

**2020 Trade Adjustment Assistance for Workers (TAA) Final Rule**  
**Crosswalk of New Code of Federal Regulation (CFR) Provisions to the**  
**Source/Origin of Each Requirement**

2020 TAA FINAL RULE <sup>1</sup> CFR SECTION (20 CFR)	SOURCE <sup>2</sup>
<b>Subpart A – General</b>	
Section 618.100 (Purpose and scope.)	20 CFR 617.1, 617.2
Section 618.110 (Definitions.)	
▪ <i>Act</i>	20 CFR 617.3, 29 CFR 90.2
▪ <i>Administrator</i>	DOL (see Sec. 249A(a) and (b))
▪ <i>Adversely affected employment</i>	20 CFR 617.3(b), Sec. 247(1)
▪ <i>Adversely affected worker</i>	20 CFR 617.3(c), Sec. 247(2)
▪ <i>Adversely affected incumbent worker</i>	Sec. 247(18)
▪ <i>Agent State</i>	20 CFR 617.3(aa)(2), 617.16(e)
▪ <i>Applicable State law</i>	20 CFR 617.16(a), Sec. 232(a)(2), 239(e), 247
▪ <i>Appropriate subdivision</i>	29 CFR 90.2, Sec. 247(3)
▪ <i>Appropriate week</i>	20 CFR 617.3(d)
▪ <i>Approved training</i>	Sec. 236(a)(1)
▪ <i>Article</i>	DOL, case law, current practice
▪ <i>Average weekly hours</i>	20 CFR 617.3(e)
▪ <i>Average weekly wage</i>	20 CFR 617.3(f)
▪ <i>Benefit period</i>	20 CFR 617.3(h)
▪ <i>Certification</i>	20 CFR 617.3(j)(1)
▪ <i>Certification date</i>	DOL
▪ <i>Certification period</i>	20 CFR 617.3(j)(2)
▪ <i>Certifying officer</i>	29 CFR 90.2, Sec. 249A
▪ <i>Co-enrollment</i>	DOL, current practice, WIOA Common Performance Reporting (OMB Control No. 1205-0526)
▪ <i>Commission</i>	29 CFR 90.2
▪ <i>Commuting area</i>	20 CFR 617.3(k)
▪ <i>Completion of training</i>	DOL, current practice
▪ <i>Component part</i>	Case law, statute, current practice
▪ <i>Confidential business information</i>	29 CFR 90.33(a), 18 U.S.C. 1905
▪ <i>Contributed importantly</i>	Sec. 222(c)
▪ <i>Cooperating State Agency</i>	DOL, current practice, statute
▪ <i>Customized training</i>	Sec. 236(f)
▪ <i>Denial</i>	29 CFR 90.16(f)

<sup>1</sup> Final Rule; Trade Adjustment Assistance for Workers, 85 FR 51896 (Aug. 21, 2020).

<sup>2</sup> Unless another statute is specified, references to “Sec.” refer to a statutory provision of the Trade Act of 1974 (Pub. L. 93-618), as amended.

