



# Federal Register

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**Tuesday,  
November 30, 2004**

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## **Part III**

# **Department of Housing and Urban Development**

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**Statutorily Mandated Designation of  
Difficult Development Areas for Section  
42 of the Internal Revenue Code of 1986;  
Notice**

**DEPARTMENT OF HOUSING AND  
URBAN DEVELOPMENT**

[Docket No. FR-4889-N-03]

**Statutorily Mandated Designation of  
Difficult Development Areas for  
Section 42 of the Internal Revenue  
Code of 1986**

**AGENCY:** Office of the Secretary, HUD.  
**ACTION:** Notice.

**SUMMARY:** This document designates "Difficult Development Areas" for purposes of the Low-Income Housing Tax Credit (LIHTC) under section 42 of the Internal Revenue Code of 1986 (the Code) (26 U.S.C. 42). The United States Department of Housing and Urban Development (HUD) makes new Difficult Development Area designations annually. The designations of "Qualified Census Tracts" under section 42 of the Internal Revenue Code published December 12, 2002, as supplemented on December 19, 2003, remain in effect.

**FOR FURTHER INFORMATION CONTACT:** For questions on how areas are designated and on geographic definitions: Alastair McFarlane, Senior Economist, Economic Development and Public Finance Division, Office of Policy Development and Research, Department of Housing and Urban Development, 451 Seventh Street, SW., Washington, DC 20410-6000, telephone (202) 708-2770, e-mail [Alastair.McFarlane@hud.gov](mailto:Alastair.McFarlane@hud.gov). For specific legal questions pertaining to Section 42: Branch 5, Office of the Associate Chief Counsel, Passthroughs & Special Industries, Internal Revenue Service, 1111 Constitution Avenue, NW., Washington, DC 20224, telephone (202) 622-3040, fax (202) 622-4524. For questions about the "HUB Zones" program: Michael P. McHale, Assistant Administrator for Procurement Policy, Office of Government Contracting, Suite 8800, Small Business Administration, 409 Third Street, SW., Washington, DC 20416, telephone (202) 205-8885, fax (202) 205-7167, e-mail [hubzone@sba.gov](mailto:hubzone@sba.gov). A text telephone is available for persons with hearing or speech impairments at (202) 708-9300. (These are not toll-free telephone numbers.) Additional copies of this notice are available through HUD User at (800) 245-2691 for a small fee to cover duplication and mailing costs.

**Copies Available Electronically:** This notice and additional information about Difficult Development Areas and Qualified Census Tracts are available electronically on the Internet (World Wide Web) at <http://www.huduser.org/datasets/qct.html>.

**SUPPLEMENTARY INFORMATION:**
**This Document**

This notice designates Difficult Development Areas for each of the 50 states, the District of Columbia, Puerto Rico, American Samoa, Guam, the Northern Mariana Islands, and the U.S. Virgin Islands. The designations of Difficult Development Areas in this notice are based on final fiscal year 2004 Fair Market Rents (FMRs), 2004 income limits, and 2000 Census population counts as explained below. The designations of Qualified Census Tracts under Section 42 of the Internal Revenue Code published December 12, 2002 (67 FR 76451), as supplemented on December 19, 2003 (68 FR 70982), remain in effect.

**2000 Census**

Data from the 2000 Census on total population of metropolitan areas and nonmetropolitan areas are used in the designation of Difficult Development Areas. The Office of Management and Budget (OMB) published new metropolitan area definitions incorporating 2000 Census data in OMB Bulletin No. 03-04 on June 6, 2003, as updated in OMB Bulletin No. 04-03 on February 18, 2004. The FY2004 FMRs and 2004 income limits used to designate Difficult Development Areas are based on the Metropolitan Statistical Area (MSA) and Primary Metropolitan Statistical Area (PMSA) definitions established by OMB in OMB Bulletin No. 99-04 on June 30, 1999. Therefore, for the purposes of designating Difficult Development Areas, "metropolitan areas" will continue to be defined according to the MSA/PMSA definitions established in OMB Bulletin No. 99-04 on June 30, 1999, until further notice.

**Background**

The U.S. Department of the Treasury (Treasury) and its Internal Revenue Service (IRS) are authorized to interpret and enforce the provisions of the Code, including the LIHTC found at Section 42 of the Code. The Secretary of HUD is required to designate Difficult Development Areas and Qualified Census Tracts by Section 42(d)(5)(C) of the Code. In order to assist in understanding HUD's mandated designation of Difficult Development Areas and Qualified Census Tracts for use in administering Section 42, a summary of the section is provided. The following summary does not purport to bind Treasury or the IRS in any way, nor does it purport to bind HUD, as HUD has authority to interpret or administer the Code only in instances where it receives explicit delegation.

