

non-profit and private for-profit entities.

(b) All redistributions of Investment Assistance made pursuant to this section shall be subject to the same terms and conditions applicable to the Recipient under the original Investment Assistance award and must satisfy the requirements of PWEDA and of this chapter.

### **PART 310—SPECIAL IMPACT AREAS**

Sec.

310.1 Special Impact Area.

310.2 Pressing need; alleviation of unemployment or underemployment.

AUTHORITY: 42 U.S.C. 3154; Department of Commerce Organization Order 10–4.

SOURCE: 71 FR 56675, Sept. 27, 2006, unless otherwise noted.

#### **§ 310.1 Special Impact Area.**

Upon the application of an Eligible Applicant, and with respect to that Eligible Applicant's Project only, the Assistant Secretary may designate the Region which the Project will serve as a Special Impact Area if the Eligible Applicant demonstrates that its proposed Project will:

- (a) Directly fulfill a pressing need; and
- (b) Be useful in alleviating or preventing conditions of excessive unemployment or underemployment, or assist in providing useful employment opportunities for the unemployed or underemployed residents of the Region.

[73 FR 62869, Oct. 22, 2008, as amended at 79 FR 76136, Dec. 19, 2014]

#### **§ 310.2 Pressing need; alleviation of unemployment or underemployment.**

(a) The Assistant Secretary may find a pressing need to exist if the Region which the Project will serve:

- (1) Has a unique or urgent circumstance that would necessitate waiver of the CEDS requirements of § 303.7 of this chapter;
- (2) Involves a Project undertaken by an Indian Tribe;
- (3) Is rural and severely distressed;
- (4) Is undergoing a transition in its economic base as a result of changing trade patterns (e.g., the Region is certified as eligible by the North Amer-

ican Development Bank Program or the Community Adjustment and Investment Program);

(5) Exhibits a substantial reliance on a natural resource for its economic well-being;

(6) Has been designated as a Federally Declared Disaster area; or

(7) Has a Special Need.

(b) For purposes of this part, excessive unemployment exists if the 24-month unemployment rate is at least 225 percent of the national average or the per capita income is not more than 50 percent of the national average. A Region demonstrates excessive underemployment if the employment of a substantial percentage of workers in the Region is less than full-time or at less skilled tasks than their training or abilities would otherwise permit. Eligible Applicants seeking a Special Impact Area designation under this criterion must present appropriate and compelling economic and demographic data.

(c) Eligible Applicants may demonstrate the provision of useful employment opportunities by quantifying and evidencing the Project's prospective:

- (1) Creation of jobs;
- (2) Commitment of financial investment by private entities; or
- (3) Application of innovative technology that will lead to the creation of jobs or the commitment of financial investment by private entities.

[71 FR 56675, Sept. 27, 2006, as amended at 79 FR 76136, Dec. 19, 2014]

### **PARTS 311–312 [RESERVED]**

### **PART 313—COMMUNITY TRADE ADJUSTMENT ASSISTANCE**

#### **Subpart A—General Provisions**

Sec.

313.1 Purpose and scope.

313.2 Definitions.

#### **Subpart B—Participation in the Community Trade Adjustment Assistance Program**

313.3 Overview of Community Trade Adjustment Assistance.

313.4 Affirmative determinations.

313.5 Technical assistance.

313.6 Strategic Plans.