

111TH CONGRESS  
1ST SESSION

# S. 480

To establish the Office of Regional Economic Adjustment in the Department of Commerce, to assist regions affected by sudden and severe economic dislocation by coordinating Federal, State, and local resources for economic adjustment and by providing technical assistance, and for other purposes.

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## IN THE SENATE OF THE UNITED STATES

FEBRUARY 25, 2009

Mr. BROWN introduced the following bill; which was read twice and referred to the Committee on Environment and Public Works

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## A BILL

To establish the Office of Regional Economic Adjustment in the Department of Commerce, to assist regions affected by sudden and severe economic dislocation by coordinating Federal, State, and local resources for economic adjustment and by providing technical assistance, 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 “Regional Economic Re-

5       covery Coordination Act of 2009”.

1 **SEC. 2. PURPOSE.**

2 The purpose of this Act is to assist eligible regions  
3 affected by sudden and severe economic dislocation by—

4 (1) identifying and coordinating Federal, State,  
5 and local economic development resources;

6 (2) providing technical assistance in support of  
7 regional economic development strategies; and

8 (3) integrating public and private economic de-  
9 velopment strategies for such regions.

10 **SEC. 3. DEFINITIONS.**

11 In this Act:

12 (1) **DIRECTOR.**—The term “Director” means  
13 the Director of the Office of Regional Economic Ad-  
14 justment appointed under section 4(b).

15 (2) **ELIGIBLE REGION.**—The term “eligible re-  
16 gion” means a region that—

17 (A) has been certified by the Director  
18 under section 5(a); and

19 (B) has established a Regional Economic  
20 and Workforce Development Coordinating Com-  
21 mittee under section 6(a).

22 (3) **MASS LAYOFF.**—The term “mass layoff”  
23 has the meaning given the term in section 2 of the  
24 Worker Adjustment and Retraining Notification Act  
25 (29 U.S.C. 2101).

1           (4) OFFICE.—The term “Office” means the Of-  
2       fice of Regional Economic Adjustment established  
3       under section 4(a).

4           (5) PLANT CLOSING.—The term “plant closing”  
5       has the meaning given the term in section 2 of the  
6       Worker Adjustment and Retraining Notification Act  
7       (29 U.S.C. 2101).

8           (6) RURAL COMMUNITY.—The term “rural  
9       community” means a community that has a rural-  
10      urban continuum code of 4, 5, 6, 7, 8, or 9, as de-  
11      fined by the Economic Research Service of the De-  
12      partment of Agriculture.

13          (7) SECRETARY.—The term “Secretary” means  
14      the Secretary of Commerce.

15          (8) SUDDEN AND SEVERE ECONOMIC DISLOCA-  
16      TION.—The term “sudden and severe economic dis-  
17      location” has the same meaning as such term when  
18      used in section 209(a) of the Public Works and Eco-  
19      nomic Development Act of 1965 (42 U.S.C. 3149).

20          (9) URBAN COMMUNITY.—The term “urban  
21      community” means a community that has a rural-  
22      urban continuum code of 1, 2, or 3, as defined by  
23      the Economic Research Service of the Department  
24      of Agriculture.

1 **SEC. 4. OFFICE OF REGIONAL ECONOMIC ADJUSTMENT.**

2 (a) ESTABLISHMENT.—There is established in the  
3 Department of Commerce an office to be known as the  
4 “Office of Regional Economic Adjustment”.

5 (b) DIRECTOR.—The Director of the Office of Re-  
6 gional Economic Adjustment shall be the head of the Of-  
7 fice. The Director shall be appointed by the Secretary  
8 from among individuals qualified to perform the duties of  
9 the position.

10 (c) PERSONNEL.—The Office shall have such staff as  
11 may be necessary to carry out the functions described in  
12 subsection (d).

13 (d) FUNCTIONS.—The functions of the Office are as  
14 follows:

15 (1) To provide leadership, support, and coordi-  
16 nation for a comprehensive management program to  
17 address economic dislocation in eligible regions.

18 (2) To assist the Assistant Secretary of Com-  
19 merce for Economic Development in making the cen-  
20 tral information clearinghouse maintained under sec-  
21 tion 502(1) of the Public Works and Economic De-  
22 velopment Act of 1965 (42 U.S.C. 3192(1)) readily  
23 accessible to States and eligible regions so that such  
24 States and regions can easily obtain information re-  
25 garding economic adjustment assistance available to  
26 them under Federal law.

