

NMTC CENSUS DATA TRANSITION FAQs

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1. What does the census data transition mean for the New Markets Tax Credit (NMTC) Program?

For the past 10 years, the New Markets Tax Credit (NMTC) Program has used income and poverty data from the 2000 census to define NMTC Program eligible Low-Income Communities (LICs). Based on the NMTC Program authorizing statute, a Low-Income Community is defined as:

any population census tract where the poverty rate for such tract is at least 20% or in the case of a tract not located within a metropolitan area, median family income for such tract does not exceed 80% of statewide median family income, or in the case of a tract located within a metropolitan area, the median family income for such tract does not exceed 80% of the greater of statewide median family income or the metropolitan area median family income.

The 2010 Census created an updated set of census tracts. For the 50 states and the District of Columbia, the 2010 Census had 73,057 total tracts compared with the 65,443 in the 2000 Census. As a result, the CDFI Fund is updating its list of NMTC-eligible Low-Income Communities and Areas of Higher Distress to align with the 2010 census tracts.

In order to create this updated list of NMTC-eligible Low-Income Communities and Areas of Higher Distress, the CDFI Fund utilized the 2006-2010 American Community Survey (ACS) data on income and poverty. The ACS has replaced the decennial Census “long form” data as the source of tract-level data on income and poverty for all states, Puerto Rico, and the District of Columbia.¹ The updated 2006-2010 ACS Low-Income Community eligibility data is now available in tabular form on the CDFI Fund’s website.

2. How will I be able to use the 2006-2010 ACS Low-Income Community data to qualify potential NMTC investments?

As of May 1, 2012, Community Development Entities (CDEs) are able to use the 2006-2010 ACS eligibility data to determine if Qualified Low Income Community Investments (QLICs) are located in NMTC-eligible Low-Income Communities. However, neither the 2006-2010 ACS data nor 2010 census tract boundaries will be loaded into the CDFI Fund’s Community Impact Mapping System (CIMS) for geo-coding, due to current system limitations. Please see Question #7 of this Q&A document for guidance on geo-coding in the absence of CIMS geocoding for 2010 census tracts. The CDFI Fund anticipates that 2006-2010 ACS data applied to the 2010 census tracts will be available for CIMS geocoding in 2013, when a redesigned and improved mapping system is expected to be launched.

¹ ACS data does not include information for Island Areas of the United States (American Samoa, Guam, Northern Mariana Islands and U.S. Virgin Islands). Updated eligibility for these areas will be released when data become available.

3. Will the CDFI Fund’s definition of Non-Metropolitan Counties change for the 2006-2010 ACS Low-Income Community eligibility data?

Yes. The CDFI Fund will use a more recent OMB Bulletin to define “Non-Metropolitan County” with respect to 2010 census tracts. The 2006-2010 ACS Low-Income Community eligibility data will define Non-Metropolitan Counties as counties not contained within a Metropolitan Statistical Area, as such term is defined in OMB Bulletin No. 10-02 (Update of Statistical Area Definitions and Guidance on Their Uses) and applied to the 2010 census tracts.

4. Will there be a transition period for NMTC investments that were started under the 2000 Census data to be closed?

Yes. The CDFI Fund recognizes that CDEs may have already begun to structure potential Qualified Low Income Community Investments (QLICIs) based on the 2000 census data. Any CDE that has been awarded NMTC allocation authority in the 2011 round (announced in February 2012) or earlier may use 2000 census data to qualify a QLICI that is closed (meaning an investment for which the CDE has distributed cash proceeds from a Qualified Equity Investment (QEI) to a Qualified Active Low Income Community Business (QALICB) by June 30, 2013.

CDEs using 2000 census data to qualify investments must use 2000 census data to qualify Areas of Higher Distress, and must continue to use the definition of Non-Metropolitan County based on OMB Bulletin No. 99-04 as applied to the 2000 Census. 2000 census data will continue to be available through the current CIMS system for geo-coding.

A CDE that has been awarded NMTC allocation authority in the 2011 round (announced in February 2012) or earlier can use the following timelines for guidance on the data they should use to qualify potential investments.

QLICIs closed **before May 1, 2012** must use 2000 Census data for determining Low-Income Community eligibility.

QLICIs closed **between May 1, 2012 and June 30, 2013** may use either 2000 Census data or 2006-2010 ACS data applied to the 2010 census tracts for determining Low-Income Community eligibility.

