Program and the 2002 Program.

The table below reflects Trade Act Measures outcomes achieved by all TAA participants who exited the program between October 1, 2009 and September 30, 2010 for EER, and April 1, 2009 and March 31, 2010 for ERR and AE.

Table 14 - Trade Act Measures Performance Results Reported in FY 2011 for TAA Exiters*

| Measure | Trade Act Measures Performance Results |
|-----------------------------|---|
| Entered Employment Rate | 67% |
| Retained Employment Rate | 90% |
| Average Earnings (6 months) | \$17,658 |

^{*} This chart reflects participants served under both the 2009 Program and the 2002 Program.

The table below reflects Common Measures outcomes achieved by those who participated in training and exited the program between January 1, 2010 and December 31, 2010 for EER, and July 1, 2010 and June 30, 2011 for ERR and AE. Compared to the general TAA population at large, this group of workers had a higher EER and ERR. The lower salary may be explained by the fact that those who have the capacity to make higher earnings likely do not participate in training.

Table 15 - TAA Common Measures Performance Results Reported in FY 2011 for Training Participants*

| Measure | Common Measures Performance Results |
|-----------------------------|--|
| Entered Employment Rate | 70.3% |
| Employment Retention Rate | 91.5% |
| Average Earnings (6 months) | \$15,543 |

^{*} This chart reflects participants served under both the 2009 and 2002 TAA Programs.

The table below reflects Common Measures outcomes achieved by those who earned a credential through the TAA Program and exited the program between

January 1, 2010 and December 31, 2010 for EER, and July 1, 2010 and June 30, 2011 for ERR and AE. Of those workers who completed training, 45 percent received a credential. This is a newly-instituted reporting requirement for the states, and the Department believes it is being under-reported. The Department is working with the states to improve the reporting accuracy in FY 2012.

Table 16 - TAA Common Measures Performance Results Reported in FY 2011 for Participants Who Earned Credentials*

| Measure | Common Measures Performance Results |
|-----------------------------|--|
| Entered Employment Rate | 77.1% |
| Employment Retention Rate | 92.6% |
| Average Earnings (6 months) | \$15,596 |

^{*} This chart reflects participants served under both the 2009 and 2002 TAA Programs.

The information below provides information on the industry sector of reemployment for program participants who entered employment in the second quarter after program exit. This is a new data element that states were first required to collect in FY 2010, so this information is not available for all data records. Additionally, the Department is working closely with the states to find ways to increase reporting and accuracy of this data element.

Table 17 - Top Five Industry Sectors of Reemployment*

| Industry Sector of Reemployment | Total Count (Percentage of Total) * |
|--|-------------------------------------|
| Manufacturing | 3,288 (45%) |
| Administrative and Support and Waste Management and Remediation Services | 1,031 (14%) |
| Health Care and Social Assistance | 438 (6%) |
| Wholesale Trade | 261 (4%) |
| Professional, Scientific, and Technical Services | 233 (3%) |

^{*} This chart reflects participants served under both the 2009 Program and 2002 Program.



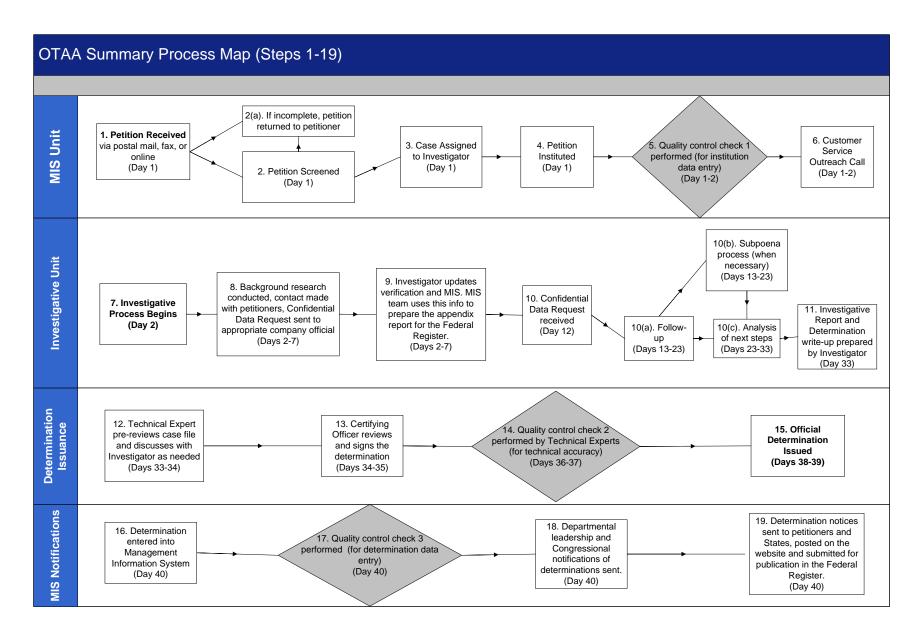
Attachment A - 2002, 2009, and 2011 Programs



