

§ 25.1

- 25.5 Waivers.
- 25.6–25.9 [Reserved]

Subpart B—Area Requirements

- 25.100 Eligibility requirements.
- 25.101 Data utilized for eligibility determinations.
- 25.102 Pervasive poverty, unemployment and general distress.
- 25.103 Area size and boundary requirements.
- 25.104 Poverty rate.
- 25.105–25.199 [Reserved]

Subpart C—Nomination Procedure

- 25.200 Nominations by State and local governments.
- 25.201 Application.
- 25.202 Strategic plan.
- 25.203 Submission of applications.
- 25.204 Evaluation of the strategic plan.
- 25.205–25.299 [Reserved]

Subpart D—Designation Process

- 25.300 USDA action and review of nominations for designation.
- 25.301 Selection factors for designation of nominated rural areas.
- 25.302–25.399 [Reserved]

Subpart E—Post-Designation Requirements

- 25.400 Reporting.
- 25.401 Responsibility of lead managing entity.
- 25.402 Periodic performance reviews.
- 25.403 Ongoing 2-year work plan requirement.
- 25.404 Validation of designation.
- 25.405 Revocation of designation.
- 25.406–25.499 [Reserved]

Subpart F—Special Rules

- 25.500 Indian reservations.
- 25.501 Governments.
- 25.502 Nominations by State-chartered economic development corporations.
- 25.503 Rural areas.
- 25.504–25.999 [Reserved]

Subpart G—Round II and Round IIS Grants

- 25.600 Purpose.
- 25.601 Delegation of authority.
- 25.602 Eligible recipients.
- 25.603 Grant approval and obligation of funds.
- 25.604 Disbursement of grant funds.
- 25.605 Grant program reporting requirements.
- 25.606 Financial management and records.
- 25.607 Suspension or termination of grant funds.
- 25.608–25.619 [Reserved]
- 25.620 Eligible grant purposes.

7 CFR Subtitle A (1–1–13 Edition)

- 25.621 Ineligible grant purposes.
- 25.622 Other considerations.
- 25.623 Programmatic changes.
- 25.624–25.999 [Reserved]

AUTHORITY: 5 U.S.C. 301; 26 U.S.C. 1391; Pub. L. 103-66, 107 Stat. 543; Pub. L. 105-34, 111 Stat. 885; Sec. 766, Pub. L. 105-277, 112 Stat. 2681-37; Pub. L. 106-554 [Title I of H.R. 5562], 114 Stat. 2763.

SOURCE: 63 FR 19114, Apr. 16, 1998, unless otherwise noted.

Subpart A—General Provisions

§ 25.1 Applicability and scope.

(a) *Applicability.* This part contains policies and procedures applicable to rural empowerment zones and enterprise communities, authorized under the Omnibus Budget Reconciliation Act of 1993, title XIII, subchapter C, part I (Round I), the Taxpayer Relief Act of 1997, title IX, subtitle F (Round II), the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 1999 (Public Law 105-277) (Round IIS), and the Community Renewal Tax Relief Act of 2000 (Public Law 106-554) (Round III).

(b) *Scope.* This part contains provisions relating to area requirements, the nomination process for rural Empowerment Zones and rural Enterprise Communities, and the designation of these Zones and Communities by the Secretary of the U.S. Department of Agriculture (Secretary) (USDA). Provisions dealing with the nominations and designation of urban Empowerment Zones and Enterprise Communities are promulgated by the U.S. Department of Housing and Urban Development (HUD). This part also contains provisions relating to granting certain nominated areas status as Champion communities.

[63 FR 19114, Apr. 16, 1998, as amended at 67 FR 13556, Apr. 24, 2002]

§ 25.2 Objective and purpose.

The purpose of this part is to provide for the establishment of Empowerment Zones and Enterprise Communities in rural areas in order to facilitate the empowerment of the disadvantaged and long-term unemployed such that they may become economically self-sufficient, and to promote revitalization of

economically distressed areas, primarily by facilitating:

(a) Coordination of economic, human services, health, transportation, education, community, and physical development plans, and other plans and related activities at the local level;

(b) Local partnerships fully involving affected communities and local institutions and organizations in developing and implementing a comprehensive multi-sectoral strategic plan for any nominated rural Empowerment Zone or Enterprise Community;

(c) Tax incentives and credits; and

(d) Distribution of other federal resources including grants from USDA and other federal departments, including Empowerment Zone and Enterprise Community Social Services Block Grant (EZ/EC SSBG) funds as may be available from the U.S. Department of Health and Human Services (HHS).

§ 25.3 Definitions.

As used in this part—

Annual report means the report submitted to USDA by all rural Empowerment Zones and Enterprise Communities pursuant to § 25.400.

Applicant means the entity that is submitting the community's strategic plan for accomplishing comprehensive economic, human community, and physical development within the area; such an entity may include, but is not limited to, State governments, local governments, tribal governments, regional planning agencies, non-profit organizations, community-based organizations, or a partnership of community members and other entities. The applicant may be the same as or different from the lead managing entity.

Baseline condition means a measurable condition or problem at the time of designation for which benchmark goals have been established for improvement.

Benchmark activity means a program, project, task or combination thereof which is designed to achieve a benchmark goal.

Benchmark goal means a measurable goal targeted for achievement in the strategic plan.

Brownfield means a "qualified contaminated site" meeting the requirements of section 941 of the Taxpayer

Relief Act of 1997, (26 U.S.C. 198(c)), where the site is located in an empowerment zone or enterprise community.

Census tract means a population census tract, or, if census tracts are not defined for the area, a block numbering area (BNA) as established by the Bureau of the Census, U.S. Department of Commerce. BNAs are areas delineated by state officials or (lacking state participation) by the Census Bureau, following Census Bureau guidelines, for the purpose of grouping and numbering decennial census blocks in counties or statistically equivalent entities in which census tracts have not been established. A BNA is equivalent to a census tract in the Census Bureau's geographic hierarchy.

Champion Community means a rural area granted such status by the Secretary pursuant to this part from among those communities which applied for designation as either a rural Empowerment Zone or Enterprise Community and which were not so designated.

Designation means the process by which the Secretary designates rural areas as empowerment zones or enterprise communities pursuant to eligibility criteria established by subchapter U of the Internal Revenue Code (26 U.S.C. 1391 *et seq.*).

Designation date means December 21, 1994, in the case of Round I designations, December 24, 1998, in the case of Round II and Round IIS designations and January 11, 2002, in the case of Round III designations

Designation period means, in the case of empowerment zones, the lesser of such time as has elapsed from the designation date to December 31, 2009 or from the designation date to the effective date of an applicable notice of revocation pursuant to 7 CFR 25.405(e) and, in the case of enterprise communities, the lesser of ten years or such time as has elapsed from the designation date to the effective date of an applicable notice of revocation pursuant to 7 CFR 25.405(e).

Developable site means a parcel of land in a nominated area which may be developed for commercial or industrial purposes.