

108TH CONGRESS
1ST SESSION

S. 1541

To aid dislocated workers and rebuild communities devastated by international trade, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JULY 31 (legislative day, JULY 21), 2003

Mr. EDWARDS introduced the following bill; which was read twice and referred to the Committee on Finance

A BILL

To aid dislocated workers and rebuild communities devastated by international trade, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Economic Revitaliza-
5 tion Act”.

6 **SEC. 2. ECONOMIC REVITALIZATION ZONES.**

7 (a) IN GENERAL.—Chapter 1 of the Internal Rev-
8 enue Code of 1986 is amended by adding at the end the
9 following new subchapter:

1 **“Subchapter Z—Economic Revitalization**
 2 **Zones**

“Sec. 1400M. Designation of economic revitalization zones.

“Sec. 1400N. Incentives for economic revitalization zones.

3 **“SEC. 1400M. DESIGNATION OF ECONOMIC REVITALIZA-**
 4 **TION ZONES.**

5 “(a) DESIGNATION.—

6 “(1) DEFINITIONS.—For purposes of this title,
 7 the term ‘economic revitalization zone’ means any
 8 area—

9 “(A) which is nominated by 1 or more
 10 local governments and the State or States in
 11 which it is located for designation as an eco-
 12 nomic revitalization zone (hereafter in this sec-
 13 tion referred to as a ‘nominated area’), and

14 “(B) which the Secretary of Labor des-
 15 ignates as an economic revitalization zone.

16 “(2) NUMBER OF DESIGNATIONS.—Not more
 17 than 10 nominated areas may be designated as eco-
 18 nomic revitalization zones.

19 “(3) LIMITATION ON DESIGNATIONS.—

20 “(A) PUBLICATION OF REGULATIONS.—

21 The Secretary of Labor shall prescribe by regu-
 22 lation no later than 3 months after the date of
 23 the enactment of this section—

1 “(i) the procedures for nominating an
2 area under paragraph (1)(A), and

3 “(ii) the parameters relating to the
4 size characteristics of an economic revital-
5 ization zone.

6 “(B) TIME LIMITATIONS.—The Secretary
7 of Labor may designate nominated areas as
8 economic revitalization zones only during the
9 180-day period beginning on the first day of the
10 first month following the month in which the
11 regulations described in subparagraph (A) are
12 prescribed.

13 “(C) PROCEDURAL RULES.—The Secretary
14 of Labor shall not make any designation of a
15 nominated area as an economic revitalization
16 zone under paragraph (2) unless—

17 “(i) the local governments and the
18 States in which the nominated area is lo-
19 cated have the authority to nominate such
20 area for designation as an economic revi-
21 talization zone,

22 “(ii) a nomination regarding such
23 area is submitted in such a manner and in
24 such form, and contains such information,

1 as the Secretary of Labor shall by regula-
2 tion prescribe, and

3 “(iii) the Secretary of Labor deter-
4 mines that any information furnished is
5 reasonably accurate.

6 “(4) PRIORITY.—The Secretary of Labor shall
7 give priority to nominated areas which—

8 “(A) are located in States that have expe-
9 rienced employment in a trade-affected industry
10 decline by more than 50 percent since 1993,
11 and

12 “(B) have suffered the loss of more than
13 1000 jobs in the trade-affected industry within
14 the preceding year.

15 “(b) PERIOD FOR WHICH DESIGNATION IS IN EF-
16 FECT.—

17 “(1) IN GENERAL.—Any designation of an area
18 as an economic revitalization zone shall remain in ef-
19 fect during the period beginning on the earliest prac-
20 ticable date, as determined by the Secretary of
21 Labor, and ending on the earliest of—

22 “(A) December 31, 2014,

23 “(B) the termination date designated by
24 the State and local governments in their nomi-
25 nation, or

1 “(C) the date the Secretary of Labor re-
2 vokes such designation under the terms of para-
3 graph (2) or after determining that such rev-
4 ocation is necessary to protect the public inter-
5 est.

6 “(2) REVOCATION OF DESIGNATION.—The Sec-
7 retary of Labor may revoke the designation under
8 this section of an area if such Secretary determines
9 that the local government or the State in which the
10 area is located has modified the boundaries of the
11 area.