| | 2002 TAA Program | 2009 TAA Program | 2011 TAA Program |
|--|---|--|---|
| | Manufacturing sector workers ONLY | Manufacturing sector workers | Manufacturing sector workers |
| | ~~~~~~~~~~~~~~~ | Service sector workers | Service sector workers |
| Group Eligibility: Defines the worker group that is eligible to apply for and potentially receive benefits through the TAA program | Workers who have lost their jobs because their company's decline in production and/or sales was due to increased imports or the outsourcing of jobs to a country with which the US has a Free Trade Agreement | Public sector workers ITC workers (those who work for a firm that has been identified by the International Trade Commission as a domestic industry that has been injured/is a party to a market disruption) Workers who have lost their jobs because their company's decline in production and/or sales was due to increased imports or outsourcing to ANY country | ITC workers (those who work for a firm that has been identified by the International Trade Commission as a domestic industry that has been injured/is a party to a market disruption) Workers who have lost their jobs because their company's decline in production and/or sales was due to increased imports or outsourcing to ANY country |
| Trade Readjustment Allowances (TRA): Income support available in the form of weekly cash payments to workers who are enrolled in a full-time training course. | Up to 104 weeks of TRA available to workers enrolled in full-time training. OR Up to 130 weeks of TRA available to workers enrolled in remedial training. Must enroll in training by within 8 weeks of certification or 16 weeks of layoff | Up to 130 weeks of TRA available to workers enrolled in full-time training. OR Up to 156 weeks of TRA available to workers enrolled in remedial or prerequisite training. Must enroll within 26 weeks of either certification or layoff | Up to 130 weeks of TRA available to workers enrolled in full-time training, the last 13 of which are only available if needed for completion of a training program and training benchmarks are met. Must enroll within 26 weeks of either certification or layoff |
| | The worker will be recalled to work reasonably soon | The worker will be recalled to work reasonably soon | The worker is unable to participate in or complete training due to a health condition |
| <u>Training Waivers</u> Basic TRA is payable if an individual participates in TAA training OR is under a waiver of | The worker has marketable skills for suitable employment and a reasonable expectation of employment in the foreseeable future | The worker has marketable skills for suitable employment and a reasonable expectation of employment in the foreseeable future | No training program is available An enrollment date is not immediately available |
| the requirement to participate in training. Training may be determined not feasible or appropriate and waived as a requirement for basic TRA eligibility for the following | 3. The worker is within two years of eligibility for a pension or social security | 3. The worker is within two years of eligibility for a pension or social security | avanabic |
| | 4. The worker is unable to participate in or complete training due to a health condition | The worker is unable to participate in or complete training due to a health condition | |
| | 5. No training program is available | 5. No training program is available | |
| reasons: | 6. An enrollment date is not immediately available | 6. An enrollment date is not immediately available | |