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▪ <i>Department of Labor</i>	DOL
▪ <i>Downstream Producer</i>	Sec. 222(c)(3)
▪ <i>Eligible RTAA recipient</i>	26 U.S.C. 35, Administrative guidance <sup>3</sup>
▪ <i>Eligible TAA recipient</i>	26 U.S.C. 35, Administrative guidance <sup>4</sup>
▪ <i>Employer</i>	20 CFR 617.3(n)
▪ <i>Employment</i>	20 CFR 617.3(o)
▪ <i>Enrolled in training</i>	20 CFR 617.11(a)(2)(vii)(D)(1), Sec. 235(a)(5)(A)
▪ <i>Exhaustion of UI</i>	20 CFR 617.3(p)
▪ <i>Family</i>	20 CFR 617.3(q)
▪ <i>Filing Date</i>	29 CFR 90.2
▪ <i>Firm</i>	29 CFR 90.2
▪ <i>First benefit period</i>	20 CFR 617.3(r)
▪ <i>Full-time training</i>	20 CFR 617.22(f)(4)
▪ <i>Group of Workers</i>	DOL, current practice, 29 CFR part 90
▪ <i>Health Coverage Tax Credit</i>	Trade Preferences Extension Act of 2015, Pub. L. 114-27, sec. 407
▪ <i>Impact date</i>	20 CFR 617.3(v)
▪ <i>Increased imports</i>	29 CFR 90.2
▪ <i>Individual Employment Plan</i>	Sec. 235(2)
▪ <i>Job finding club</i>	20 CFR 617.3(y), Sec. 247(16)(C)
▪ <i>Job search program</i>	20 CFR 617.3(w), Sec. 247(16)(A)
▪ <i>Job search workshop</i>	20 CFR 617.3(x)
▪ <i>Lack of work</i>	Sec. 247(2), administrative guidance <sup>5</sup>
▪ <i>Layoff</i>	20 CFR 617.3(z), 29 CFR 90.2
▪ <i>Liable State</i>	20 CFR 617.3(aa)(1), 617.16(e)
▪ <i>Like or directly competitive</i>	29 CFR 90.2
▪ <i>Office of Trade Adjustment Assistance</i>	Sec. 249A
▪ <i>One-stop delivery system</i>	DOL, WIOA Sec. 121(e)
▪ <i>On-the-job training</i>	Sec. 247(15), 20 CFR 617.3(bb)
▪ <i>Partial separation</i>	617.3(cc), 29 CFR 90.2, Sec. 247(6)
▪ <i>Period of duty</i>	Sec. 233(i)(2)
▪ <i>Petition date</i>	29 CFR 90.2, current practice
▪ <i>Prerequisite education / Prerequisite training</i>	20 CFR 617.21(g)
▪ <i>Program of remedial education</i>	Sec. 236(a)(5)(D)
▪ <i>Qualifying separation</i>	20 CFR 617.3(t)(2)

<sup>3</sup> UIPL No. 01-17, “Health Coverage Tax Credit (HCTC) for Eligible Trade Adjustment Assistance (TAA) Recipients and Alternative TAA (ATAA) and Reemployment TAA (RTAA) Recipients.”

<sup>4</sup> *Id.*

<sup>5</sup> TEGL No. 12-16, “Questions and Answers on the Effects of Strikes and Lockouts on Eligibility for Trade Adjustment Assistance (TAA) and Trade Readjustment Allowance (TRA).”

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2020 TAA FINAL RULE <sup>1</sup> CFR SECTION (20 CFR)	SOURCE <sup>2</sup>
▪ <i>Reemployment trade adjustment assistance</i>	Sec. 246
▪ <i>Regional Administrator</i>	20 CFR 617.3(dd)
▪ <i>Secretary</i>	20 CFR 617.3(ff)
▪ <i>Separation Date</i>	20 CFR 617.3(ll), Sec. 231(a)(2)(D)
▪ <i>Service</i>	DOL, case law, current practice
▪ <i>Significant number or proportion of the workers</i>	29 CFR 90.2, Secs. 222(a)(1), 222(b)(1)
▪ <i>Staffed worker</i>	DOL, currently referred to as leased workers
▪ <i>State</i>	20 CFR 617.3(hh)
▪ <i>State agency</i>	Sec. 247(8)
▪ <i>State law</i>	20 CFR 617.3(jj), Sec. 247(9)
▪ <i>Successor-in-interest</i>	DOL, current practice, case law
▪ <i>Suitable employment</i>	20 CFR 617.22(a)(1)(i), Sec. 236(e)
▪ <i>Supplier</i>	Sec. 222(c)(4)
▪ <i>Supportive services</i>	Sec. 235(8), 20 CFR 680.900
▪ <i>Threatened to become totally or partially separated</i>	29 CFR 90.2, current practice
▪ <i>Threatened to begin</i>	29 CFR 90.2
▪ <i>Total separation</i>	20 CFR 617.3(ll), 29 CFR 90.2
▪ <i>Trade adjustment assistance for workers</i>	20 CFR 617.3(mm)
▪ <i>Trade affected worker</i>	DOL, current practice
▪ <i>Trade readjustment allowance</i>	20 CFR 617.3(nn), 617.3(m)(1), 617.3(m)(2)
▪ <i>Unemployment insurance</i>	20 CFR 617.3(oo), 26 U.S.C. 3304 note
▪ <i>Regular compensation</i>	20 CFR 617.3(oo), 26 U.S.C. 3304 note
▪ <i>Additional compensation</i>	20 CFR 617.3(oo), 26 U.S.C. 3304 note
▪ <i>Extended compensation</i>	20 CFR 617.3(oo), 26 U.S.C. 3304 note
▪ <i>Value-added production processes or services</i>	Sec. 222(c)(3)(B)
▪ <i>Wages</i>	20 CFR 617.3(pp)
▪ <i>Wagner-Peyser Act</i>	29 U.S.C. 49
▪ <i>Week</i>	20 CFR 617.3(qq)
▪ <i>Week of unemployment</i>	20 CFR 617.3(rr)
▪ <i>Worker group</i>	Sec. 223(a), current practice
▪ <i>Workforce Innovation and Opportunity Act</i>	WIOA
Section 618.120 (Severability.)	New

