

## PART 300—GENERAL INFORMATION

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AUTHORITY: 42 U.S.C. 3211; Department of Commerce Organization Order 10-4.

SOURCE: 64 FR 5352, Feb. 3, 1999, unless otherwise noted.

### § 300.1 Introduction and purpose.

(a) *Introduction.* Is your community suffering from severe economic distress (e.g., high unemployment, low income, sudden economic changes, etc.)? Are you a representative of a State or local unit of government, Indian tribe, public or private nonprofit organization, educational institution, or community development corporation looking for grant assistance to enhance your opportunities for economic development? If so, these regulations of the Economic Development Administration (EDA) of the U.S. Department of Commerce may be of help. These regulations tell you the purpose of EDA and outline the program requirements, project selection process, project evaluation criteria, and other relevant matters. The information in these regulations covers grant programs of EDA that provide financial awards for the following:

- Public Works and Development Facilities;
- Planning;
- Research, Evaluation, Training and Technical Assistance;
- Trade Adjustment Assistance; and
- Economic Adjustment Assistance.

(b) What is the Purpose of the Economic Development Administration?

(1) Many communities lag behind and suffer economic distress in one form or another, such as:

- High unemployment;
- Low income;
- Underemployment;
- Outmigration;
- Sudden economic changes due to the restructuring or relocation of industrial firms;
- Closing or realignment of defense bases or cutbacks in defense procurement;

- Economic impact of natural disasters or other emergencies;
- Actions of the Federal government (such as environmental requirements) that curtail or remove economic activities; and
- Impacts of foreign trade.

(2) The purpose of the Economic Development Administration is to address economic problems affecting economically distressed rural and urban communities; by helping them:

(i) Develop and strengthen their economic development planning and institutional capacity to design and implement business outreach and development programs; and

(ii) Develop or expand public works and other facilities, financing tools, and resources that will create new job opportunities, save existing jobs, retain existing businesses, and support the development of new businesses.

(3) To promote a strong and growing economy throughout the United States, EDA works in partnership with State and local governments, Indian tribes and local, regional, and State public and private nonprofit organizations. With them EDA develops and carries out comprehensive economic development strategies that address the economic problems of distressed communities. EDA helps such communities increase their economic development capacities so that they can take advantage of existing resources and development opportunities.

### § 300.2 Definitions.

Unless otherwise defined in other parts or sections of this Chapter, the terms listed are defined as follows:

*Comprehensive Economic Development Strategy, CEDS, or strategy* means a strategy approved by EDA under § 301.3 of this chapter.

*Department* means the Department of Commerce.

*Economic Development District or district:*

(1) Means any area in the United States that has been designated by EDA as an Economic Development District under § 302.1 of these regulations; and

(2) Includes any Economic Development District designated by EDA under sec. 403 of the Public Works and Economic Development Act of 1965, as

## § 300.2

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amended, as in effect on the day before the effective date of Public Law 105–393.

*EDA* means the Economic Development Administration in the U.S. Department of Commerce when a place or agency is intended, and refers to the headquarters office in Washington, D.C., or a regional office, as appropriate; or it means the Assistant Secretary of Commerce for Economic Development or his/her designee when a person is intended. The locations of EDA's offices are listed each year in a Notice of Funding Availability (NOFA). The general information telephone number for EDA is (202) 482–2309.

*Eligible applicant* means:

(1) In general,—

(i) An entity qualified to be an eligible recipient, or

(ii) Its authorized representative.

(2) Except in the case of Research, Evaluation, Training, or Technical Assistance grants under part 307, a private individual or for-profit organization cannot be an eligible applicant.

*Eligible recipient* means

(1) In general,—

(i) An area described in §301.2 of these regulations;

(ii) An Economic Development District;

(iii) An Indian tribe or a consortium of Indian tribes;

(iv) A State;

(v) A city or other political subdivision of a State or a consortium of political subdivisions;

(vi) An institution of higher education or a consortium of institutions of higher education; or

(vii) A public or private nonprofit organization or association acting in cooperation with officials of a political subdivision of a State.

(2) In the case of Research, Evaluation, Training, and Technical Assistance grants under part 307, eligible recipient also includes private individuals and for-profit organizations.

*Federal agency* means a department, agency, or instrumentality of the United States.

*Federally-declared disaster* means a Presidentially-declared disaster or a Federally-declared disaster pursuant to the Magnuson-Stevens Fishery Conservation and Management Act (Public

Law 94–265) as amended by the Sustainable Fisheries Act (Public Law 104–297), or a Federal declaration pursuant to the Consolidated Farm and Rural Development Act, as amended (Public Laws 92–419, 96–438, 97–35, 98–258, 99–198, 100–233, 100–387, and 101–624), or a Federally-declared disaster pursuant to the Small Business Act, as amended (Public Law 85–536).

*Financial assistance* means grant.

*Grant* means the non-procurement award of EDA funds to an eligible recipient under PWEDA or the Trade Act, as applicable. The term includes a cooperative agreement, within the meaning of chapter 63 of title 31, United States Code.

