ment and the States in the Appalachian region, except that the expenses of the Federal Cochairman, the alternate to the Federal Cochairman, and the staff of the Federal Cochairman shall be paid only by the Government. The Commission shall determine the amount to be paid by each State. The Federal Cochairman shall not participate or vote in that determination. Assistance authorized by this subtitle shall not be furnished to any State or to any political subdivision or any resident of any State, and a state member of the Commission shall not participate or vote in any decision by the Commission, while the State is delinquent in payment of its share of administrative expenses.

(Pub. L. 107–217, Aug. 21, 2002, 116 Stat. 1259.)

HISTORICAL AND REVISION NOTES

Revised Section	*Source (U.S. Code)*	*Source (Statutes at Large)*
14306(a)	40 App.:106(1), (2) (1st sentence), (3) (less words in parentheses), (4), (5) (1st sentence), (6), (7) (less words in last parentheses), (8), (9).	Pub. L. 89–4, title I, §106(1), (2) (1st sentence), (3)–(9), Mar. 9, 1965, 79 Stat. 8; Pub. L. 90–103, title I, §104, Oct. 11, 1967, 81 Stat. 257; Pub. L. 92–65, title II, §203, Aug. 5, 1971, 85 Stat. 168; Pub. L. 94–188, title I, §107, Dec. 31, 1975, 89 Stat. 1080; Pub. L. 96–506, §3(2), Dec. 8, 1980, 94 Stat. 2746; Pub. L 105–393, title II, §§205, 206, Nov. 13, 1998, 112 Stat. 3619; Pub. L. 107–149, §13(b), Mar. 12, 2002, 116 Stat. 71.
14306(b)	40 App.:106(3) (words in parentheses), (7) (words in last parentheses).	
14306(c)	40 App.:106(5) (last sentence).	
14306(d)	40 App.:105.	Pub. L. 89–4, title I, §105, Mar. 9, 1965, 79 Stat. 8; Pub. L. 90–103, title I, §103, Oct. 11, 1967, 81 Stat. 257; Pub. L. 91–123, title I, §102, Nov. 25, 1969, 83 Stat. 214; Pub. L. 92–65, title II, §202, Aug. 5, 1971, 85 Stat. 168; Pub. L. 94–188, title I, §106, Dec. 31, 1975, 89 Stat. 1080; Pub. L. 96–506, §3(1), Dec. 8, 1980, 94 Stat. 2746; Pub. L. 97–35, title XVIII, §1822(a)(1), Aug. 13, 1981, 95 Stat. 767; Pub. L. 105–393, title II, §204, Nov. 13, 1998, 112 Stat. 3619.

In subsection (a)(6), the words ''any property'' are substituted for ''property, real, personal, or mixed, tangible or intangible'' to eliminate unnecessary words.

In subsection (a)(7), before subclause (A), the words ''notwithstanding any other provision of law'' are omitted as unnecessary. In subclause (C), the words ''firm, association, or corporation'' are omitted as being included in the definition of ''person'' in 1:1.

In subsection (c), the words ''Director of the Office of Personnel Management'' are substituted for ''Civil Service Commission'' in section 106(5) of the Appalachian Regional Development Act of 1965 (Public Law 89–4, 79 Stat. 8) because of section 102 of Reorganization Plan No. 2 of 1978 (eff. Jan. 1, 1979, 92 Stat. 3783).

In subsection (d), the word ''amount'' is substituted for ''share'' for clarity.

§ 14307. Meetings

(a) IN GENERAL.—The Appalachian Regional Commission shall conduct at least one meeting each year with the Federal Cochairman and at least a majority of the state members present.

(b) ADDITIONAL MEETINGS BY ELECTRONIC MEANS.—The Commission may conduct additional meetings by electronic means as the Commission considers advisable, including meetings to decide matters requiring an affirmative vote.

(Pub. L. 107–217, Aug. 21, 2002, 116 Stat. 1260.)