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<b>Subpart B – Petitions, Investigations, and Determinations</b>	
Section 618.200 (Scope.)	29 CFR 90.1
Section 618.205 (Petitions.)	29 CFR 90.11 Sec. 224 (618.205(e)) 29 CFR 90.12 (618.205(f), (h)) 29 CFR 90.32 (618.205(i))
Section 618.210 (Investigation.)	29 CFR 90.12 29 CFR 90.32 (618.210(d))
Section 618.215 (Public hearings.)	29 CFR 90.13
Section 618.220 (Use of subpoena.)	29 CFR 90.14
Section 618.225 (Criteria for certification of a group of workers.)	29 CFR 90.16(b)
Section 618.230 (Evidence.)	New, implements Sec. 223(e)
Section 618.235 (Determinations.)	29 CFR 90.16
Section 618.240 (Termination of certification.)	29 CFR 90.17
Section 618.245 (Reconsideration of termination of an investigation, denial, or termination or partial termination of certification.)	29 CFR 90.18
Section 618.250 (Amendments of certifications.)	Current practice
Section 618.255 (Judicial review of determinations.)	29 CFR 90.19
Section 618.260 (Study regarding certain affirmative determinations by the Commission. )	29 CFR 90.21
Section 618.265 (Availability of information to the public. )	29 CFR 90.32
<b>Subpart C– Employment and Case Management Services</b>	
Section 618.300 (Scope.)	New
Section 618.305 (The Trade Adjustment Assistance Program as a one-stop operator.)	WIOA
Section 618.310 (Responsibilities for the delivery of employment and case management services.)	20 CFR 617.20
Section 618.325 (Integrated service strategies and Workforce Innovation and Opportunity Act co-enrollment.)	New, implements Sec. 239
Section 618.330 (Assessment of trade-affected workers.)	New, implements Sec. 235 and Sec. 239(g)(4)
Section 618.335 (Initial assessment of trade-affected workers.)	New, implements Sec. 235 and Sec. 239(g)(4)
Section 618.345 (Comprehensive and specialized assessment of trade-affected workers.)	New, implements Sec. 235
Section 618.350 (Individual employment plans for trade-affected workers.)	20 CFR 617.20(b)(8) and 617.20(b)(13)
Section 618.355 (Knowledge, skills, and abilities of staff performing assessments.)	New, implements Sec. 235
Section 618.360 (Employment and case management services for trade-affected workers in training.)	New, DOL
<b>Subpart D – Job Search and Relocation Allowances</b>	
Section 628.400 (Scope.)	New
Section 618.405 (General.)	20 CFR 617.30 and 617.40
Section 618.410 (Applying for a job search allowance.)	20 CFR 617.31