**Summary of Low-Income Housing Tax Credit**

The LIHTC is a tax incentive intended to increase the availability of low-income housing. Section 42 provides an income tax credit to owners of newly constructed or substantially rehabilitated low-income rental housing projects. The dollar amount of the LIHTC available for allocation by each state (credit ceiling) is limited by population. Each state is allowed a credit ceiling based on a statutory formula indicated at Section 42(h)(3). States may carry forward unallocated credits derived from the credit ceiling for one year; however, to the extent these unallocated credits are not used by then, the credits go into a national pool to be redistributed to states as additional credit. State and local housing agencies allocate the state's credit ceiling among low-income housing buildings whose owners have applied for the credit. Besides Section 42 credits derived from the credit ceiling, states may also provide Section 42 credits to owners of buildings based upon the percentage of certain building costs financed by tax-exempt bond proceeds. Credits provided under the tax-exempt bond "volume cap" do not reduce the credits available from the credit ceiling.

The credits allocated to a building are based on the cost of units placed in service as low-income units under certain minimum occupancy and maximum rent criteria. In general, a building must meet one of two thresholds to be eligible for the LIHTC: Either 20 percent of the units must be rent-restricted and occupied by tenants with incomes no higher than 50 percent of the area median gross income (AMGI) or 40 percent of the units must be rent restricted and occupied by tenants with incomes no higher than 60 percent of AMGI. The term "rent-restricted" means that gross rent, including an allowance for utilities, cannot exceed 30 percent of the tenant's imputed income limitation (*i.e.*, 50 percent or 60 percent of AMGI). The rent and occupancy thresholds remain in effect for at least 15 years, and building owners are required to enter into agreements to maintain the low-income character of the building for at least an additional 15 years.

The LIHTC reduces income tax liability dollar for dollar. It is taken annually for a term of ten years and is intended to yield a present value of either (1) 70 percent of the "qualified basis" for new construction or substantial rehabilitation expenditures that are not federally subsidized (*i.e.*, financed with tax-exempt bonds or

below-market federal loans), or (2) 30 percent of the qualified basis for the cost of acquiring certain existing buildings or projects that are federally subsidized. The actual credit rates are adjusted monthly for projects placed in service after 1987 under procedures specified in Section 42. Individuals can use the credits up to a deduction equivalent of \$25,000 (the actual maximum amount of credit that an individual can claim depends upon the individual's marginal tax rate). Individuals cannot use the credits against the alternative minimum tax. Corporations, other than S or personal service corporations, can use the credits against ordinary income tax. They cannot use the credits against the alternative minimum tax. These corporations can also deduct losses from the project.

The qualified basis represents the product of the building "applicable fraction" and its "eligible basis." The applicable fraction is based on the number of low-income units in the building as a percentage of the total number of units, or based on the floor space of low income-units as a percentage of the total floor space of residential units in the building. The eligible basis is the adjusted basis attributable to acquisition, rehabilitation, or new construction costs (depending on the type of LIHTC involved). These costs include amounts chargeable to a capital account that are incurred prior to the end of the first taxable year in which the qualified low-income building is placed in service or, at the election of the taxpayer, the end of the succeeding taxable year. In the case of buildings located in designated Difficult Development Areas or designated Qualified Census Tracts, eligible basis can be increased up to 130 percent of what it would otherwise be. This means that the available credits also can be increased by up to 30 percent. For example, if a 70 percent credit is available, it effectively could be increased to as much as 91 percent.

Section 42 of the Code defines a Difficult Development Area as any area designated by the Secretary of HUD as an area that has high construction, land, and utility costs relative to the AMGI. All designated Difficult Development Areas in metropolitan areas (taken together) may not contain more than 20 percent of the aggregate population of all metropolitan areas, and all designated areas not in metropolitan areas may not contain more than 20 percent of the aggregate population of all nonmetropolitan areas.

## Explanation of HUD Designation Methodology

### A. Difficult Development Areas

In developing the list of Difficult Development Areas, HUD compared housing costs with incomes. HUD used 2000 Census population data and the metropolitan area (MSA/PMSA) definitions as published in OMB Bulletin No. 99-04 on June 30, 1999. In keeping with past practice of basing the coming year's Difficult Development Area designations on data from the preceding year, the basis for these comparisons was the 2004 HUD income limits for Very Low-Income households (Very Low Income Limits, or VLILs) and final FY2004 FMRs used for the Section 8 Housing Choice Voucher program. The procedure used in making the Difficult Development Area calculations follows:

1. For each MSA/PMSA and each nonmetropolitan area, a ratio was calculated. This calculation used the final FY2004 two-bedroom FMR and the 2004 four-person VLIL.

- a. The numerator of the ratio was the area's final FY2004 FMR. In general, the FMR is based on the 40th percentile rent paid by recent movers for a two-bedroom apartment. In metropolitan areas granted a FMR based on the 50th percentile rent for purposes of improving the administration of HUD's Housing Choice Voucher program (see 66 FR 162), the 40th percentile rent is used for nationwide consistency of comparisons.