QLICIs closed **on or after July 1, 2013** must use 2006-2010 ACS data applied to the 2010 census tracts for determining Low-Income Community eligibility.

Note: The 2006-2010 ACS Low-Income Community eligibility data covers all 50 states, the District of Columbia, and Puerto Rico. The U.S. Census Bureau has not yet released updated income and poverty data at the 2010 census tract-level for the Island Areas of the United

States (American Samoa, Guam, Northern Mariana Islands, and US Virgin Islands). For these four areas only, CDEs applying for CY 2012 NMTC Allocation can continue to rely on the 2000 census Low-Income Community eligibility data (including 2000 Non-metropolitan County designations) to qualify potential projects. Guidance on transitioning to 2010 census tract-level data for the Island Areas of the United States will be released when the updated data becomes available from the U.S. Census Bureau.

5. Will CDEs that intend to apply for NMTC allocation authority in the CY 2012 round be required to use the 2006-2010 ACS data to qualify potential QLICIs?

Yes. CDEs that intend to apply for New Markets Tax Credit allocation authority in the CY 2012 allocation round are required to use the 2006-2010 ACS data applied to the 2010 census tracts to identify qualified projects for their application. CDEs that receive allocation authority under the CY 2012 allocation round will be required to use the 2006-2010 ACS Low-Income Community eligibility data to qualify QLICIs.

6. Will the 2006-2010 ACS data be uploaded into the CDFI Fund's Community Impact Mapping System (CIMS) for geo-coding of 2010 census tracts?

Not at this time. The CDFI Fund plans to deploy a redesigned and improved CIMS (CIMS 3.0) in the fourth quarter of 2012 (date subject to change). Users will be able to access the 2006-2010 ACS data applied to the 2010 census tracts in CIMS when a redesigned and improved CIMS is launched. Users can still use the current version of CIMS to access 2000 census data, consistent with past guidance released by the CDFI Fund.

7. Since the 2006-2010 ACS *Low-Income Community* data is not yet available for geo-coding in CIMS, where can CDEs go to geo-code addresses and determine the 2010 census tract they reside in?

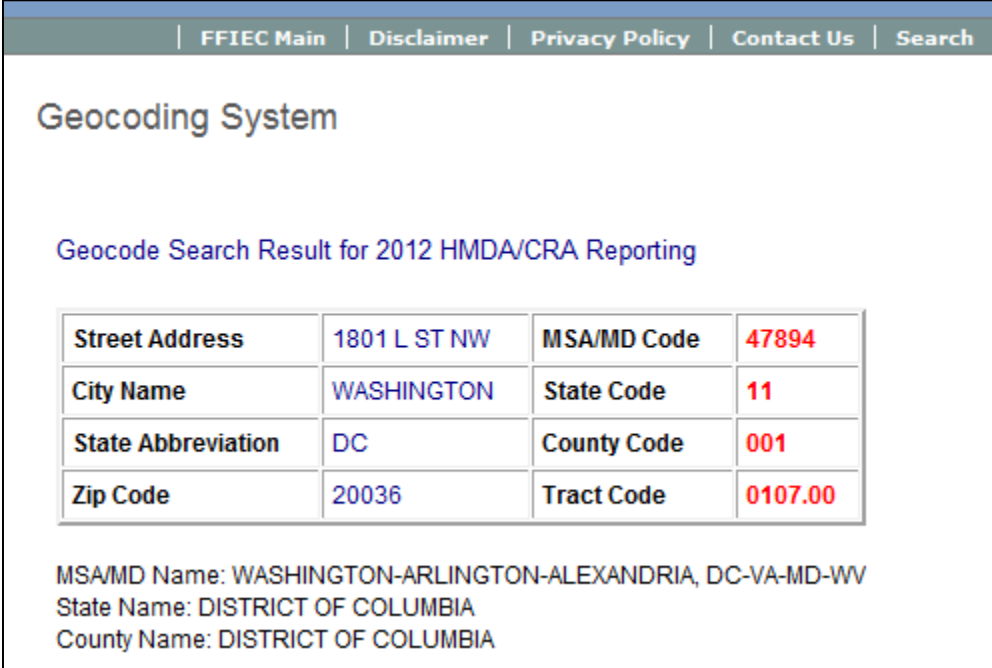
Until an updated version of CIMS is launched with the 2006-2010 ACS data applied to the 2010 census tracts, the CDFI Fund directs allocatees to use the Federal Financial Institutions Examination Council (FFIEC) Geocoding System at <http://www.ffiec.gov/Geocode/>. This website will allow you to find the appropriate 2010 census tract by entering an address. You can then search for this census tract in the tabular eligibility data for 2006-2010 ACS Low-Income Communities.