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Section 618.415 (Eligibility for a job search allowance.)	20 CFR 617.32 New (618.415(a)(4)-(5))
Section 618.420 (Findings required for a job search allowance.)	20 CFR 617.33
Section 618.425 (Amount of a job search allowance.)	20 CFR 617.34
Section 618.430 (Determination and payment of a job search allowance.)	20 CFR 617.35
Section 618.435 (Job search program participation.)	20 CFR 617.49
Section 618.440 (Applying for a relocation allowance.)	20 CFR 617.41
Section 618.445 (Eligibility for a relocation allowance.)	20 CFR 617.42 and 617.43 20 CFR 617.31(c) (618.445(a)(1))
Section 618.450 (Findings required for a relocation allowance.)	20 CFR 617.44
Section 618.455 (Determining the amount of a relocation allowance. )	20 CFR 617.45, 617.46, and 617.47
Section 618.460 (Determinations and payment of a relocation allowance.)	20 CFR 617.48
<b>Subpart E – Reemployment Trade Adjustment Assistance</b>	
Section 618.500 (Scope.)	New
Section 618.505 (Individual eligibility.)	New, implements Sec. 246
Section 618.510 (Eligibility period for payments of Reemployment Trade Adjustment Assistance and application deadline.)	New, implements Sec. 246
Section 618.515 (Continuing eligibility and timing of payments.)	New, implements Sec. 246, current practice
Section 618.520 (Benefits available to eligible adversely affected workers.)	New, implements Sec. 246(a)
Section 618.525 (Determinations, redeterminations, and appeals.)	New, implements Sec. 246
Section 618.530 (Reductions of Reemployment Trade Adjustment Assistance payments; priority of payments.)	New, implements Sec. 246
<b>Subpart F – Training Services</b>	
Section 618.600 (Scope.)	New
Section 618.605 (General procedures.)	20 CFR 617.20, Sec. 235 (618.605(a)) 20 CFR 617.22(d) (618.605(b)) 20 CFR 617.22(e) (618.605(c)) 20 CFR 617.23(a) (618.605(d)) New (618.605(e))
Section 618.610 (Criteria for approval of training.)	20 CFR 617.22(a)(1) through (6) Administrative guidance <sup>6</sup> (618.610 (c)(2) through (6))
Section 618.615 (Limitations on training approval.)	20 CFR 617.22(c), (f), (i)
Section 618.620 (Selection of training program.)	20 CFR 617.23

<sup>6</sup> TEGL No. 13-05, “Serving Participants under the Trade Adjustment Assistance (TAA) and North American Free Trade Agreement-Transitional Adjustment Assistance (NAFTA-TAA) Programs.”

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	Administrative guidance (618.620(b)(2)(i) through (iv) <sup>7</sup> , (d) <sup>8</sup> ) 20 CFR 617.24(b) through (f) (618.620(c))
Section 618.625 (Payment restrictions for training programs.)	20 CFR 617.25(b) Sec. 236(a)(4)(A) (618.625(c)(1)) New (618.625(c)(2), (c)(6)) Sec. 236(a)(7)(A) through (C) (618.625(d)(1))
Section 618.630 (Training of reemployed trade-affected workers.)	20 CFR 617.22(g)
Section 618.635 (Work-based training.)	20 CFR 617.25(a), Sec. 236(c) 20 CFR 617.18(c) (618.635(a)(8)) New (618.635(b), (c))
Section 618.640 (Supplemental assistance.)	20 CFR 617.27 and 617.28 New (618.640(d)(2), (e), (g))
Section 618.645 (Voluntary withdrawal from a training program.)	New
Section 618.650 (State standards and procedures for establishing reasonable cost of training.)	New
Section 618.655 (Training for adversely affected incumbent workers.)	New, implements Sec. 236(a)
Section 618.660 (Training benchmarks.)	New, implements Sec. 233(f)(3)
Section 618.665 (Amending approved training.)	20 CFR 617.22(f)(3)(ii)
<b>Subpart G – Trade Readjustment Allowances</b>	
Section 618.700 (Scope.)	New
Section 618.705 (Definitions.)	New
Section 618.710 (Categories of Trade Readjustment Allowances.)	Administrative guidance <sup>9</sup>
Section 618.715 (Applications for Trade Readjustment Allowances and payment.)	20 CFR 617.10(b) (618.715(a)) 20 CFR 617.10(c) ((618.715(b)) New (618.715(c), (d), (e))
Section 618.720 (Qualifying requirements for Basic Trade Readjustment Allowances.)	20 CFR 617.11(a)(2) 20 CFR 617.17 (618.720(f))
Section 618.725 (Training enrollment deadlines.)	Administrative guidance <sup>10</sup> , implements Sec. 231(a)(5)(A)(ii)
Section 618.730 (Good cause.)	Administrative guidance <sup>11</sup> , implements Sec. 234(b)