12 “(c) AREA AND ELIGIBILITY REQUIREMENTS.—

13 “(1) IN GENERAL.—The Secretary of Labor
14 may designate a nominated area as an economic re-
15 vitalization zone under subsection (a) only if the
16 area meets the requirements of paragraphs (2) and
17 (3) of this subsection.

18 “(2) AREA REQUIREMENTS.—A nominated area
19 meets the requirements of this paragraph if—

20 “(A) the area is within the jurisdiction of
21 1 or more local governments in 1 or more
22 trade-affected States, and

23 “(B) the boundary of the area is contin-
24 uous.

1 “(3) ELIGIBILITY REQUIREMENTS.—A nomi-
2 nated area meets the requirements of this paragraph
3 if the States and the local governments in which it
4 is located certify in writing (and the Secretary of
5 Labor, after such review of supporting data as the
6 Secretary deems appropriate, accepts such certifi-
7 cation) that—

8 “(A) the average unemployment rate in the
9 area for the most recent period for which data
10 is available on the date of the nomination of
11 such area is at least 150 percent of the average
12 national unemployment rate for such period,

13 “(B) of the total employment in the area
14 during 1993—

15 “(i) more than 10 percent consisted of
16 employment in a trade-affected industry lo-
17 cated in such area, or

18 “(ii) more than 15 percent consisted
19 of employment in all of the trade-affected
20 industries located in such area, and

21 “(C) employment in a trade-affected indus-
22 try located in such area decreased by more than
23 20 percent during the period from 1993
24 through 2002.

1 “(d) DEFINITIONS AND SPECIAL RULES.—For pur-
2 poses of this subchapter—

3 “(1) TRADE-AFFECTED STATE.—The term
4 ‘trade-affected State’ means any State in which the
5 total number of workers located in such State who
6 were certified through the trade adjustment assist-
7 ance and the NAFTA transitional adjustment assist-
8 ance programs under chapter 2 of title II of the
9 Trade Act of 1974 during the period from 1994
10 through 2002 was not less than an amount equal to
11 2.5 percent of the State’s total labor force in 1994.

12 “(2) TRADE-AFFECTED INDUSTRY.—The term
13 ‘trade-affected industry’ means any industry listed
14 in a 3-digit North American industry classification
15 system subsector—

16 “(A) which had a total labor force of at
17 least 200,000 during 1994, as determined by
18 the Bureau of Labor Statistics,

19 “(B) in which the number of employees
20 has declined by more than 30 percent since
21 1993, and

22 “(C) in which the total number of workers
23 who were certified through the trade adjust-
24 ment assistance and the NAFTA transitional
25 adjustment assistance programs under chapter

1 2 of title II of the Trade Act of 1974 during
 2 the period from 1994 through 2002 was not
 3 less than an amount equal to 10 percent of
 4 such industry’s total labor force in 1994.

5 “(3) LOCAL GOVERNMENT.—The term ‘local
 6 government’ means—

7 “(A) any county, city, town, township, par-
 8 ish, village, or other general purpose political
 9 subdivision of a State, and

10 “(B) any combination of political subdivi-
 11 sions described in subparagraph (A) recognized
 12 by the Secretary of Labor.

13 “(4) GOVERNMENTS.—If more than 1 govern-
 14 ment seeks to nominate an area as an economic revi-
 15 talization zone, any reference to, or requirement of,
 16 this section shall apply to all such governments.

17 **“SEC. 1400N. INCENTIVES FOR ECONOMIC REVITALIZATION**
 18 **ZONES.**

19 “(a) IN GENERAL.—An economic revitalization zone
 20 shall be treated for the period of its designation as an em-
 21 powerment zone for purposes of applying—

22 “(1) section 1394 (relating to tax-exempt enter-
 23 prise zone facility bonds),

24 “(2) section 1396 (relating to empowerment
 25 zone employment credit),

1 “(3) section 1397A (relating to increase in ex-
2 pensing under section 179), and

3 “(4) section 1397B (relating to nonrecognition
4 of gain on rollover of empowerment zone invest-
5 ments).

6 “(b) NEW MARKETS TAX CREDIT.—An economic re-
7 vitalization zone shall be treated for the period of its des-
8 ignation as a low-income community for purposes of apply-
9 ing section 45D (relating to new markets tax credit).”.