HISTORICAL AND REVISION NOTES

Revised Section	*Source (U.S. Code)*	*Source (Statutes at Large)*
14307	40 App.:101(a)(2).	Pub. L. 89–4, title I, §101(a)(2), as added Pub. L. 105–393, title II, §203(a)(2), (b)(1), Nov. 13, 1998, 112 Stat. 3619.

§ 14308. Information

(a) ACTIONS OF COMMISSION.—To obtain information needed to carry out its duties, the Appalachian Regional Commission shall—

(1) hold hearings, sit and act at times and places, take testimony, receive evidence, and print or otherwise reproduce and distribute so much of its proceedings and reports on the proceedings as the Commission may deem advisable;

(2) arrange for the head of any federal, state, or local department or agency to furnish to the Commission information as may be available to or procurable by the department or agency; and

(3) keep accurate and complete records of its doings and transactions which shall be made available for—

(A) public inspection; and

(B) audit and examination by the Comptroller General or an authorized representative of the Comptroller General.

(b) AUTHORIZATIONS.—

(1) ADMINISTER OATHS.—A Cochairman of the Commission, or any member of the Commission designated by the Commission, may administer oaths when the Commission decides that testimony shall be taken or evidence received under oath.

(2) FURNISH INFORMATION.—The head of any federal, state, or local department or agency, to the extent not otherwise prohibited by law, may carry out subsection (a)(2).

(c) PUBLIC PARTICIPATION.—Public participation in the development, revision, and implementation of all plans and programs under this subtitle by the Commission, any State, or any local development district shall be provided for, encouraged, and assisted. The Commission shall develop and publish regulations specifying minimum guidelines for public participation, including public hearings.

(Pub. L. 107–217, Aug. 21, 2002, 116 Stat. 1260; Pub. L. 109–284, §6(31), Sept. 27, 2006, 120 Stat. 1213.)

HISTORICAL AND REVISION NOTES

Revised Section	*Source (U.S. Code)*	*Source (Statutes at Large)*
14308(a)	40 App.:107(a)(1) (words before 5th comma), (2) (less words in parentheses), (3).	Pub. L. 89–4, title I, §107, Mar. 9, 1965, 79 Stat. 9; Pub. L. 94–188, title I, §109, Dec. 31, 1975, 89 Stat. 1081.
14308(b)(1) ..	40 App.:107(a)(1) (words after 5th comma).	
14308(b)(2) ..	40 App.:107(a)(2) (words in parentheses).	
14308(c)	40 App.:107(b).	

In subsection (b)(1), the words ''for the purpose'' are omitted as unnecessary.

AMENDMENTS

2006—Subsec. (b)(2). Pub. L. 109–284 substituted ''subsection (a)(2)'' for ''section (a)(2)''.

§ 14309. Personal financial interests

(a) CONFLICT OF INTEREST.—

(1) NO ROLE ALLOWED.—Except as permitted by paragraph (2), an individual who is a state member or alternate, or an officer or employee of the Appalachian Regional Commission, shall not participate personally and substantially as a member, alternate, officer, or employee in any way in any particular matter in which, to the individual's knowledge, any of the following has a financial interest:

(A) the individual.

(B) the individual's spouse, minor child, or partner.

(C) an organization (except a State or political subdivision of a State) in which the individual is serving as an officer, director, trustee, partner, or employee.

(D) any person or organization with whom the individual—

(i) is serving as an officer, director, trustee, partner, or employee; or

(ii) is negotiating or has any arrangement concerning prospective employment.

(2) EXCEPTION.—Paragraph (1) does not apply if the individual first advises the Commission of the nature and circumstances of the particular matter and makes full disclosure of the financial interest and receives in advance a written decision of the Commission that the interest is not so substantial as to be considered likely to affect the integrity of the services which the Commission may expect from the individual.

(3) CRIMINAL PENALTY.—An individual violating this subsection shall be fined under title 18, imprisoned for not more than two years, or both.