<sup>7</sup> TEGL No. 09-05, “Approval of Distance Learning Under the Trade Adjustment Assistance (TAA) Program.”

<sup>8</sup> TEGL No. 07-13, “Operating Instructions for Implementing the Sunset Provisions of the Amendments to the Trade Act of 1974 Enacted by the Trade Adjustment Assistance Extension Act of 2011 (TAAEA or the 2011 Amendments),” Attachment A, Section D.5.3.

<sup>9</sup> *Id.* at Attachment A.

<sup>10</sup> *Id.* at Attachment A, Section C.2.

<sup>11</sup> *Id.* at Attachment A, Section C.2.1.

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Section 618.735 (Waiver of training requirement for Basic Trade Readjustment Allowances.)	20 CFR 617.19(a)(2), (a)(3), (b)(2), (c), (d), implements Sec. 231(c) New (618.735(d))
Section 618.740 (Evidence of qualification for Basic, Additional, and Completion Trade Readjustment Allowances.)	20 CFR 617.12 New (618.740(e))
Section 618.745 (Weekly amounts of Basic, Additional, and Completion Trade Readjustment Allowances.)	20 CFR 617.13
Section 618.750 (Maximum amount of Basic Trade Readjustment Allowances.)	20 CFR 617.14
Section 618.755 (Eligibility period for Basic Trade Readjustment Allowances.)	20 CFR 617.15(a) (618.755(a)) New, based on current practice (618.755(b))
Section 618.760 (Qualifying requirements for, and timing and duration of, Additional Trade Readjustment Allowances.)	20 CFR 617.11(a)(2), 617.15(b)(2), (b)(3) (618.760(a)) 20 CFR 617.3(m)(2) (618.760(b))
Section 618.765 (Qualifying requirements for, and timing and duration of, Completion Trade Readjustment Allowances.)	Administrative guidance <sup>12</sup>
Section 618.770 (Special rule for justifiable cause.)	New, implements Sec. 233(h)
Section 618.775 (Payment of Trade Readjustment Allowances during breaks in training.)	20 CFR 617.15(d)
Section 618.780 Disqualifications.	20 CFR 617.18 Administrative guidance <sup>13</sup> (618.780(d))
<b>Subpart H – Administration by Applicable State Agencies</b>	
Section 618.800 (Scope.)	New
Section 618.804 (Agreements with the Secretary of Labor.)	20 CFR 617.59
Section 618.808 (State rulemaking.)	20 CFR 617.54
Section 618.812 (Subpoenas.)	20 CFR 617.53 New (618.812(b))
Section 618.816 (Trade Adjustment Assistance Program benefit information and provision of services to workers.)	20 CFR 617.4 New (618.816(b), (e)(5) through (7)) 20 CFR 617.21 (618.816(c)) Administrative guidance <sup>14</sup> (618.816(e)(2)(viii))
Section 618.820 (Determinations of eligibility; notices to individuals.)	20 CFR 617.50
Section 618.824 (Liable State and agent State responsibilities.)	20 CFR 617.26 New (618.824(a)(3), (b)(7), (c))

<sup>12</sup> *Id.* at Attachment A, Section C.5.