| | 2002 TAA Program | 2009 TAA Program | TAA Extension Act of 2011 |
|---|--|--|---|
| Training Funding: Annual funding cap for training funding that goes to the states each year. Case Management Funding: Funds that are provided to states for case management and employment services. | \$220 Million Cap Applies to Training Funds Only An additional 15% above the amount provided for training is available for Administration. Additional funds are available for Job search and Relocation Allowances. No funds are available for Case Management and Employment Services. | \$575 Million Cap Applies to Training Funds Only An additional 15% above the amount provided for training is available for Administration, and Case Management and Employment Services. At least 1/3 of these funds must be used for Case Management and Employment Services. States also receive \$350,000/year for case management and employment services. Additional funds are available for Job Search and Relocation Allowances. | \$575 Million Cap Applies to Training, Job Search and Relocation Allowances, Case Management and Employment Services, and associated Administration. No more than 10% of the amount provided may be spent for Administration; No less than 5% or the amount provided may be spent for Case Management and Employment Services. DOL may recapture from the states funds remaining unobligated after two or three years and distribute such funds to states in need of funds. |
| Job Search Allowances: A cash allowance provided to workers who cannot find an available job within the commuting area (e.g. 50 miles). Used to cover transportation costs, etc. | 90% of allowable job search costs, up to a maximum of \$1,250 | 100% of allowable job search costs, up to a maximum of \$1,500 | Up to 90% of allowable job search costs, up to a maximum of \$1,250, available at state discretion |
| Relocation Allowances: A cash allowance provided to workers who have to accept a job outside of their commuting area and relocate | 90% of allowable relocation costs, plus an additional lump sum payment of up to \$1,250 | 100% of allowable relocation costs, plus an additional lump sum payment of up to \$1,500 | Up to 90% of allowable relocation costs, plus an additional lump sum payment of up to \$1,250, available at state discretion |
| Health Coverage Tax Credit: A tax credit offered to TAA participants to help pay for qualified health insurance premiums of the worker and their family | 65% of qualifying health insurance premium costs | 80% of qualifying health insurance premium costs | 72.5% of qualifying health insurance premium costs |
| Alternative Trade Adjustment | Alternative Trade Adjustment Assistance | Reemployment Trade Adjustment Assistance | Reemployment Trade Adjustment Assistance |
| Assistance/Reemployment Trade Adjustment Assistance | Requires a separate group certification | Does not require a separate group certification | Does not require a separate group certification |
| A wage subsidy provided to eligible workers over the age of 50 that subsidizes a portion of the | Available to workers earning less than an annual salary of \$50,000 | Available to workers earning less than an annual salary of \$55,000 | Available to workers earning less than an annual salary of \$50,000 |
| wage difference between their new wage and their old wage(up | Maximum total benefit of up to \$10,000 | Maximum total benefit of up to \$12,000 | Maximum total benefit of up to \$10,000 |
| to a specified maximum amount) | Training benefit NOT available | Training benefit is also available | Training benefit is also available |

Attachment B



| State | Congressional District | Certifications |
|----------|---------------------------|----------------|
| na | 2 | 3 |
| Alabama | 4 | 13 |
| Ala | CDU* | 1 |
| Total | | 17 |
| | 1 | 3 |
| Arkansas | 2 | 1 |
| rka | 3 | 7 |
| ٧ | 4 | 4 |
| Total | | 15 |
| | 3 | 3 |
| rs. | 4 | 2 |
| Arizona | 5 | 1 |
| Ariz | 7 | 3 |
| | 8 | 1 |
| | CDU* | 2 |
| Total | | 12 |
| | 1 | 2 |
| | 3 | 1 |
| | 5 | 1 |
| | 6 | 1 |
| | 7 | 1 |
| | 8 | 2 |
| | 9 | 1 |
| | 11 | 2 |
| | 13 | 2 |
| a | 14 15 | 1 |
| rnia | 16 | 5 |
| Califo | 17 | 2 |
| ర | 20 | 1 |
| | 21 | 1 |
| | 23 | 1 |
| | 24 | 7 |
| | 25 | 1 |
| | 26 | 1 |
| | 27 | 2 |
| | 28 | 1 |
| | 29 | 3 |
| | 30 | 3 |
| | | |