To get an 11-digit 2010 census tract from the FFIEC Geocoding System, please follow these steps:

1. Go to <http://www.ffiec.gov/Geocde/>
2. Make sure that Year selected is "2012"

3. Enter a street address along with either a city and state OR a zip code
4. Press the “Search” button

At this point in time, you will get a screen with the following information:



The screenshot shows a web browser window with a navigation bar at the top containing links for 'FFIEC Main', 'Disclaimer', 'Privacy Policy', 'Contact Us', and 'Search'. The main content area is titled 'Geocoding System' and displays 'Geocode Search Result for 2012 HMDA/CRA Reporting'. Below this is a table with four rows of search results. At the bottom of the table, there are three lines of text: 'MSA/MD Name: WASHINGTON-ARLINGTON-ALEXANDRIA, DC-VA-MD-WV', 'State Name: DISTRICT OF COLUMBIA', and 'County Name: DISTRICT OF COLUMBIA'.

Street Address	1801 L ST NW	MSA/MD Code	47894
City Name	WASHINGTON	State Code	11
State Abbreviation	DC	County Code	001
Zip Code	20036	Tract Code	0107.00

MSA/MD Name: WASHINGTON-ARLINGTON-ALEXANDRIA, DC-VA-MD-WV
State Name: DISTRICT OF COLUMBIA
County Name: DISTRICT OF COLUMBIA

To get the 11-digit census tract, combine the State Code, County Code, and Tract Code. In the example above, the State Code is 11, the County Code is 001, and the Tract Code is 0107.00. Thus, the 11-digit census tract number is 11001010700.

The FFIEC Geocoding System may contain its own census demographic information. However, this information is not relevant to NMTC Low-Income Community eligibility.

Both the CDFI Fund and the IRS will treat as eligible any otherwise qualifying QLICI that is made in a census tract identified in the data file “2006-2010 ACS Low-Income Community Eligibility.” The CDFI Fund will not pre-approve any tracts as eligible that are not already identified as eligible in this data file.

Until such time an updated version of CIMS is deployed, the CDFI Fund and the IRS will rely on the FFIEC Geocoding System for 2012 to geo-code an address to a census tract. CDEs are advised to maintain relevant reports and maps, as necessary, to demonstrate to the CDFI Fund and/or to the IRS that the address was geo-coded in an eligible census tract.

8. How can I find a specific census tract in the 2006-2010 ACS Low-Income Community Eligibility data file?

If you know the 11-digit census tract number, press “CTRL + F” to open the Find tool in Microsoft Excel. Then, enter the 11-digit tract in the Find box, and click “Find Next.” This will then highlight the census tract you are looking for in the document.

9. Where can I find higher distress criteria for the 2006-2010 ACS *Low-Income Community* data?

The “2006-2010 ACS Low-Income Community Eligibility” file released on May 1, 2012 includes information on the census tract’s poverty rate, area median income, unemployment rate, and non-metropolitan status. Information on locating other Areas of Higher Distress can be found in the [“NMTC Compliance and Monitoring Frequently Asked Questions \(September 2011\)”](#) question 25.

10. What information is included in the 2006-2010 ACS Low-Income Community eligibility data file released May 1, 2012?

The 2006-2010 ACS Low-Income Community eligibility data file released on May 1, 2012 includes the following fields:

- 11 digit census tract
- State the tract is located in
- County
- Metropolitan Statistical Area (Metropolitan or Non-metropolitan)
- Poverty rate
- Population
- Percentage of applicable Area Median Family Income
- Tract unemployment rate
- NMTC Program Eligibility (Yes/No)

More information on each of these fields will be contained in the “Data Notes” tab.

11. I notice some census tracts in the file have poverty or median family income listed as “N/A.” What’s the reason for this?

The 2006-2010 ACS data set released by the U.S. Census Bureau contains 803 tracts with no data on poverty or income. A significant majority of these tracts have no population or a very low population. The Census Bureau was unable to estimate income or poverty for these tracts. The remainder has a population that is largely housed in group quarters, such as prisons or college dorms that are not included in the ACS income or poverty calculations.