<sup>13</sup> *Id.* at Attachment A, Section D.3.

<sup>14</sup> UIPL No. 30-11, “State Responsibilities Regarding Limited English Proficient (LEP) Individuals,” and TEGL No. 26-02, “Publication of Revised Guidance Regarding the Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient (LEP) Persons.”

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	Administrative guidance <sup>15</sup> (618.824(a)(5))
Section 618.828 (Appeals and hearings.)	20 CFR 617.51 New (618.828(d))
Section 618.832 (Overpayments; penalties for fraud.)	20 CFR 617.55 New (618.832(d)(3), (d)(5), (e)(3), (h))
Section 618.836 (Recovery of debts due the United States or to others by Trade Adjustment Assistance offset.)	20 CFR 617.55(h)
Section 618.840 (Uniform interpretation and application of this part.)	20 CFR 617.52
Section 618.844 (Inviolate rights to Trade Adjustment Assistance or Reemployment Trade Adjustment Assistance.)	20 CFR 617.56
Section 618.848 (Veterans' priority of service.)	New, implements 38 U.S.C. 4215
Section 618.852 (Recordkeeping and disclosure of information requirements.)	20 CFR 617.57 New (618.852(c), (d))
Section 618.856 (Information, reports, and studies.)	20 CFR 617.61
Section 618.860 (General fiscal and administrative requirements and cost classification.)	Administrative guidance <sup>16</sup> , 2 CFR part 200 (OMB), and 2 CFR part 2900 (DOL) Sec. 235A (618.860(g))
Section 618.864 (Trade Adjustment Assistance Program performance.)	New, implements Sec. 239(j) Sec. 239(i) (618.864(g)) Administrative guidance <sup>17</sup> (618.864(g)(3)) Sec. 249B(b) (618.864(h))
Section 618.868 (Unemployment Insurance.)	20 CFR 617.58
Section 618.872 (Travel under the Trade Adjustment Assistance Program.)	20 CFR 617.52
Section 618.876 (Verification of eligibility for program benefits.)	New, implements Sec. 239(k)
Section 618.884 (Special rule with respect to military service.)	New, implements Sec. 233(i)
Section 618.888 (Equitable tolling.)	Administrative guidance <sup>18</sup>
Section 618.890 (Staffing flexibility.)	20 CFR 618.890
Section 618.894 (Nondiscrimination and equal opportunity requirements.)	29 CFR parts 31, 32, 35, 36, and 38
Section 618.898 (Applicable State law.)	20 CFR 617.16

<sup>15</sup> UIPL No. 01-17, "Health Coverage Tax Credit (HCTC) for Eligible Trade Adjustment Assistance (TAA) Recipients and Alternative TAA (ATAA) and Reemployment TAA (RTAA) Recipients," Section 6.

<sup>16</sup> TEGL No. 17-19, "Fiscal Year (FY) 2020 Trade Adjustment Assistance (TAA) Training and Other Activities (TaOA) Grant Management Guidance."

<sup>17</sup> TEGL No. 04-14, "Trade Adjustment Assistance Data Integrity."

<sup>18</sup> TEGL No. 08-11, "Availability of Equitable Tolling of Deadlines for Workers Covered Under Trade Adjustment Assistance (TAA) Certifications."



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<b>Subpart I – Allocation of Funds to States for Training and Other Activities</b>	
Section 618.900 (Annual cap on funds available for Training and Other Activities.)	20 CFR 618.900
Section 618.910 (Initial allocation of funds.)	20 CFR 618.910
Section 618.920 (Reserve fund distributions.)	20 CFR 618.920
Section 618.930 (Second distribution.)	20 CFR 618.930
Section 618.940 (Insufficient funds.)	20 CFR 618.940
Section 618.950 (Recapture and reallocation of Training and Other Activities funds.)	New, implements Sec. 245(c)