| | Congressional | |
|-------------|---------------|----------------|
| State | District | Certifications |
| | 31 | 1 |
| | 33 | 2 |
| | 34 | 4 |
| | 35 | 1 |
| | 36 | 4 |
| | 37 | 2 |
| | 38 | 1 |
| | 39 | 1 |
| California | 41 | 1 |
| ifor | 43 | 1 |
| Cal | 45 | 1 |
| | 46 | 3 |
| | 47 | 5 |
| | 48 | 8 |
| | 49 | 2 |
| | 50 | 4 |
| | 52 | 1 |
| | 53 | 1 |
| | CDU* | 8 |
| Total | | 97 |
| | 1 | 5 |
| | 2 | 3 |
| <u>0</u> | 3 | 1 |
| Colorado | 4 | 3 |
| Solc | 5 | 1 |
|) | 6 | 2 |
| | 7 | 1 |
| | CDU* | 1 |
| Total | | 17 |
| | 1 | 15 |
| cut | 2 | 2 |
| Connecticut | 3 | 12 |
|)uu | 4 | 4 |
| ວິ | 5 | 5 |
| | CDU* | 1 |
| Total | | 39 |
| DC | CD of DC | 1 |
| Total | | 1 |
| DE | CD of DE | 1 |
| Total | | 1 |

| State | Congressional District | Certifications |
|---------|------------------------|----------------|
| | 4 | 1 |
| | 6 | 1 |
| | 9 | 1 |
| | 10 | 1 |
| _ | 11 | 2 |
| Florida | 13 | 1 |
| Floi | 14 | 1 |
| | 19 | 1 |
| | 21 | 2 |
| | 22 | 2 |
| | 25 | 2 |
| | CDU* | 2 |
| Total | | 17 |
| | 1 | 2 |
| | 2 | 2 |
| | 5 | 3 |
| æ | 6 | 1 |
| Georgia | 8 | 1 |
| gec | 9 | 1 |
| | 11 | 1 |
| | 12 | 1 |
| | 13 | 2 |
| | CDU* | 7 |
| Total | | 21 |
| | 1 | 3 |
| o o | 3 | 3 |
| lowa | 4 | 4 |
| _ | 5 | 1 |
| | CDU* | 2 |
| Total | | 13 |
| daho | 1 | 2 |
| Ida | 2 | 2 |
| Total | | 4 |

| State | Congressional District | Certifications |
|-----------|---------------------------|----------------|
| | 1 | 1 |
| | 3 | 1 |
| | 6 | 3 |
| | 7 | 5 |
| | 8 | 3 |
| | 10 | 6 |
| Illinois | 11 | 1 |
| III i | | 4 |
| | 15 | |
| | 16 | 2 |
| | 17 | 3 |
| | 18 | 1 |
| | 19 | 1 |
| | CDU* | 5 |
| Total | | 36 |
| | 2 | 1 |
| | 3 | 6 |
| | 4 | 3 |
| na | 5 | 4 |
| Indiana | 6 | 4 |
| lu I | 7 | 3 |
| | 8 | 2 |
| | 9 | 4 |
| | CDU* | 1 |
| Total | | 28 |
| Kansas | 3 | 3 |
| ans | 4 | 3 |
| | CDU* | 2 8 |
| Total | _ | |
| | 1 | 2 |
| Α. | 2 | 4 |
| Kentucky | 3 | 3 |
| ent | 4 5 | 2 |
| Ke | | |
| | 6 CDU* | 6 |
| Total | CDO | 3 21 |
| Total | 2 | |
| ına | 3 | 2 |
| isia | 4 | 2 |
| Louisiana | 5 | 1 |
| | CDU* | 1 |
| Total | | 6 |