1           (3) To coordinate the Federal response to eligi-  
2       ble regions undergoing sudden and severe economic  
3       dislocation by—

4           (A) identifying all Federal, State, and local  
5       resources that are available to assist such re-  
6       gions in recovering from sudden and severe eco-  
7       nomic dislocation;

8           (B) ensuring that all Federal agencies of-  
9       fering economic adjustment assistance to such  
10      regions do so in a targeted, integrated manner  
11      that ensures that officials of such regions are  
12      aware of all available Federal assistance for the  
13      economic adjustment of such regions;

14          (C) ensuring timely consultation and co-  
15      operation between Federal, State, and regional  
16      officials concerning economic adjustment for  
17      such regions;

18          (D) identifying and strengthening existing  
19      agency mechanisms designed to assist such re-  
20      gions in economic adjustment and workforce re-  
21      deployment;

22          (E) applying, to the extent practicable,  
23      consistent policies, practices, and procedures in  
24      the administration of Federal programs that

1 are used to assist with the economic adjustment  
2 of such regions;

3 (F) creating, maintaining, and using a uni-  
4 form economic database to analyze regional eco-  
5 nomic adjustment activities; and

6 (G) upon request by an eligible region, as-  
7 signing a Federal economic recovery coordinator  
8 to work with the region in accordance with sec-  
9 tion 7.

10 (4) To provide comprehensive technical assist-  
11 ance to any eligible region seeking to—

12 (A) identify serious economic problems in  
13 such region that result from a sudden and se-  
14 vere economic dislocation;

15 (B) integrate the major groups and organi-  
16 zations significantly affected by the economic  
17 adjustment of such region;

18 (C) access Federal, State, and local re-  
19 sources designed to assist in the economic ad-  
20 justment and workforce development of such re-  
21 gion;

22 (D) explore layoff aversion strategies, in-  
23 cluding employee ownership and alternate fi-  
24 nancing; and

1 (E) diversify and strengthen the economy  
2 of the region.

3 (5) To establish an interagency regional eco-  
4 nomic adjustment working group, consisting of the  
5 representatives of any Federal department or agency  
6 with responsibility for economic adjustment or work-  
7 force development, including representatives of the  
8 following:

9 (A) The Department of Agriculture.

10 (B) The Department of Defense.

11 (C) The Department of Education.

12 (D) The Department of Labor.

13 (E) The Department of Housing and  
14 Urban Development.

15 (F) The Department of Health and  
16 Human Services.

17 (G) The Small Business Administration.

18 (H) The Department of the Treasury.

19 (I) The Department of Commerce.

20 (J) The National Economic Council.

21 **SEC. 5. NOTIFICATION AND CERTIFICATION.**

22 (a) CERTIFICATION.—Not later than 15 days after  
23 the Secretary receives a notice under section 3(e) of the  
24 Worker Adjustment and Retraining Notification Act (29  
25 U.S.C. 2102(e)) with respect to a plant closing or mass

1   layoff, the Director shall certify for purposes of this Act  
2   the region in which the plant closing or mass layoff is lo-  
3   cated if 1 or more of the following conditions apply:

4           (1) NUMBER OF JOB LOSSES.—

5                   (A) URBAN COMMUNITY.—In the case that  
6           the region is comprised of an urban community,  
7           not fewer than 500 individuals employed in  
8           such community have received written notices  
9           under section 3 of the Worker Adjustment and  
10          Retraining Notification Act (29 U.S.C. 2102)  
11          in the most recent 6-month period for which  
12          data are available.

13                   (B) RURAL COMMUNITY.—In the case that  
14          the region is comprised of a rural community,  
15          not fewer than 300 individuals employed in  
16          such community have received such written no-  
17          tices in the most recent 6-month period for  
18          which data are available.

19           (2) PERCENT OF WORKFORCE UNEMPLOYED.—  
20   The unemployment rate for the region is not less  
21   than 1 percent greater than the national unemploy-  
22   ment rate for the most recent 12-month period for  
23   which data are available through the Bureau of  
24   Labor Statistics.



1 (b) NOTIFICATION TO CERTIFIED REGIONS.—Not  
 2 later than 15 days after the Director certifies a region  
 3 under subsection (a), the Director shall notify the Gov-  
 4 ernor of the State of such region and the officials of the  
 5 region—

6 (1) of such certification;

7 (2) of the provisions of this Act;

8 (3) how to access the central information clear-  
 9 inghouse maintained under section 502(1) of the  
 10 Public Works and Economic Development Act of  
 11 1965 (42 U.S.C. 3192(1)); and

12 (4) how to obtain the technical assistance de-  
 13 scribed in section 4(d)(4).

14 **SEC. 6. REGIONAL ECONOMIC AND WORKFORCE DEVELOP-**  
 15 **MENT COORDINATING COMMITTEE.**

16 (a) ESTABLISHMENT.—A region may establish a  
 17 committee in accordance with the provisions of this section  
 18 to be known as a “Regional Economic and Workforce De-  
 19 velopment Coordinating Committee” (in this section re-  
 20 ferred to as a “Committee”).

21 (b) COMPOSITION OF A COMMITTEE.—

22 (1) LOCAL PARTICIPATION.—A Committee es-  
 23 tablished by a region under subsection (a) shall be  
 24 composed of representatives of the groups signifi-

1       cantly affected by sudden and severe economic dis-  
 2       location in such region, such as—

3               (A) State, tribal, municipal, county, and  
 4       regional governments;

5               (B) planning boards;

6               (C) local businesses;

7               (D) labor and health organizations;

8               (E) 2-year institutions of higher education  
 9       (as defined in section 101 of the Higher Edu-  
 10       cation Act of 1965 (20 U.S.C. 1001));

11              (F) vocational institutions; and

12              (G) religious and other community-based  
 13       groups that provide assistance to the workers of  
 14       the region and the families of such workers.

