(B) the maximum Federal contribution percentage authorized by this section.

(g) EMPHASIS ON OCCUPATIONAL DISEASES FROM COAL MINING.—To provide for the further development of the Appalachian region's human resources, grants under this section shall give special emphasis to programs and research for the early detection, diagnosis, and treatment of occupational diseases arising from coal mining, such as black lung.

(Pub. L. 107–217, Aug. 21, 2002, 116 Stat. 1266; Pub. L. 110–371, § 2(b), Oct. 8, 2008, 122 Stat. 4038.)

HISTORICAL AND REVISION NOTES

| *Revised Section* | *Source (U.S. Code)* | *Source (Statutes at Large)* |
|---|---|---|
| 14502(a) ..... | 40 App.:202(a) (1st sentence). | Pub. L. 89–4, title II, § 202(a)–(e), Mar. 9, 1965, 79 Stat. 11; Pub. L. 90–103, title I, § 107, Oct. 11, 1967, 81 Stat. 259; Pub. L. 91–123, title I, § 104, Nov. 25, 1969, 83 Stat. 214; Pub. L. 92–65, title II, § 206, Aug. 5, 1971, 85 Stat. 169; Pub. L. 94–188, title I, § 111, Dec. 31, 1975, 89 Stat. 1081; Pub. L. 95–193, § 1, Nov. 18, 1977, 91 Stat. 1412; Pub. L. 96–88, title V, § 509(b), Oct. 17, 1979, 93 Stat. 695; Pub. L. 96–545, § 2, Dec. 18, 1980, 94 Stat. 3215; Pub. L. 105–393, title II, § 207(a), (c), Nov. 13, 1998, 112 Stat. 3620; Pub. L. 107–149, § 13(c), (d), Mar. 12, 2002, 116 Stat. 71. |
| 14502(b) ..... | 40 App.:202(d). | |
| 14502(c)(1), (2). | 40 App.:202(a) (2d sentence). | |
| 14502(c)(3)–(5). | 40 App.:202(b). | |
| 14502(d)(1) .. | 40 App.:202(c) (5th–last sentences). | |
| 14502(d)(2), (3). | 40 App.:202(c) (1st, 2d sentences). | |
| 14502(d)(4) .. | 40 App.:202(c) (4th sentence). | |
| 14502(d)(5) .. | 40 App.:202(c) (3d sentence). | |
| 14502(e) ..... | 40 App.:202(a) (last sentence). | |
| 14502(f) ..... | 40 App.:202(f). | Pub. L. 89–4, title II, § 202(f), as added Pub. L. 105–393, title II, § 207(b), Nov. 13, 1998, 112 Stat. 3620. |
| 14502(g) ..... | 40 App.:202(e). | |

In subsection (c)(1)(A)(ii), the words "where the acquisition of such facilities is the most cost-effective means for providing increased health services" are omitted as unnecessary because of the more narrow requirement that the Commission find that but for the acquisition of the facility, the health services would not be otherwise provided in the area served by the facility.

In subsection (f)(1), the words "After September 30, 1998" are omitted as obsolete.

REFERENCES IN TEXT

The Public Health Service Act, referred to in subsec. (c)(2), is act July 1, 1944, ch. 373, 58 Stat. 682, as amended. Title VI of the Act is classified generally to subchapter IV (§ 291 et seq.) of chapter 6A of Title 42, The Public Health and Welfare. For complete classification of this Act to the Code, see Short Title note set out under section 201 of Title 42 and Tables.

The Developmental Disabilities Assistance and Bill of Rights Act of 2000, referred to in subsec. (c)(2), is Pub. L. 106–402, Oct. 30, 2000, 114 Stat. 1677, as amended, which is classified principally to chapter 144 (§ 15001 et seq.) of Title 42, The Public Health and Welfare. For complete classification of this Act to the Code, see Short Title note set out under section 15001 of Title 42 and Tables.

The Social Security Act, referred to in subsec. (d)(3), (5), is act Aug. 14, 1935, ch. 531, 49 Stat. 620, as amended, which is classified generally to chapter 7 (§ 301 et seq.) of Title 42, The Public Health and Welfare. Parts A and B of title IV of the Act are classified generally to parts A (§ 601 et seq.) and B (§ 620 et seq.) of subchapter IV of chapter 7 of Title 42. Title XX of the Act is classified generally to subchapter XX (§ 1397 et seq.) of chapter 7 of Title 42. For complete classification of this Act to the Code, see section 1305 of Title 42 and Tables.

AMENDMENTS

2008—Subsec. (d)(2). Pub. L. 110–371, § 2(b)(1), added par. (2) and struck out heading and text of former par. (2). Text read as follows: "Grants under this section for the operation (including initial operating amounts and operating deficits, which include the cost of attracting, training, and retaining qualified personnel) of a demonstration health project, whether or not constructed with amounts authorized by this section, may be made for up to 50 percent of the cost of that operation (or 80 percent of the cost of that operation for a project to be carried out in a county for which a distressed county designation is in effect under section 14526 of this title)."

Subsec. (f)(1). Pub. L. 110–371, § 2(b)(2)(A), substituted "paragraphs (2) and (3)" for "paragraph (2)".

Subsec. (f)(3). Pub. L. 110–371, § 2(b)(2)(B), added par. (3).

TERMINATION OF ADVISORY COMMITTEE

Advisory committees established after Jan. 5, 1973, to terminate not later than the expiration of the 2-year period beginning on the date of their establishment, unless, in the case of a committee established by the President or an officer of the Federal Government, such committee is renewed by appropriate action prior to the expiration of such 2-year period, or in the case of a committee established by the Congress, its duration is otherwise provided by law. See section 14 of Pub. L. 92–463, Oct. 6, 1972, 86 Stat. 776, set out in the Appendix to Title 5, Government Organization and Employees.

