

project under this subtitle shall be made through the state member of the Commission representing the applicant. The state member shall evaluate the application for approval. To be approved, the state member must certify, and the Federal Cochairman must determine, that the application—

- (1) implements the Commission-approved state development plan;
- (2) is included in the Commission-approved strategy statement;
- (3) adequately ensures that the project will be properly administered, operated, and maintained; and
- (4) otherwise meets the requirements for assistance under this subtitle.

(c) **AFFIRMATIVE VOTE REQUIREMENT DEEMED MET.**—After the appropriate state development plan and strategy statement are approved, certification by a state member, when joined by an affirmative vote of the Federal Cochairman, is deemed to satisfy the requirements for affirmative votes for decisions under section 14302(a) of this title.

(Pub. L. 107–217, Aug. 21, 2002, 116 Stat. 1264.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
14322(a)	40 App.:303 (1st sentence).	Pub. L. 89–4, title III, §303, Mar. 9, 1965, 79 Stat. 20; Pub. L. 90–103, title I, §121, Oct. 11, 1967, 81 Stat. 265; Pub. L. 94–188, title I, §120, Dec. 31, 1975, 89 Stat. 1086; Pub. L. 107–149, §13(i), Mar. 12, 2002, 116 Stat. 72.
14322(b)	40 App.:303 (2d, 3d sentences).	
14322(c)	40 App.:303 (last sentence).	

CHAPTER 145—SPECIAL APPALACHIAN PROGRAMS

SUBCHAPTER I—PROGRAMS

- Sec.
- 14501. Appalachian development highway system.
- 14502. Demonstration health projects.
- 14503. Assistance for proposed low- and middle-income housing projects.
- 14504. Telecommunications and technology initiative.
- 14505. Entrepreneurship initiative.
- 14506. Regional skills partnerships.
- 14507. Supplements to federal grant programs.
- 14508. Economic and energy development initiative.
- 14509. High-speed broadband deployment initiative.

SUBCHAPTER II—ADMINISTRATIVE

- 14521. Required level of expenditure.
- 14522. Consent of States.
- 14523. Program implementation.
- 14524. Program development criteria.
- 14525. State development planning process.
- 14526. Distressed, at-risk, and economically strong counties.

AMENDMENTS

2015—Pub. L. 114–94, div. A, title I, §1436(a)(2), Dec. 4, 2015, 129 Stat. 1431, added item 14509.

2008—Pub. L. 110–371, §§3(b), 4(b), Oct. 8, 2008, 122 Stat. 4041, added items 14508 and 14526 and struck out former item 14526 “Distressed and economically strong counties”.

SUBCHAPTER I—PROGRAMS

§ 14501. Appalachian development highway system

(a) **PURPOSE.**—To provide a highway system which, in conjunction with the Interstate System and other Federal-aid highways in the Appalachian region, will open up an area with a developmental potential where commerce and communication have been inhibited by lack of adequate access, the Secretary of Transportation may assist in the construction of an Appalachian development highway system and local access roads serving the Appalachian region. Construction on the development highway system shall not be more than three thousand and ninety miles. There shall not be more than 1,400 miles of local access roads that serve specific recreational, residential, educational, commercial, industrial, or similar facilities or facilitate a school consolidation program.

(b) **COMMISSION DESIGNATIONS.**—

(1) **WHAT IS TO BE DESIGNATED.**—The Appalachian Regional Commission shall transmit to the Secretary its designations of—

- (A) the general corridor location and termini of the development highways;
- (B) local access roads to be constructed;
- (C) priorities for the construction of segments of the development highways; and
- (D) other criteria for the program authorized by this section.

(2) **STATE TRANSPORTATION DEPARTMENT RECOMMENDATION REQUIRED.**—Before a state member participates in or votes on designations, the member must obtain the recommendations of the state transportation department of the State which the member represents.

(c) **ADDITION TO FEDERAL-AID PRIMARY SYSTEM.**—When completed, each development highway not already on the Federal-aid primary system shall be added to the system.

(d) **USE OF SPECIFIC MATERIALS AND PRODUCTS.**—

(1) **INDIGENOUS MATERIALS AND PRODUCTS.**—In the construction of highways and roads authorized under this section, a State may give special preference to the use of materials and products indigenous to the Appalachian region.

(2) **COAL DERIVATIVES.**—For research and development in the use of coal and coal products in highway construction and maintenance, the Secretary may require each participating State, to the maximum extent possible, to use coal derivatives in the construction of not more than 10 percent of the roads authorized under this subtitle.

(e) **FEDERAL SHARE.**—Federal assistance to any construction project under this section shall not be more than 80 percent of the cost of the project.

(f) **CONSTRUCTION WITHOUT FEDERAL AMOUNTS.**—

(1) **PAYMENT OF FEDERAL SHARE.**—When a participating State constructs a segment of a development highway without the aid of federal amounts and the construction is in accordance with all procedures and requirements