12. How does the release of the 2006-2010 ACS Low-Income Community eligibility data impact the guidance offered by the CDFI Fund in the NMTC Compliance and Monitoring FAQ (September 30, 2011)?

The guidance provided in “NMTC Compliance and Monitoring Frequently Asked Questions (September 30, 2011)” remains the same for transactions closed using 2000 census data to qualify potential NMTC investments.

However, the CDFI Fund offers the following guidance to supplement the information provided in Questions 19, 25, 28, and 48-52 of the September 30, 2011 FAQ.

Question 19: Follow-on Investments

Please note that the guidance in Question 19 applies to investments made using 2000 census tract eligibility data, as long as the investment is closed (meaning an investment for which the CDE has distributed cash proceeds from a Qualified Equity Investment (QEI) to a Qualified Active Low Income Community Business (QALICB)) by June 30, 2013. The CDFI Fund would consider such an investment to be made within a qualifying census tract as long as the census tract qualified under the 2000 census data at the time of the initial QLICI disbursement related to the real estate project. However, any CDE awarded allocation authority in CY 2012 round must use the 2006-2010 ACS data applied to the 2010 census tracts to identify qualified projects and for any follow-on investments.

Question 26: Source for Unemployment Rate

Unemployment data for the 2006-2010 ACS data can be found in the data file “2006-2010 ACS Low-Income Community Eligibility” on the CDFI Fund’s website. Using the 2006-2010 ACS data, the national unemployment rate is 7.9 percent.

Question 28: Areas of Higher Distress

CDEs that are using 2006-2010 ACS eligibility data to qualify an investment must use 2006-2010 ACS data on poverty rate, area median income, unemployment, and non-metropolitan status to determine if the census tract qualifies as an area of higher distress. Applicants using 2000 census data to qualify an investment must use 2000 census data to determine if a census tract qualifies as an Area of Higher Distress. For Areas of Higher Distress provided by governmental sources outside the CDFI Fund (e.g. brownfields), CDEs should rely on currently available governmental data on that higher distress indicator. An allocatee is advised to retain all relevant information in support of its decision to invest in such areas.

Question 48 – 51: Geo-coding

The guidance provided by these questions still applies to investments that are qualified using 2000 census data. If a CDE would like to use 2006-2010 ACS to qualify an NMTC investment, it should follow the geo-coding guidance provided in Question #7 of this document.

Question 52: Can 2010 census data be used to determine qualifying census tracts?

Please see Question #2 in this document for guidance on how to use the 2006-2010 ACS data applied to the 2010 census tracts to qualify potential investments.

13. How will availability of the new 2006-2010 ACS eligibility data impact organizations applying for CDE certification?

As of May 1, 2012, organizations applying for CDE certification **must** use 2006-2010 ACS eligibility data to identify eligible Low Income Communities (LICs) and LIC Representatives.

Exception for certification of subsidiaries: CDE's applying for certification of a subsidiary of a CDE that has been awarded NMTC allocation authority in the 2011 round (announced in February 2012) or earlier can use the following timelines for guidance on the data to use to identify eligible LICs and LIC Representatives:

Certification applications for subsidiaries submitted **before May 1, 2012** must use 2000 Census data to identify eligible LICs and LIC Representatives.

Certification applications for subsidiaries submitted **between May 1, 2012 and June 30, 2013** may use either 2000 Census data or 2006-2010 ACS data applied to the 2010 census tracts data to identify eligible LICs and LIC Representatives.

Certification applications for subsidiaries submitted **on or after July 1, 2013** must use 2006-2010 ACS data applied to the 2010 census tracts to identify eligible LICs and LIC Representatives.

To geo-code an address based on the 2000 census LIC data, an organization should use the CDFI Fund's Community Impact Mapping System (CIMS). To geo-code an address based on the 2006-2010 ACS LIC data, an organization should follow the guidance in Question #7 of this document. Please note, if you are using 2000 census LIC data to demonstrate accountability to LICs, you must use that data consistently throughout your subsidiary CDE application. Similarly, if you are using 2006-2010 ACS LIC data to demonstrate accountability, you must use only 2006-2010 ACS LIC data in your CDE certification application.