| | Congressional | |
|---------------|---------------|----------------|
| State | District | Certifications |
| S | 1 | 4 |
| | 2 | 3 |
| | 3 | 9 |
| Massachusetts | 4 | 1 |
| hus | 5 | 8 |
| ssac | 6 | 2 |
| Nas | 8 | 1 |
| _ | 9 | 7 |
| | 10 | 1 |
| | CDU* | 4 |
| Total | | 40 |
| _ | 2 | 1 |
| and | 3 | 3 |
| Maryland | 5 | 1 |
| Ma | 6 | 3 |
| | CDU* | 3 |
| Total | | 11 |
| ine | 1 | 5 |
| Ma | 2 | 9 |
| Total | | 14 |
| | 1 | 3 |
| | 2 | 5 |
| | 3 | 7 |
| | 4 | 3 |
| | 5 | 3 |
| | 6 | 4 |
| gan | 7 | 3 |
| | 8 | 3 |
| Mich | 9 | 8 |
| | 10 | 4 |
| | 11 | 6 |
| | 12 | 3 |
| | 13 | 4 |
| | 14 | 2 |
| | CDU* | 3 |
| Total | | 61 |

| | Congressional | |
|----------------|---------------|----------------|
| State | District | Certifications |
| ita | 1 | 2 |
| | 2 | 2 |
| | 3 | 6 |
| Minnesota | 4 | 2 |
| inn | 5 | 5 |
| Σ | 6 | 2 |
| | 7 | 2 |
| | CDU* | 3 |
| Total | | 24 |
| | 1 | 5 |
| | 2 | 1 |
| uri | 5 | 2 |
| Missou | 7 | 3 |
| Μi | 8 | 3 |
| | 9 | 2 |
| | CDU* | 2 |
| Total | | 18 |
| issippi | 1 | 1 |
| Miss | CDU* | 2 |
| Total | | 3 |
| Aontana | CD of MT | 2 |
| Mor | CDU* | 1 |
| Total | | 3 |
| | 1 | 1 |
| | 2 | 3 |
| | 4 | 6 |
| | 5 | 6 |
| na | 6 | 8 |
| roli | 7 | 2 |
| ı Ca | 8 | 6 |
| North Carolina | 9 | 2 |
| N | 10 | 11 |
| | 11 | 2 |
| | 12 | 4 |
| | 13 | 8 |
| | CDU* | 6 |
| Total | | 65 |

| State | Congressional District | Certifications |
|-------------|---------------------------|----------------|
| i <u>c</u> | 1 | 2 |
| Nebraska | 2 | 3 |
| ebr | 3 | 2 |
| Z | CDU* | 2 |
| Total | | 9 |
| , hire | 1 | 4 |
| New mpsh | 2 | 4 |
| Haı | CDU* | 2 |
| Total | | 10 |
| | 1 | 3 |
| | 2 | 1 |
| | 3 | 1 |
| | 5 | 1 |
| ey | 6 | 1 |
| lers | 7 | 3 |
| New Jersey | 8 | 2 |
| Ne | 9 | 1 |
| | 11 | 3 |
| | 12 | 1 |
| | 13 | 1 |
| | CDU* | 6 |
| Total | | 24 |
| ΣN | 1 | 2 |
| | CDU* | 1 |
| Total | | 3 |
| N | 3 | 3 |
| Total | | 3 |
| | 2 | 2 |
| | 8 | 2 |
| | 10 | 1 |
| | 12 | 1 |
| ž | 14 | 3 |
| New York | 17 | 1 |
| | 18 | 2 |
| | 19 | 2 |
| | 20 | 4 |
| | 21 | 1 |
| | 22 | 3 |
| | 23 | 4 |

| State | Congressional District | Certifications |
|------------|---------------------------|----------------|
| | 24 | 2 |
| | 25 | 7 |
| New York | 26 | 2 |
| ≯ | 27 | 5 |
| Ne | 28 | 1 |
| | 29 | 8 |
| | CDU* | 6 |
| Total | | 57 |
| | 2 | 3 |
| | 3 | 1 |
| | 4 | 4 |
| | 5 | 12 |
| | 6 | 4 |
| | 7 | 4 |
| | 8 | 2 |
| . <u>e</u> | 10 | 3 |
| Ohio | 11 | 2 |
| | 12 | 2 |
| | 14 | 2 |
| | 15 | 2 |
| | 16 | 1 |
| | 17 | 1 |
| | 18 | 4 |
| | CDU* | 3 |
| Total | | 50 |
| р | 1 | 3 |
| dahoma | 3 | 3 |
| | 5 | 3 |
| ō | CDU* | 1 |
| Total | | 10 |
| | 1 | 7 |
| | 2 | 3 |
| Oregon | 3 | 3 |
| | 4 | 13 |
| | 5 | 1 |
| | CDU* | 2 |
| Total | | 29 |