- b. The denominator of the ratio was the monthly LIHTC income-based rent limit calculated as  $\frac{1}{2}$  of 30 percent of 120 percent of the area's VLIL (where 120 percent of the VLIL was rounded to the nearest \$50 and not allowed to exceed 80 percent of the AMGI in areas where the VLIL is adjusted upward from its 50 percent of AMGI base).

2. The ratios of the FMR to the LIHTC income-based rent limit were arrayed in descending order, separately, for MSAs/PMSAs and for nonmetropolitan areas.

3. The Difficult Development Areas are those with the highest ratios cumulative to 20 percent of the 2000 population of all metropolitan areas and of all nonmetropolitan areas, respectively.

### B. Application of Population Caps to Difficult Development Area Determinations

In identifying Difficult Development Areas, HUD applied caps, or limitations, as noted above. The cumulative population of metropolitan Difficult Development Areas cannot exceed 20 percent of the cumulative population of

all metropolitan areas and the cumulative population of nonmetropolitan Difficult Development Areas cannot exceed 20 percent of the cumulative population of all nonmetropolitan areas.

In applying these caps, HUD established procedures to deal with how to treat small overruns of the caps. The remainder of this section explains the procedure. In general, HUD stops selecting areas when it is impossible to choose another area without exceeding the applicable cap. The only exceptions to this policy are when the next eligible excluded area contains either a large absolute population or a large percentage of the total population, or the next excluded area's ranking ratio as described above was identical (to four decimal places) to the last area selected, and its inclusion resulted in only a minor overrun of the cap. Thus, for both the designated metropolitan and nonmetropolitan Difficult Development Areas, there may be minimal overruns of the cap. HUD believes the designation of these additional areas is consistent with the intent of the legislation. As long as the apparent excess is small due to measurement errors, some latitude is justifiable because it is impossible to determine whether the 20 percent cap has been exceeded. Despite the care and effort involved in a decennial census, the Census Bureau and all users of the data recognize that the population counts for a given area and for the entire country are not precise. The extent of the measurement error is unknown. Thus, there can be errors in both the numerator and denominator of the ratio of populations used in applying a 20 percent cap. In circumstances where a strict application of a 20 percent cap results in an anomalous situation, recognition of the unavoidable imprecision in the census data justifies accepting small variances above the 20 percent limit.

### C. Exceptions to OMB Definitions of MSAs/PMSAs and Other Geographic Matters

As stated in OMB Bulletin 99-04 defining metropolitan areas:

"OMB establishes and maintains the definitions of the [Metropolitan Areas] solely for statistical purposes \* \* \* OMB does not take into account or attempt to anticipate any nonstatistical uses that may be made of the definitions. \* \* \* We recognize that some legislation specifies the use of metropolitan areas for programmatic purposes, including allocating federal funds."

HUD makes exceptions to OMB definitions in calculating FMRs by deleting counties from metropolitan areas whose OMB definitions are

determined by HUD to be larger than their housing market areas.

The following counties are assigned their own FMRs and VLILs and evaluated as if they were separate metropolitan areas for purposes of designating Difficult Development Areas.

#### Metropolitan Area and Counties Deleted

Chicago, Illinois: DeKalb, Grundy, and Kendall Counties.

Cincinnati-Hamilton, Ohio-Kentucky-Indiana: Brown County, Ohio; Gallatin, Grant, and Pendleton Counties,

Kentucky; and Ohio County, Indiana.

Dallas, Texas: Henderson County.

Flagstaff, Arizona-Utah: Kane County, Utah.

New Orleans, Louisiana: St. James Parish.

Washington, DC-Maryland-Virginia-West Virginia: Clarke, Culpeper, King George, and Warren Counties, Virginia; and Berkely and Jefferson Counties, West Virginia.

Affected MSAs/PMSAs are assigned the indicator "(part)" in the list of Metropolitan Difficult Development Areas. Any of the excluded counties designated as Difficult Development Areas separately from their metropolitan areas are designated by the county name.

In the New England states (Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, and Vermont), OMB defined MSAs/PMSAs according to county subdivisions or minor civil divisions (MCDs), rather than county boundaries. Thus, when a New England county is designated as a Nonmetropolitan Difficult Development Area, only that part of the county (the group of MCDs) not included in any MSA/PMSA is the Nonmetropolitan Difficult Development Area. Affected counties are assigned the indicator "(part)" in the list of Nonmetropolitan Difficult Development Areas.

For the convenience of readers of this notice, the geographical definitions of designated Metropolitan Difficult Development Areas and the MCDs included in Nonmetropolitan Difficult Development Areas in the New England states are included in the list of Difficult Development Areas.

