

Attachment C to UIPL 24-03

TAA Individuals Eligible for the HCTC

The requirements are as follows:

1. Individual taxpayers must be covered under a TAA certification of eligibility for TAA benefits.
2. Individual taxpayers are determined to be eligible TAA recipients by either the receipt of TRA or eligibility for TRA but for the fact that they have not exhausted UI benefits (taxpayers must have filed for UI benefits and determined eligible under a state program).
3. Individual taxpayers must be enrolled in or participating in a TAA training program, have completed a TAA training program, or have obtained a waiver of such TAA training program (except in the case of a NAFTA-TAA certification). This requirement is applicable during the period that they are receiving TRA as well as UI.
4. Individual taxpayers are eligible for the HCTC if as "eligible TAA recipients" on the first day of any month, if, for any day of that month or the prior month, they received a trade readjustment allowance or would have been entitled to receive such allowance but for not having exhausted UI entitlement. The determination of eligibility is based on receiving a benefit for a particular month, not based on when the check is received.
5. Individual taxpayers are eligible for an additional month after ceasing to be an eligible TAA recipient and as such remain eligible for the advanced tax credit for one more month.

Taxpayers must meet the requirements of section 231(a) of the Trade Act of 1974 (19 U.S.C. 2291(a)) for receipt of TRA and to be eligible for the HCTC. During their period of UI entitlement and to be able to obtain the HCTC, the individual taxpayer who is deemed "an eligible TAA recipient" must specifically meet the following provisions of section 231(a) of the Trade Act: (1) the weeks of unemployment for which assistance is to be provided occur at least 60 days after the date on which the petition covering the worker was filed; (2) the worker's separation from employment with the trade-impacted firm occurred within certain specified time periods (e.g., not later than 2 years after certification); (3) the worker was employed by the trade-impacted firm for at least 26 weeks (at wages of \$30 or more per week) of the 52 weeks preceding the workers' separation from the firm; (4) the worker is entitled to UI benefits; (5) and the worker is enrolled in approved training within the required time limitations or where applicable has obtained a waiver, if warranted.