Note: The 2006-2010 ACS Low-Income Community eligibility data covers all 50 states, the District of Columbia, and Puerto Rico. The U.S. Census Bureau has not yet released updated income and poverty data at the 2010 census tract-level for the Island Areas of the United States (American Samoa, Guam, Northern Mariana Islands, and US Virgin Islands). For these four areas only, organizations applying for CDE Certification on the 2000 census LIC eligibility data to identify eligible LICs and LIC Representatives. Guidance on transitioning to 2010 census tract-level data for the Island Areas of the United States will be released when the updated data becomes available from the U.S. Census Bureau.

14. How will availability of the new 2006-2010 ACS eligibility data impact currently certified CDEs that rely on eligible census tracts in maintaining Accountability requirement for CDE Certification?

Currently certified CDEs must maintain accountability to their approved service area. It is incumbent on any certified CDE, from time to time, to review their board's accountability method to ensure compliance with the Accountability requirements of CDE Certification.

Beginning on July 1, 2013, certified CDEs must use 2006-2010 ACS data applied to the 2010 census tracts to identify eligible census tracts in maintaining compliance with the Accountability requirement of CDE Certification. For example, assume there is a certified CDE that has a three-person governing board, one of whom is an LIC Representative. This CDE is deemed to meet the Accountability requirement because more than 20% of its governing board is LIC Representative of the CDE's Service Area. The LIC Representative board member is a representative because (s)he is a resident of an eligible census tract (based on 2000 Census data) in the CDE's Service Area. The CDE is relying on the eligibility of this census tract to maintain its Accountability to the Service Area. If this census tract is no longer eligible based on 2006-2010 ACS data applied to the 2010 census tracts, the CDE will have to adjust its method of accountability, which may include, but not be limited to, replacing or adding LIC Representative board members.

15. How will availability of the new 2006-2010 ACS eligibility data impact currently certified CDEs that wish to modify their certified Service Area?

Requests to modify certified Service Areas submitted between May 1, 2012 and June 30, 2013 may use either 2000 Census data or 2006-2010 ACS data applied to the 2010 census tracts to identify eligible LIC Representatives.

Requests to modify certified Service Areas submitted on or after July 1, 2013 must use 2006-2010 ACS data applied to the 2010 census tracts to identify eligible LIC Representatives.

16. Will there be any changes in the CDFI Fund’s Community Investment Impact System (CIIS) reporting for projects that use the 2006-2010 ACS data to qualify?

The CDFI Fund will make updates to CIIS 10.0 to allow users to report eligibility and distress information based on the 2006-2010 ACS data. Specific guidance on the changes in certain fields will be released with CIIS 10.0.

17. I can’t find a 2000 census tract in the 2006-2010 ACS Low-Income Community data. Where is it?

The 2006-2010 ACS data is based on the 2010 census tracts. As a part of the 2010 census, the US Census Bureau eliminated certain tracts from the 2000 census and incorporated the land area formerly covered by these tracts into new census tracts. More information on the relationships between the 2000 census tracts and the 2010 census tracts can be found the US Census Bureau’s website:

http://www.census.gov/geo/www/2010census/tract_rel/tract_rel_overview.html.

If you have an address for a potential NMTC project, the simplest way to find the 2010 census tract associated with that property is to geocode the address following the guidance in Question 7 of this document. If you do not have a specific address for a property or FFIEC cannot geocode the address you have, the Census Bureau has maps of the 2010 census tracts for each county. These maps are accessible at

http://www.census.gov/geo/www/maps/pl10_map_suite/tract.html, and may provide a useful reference.

18. A county was considered Non-Metropolitan in the 2000 census data, but is now listed as metropolitan in the 2006-2010 ACS Low-Income Community data. What is the reason for this change?

When generating the 2006-2010 ACS Low-Income Community data, the CDFI Fund defined Non-Metropolitan County based on OMB Bulletin No. 10-02: Update of Statistical Area Definitions and Guidance on Their Uses (see Question #3 for more information). This Bulletin provides an updated definition of Non-Metropolitan Counties from OMB Bulletin 99-04, which was used to define Non-Metropolitan with respect to the 2000 census data. Thus, users will find that some counties considered Non-Metropolitan in 2000 are now considered Metropolitan in the 2006-2010 ACS LIC data.

19. Where can I find a list of tracts that are especially eligible based on the fact that they are located in High Migration Rural Counties?