Certain nonmetropolitan county equivalent areas in Alaska for which FMRs and VLILs are calculated and thus form the basis of Difficult Development Area determinations are no longer recognized as geographic entities by the Bureau of the Census. Therefore, no 2000 Census population counts are produced for these areas. HUD estimated the 2000 population of these areas as follows:

1. The 2000 Population of Denali Borough (1,893) was allocated entirely to the Yukon-Koyukuk Census Area. The part of Denali Borough created from the Southeast Fairbanks Census Area was deemed uninhabited after examination of Census Block data for, and maps of, the area of Denali Borough formerly in the Southeast Fairbanks Census Area.

2. The population of Yakutat City and Borough (808) was allocated to the former Skagway-Yakutat-Angoon Census Area (680) and the Valdez-Cordova Census Area (128). The populations of Yakutat City and Borough Census Blocks located east of 141° west longitude were allocated to the Skagway-Yakutat-Angoon Census Area. The populations of Yakutat City and Borough Census Blocks located west of 141° west longitude were allocated to the Valdez-Cordova Census Area.

#### Future Designations

Difficult Development Areas are designated annually as updated income and FMR data become available.

#### Effective Date

The 2005 lists of Difficult Development Areas are effective (1) for allocations of credit after December 31, 2004; or (2) for purposes of Section 42(h)(4)(B) of the Code, if the bonds are issued and the building is placed in service after December 31, 2004. If an area is not on a subsequent list of Difficult Development Areas, the 2005 lists are effective for the area if (1) the allocation of credit to an applicant is made no later than the end of the 365-day period after the submission to the credit-allocating agency of a complete application by the applicant, and the submission is made before the effective date of the subsequent lists; or (2) for purposes of Section 42(h)(4)(B) of the Code, the bonds are issued or the building is placed in service no later than the end of the 365-day period after the applicant submits a complete application to the bond-issuing agency, and the submission is made before the effective date of the subsequent lists, provided that both the issuance of the bonds and the placement in service of the building occur after the application is submitted.

An application is deemed to be submitted on the date it is filed if the application is determined to be complete as certified in writing by the credit-allocating agency or bond-issuing agency. A "complete application" means that no more than *de minimis* clarification of the application is required for the agency to make a

decision about the allocation of tax credits or issuance of bonds requested in the application.

The designations of "Qualified Census Tracts" under Section 42 of the Internal Revenue Code published December 12, 2002 (67 FR 76451) as supplemented on December 19, 2003 (68 FR 70982), remain in effect. The above language regarding calendar year 2005 and subsequent designations of Difficult Development Areas also applies to the designations of Qualified Census Tracts published December 12, 2002 (67 FR 76451), as supplemented on December 19, 2003 (68 FR 70982), and subsequent designations of Qualified Census Tracts.

#### Interpretive Examples of Effective Date

For the convenience of readers of this notice, interpretive examples are provided below to illustrate the consequences of the effective date in areas that gain or lose Difficult Development Area status. The examples are equally applicable to future Qualified Census Tract designations.

(Case A): Project "A" is located in a 2005 Difficult Development Area that is not a designated Difficult Development Area in 2006. A complete application for tax credits for Project "A" is filed with the allocating agency November 15, 2005, which the credit-allocating agency certified in writing as complete. Credits are allocated to project "A" on October 30, 2006. Project "A" is eligible for the increase in basis accorded a project in a 2005 Difficult Development area because the application was filed *before* January 1, 2006 (the assumed effective date for the 2006 Difficult Development Area lists), and tax credits were allocated no later than the end of the 365-day period after the filing of the complete application for an allocation of tax credits.

(Case B): Project "B" is located in a 2005 Difficult Development Area that is not a designated Difficult Development Area in 2006. A complete application for tax credits for Project "B" is filed with the allocating agency December 1, 2005, which the credit-allocating agency certified in writing as complete. Credits are allocated to project "B" on March 30, 2007. Project "B" is not eligible for the increase in basis accorded a project in a 2005 Difficult Development area because, although the application for an allocation of tax credits was filed *before* January 1, 2006 (the assumed effective date of the 2006 Difficult Development Area lists), the tax credits were allocated later than the end of the 365-day period after the filing of the complete application.

(Case C): Project "C" is located in a 2005 Difficult Development Area that was not a Difficult Development Area in 2004. Project "C" was placed in service November 15, 2004. A complete application for tax-exempt bond financing for Project "C" is filed with the bond-issuing agency on January 15, 2005, which the bond-issuing agency certified in writing as complete. The bonds that will support the permanent financing of Project "C" are issued September 30, 2005. Project "C" is not eligible for the increase in basis otherwise accorded a project in a 2005 Difficult Development Area because the project was placed in service before January 1, 2005.