*Indian tribe* means any Indian tribe, band, nation, pueblo, or other organized group or community, including any Alaska Native Village or Regional Corporation (as defined in or established under the Alaska Native Claims Settlement Act (43 U.S.C. 1601 *et seq.*)), that is recognized as eligible for the special programs and services provided by the United States to Indians because of their status as Indians. The term includes: The governing body of a tribe, nonprofit Indian corporation (restricted to Indians), Indian authority, or other nonprofit tribal organization or entity, provided that the tribal organization or entity is wholly owned by, and established for the benefit of, the tribe or Alaska Native Village.

*Local share, matching share or local share match* are used interchangeably to mean non-Federal funds or goods and services provided by recipients or third parties that are required as a condition of a grant, and includes funds from other Federal agencies only if there is statutory authority allowing such use.

*Notice of Funding Availability* or *NOFA*, refers to the notice or notices EDA publishes each year in the FEDERAL REGISTER and on EDA's internet web site, <http://www.doc.gov/eda>, describing the available amounts, particular procedures, priorities, and special circumstances for the EDA grant programs for that year.

*PWEDA* means the Public Works and Economic Development Act of 1965, as amended (Pub. L. 89–136, 42 U.S.C. 3121 *et seq.*), including the comprehensive

amendments by the Economic Development Administration Reform Act of 1998 (Pub. L. 105-393). (The term “PWEDA” was used to refer to EDA’s authorizing legislation as it was in effect before the effective date of Public Law 105-393, signed into law on November 13, 1998. In these regulations, the term “PWEDA” refers to the legislation as currently amended by the 1998 law.)

*Presidentially-declared disaster* means a major disaster or emergency declared under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 *et seq.*).

*Project* means the activity or activities the purpose of which fulfills EDA program requirements and that EDA funds in whole or in part.

*Proposed District* means a geographic entity composed of one or more eligible areas proposed for designation as an Economic Development District.

*Recipient* and *grantee* are used interchangeably to mean an entity receiving funds from EDA under PWEDA or the Trade Act, as applicable, and includes any EDA approved successor to such recipient.

*State* means a State, the District of Columbia, the Commonwealth of Puerto Rico, the U.S. Virgin Islands, Guam, American Samoa, the Commonwealth of the Northern Mariana Islands, the Republic of the Marshall Islands, the Federated States of Micronesia, and the Republic of Palau.

*The Trade Act* means Title II, Chapters 3 and 5, of the Trade Act of 1974, as amended (19 U.S.C. 2341, *et seq.*).

*United States* means all of the States.

[64 FR 5352, Feb. 3, 1999, as amended at 64 FR 69873, Dec. 14, 1999]

**§ 300.3 OMB control numbers.**

(a) This table displays control numbers assigned to EDA’s information collection requirements by the Office of Management and Budget (“OMB”) pursuant to the Paperwork Reduction Act of 1980, Pub. L. 96-511. EDA intends that this table comply with Section 3507(f) of the Paperwork Reduction Act, requiring agencies to display a current control number assigned by the Director of OMB for each agency information collection requirement.

(b) Control number table:

13 CFR part or section where identified an described	Current OMB control No.
301 .....	0610-0094
302 .....	0610-0094
303 .....	0610-0093
304 .....	0610-0094
305 .....	0610-0094 and 0610-0096
306 .....	0610-0094
307 .....	0610-0094
308 .....	0610-0094 and 0610-0095
314 .....	0610-0094
315 .....	0610-0091 and 0610-0094
316 .....	0610-0094

[64 FR 5352, Feb. 3, 1999, as amended at 65 FR 71024, Nov. 28, 2000]

**§ 300.4 Economic Development Administration-Washington, D.C., Regional and Economic Development Representatives.**

For addresses and phone numbers of the Economic Development Administration in Washington, D.C., Regional and Field Offices and Economic Development Representatives, refer to EDA’s annual Fiscal Year (FY) Notice of Funding Availability (NOFA).

**PART 301—GENERAL ELIGIBILITY AND GRANT RATE REQUIREMENTS**

- Sec.
- 301.1 Applicants.
- 301.2 Area eligibility.
- 301.3 Strategy required.
- 301.4 Grant rates.

AUTHORITY: 42 U.S.C. 3211; Department of Commerce Organization Order 10-4.

SOURCE: 64 FR 5353, Feb. 3, 1999, unless otherwise noted.

**§ 301.1 Applicants.**

(a) Eligible applicants are defined in § 300.2 of this chapter.

(b) Except as otherwise provided in parts 307 and 308 of this chapter, a public or private nonprofit organization applicant must include in its application for assistance, a resolution passed by, or a letter signed by, an authorized representative of a general purpose political subdivision of a State or an Indian tribe, acknowledging that the applicant is acting in cooperation with officials of the political subdivision or Indian tribe, as applicable.

[64 FR 5353, Feb. 3, 1999, as amended at 64 FR 69873, Dec. 14, 1999; 65 FR 71024, Nov. 28, 2000]