10 (b) CLERICAL AMENDMENT.—The table of sub-
11 chapters for chapter 1 of the Internal Revenue Code of
12 1986 is amended by adding at the end the following new
13 item:

 “Subchapter Z. Economic Revitalization Zones.”.

14 **SEC. 3. COMMUNITY COLLEGE EMPLOYMENT GRANTS.**

15 (a) IN GENERAL.—Chapter 2 of title II of the Trade
16 Act of 1974 (19 U.S.C. 2271 et seq.) is amended by in-
17 serting after section 238 the following:

18 **“SEC. 238A. JOB TRAINING PROGRAMS.**

19 “(a) GRANT PROGRAM AUTHORIZED.—The Secretary
20 is authorized to award grants to community colleges (as
21 defined in section 202 of the Tech-Prep Education Act
22 (20 U.S.C. 2371)) on a competitive basis to establish job
23 training programs for adversely affected workers.

24 “(b) APPLICATION.—

1 “(1) SUBMISSION.—To receive a grant under
2 this section, a community college shall submit an ap-
3 plication to the Secretary at such time and in such
4 manner as the Secretary shall require.

5 “(2) CONTENTS.—The application submitted
6 under paragraph (1) shall provide a description of—

7 “(A) the population to be served with
8 grant funds received under this section;

9 “(B) how grant funds received under this
10 section will be expended; and

11 “(C) the job training programs that will be
12 established with grant funds received under this
13 section, including a description of how such
14 programs relate to workforce needs in the area
15 where the community college is located.

16 “(c) ELIGIBILITY.—To be eligible to receive a grant
17 under this section, a community college shall be located
18 in an economic revitalization zone (as defined in section
19 1400M(a) of the Internal Revenue Code of 1986, as added
20 by section 2).

21 “(d) DECISION ON APPLICATIONS.—Not later than
22 30 days after submission of an application under sub-
23 section (b), the Secretary shall approve or disapprove the
24 application.

1 “(e) USE OF FUNDS.—A community college that re-
2 ceives a grant under this section shall use the grant funds
3 to establish job training programs for adversely affected
4 workers.

5 “(f) AUTHORIZATION OF APPROPRIATIONS.—There
6 are authorized to be appropriated such sums as may be
7 necessary to carry out this section.”.

8 (b) CONFORMING AMENDMENT.—The table of con-
9 tents for chapter 2 of title II of the Trade Act of 1974
10 is amended by inserting after the item relating to section
11 238 the following new item:

“Sec. 238A. Job training programs.

12 **SEC. 4. IMMEDIATE ASSISTANCE FOR TEXTILE WORKERS.**

13 Section 222 of the Trade Act of 1974 (19 U.S.C.
14 2272) is amended by adding at the end the following:

15 “(d) ADDITIONAL RULE FOR TEXTILE AND APPAREL
16 WORKERS.—

17 “(1) PRESUMPTIVE CERTIFICATION.—A group
18 of workers at a textile or apparel firm shall be pre-
19 sumed eligible and shall be certified by the Secretary
20 as adversely affected and eligible for trade adjust-
21 ment assistance under this chapter and benefits
22 under the amendments made by title II of the Trade
23 Adjustment Assistance Reform Act of 2002 (Public
24 Law 107–210; 116 Stat. 954) if—

1 “(A) a significant number or proportion of
2 the workers in the workers’ firm or an appro-
3 priate subdivision of the firm has become totally
4 or partially separated, or are threatened to be-
5 come totally or partially separated;

6 “(B)(i) the sales or production of the
7 workers’ firm has decreased; or

8 “(ii) the workers’ plant or facility has
9 closed or relocated; and

10 “(C) the event described in subparagraph
11 (B) contributed importantly to the workers’
12 separation or threat of separation.

13 “(2) PERMANENT CERTIFICATION.—The pre-
14 sumptive certification under paragraph (1) shall be-
15 come permanent 40 days after the submission of a
16 petition by the group of workers under section 221
17 unless the Secretary determines within such period,
18 after giving the group of workers notice and an op-
19 portunity to be heard, that the workers do not sat-
20 isfy the criteria for certification in subsection (a).”.

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