(Case D): Project "D" is located in an area that is a Difficult Development Area in 2005, but is not a Difficult Development Area in 2006. A complete application for tax-exempt bond financing for Project "D" is filed with the bond-issuing agency on October 30, 2005, which the bond-issuing agency certified in writing as complete. Bonds are issued for Project "D" on April 30, 2006, but Project "D" is not placed in service until January 30, 2007. Project "D" is eligible for the increase in basis

available to projects located in 2005 Difficult Development Areas because the first of the two events necessary for triggering the effective date for buildings described in Section 42(h)(4)(B) of the Code (the two events being bonds issued and buildings placed in service) took place on April 30, 2006, within the 365-day period after a complete application for tax-exempt bond financing was filed, and the application was filed during a time when the location of Project "D" was in a Difficult Development Area.

#### **Findings and Certifications**

##### *Environmental Impact*

In accordance with 40 CFR 1508.4 of the regulations of the Council on Environmental Quality and 24 CFR 50.19(c)(6) of HUD's regulations, the policies and procedures contained in this notice provide for the establishment of fiscal requirements or procedures that do not constitute a development decision affecting the physical condition of specific project areas or building sites and, therefore, are categorically excluded from the requirements of the National Environmental Policy Act, except for extraordinary circumstances, and no

Finding of No Significant Impact is required.

##### *Federalism Impact*

Executive Order 13132 (entitled "Federalism") prohibits an agency from publishing any policy document that has federalism implications if the document either imposes substantial direct compliance costs on state and local governments and is not required by statute, or the document preempts state law, unless the agency meets the consultation and funding requirements of section 6 of the executive order. This notice merely designates "Difficult Development Areas" and "Qualified Census Tracts" as required under Section 42 of the Internal Revenue Code, as amended, for the use by political subdivisions of the states in allocating the Low-Income Housing Tax Credit. This notice also details the technical methodology used in making such designations. As a result, this notice is not subject to review under the order.

Dated: November 23, 2004.

**Alphonso Jackson,**  
Secretary.

BILLING CODE 4210-62-P

**2005 IRS SECTION 42(d)(5)(C) METROPOLITAN DIFFICULT DEVELOPMENT AREAS  
(MSA/PMSA DEFINITIONS June 30, 1999)**

State	Metropolitan Area	Metropolitan Area Components
Arizona	Flagstaff, AZ-UT MSA (part) Yuma, AZ MSA	Coconino County, AZ Yuma County
California	Los Angeles-Long Beach, CA PMSA Oakland, CA PMSA Orange County, CA PMSA Salinas, CA MSA San Diego, CA MSA San Francisco, CA PMSA San Jose, CA PMSA Santa Barbara-Santa Maria-Lompoc, CA MSA Santa Cruz-Watsonville, CA PMSA Santa Rosa, CA PMSA	Los Angeles County Alameda County Orange County Monterey County San Diego County Marin County Santa Clara County Santa Barbara County Santa Cruz County Sonoma County  Contra Costa County  San Francisco County San Mateo County
Florida	Miami, FL PMSA Tampa-St. Petersburg-Clearwater, FL MSA	Miami-Dade County Hernando County  Hillsborough County Pasco County Pinellas County

**2005 IRS SECTION 42(d)(5)(C) METROPOLITAN DIFFICULT DEVELOPMENT AREAS  
(MSA/PMSA DEFINITIONS June 30, 1999)**

State	Metropolitan Area	Metropolitan Area Components
Massachusetts	Barnstable-Yarmouth, MA MSA	Barnstable city Eastham town Sandwich town Acton town Ayer town Berkley town Bolton town Brookline town Carlsle town Concord town Dover town Foxborough town Hamilton town Holbrook town Hudson town Lancaster town Lynn city Mansfield town Maynard town Melrose city Millis town Natick town Newton city Norwell town Plainville town Reading town Rowley town Scituate town Somerville city Stow town Topsfield town Walpole town
	Boston, MA-NH PMSA	Brewster town Harwich town Yarmouth town Amesbury town Bedford town Berlin town Boston city Burlington town Carver town Danvers town Duxbury town Framingham town Hanover town Holliston town Hull town Lexington town Lynnfield town Marblehead town Medfield town Mendon town Millville town Needham town Norfolk town Norwood town Plymouth town Revere city Salem city Sharon town Southborough town Sudbury town Townsend town Waltham city
Dennis town Orleans town		Chatham town Mashpee town
		Ashland town Belmont town Blackstone town Braintree town Canton town Cohasset town Dighton town Everett city Gloucester city Hingham town Hopkinton town Kingston town Littleton town Malden city Marshfield town Medway town Milford town Nahant town Newburyport city Norton town Pembroke town Randolph town Rockport town Saugus town Shirley town Stoughton town Taunton city Wakefield town Watertown city

