

regional office files for not more than three years from the date of receipt.

F. EDA is committed to a policy of non-discrimination in the administration of all its programs.

G. EDA applications proposed for funding are subject to the requirements of Executive Order 12372, "Intergovernmental Review of Federal Programs," as referenced in EDA's regulations at 13 CFR chapter III.

H. This notice has been determined to be "not significant" for purposes of Executive Order 12866.

I. It has been determined that this notice does not contain policies with federalism implications as that term is defined in Executive Order 13132.

J. Because notice and comment are not required under 5 U.S.C. 553, or any other law, for this notice relating to public property, loans, grants benefits or contracts (5 U.S.C. 553(a)), a Regulatory Flexibility Analysis is not required and has not been prepared for this notice, 5 U.S.C. 601 *et seq.*

XV. Special Need Criteria

These criteria are published in accordance with 13 CFR 301.2(h) and define what constitutes a special need sufficient to make an area eligible for Public Works and Economic Development Facilities assistance and Economic Adjustment assistance as described in part III above. An area is eligible pursuant to "Special Need" (13 CFR 301.2(b)(3)), if the area meets one of the criteria described below:

A. Closure or restructuring of industrial firms essential to area economies. An area has experienced either: (1) An actual closure or restructuring of a firm(s), within the past twelve months, resulting in sudden job losses and meeting the following dislocation criteria; or (2) a threat that results from a public announcement of an impending closure or restructuring of a firm(s), expected to occur within two years of preapplication, and result in sudden job losses meeting the following dislocation criteria:

1. For areas over 100,000 population, the actual or threatened dislocation is 500 jobs, or 1 percent of the civilian labor force (CLF), whichever is less.

2. For areas up to 100,000 population, the actual or threatened dislocation is

200 jobs, or 1 percent of the CLF, whichever is less.

B. Substantial out-migration or population loss. Applicants seeking eligibility under this criterion will be asked to present appropriate and compelling economic or demographic data to demonstrate the special need.

C. Underemployment, that is, employment of workers at less than full time or at less skilled tasks than their training or abilities permit. Applicants seeking eligibility under this criterion will be asked to present appropriate and compelling economic and demographic data to demonstrate the special need.

D. Military base closures or realignments, defense contractor reductions-in-force, or Department of Energy defense-related funding reductions.

1. A military base closure refers to a military base that was closed or is scheduled for closure or realignment pursuant to a Base Realignment and Closure Act (BRAC) process or other Department of Defense (DoD) process. Unless further extended by the Assistant Secretary for Economic Development, the area is eligible from the date of Defense Department recommendation for closure until five years after the actual date of closing of the installation.

2. A defense contractor reduction-in-force refers to a defense contractor(s) experiencing defense contract cancellations or reductions resulting from official DoD announcements and having aggregate value of at least \$10 million per year. Actual dislocations must have occurred within one year of application to EDA and threatened dislocations must be anticipated to occur within two years of application to EDA. Defense contracts that expire in the normal course of business will not be considered in meeting this criterion.

3. A Department of Energy defense-related funding reduction refers to a Department of Energy facility that has experienced or will experience a reduction of employment resulting from its defense mission change. The area is eligible from the date of the Department of Energy announcement of reductions until five years after the actual date of reduced operations at the installation.

E. Natural or other major disasters or emergencies, including terrorists

attacks. Unless further extended by the Assistant Secretary, an area that has received one of the following disaster declarations is eligible to apply for EDA assistance for a period of 18 months after the date of declaration.

1. A Presidential Disaster Declaration pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act, as amended (Pub. L. 93-288), 42 U.S.C. 5121 *et seq.*, or

2. A Federally-Declared Disaster pursuant to the Magnuson-Stevens Fishery Conservation and Management Act, (Pub. L. 94-265) as amended by the Sustainable Fisheries Act (Pub. L. 104-297), or

3. A Federal Declaration pursuant to the Consolidated Farm and Rural Development Act, as amended (Pub. L. 92-419, 96-438, 97-35, 98-258, 99-198, 100-233, 100-387, and 101-624), or

4. A Federally-Declared Disaster pursuant to the Small Business Act, as amended (Pub. L. 85-536).

F. Extraordinary depletion of natural resources. EDA presently recognizes the following conditions of extraordinary natural resource depletion:

1. Fisheries.
2. Coal.
3. Timber.

Modifications to the above listing of conditions of extraordinary natural resource depletion, as they may occur, will be announced in subsequent public notices.

G. Communities undergoing transition of their economic base as a result of changing trade patterns. An area certified as eligible by the North American Development Bank (NADBANK) Program or the Community Adjustment and Investment Program (CAIP).

H. Other special need. The area is experiencing other special and/or extraordinary economic adjustment needs as determined by the Assistant Secretary.

The applicant will be asked to present appropriate economic or demographic statistics to demonstrate a special need.

XVI. EDA Regional Offices and Economic Development Representatives

EDA regional offices and the Economic Development Representatives and the areas served are listed below:

William J. Day, Jr., Regional Director, Atlanta Regional Office, 401 West Peachtree Street, NW., Suite 1820, Atlanta, Georgia 30308-3510, Telephone: (404) 730-3002, Fax: (404) 730-3025, Internet Address: wday1@eda.doc.gov

Economic development representatives or regional office contacts	States covered
PATTERSON, Gilbert 401 West Peachtree Street, NW. Suite 1820	Mississippi.