15       (2) FEDERAL PARTICIPATION.—A Committee of  
 16       a region shall have as ex officio members the fol-  
 17       lowing:

18              (A) A Federal economic recovery coordi-  
 19       nator assigned by the Director under section  
 20       7(a) to such region.

21              (B) Such representatives of Federal agen-  
 22       cies as the coordinator described in subpara-  
 23       graph (A) considers necessary.

24       (3) EXISTING ORGANIZATION.—A region may  
 25       designate an existing organization in the region as

1 a Committee for purposes of this Act if the organi-  
2 zation meets the requirements under paragraphs (1)  
3 and (2).

4 (c) DUTIES.—The duties of a Committee of a region  
5 are as follows:

6 (1) To ascertain the severity of the economic  
7 dislocation of the region, including consideration of  
8 measures of unemployment rates and employment  
9 opportunities.

10 (2) To assess the capacity of the region to re-  
11 spond to such economic dislocation and the needs of  
12 such region as such region undertakes economic ad-  
13 justment, taking into consideration such factors as  
14 the following:

15 (A) The number of jobs lost as a result of  
16 the economic dislocation.

17 (B) The size of the region.

18 (C) The diversity of industries in the re-  
19 gion.

20 (D) The skills of the labor force in the re-  
21 gion.

22 (E) The condition of the labor market of  
23 the region.

24 (F) The availability of financial resources  
25 in the region.

1 (G) The quality and availability of edu-  
2 cational facilities, including 2-year institutions  
3 of higher education and vocational institutions,  
4 that serve the region.

5 (3) To facilitate a dialogue between concerned  
6 interests in the region, represent the impacted re-  
7 gion, and ensure all interests in the region work col-  
8 laboratively toward collective goals without duplica-  
9 tion of effort or resources.

10 (4) To create an executive council with an equi-  
11 table representation of regional interests to ensure  
12 coordination and cooperation among all stakeholders  
13 of the region.

14 **SEC. 7. FEDERAL ECONOMIC RECOVERY COORDINATORS.**

15 (a) ASSIGNMENT.—Upon the request of an eligible  
16 region, the Director shall assign a Federal economic recov-  
17 ery coordinator to such region to carry out the duties de-  
18 scribed in subsection (b).

19 (b) DUTIES.—The duties of a Federal economic re-  
20 covery coordinator assigned under subsection (a) to an eli-  
21 gible region are as follows:

22 (1) To provide technical assistance to the eligi-  
23 ble region and assist in the development of a com-  
24 prehensive economic development strategy (as used  
25 in sections 203 and 302 of the Public Works and

1 Economic Development Act of 1965 (42 U.S.C.  
2 3143 and 3162)) for such region, including applying  
3 for applicable grants to develop or implement such  
4 plan.

5 (2) At the local or regional level, to coordinate  
6 the response of all Federal agencies offering eco-  
7 nomic adjustment assistance to the eligible region.

8 (3) Serve as an ex officio member of the Re-  
9 gional Economic and Workforce Development Co-  
10 ordinating Committee of such region established  
11 under section 6(a).

12 (4) To act as a liaison between the Regional  
13 Economic and Workforce Development Coordinating  
14 Committee established by the eligible region and all  
15 Federal agencies that offer economic adjustment as-  
16 sistance to eligible regions, including the following:

17 (A) The Department of Agriculture.

18 (B) The Department of Defense.

19 (C) The Department of Education.

20 (D) The Department of Labor.

21 (E) The Department of Housing and  
22 Urban Development.

23 (F) The Department of Health and  
24 Human Services.

25 (G) The Small Business Administration.

1 (H) The Department of the Treasury.

2 (I) The National Economic Council.

3 (J) The Department of Commerce.

4 (5) To report regularly to the Director regard-  
5 ing the progress of economic adjustment in the eligi-  
6 ble region.

7 (6) To perform such other duties as the Sec-  
8 retary or the Director consider appropriate.

9 **SEC. 8. AUTHORIZATION OF APPROPRIATIONS.**

10 There are authorized to be appropriated to carry out  
11 this Act such sums as may be necessary for each of the  
12 fiscal years 2009 through 2011.

13 **SEC. 9. NOTICE TO THE SECRETARY.**

14 Section 3 of the Worker Adjustment and Retraining  
15 Notification Act (29 U.S.C. 2102) is amended by adding  
16 at the end the following:

17 “(e) NOTICE TO THE SECRETARY.—Not later than  
18 60 days after a plant closing or mass layoff, the employer  
19 involved shall submit to the Secretary of Labor and the  
20 Secretary of Commerce separate notifications of the clos-  
21 ing or layoff and the number of employees affected by such  
22 closing or layoff.”.

○