**2005 IRS SECTION 42(d)(5)(C) METROPOLITAN DIFFICULT DEVELOPMENT AREAS  
(MSA/PMSA DEFINITIONS June 30, 1999)**

<b>State</b>	<b>Metropolitan Area</b>	<b>Metropolitan Area Components</b>			
Massachusetts (continued)	Boston, MA-NH PMSA (continued)	Wayland town	Wellesley town	Wenham town	Weston town
		Westwood town	Weymouth town	Wilmington town	Winchester town
		Winthrop town	Woburn city	Wrentham town	
New Hampshire	Boston, MA-NH PMSA	Seabrook town	South Hampton town		
New Jersey	Jersey City, NJ PMSA	Hudson County			
New York	Nassau-Suffolk, NY PMSA New York, NY PMSA	Nassau County	Suffolk County	New York County	Putnam County
		Bronx County	Kings County	Rockland County	Westchester County
		Queens County	Richmond County		
Puerto Rico	Aguadilla, PR MSA Caguas, PR PMSA	Aguada Municipio	Aguadilla Municipio	Moca Municipio	Gurabo Municipio
		Caguas Municipio	Cayey Municipio	Cidra Municipio	
		San Lorenzo Municipio			
	Mayaguez, PR MSA	Anasco Municipio	Cabo Rojo Municipio	Hormigueros Municipio	Mayaguez Municipio
		Sabana Grande Municipio	San German Municipio		
		Agua Buenas Municipio	Barceloneta Municipio	Bayamon Municipio	Canovanas Municipio
	San Juan-Bayamon, PR PMSA	Carolina Municipio	Catano Municipio	Ceiba Municipio	Comerio Municipio
		Corozal Municipio	Dorado Municipio	Fajardo Municipio	Florida Municipio
		Guaynabo Municipio	Humacao Municipio	Juncos Municipio	Las Piedras Municipio
		Loiza Municipio	Luquillo Municipio	Manati Municipio	Morovis Municipio
		Naguabo Municipio	Naranjito Municipio	Rio Grande Municipio	San Juan Municipio
		Toa Alta Municipio	Toa Baja Municipio	Trujillo Alto Municipio	Vega Alta Municipio
		Vega Baja Municipio	Yabucoa Municipio		

**2005 IRS SECTION 42(d)(5)(C) NONMETROPOLITAN DIFFICULT DEVELOPMENT AREAS  
(MSA/PMSA DEFINITIONS June 30, 1999)**

**State Nonmetropolitan Counties or County Equivalents**

**Alabama**

Pike County

**Alaska**

Bethel Census Area  
Haines Borough  
Kodiak Island Borough  
North Slope Borough  
Wrangell-Petersburg Census Area

Denali Borough  
Juneau City and Borough  
Lake and Peninsula Borough  
Northwest Arctic Borough

Dillingham Census Area  
Kenai Peninsula Borough  
Matanuska-Susitna Borough  
Sitka City and Borough

Fairbanks North Star Borough  
Ketchikan Gateway Borough  
Nome Census Area  
Valdez-Cordova Census Area

**Arizona**

Apache County  
Greenlee County  
Yavapai County

Cochise County  
La Paz County

Gila County  
Navajo County

Graham County  
Santa Cruz County

**California**

Amador County  
Glenn County  
Kings County  
Mendocino County  
San Benito County  
Trinity County

Calaveras County  
Humboldt County  
Lake County  
Modoc County  
Sierra County  
Tuolumne County

Colusa County  
Imperial County  
Lassen County  
Mono County  
Siskiyou County

Del Norte County  
Inyo County  
Mariposa County  
Nevada County  
Tehama County

**Colorado**

Archuleta County  
San Miguel County

Garfield County  
Summit County

La Plata County

Pitkin County

**2005 IRS SECTION 42(d)(5)(C) NONMETROPOLITAN DIFFICULT DEVELOPMENT AREAS  
(MSA/PMSA DEFINITIONS June 30, 1999)**

<b>State</b>		<b>Nonmetropolitan Counties or County Equivalents</b>	
<b>Connecticut</b>	LITCHFIELD COUNTY (part) towns of Goshen town Norfolk town Torrington town	Canaan town Kent town North Canaan town Warren town Chester town	Cornwall town Morris town Sharon town
	MIDDLESEX COUNTY (part) towns of Westbrook town		Deep River town Essex town
<b>Delaware</b>	Sussex County		
<b>Florida</b>	Calhoun County	Citrus County	DeSoto County
	Dixie County	Franklin County	Glades County
	Gulf County	Hamilton County	Hendry County
	Highlands County	Holmes County	Jackson County
	Jefferson County	Lafayette County	Liberty County
	Madison County	Monroe County	Putnam County
	Sumter County	Suwannee County	Union County
	Walton County	Washington County	
			Columbia County
			Gilchrist County
			Hardee County
			Indian River County
			Levy County
		Okeechobee County	
		Taylor County	
<b>Hawaii</b>	Hawaii County	Kalawao County	Maui County
<b>Idaho</b>	Bonner County	Kootenai County	
<b>Kentucky</b>	Harlan County	Knox County	Laurel County