(b) ADDITIONAL SOURCES OF SALARY DISALLOWED.—

(1) STATE MEMBER OR ALTERNATE.—A state member or alternate may not receive any salary, or any contribution to, or supplementation of, salary, for services on the Commission from a source other than the State of the member or alternate.

(2) INDIVIDUALS DETAILED TO COMMISSION.—An individual detailed to serve the Commission under section 14306(a)(4) of this title may not receive any salary, or any contribution to, or supplementation of, salary, for services on the Commission from a source other than the state, local, or intergovernmental department or agency from which the individual was detailed or from the Commission.

(3) CRIMINAL PENALTY.—An individual violating this subsection shall be fined under title 18, imprisoned for not more than one year, or both.

(c) FEDERAL COCHAIRMAN, ALTERNATE TO FEDERAL COCHAIRMAN, AND FEDERAL OFFICERS AND EMPLOYEES.—The Federal Cochairman, the alternate to the Federal Cochairman, and any federal officer or employee detailed to duty with the Commission under section 14306(a)(3) of this title are not subject to this section but remain subject to sections 202–209 of title 18.

(d) RESCISSION.—The Commission may declare void and rescind any contract, loan, or grant of or by the Commission in relation to which it finds that there has been a violation of subsection (a)(1) or (b) of this section or any of the provisions of sections 202–209 of title 18.

(Pub. L. 107–217, Aug. 21, 2002, 116 Stat. 1261.)

HISTORICAL AND REVISION NOTES

Revised Section	*Source (U.S. Code)*	*Source (Statutes at Large)*
14309(a)(1) ..	40 App.:108(a) (1st sentence).	Pub. L. 89–4, title I, § 108, Mar. 9, 1965, 79 Stat. 9.
14309(a)(2) ..	40 App.:108(b).	
14309(a)(3) ..	40 App.:108(a) (last sentence).	
14309(b)	40 App.:108(c).	
14309(c)	40 App.:108(d).	
14309(d)	40 App.:108(e).	

In subsection (a), the words ''proceeding, application, request for a ruling or other determination, contract, claim, controversy, or other'' are omitted as unnecessary.

In subsection (a)(1), before clause (A), the words ''in any way'' are substituted for ''through decision, approval, disapproval, recommendation, the rendering of advice, investigation, or otherwise'' to eliminate unnecessary words.

In subsection (a)(3), the words ''fined under title 18'' are substituted for ''fined not more than $10,000'' for consistency with chapter 227 of title 18.

In subsection (b)(3), the words ''fined under title 18'' are substituted for ''fined not more than $5,000'' for consistency with chapter 227 of title 18.

In subsection (c), the words ''Notwithstanding any other subsection of this section'' are omitted as unnecessary. The words ''this section'' are substituted for ''any such subsection'' to correct an apparent error in the source provision.

In subsection (d), the words ''in its discretion'' are omitted as unnecessary.

§ 14310. Annual report

Not later than six months after the close of each fiscal year, the Appalachian Regional Commission shall prepare and submit to the Governor of each State in the Appalachian region and to the President, for transmittal to Congress, a report on the activities carried out under this subtitle during the fiscal year.

(Pub. L. 107–217, Aug. 21, 2002, 116 Stat. 1262.)

HISTORICAL AND REVISION NOTES

Revised Section	*Source (U.S. Code)*	*Source (Statutes at Large)*
14310	40 App.:304.	Pub. L. 89–4, title III, § 304, Mar. 9, 1965, 79 Stat. 20.

SUBCHAPTER II—FINANCIAL ASSISTANCE

§ 14321. Grants and other assistance

(a) AUTHORIZATION TO MAKE GRANTS.—

(1) IN GENERAL.—The Appalachian Regional Commission may make grants—

(A) for administrative expenses, including the development of areawide plans or action programs and technical assistance activities, of local development districts, but—

(i) the amount of a grant shall not exceed 50 percent of administrative expenses