| State | Congressional District | Certifications |
|----------------|---------------------------|----------------|
| | 2 | 3 |
| | 3 | 8 |
| | 4 | 3 |
| | 5 | 9 |
| | 6 | 10 |
| | 7 | 1 |
| | 9 | 5 |
| nia | 10 | 3 |
| Pennsylvania | 11 | 7 |
| nsy | 12 | 8 |
| eni | 13 | 4 |
| <u> </u> | 14 | 2 |
| | 15 | 4 |
| | 16 | 5 |
| | 17 | 6 |
| | 18 | 6 |
| | 19 | 5 |
| | CDU* | 1 |
| Total | 656 | 90 |
| PR | CD of PR | 1 |
| Total | 02 01111 | 1 |
| | 1 | 1 |
| <u>~</u> | 2 | 4 |
| Total | _ | 5 |
| | 2 | 1 |
| South Carolina | 3 | 2 |
| aro | 4 | 3 |
| h C | 5 | 7 |
| out | 6 | 6 |
| Š | CDU* | 3 |
| Total | | 22 |
| | 1 | 8 |
| | 2 | 4 |
| | 3 | 1 |
| ee | 4 | 1 |
| Tennessee | 5 | 4 |
| uu | 6 | 3 |
| Te | 7 | 1 |
| | 8 | 7 |
| | 9 | 3 |
| | CDU* | 2 |
| Total | | |

| State | Congressional District | Certifications |
|----------|------------------------|----------------|
| | 1 | 2 |
| | 3 | 3 |
| | 4 | 3 |
| | 6 | 2 |
| | 7 | 2 |
| | 10 | 3 |
| | 12 | 1 |
| | 16 | 5 |
| | 17 | 2 |
| | 18 | 2 |
| Texas | 21 | 1 |
| Te | 22 | 1 |
| | 23 | 1 |
| | 24 | 4 |
| | 25 | 1 |
| | 26 | 6 |
| | 28 | 1 |
| | 30 | 1 |
| | 31 | 1 |
| | 32 | 5 |
| | 40 | 1 |
| | CDU* | 8 |
| Total | | 56 |
| ے | 1 | 1 |
| Jtah | 3 | 2 |
| | CDU* | 1 |
| Total | | 4 |
| | 1 | 3 |
| | 4 | 1 |
| ia | 5 | 5 |
| Virginia | 6 | 1 |
| Ϊ́ | 7 | 4 |
| | 9 | 8 |
| | CDU* | 3 |
| Total | | 25 |
| ۲ | CD of VT | 3 |
| | CDU* | 1 |
| Total | | 4 |

FY 2011 TAA Certifications by Congressional District

| State | Congressional District | Certifications |
|--------------------|---------------------------|----------------|
| | 1 | 2 |
| | 2 | 2 |
| | 3 | 2 |
| uo: | 4 | 2 |
| ingi | 5 | 5 |
| Washington | 6 | 6 |
| Š | 7 | 2 |
| | 8 | 3 |
| | 9 | 6 |
| | CDU* | 1 |
| Total | | 31 |
| | 1 | 8 |
| | 2 | 2 |
| | 3 | 5 |
| Wisconsin | 4 | 2 |
| 1008 | 5 | 14 |
| Wis | 6 | 7 |
| | 7 | 3 |
| | 8 | 6 |
| | CDU* | 3 |
| Total | | 50 |
| ä t | 1 | 3 |
| Vest rgini | 3 | 1 |
| y ii> | CDU* | 2 |
| Total | | 6 |
| Grand [*] | Total | 1115 |

*Congressional District Unavailable (CDU) accounts for certified TAA petitions with either multiple locations or tele-workers working remotely from various locations within a particular state.