2005 IRS SECTION 42(d)(5)(C) NONMETROPOLITAN DIFFICULT DEVELOPMENT AREAS  
(MSA/PMSA DEFINITIONS June 30, 1999)

State Nonmetropolitan Counties or County Equivalents

State	Nonmetropolitan Counties or County Equivalents	Durham town	Leeds town	Livermore town
Maine	ANDROSCOGGIN COUNTY (part) towns of	Durham town	Leeds town	Livermore town
	Livermore Falls town	Minot town		
	Aroostook County			
	CUMBERLAND COUNTY (part) towns of	Baldwin town	Bridgton town	Brunswick town
	Harpwell town	Harrison town	Naples town	New Gloucester town
	Pownal town	Sebago town		
	Franklin County	Hancock County	Kennebec County	Knox County
	Lincoln County	Oxford County		
	PENOBSCOT COUNTY (part) towns of	Alton town	Argyle unorg.	Bradford town
	Bradley town	Burlington town	Carmel town	Carroll plantation
	Charleston town	Chester town	Clifton town	Corinna town
	Corinth town	Dexter town	Dixmont town	Drew plantation
	East Central Penobscot unorg.	East Millinocket town	Edinburg town	Enfield town
	Etna town	Exeter town	Garland town	Greenbush town
	Greenfield town	Howland town	Hudson town	Kingman unorg.
	Lagrange town	Lakeville town	Lee town	Levant town
	Lincoln town	Lowell town	Mattawamkeag town	Maxfield town
	Medway town	Millinocket town	Mount Chase town	Newburgh town
	North Penobscot unorg.	Newport town	Passadumkeag town	Patten town
	Plymouth town	Prentiss plantation	Seboeis plantation	Springfield town
	Stacyville town	Stetson town	Twombly unorg.	Webster plantation
	Whitney unorg.	Winn town	Woodville town	
	Piscataquis County	Sagadahoc County	Somerset County	
	WALDO COUNTY (part) towns of	Belfast city	Belmont town	Brooks town
	Burnham town	Frankfort town	Freedom town	Islesboro town
	Jackson town	Knox town	Liberty town	Lincolnville town
	Monroe town	Montville town	Morrill town	Northport town
	Palermo town	Prospect town	Searsmont town	Searsmont town
	Stockton Springs town	Swarville town	Thorndike town	Troy town
	Unity town	Waldo town		
	Washington County			

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**State Nonmetropolitan Counties or County Equivalents**

<b>Maine (continued)</b>	YORK COUNTY (part) towns of Biddeford city Kennebunkport town Newfield town Saco city Wells town	Acton town Cornish town Lebanon town North Berwick town Sanford town	Alfred town Dayton town Limerick town Ogunquit town Shapleigh town	Arundel town Kennebunk town Lyman town Parsonsfield town Waterboro town
<b>Maryland</b>	St. Mary's County	Wicomico County		
<b>Massachusetts</b>	BARNSTABLE COUNTY (part) towns of Truro town Dukes County FRANKLIN COUNTY (part) towns of Charlemont town Erving town Heath town Montague town Rowe town Wendell town HAMPDEN COUNTY (part) towns of Granville town HAMPSHIRE COUNTY (part) towns of Middlefield town Worthington town Nantucket County WORCESTER COUNTY (part) towns of Petersham town Warren town	Bourne town Wellfleet town Ashfield town Colrain town Gill town Leverett town New Salem town Shelburne town Whately town Blandford town Tolland town Chesterfield town Pelham town Athol town New Braintree town	Falmouth town Bernardston town Conway town Greenfield town Leyden town Northfield town Shutesbury town Brimfield town Wales town Cummington town Plainfield town Hardwick town Phillipston town	Provincetown town Buckland town Deerfield town Hawley town Monroe town Orange town Warwick town Chester town Goshen town Westhampton town Hubbardston town Royalston town

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**State Nonmetropolitan Counties or County Equivalents**

**Michigan** Montcalm County

**Minnesota** Kanabec County

**Mississippi** Bolivar County

Coahoma County

Issaquena County

Washington County

**Montana** Beaverhead County  
Carbon County  
Daniels County  
Fergus County  
Golden Valley County  
Lake County  
McCone County  
Petroleum County  
Powell County  
Roosevelt County  
Sweet Grass County  
Wibaux County

Big Horn County  
Carter County  
Dawson County  
Gallatin County  
Granite County  
Liberty County  
Meagher County  
Phillips County  
Prairie County  
Sanders County  
Teton County

