

- Sec.
- 14302. Decisions.
- 14303. Functions.
- 14304. Recommendations.
- 14305. Liaison between Federal Government and Commission.
- 14306. Administrative powers and expenses.
- 14307. Meetings.
- 14308. Information.
- 14309. Personal financial interests.
- 14310. Annual report.

SUBCHAPTER II—FINANCIAL ASSISTANCE

- 14321. Grants and other assistance.
- 14322. Approval of development plans, strategy statements, and projects.

SUBCHAPTER I—ORGANIZATION AND ADMINISTRATION

§ 14301. Establishment, membership, and employees

(a) ESTABLISHMENT.—There is an Appalachian Regional Commission.

(b) MEMBERSHIP.—

(1) FEDERAL AND STATE MEMBERS.—The Commission is composed of the Federal Cochairman, appointed by the President by and with the advice and consent of the Senate, and the Governor of each participating State in the Appalachian region.

(2) ALTERNATE MEMBERS.—Each state member may have a single alternate, appointed by the Governor from among the members of the Governor’s cabinet or the Governor’s personal staff. The President, by and with the advice and consent of the Senate, shall appoint an alternate for the Federal Cochairman. An alternate shall vote in the event of the absence, death, disability, removal, or resignation of the member for whom the individual is an alternate. A state alternate shall not be counted toward the establishment of a quorum of the Commission when a quorum of the state members is required.

(3) COCHAIRMEN.—The Federal Cochairman is one of the two Cochairmen of the Commission. The state members shall elect a Cochairman of the Commission from among themselves for a term of not less than one year.

(c) COMPENSATION.—The Federal Cochairman shall be compensated by the Federal Government at level III of the Executive Schedule as set out in section 5314 of title 5. The Federal Cochairman’s alternate shall be compensated by the Government at level V of the Executive Schedule as set out in section 5316 of title 5. Each state member and alternate shall be compensated by the State which they represent at the rate established by law of that State.

(d) DELEGATION.—

(1) POWERS AND RESPONSIBILITIES.—Commission powers and responsibilities specified in section 14302(c) and (d) of this title, and the vote of any Commission member, may not be delegated to an individual who is not a Commission member or who is not entitled to vote in Commission meetings.

(2) ALTERNATE FEDERAL COCHAIRMAN.—The alternate to the Federal Cochairman shall perform the functions and duties the Federal Cochairman delegates when not actively serving as the alternate.

(e) EXECUTIVE DIRECTOR.—The Commission has an executive director. The executive director is responsible for carrying out the administrative functions of the Commission, for directing the Commission staff, and for other duties the Commission may assign.

(f) STATUS OF PERSONNEL.—Members, alternates, officers, and employees of the Commission are not federal employees for any purpose, except the Federal Cochairman, the alternate to the Federal Cochairman, the staff of the Federal Cochairman, and federal employees detailed to the Commission under section 14306(a)(3) of this title.

(Pub. L. 107–217, Aug. 21, 2002, 116 Stat. 1256.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
14301(a), (b)(1).	40 App.:101(a)(1) (1st, 3d sentences).	Pub. L. 89–4, title I, §101(a)(1), (c), (d), Mar. 9, 1965, 79 Stat. 6; Pub. L. 94–188, title I, §§103(1), (2), (4), (5), 104, Dec. 31, 1975, 89 Stat. 1079, 1080; Pub. L. 105–393, title II, §203(a)(1), (b)(2), Nov. 13, 1998, 112 Stat. 3619.
14301(b)(2) ..	40 App.:101(c) (1st–4th sentences).	
14301(b)(3) ..	40 App.:101(a)(1) (2d, last sentences).	
14301(c)	40 App.:101(d) (1st sentence, 2d sentence related to compensation, last sentence).	
14301(d)(1) ..	40 App.:101(c) (last sentence).	
14301(d)(2) ..	40 App.:101(d) (2d sentence related to delegation).	
14301(e)	40 App.:106(2) (2d sentence).	Pub. L. 89–4, title I, §106(2) (2d, last sentences), Mar. 9, 1965, 79 Stat. 8; Pub. L. 94–188, title I, §108, Dec. 31, 1975, 89 Stat. 1081.
14301(f)	40 App.:106(2) (last sentence).	

In subsection (e), the words “The Commission has an executive director” are added for clarity.

§ 14302. Decisions

(a) REQUIREMENTS FOR APPROVAL.—Except as provided in section 14306(d) of this title, decisions by the Appalachian Regional Commission require the affirmative vote of the Federal Cochairman and of a majority of the state members, exclusive of members representing States delinquent under section 14306(d).

(b) CONSULTATION.—In matters coming before the Commission, the Federal Cochairman, to the extent practicable, shall consult with the federal departments and agencies having an interest in the subject matter.

(c) DECISIONS REQUIRING QUORUM OF STATE MEMBERS.—A decision involving Commission policy, approval of state, regional or subregional development plans or strategy statements, modification or revision of the Appalachian Regional Commission Code, allocation of amounts among the States, or designation of a distressed county or an economically strong county shall not be made without a quorum of state members.

(d) PROJECT AND GRANT PROPOSALS.—The approval of project and grant proposals is a responsibility of the Commission and shall be car-