The New Markets Tax Credit (NMTC) Program supports activities in eligible Low-Income Communities (LICs), which are defined by statute as population census tracts with a poverty rate of 20 percent or greater or a median family income (MFI) at or below 80 percent of the applicable area median family income (26 USC §45D(e)).

Section 223 of the American Jobs Creation Act of 2004 (P.L. 108-357, 118 Stat. 1418) amended the definition of NMTC-eligible LICs to include, among other things, census tracts in High Migration Rural Counties with a median family income at or below 85 percent of the applicable area median family income. A High Migration Rural County is any county which, during the 20-year period ending with the year in which the most recent census was conducted, has a net out-migration of inhabitants from the county of at least 10 percent of the population of the county at the beginning of such period.

The CDFI Fund has generated a list of 101 census tracts that, based on the 2006-2010 ACS data, qualify as eligible for NMTC investment under this special provision. The list can be found here: http://www.cdfifund.gov/what_we_do/acs/update-census-data.asp.

Note: This document does not list all eligible tracts in High Migration Rural Counties. It only lists tracts that have a median family income between 80% and 85% of the applicable median family income, and are thus especially eligible under the High Migration Rural County provision.

20. My CDE plans to qualify a potential investment using the IRS Regulations on Targeted Populations under Section 45D(e)(2). Will the transition to the 2006-2010 American Community Survey data impact how I qualify this investment?

The only aspect of the Target Population regulations that will be impacted by the transition from the 2000 Census data to the 2006-2010 ACS data is the 120 percent income restriction. This restriction requires that, in order to be considered a QALICB under the Low-Income Targeted Population provision, an entity cannot be located in a population census tract for which the median family income exceeds 120 percent of, in the case of a tract not located within a Metropolitan Area, the statewide median family income, or in the case of a tract located within a Metropolitan Area, the greater of statewide median family income or Metropolitan Area median family income.²

² This restriction does not apply to non-metropolitan tract with a population less than 2,000 or a metropolitan tract with a population less than 2,000 if more than 75 percent of the tract is zoned for commercial or industrial use.

Consistent with the transition period outlined in Question 4 of this FAQ, any CDE that has been awarded NMTC allocation authority in the 2011 round (announced in February 2012) or earlier can use the following timelines for guidance on the data it should use to qualify a potential Low-Income Targeted Population investment:

QLICs closed **before May 1, 2012** must use 2000 Census data for determining if a Low-Income Targeted Population investment lies in a census tract that does not exceed 120 percent of the applicable median family income.

QLICs closed **between May 1, 2012 and June 30, 2013** may use either 2000 Census data or 2006-2010 ACS data applied to the 2010 census tracts for determining if a Low-Income Targeted Population investment lies in a census tract that does not exceed 120 percent of the applicable median family income.

QLICs closed **on or after July 1, 2013** must use 2006-2010 ACS data applied to the 2010 census tracts for determining if a Low-Income Targeted Population investment lies in a census tract that does not exceed 120 percent of the applicable median family income.

All CDEs that receive allocation authority in the 2012 round must use the 2006-2010 ACS data applied to the 2010 census tracts to determine if a Low-Income Targeted Population investment lies in a census tract that does not exceed 120 percent of the applicable median family income in the 50 states, District of Columbia, and Puerto Rico. As the U.S. Census Bureau has not yet released updated income and poverty data at the 2010 census tract-level for the Island Areas of the United States (American Samoa, Guam, Northern Mariana Islands, and US Virgin Islands), CDEs that receive a CY 2012 NMTC Allocation or an NMTC Allocation from an earlier round can continue to rely on the 2000 census LIC eligibility data (including 2000 Non-metropolitan County designations) to determine if a Low-Income Targeted Population investment lies in a census tract that does not exceed 120 percent of the applicable median family income for these four territories.

Note: CDEs using 2000 census data to qualify investments must use 2000 census data to qualify Areas of Higher Distress, and must continue to use the definition of Non-Metropolitan County based on OMB Bulletin No. 99-04 as applied to the 2000 Census.

21. Whom can I contact if I have any additional questions?

You may contact the CDFI Fund Help Desk by phone at (202) 622-6355 or by e-mail (cdfihelp@cdfi.treas.gov).

Please see the IRS Final Regulations: Targeted Populations Under Section 45(D)(e)(2) (http://www.cdfifund.gov/docs/2011/nmtc/NMTC_IRS%20Federal%20Register%20120511.pdf) for more details.