Blaine County  
Chouteau County  
Deer Lodge County  
Garfield County  
Hill County  
Lincoln County  
Mineral County  
Pondera County  
Ravalli County  
Sheridan County  
Treasure County

Broadwater County  
Custer County  
Fallon County  
Glacier County  
Judith Basin County  
Madison County  
Musselshell County  
Powder River County  
Richland County  
Silver Bow County  
Wheatland County

**Nevada** Carson City  
Humboldt County  
Mineral County

Churchill County  
Lander County  
Pershing County

Douglas County  
Lincoln County  
White Pine County

Esmeralda County  
Lyon County

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Nonmetropolitan Counties or County Equivalents					
State					
New Hampshire	Belknap County	Carroll County	Cheshire County	Grafton County	
	HILLSBOROUGH COUNTY (part) towns of	Antrim town	Bennington town	Deering town	
	Francestown town	Greenfield town	Hancock town	Hillsborough town	
	Lyndeborough town	New Boston town	Peterborough town	Sharon town	
	Temple town	Windsor town			
	MERRIMACK COUNTY (part) towns of	Andover town	Boscawen town	Bow town	
	Bradford town	Canterbury town	Chichester town	Concord city	
	Danbury town	Dunbarton town	Epsom town	Franklin city	
	Henniker town	Hill town	Hopkinton town	Loudon town	
	Newbury town	New London town	Northfield town	Pembroke town	
	Pittsfield town	Salisbury town	Sutton town	Warner town	
	Webster town	Wilmot town			
	ROCKINGHAM COUNTY (part) towns of	Deerfield town	Northwood town	Nottingham town	
	STRAFFORD COUNTY (part) towns of	Middleton town	New Durham town	Strafford town	
	New Mexico	Catron County	Chaves County	Cibola County	Curry County
		DeBaca County	Grant County	Guadalupe County	Luna County
		McKinley County	Mora County	Otero County	Quay County
Rio Arriba County		Roosevelt County	San Miguel County	Sierra County	
Socorro County		Taos County			
New York	Columbia County	Cortland County	Essex County	Greene County	
	Hamilton County	Jefferson County	Otsego County	Schuyler County	
	Sullivan County	Tompkins County	Ulster County		
North Carolina	Cleveland County	Jackson County	Pender County	Rutherford County	
	Watauga County				

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**State Nonmetropolitan Counties or County Equivalents**

**Ohio** Athens County

**Oklahoma** Payne County

**Oregon** Baker County Clatsop County Coos County Crook County  
Curry County Deschutes County Douglas County Grant County  
Harney County Hood River County Jefferson County Josephine County  
Klamath County Lake County Lincoln County Linn County  
Malheur County Union County Wallowa County Wasco County  
Wheeler County

**Pennsylvania** Monroe County Wayne County

**Rhode Island** NEWPORT COUNTY (part) towns of Middleton town Portsmouth town  
WASHINGTON COUNTY (part) towns of Newport city New Shoreham town

**South Dakota** Butte County Lawrence County Meade County

**Texas** Aransas County Camp County Nacogdoches County Navarro County  
Reagan County Val Verde County Yoakum County

**Utah** Cache County Daggett County Iron County Tooele County  
Washington County

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**State Nonmetropolitan Counties or County Equivalents**

<b>Vermont</b>	Addison County FRANKLIN COUNTY (part) towns of Fairfield town Montgomery town Lamoille County Windsor County	Bennington County Bakersfield town Fletcher town Richford town Orange County	Berkshire town Franklin town Sheldon town Rutland County	Enosburg town Highgate town Windham County
<b>Virginia</b>	Caroline County	Cumberland County	Orange County	Westmoreland County
<b>Washington</b>	Clallam County Skagit County	Grays Harbor County	Mason County	San Juan County

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<b>State</b>		<b>Nonmetropolitan Counties or County Equivalents</b>			
<b>American Samoa</b>	Eastern District	Manu'a District	Swains Island	Western District	
<b>Guam</b>	Guam				
<b>Northern Mariana Islands</b>	Northern Islands Municipality	Rota Municipality	Saipan Municipality	Tinian Municipality	
<b>Puerto Rico</b>	Adjuntas Municipio Ciales Municipio Guayama Municipio Lares Municipio Orocovis Municipio Salinas Municipio Vieques Municipio	Aibonito Municipio Coamo Municipio Isabela Municipio Las Marias Municipio Patillas Municipio San Sebastian Municipio	Arroyo Municipio Culebra Municipio Jayuya Municipio Maricao Municipio Quebradillas Municipio Santa Isabel Municipio	Barranquitas Municipio Guanica Municipio Lajas Municipio Maunabo Municipio Rincon Municipio Utua Municipio	
<b>Virgin Islands</b>	St. Croix	St. John	St. Thomas		