## § 14503. Assistance for proposed low- and middle-income housing projects

(a) APPALACHIAN HOUSING FUND.—

(1) ESTABLISHMENT.—There is an Appalachian Housing Fund.

(2) SOURCE AND USE OF AMOUNTS IN FUND.—Amounts allocated to the Secretary of Housing and Urban Development for the purposes of this section shall be deposited in the Fund. The Secretary shall use the Fund as a revolving fund to carry out those purposes. Amounts in the Fund not needed for current operation may be invested in bonds or other obligations the Federal Government guarantees as to principal and interest. General expenses of administration of this section may be charged to the Fund.

(b) PURPOSE.—To encourage and facilitate the construction or rehabilitation of housing to meet the needs of low- and moderate-income families and individuals, the Secretary may make grants and loans from the Fund, under terms and conditions the Secretary may prescribe. The grants and loans may be made to nonprofit, limited dividend, or cooperative organizations and public bodies and are for planning and obtaining federally insured mortgage financing or other financial assistance for housing construction or rehabilitation projects for low- and moderate-income families and individuals, in any area of the Appalachian region the Appalachian Regional Commission establishes, under—

(1) section 221 of the National Housing Act (12 U.S.C. 1715*l*);

(2) section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f);

(3) section 515 of the Housing Act of 1949 (42 U.S.C. 1485); or

(4) any other law of similar purpose administered by the Secretary or any other department, agency, or instrumentality of the Federal Government or a state government.

(c) PROVIDING AMOUNTS TO STATES FOR GRANTS AND LOANS.—The Secretary or the Commission may provide amounts to the States for making grants and loans to nonprofit, limited dividend, or cooperative organizations and public bodies for the purposes for which the Secretary may provide amounts under this section.

(d) LOANS.—

(1) LIMITATION ON AVAILABLE AMOUNTS.—A loan under subsection (b) for the cost of planning and obtaining financing (including the cost of preliminary surveys and analyses of market needs, preliminary site engineering and architectural fees, site options, application and mortgage commitment fees, legal fees, and construction loan fees and discounts) of a project described in that subsection may be made for up to—

(A) 50 percent of that cost;

(B) in the case of a project to be carried out in a county for which a distressed county designation is in effect under section 14526, 80 percent of that cost; or

(C) in the case of a project to be carried out for a county for which an at-risk county designation is in effect under section 14526, 70 percent of that cost.

(2) INTEREST.—A loan shall be made without interest, except that a loan made to an organization established for profit shall bear interest at the prevailing market rate authorized for an insured or guaranteed loan for that type of project.

(3) PAYMENT.—The Secretary shall require payment of a loan made under this section, under terms and conditions the Secretary may require, no later than on completion of the project. Except for a loan to an organization established for profit, the Secretary may cancel any part of a loan made under this section on determining that a permanent loan to finance the project cannot be obtained in an amount adequate for repayment of a loan made under this section.

(e) GRANTS.—

(1) IN GENERAL.—A grant under this section for expenses incidental to planning and obtaining financing for a project under this section that the Secretary considers to be unrecoverable from the proceeds of a permanent loan made to finance the project shall—

(A) not be made to an organization established for profit; and

(B) except as provided in paragraph (2), not exceed—

(i) 50 percent of those expenses;

(ii) in the case of a project to be carried out in a county for which a distressed county designation is in effect under section 14526, 80 percent of those expenses; or

(iii) in the case of a project to be carried out in a county for which an at-risk county designation is in effect under section 14526, 70 percent of those expenses.

(2) SITE DEVELOPMENT COSTS AND OFFSITE IMPROVEMENTS.—The Secretary may make grants and commitments for grants, and may advance amounts under terms and conditions the Secretary may require, to nonprofit, limited dividend, or cooperative organizations and public bodies for reasonable site development costs and necessary offsite improvements, such as sewer and water line extensions, when the grant, commitment, or advance is essential to the economic feasibility of a housing construction or rehabilitation project for low- and moderate-income families and individuals which otherwise meets the requirements for assistance under this section. A grant under this paragraph for—

(A) the construction of housing shall not be more than 10 percent of the cost of the project; and

(B) the rehabilitation of housing shall not be more than 10 percent of the reasonable value of the rehabilitation housing, as determined by the Secretary.

(f) INFORMATION, ADVICE, AND TECHNICAL ASSISTANCE.—The Secretary or the Commission may provide, or contract with public or private organizations to provide, information, advice, and technical assistance with respect to the construction, rehabilitation, and operation by nonprofit organizations of housing for low- or moderate- income families in areas of the region the Commission establishes.

(g) APPLICATION OF CERTAIN PROVISIONS.—Programs and projects assisted under this section are subject to the provisions cited in section 14701 of this title to the extent provided in the laws authorizing assistance for low- and moderate-income housing.

(Pub. L. 107–217, Aug. 21, 2002, 116 Stat. 1268; Pub. L. 110–371, § 2(c), Oct. 8, 2008, 122 Stat. 4038.)

HISTORICAL AND REVISION NOTES

| *Revised Section* | *Source (U.S. Code)* | *Source (Statutes at Large)* |
|---|---|---|
| 14503(a) ..... | 40 App.:207(d). | Pub. L. 89–4, title II, § 207, as added Pub. L. 90–103, title I, § 112, Oct. 11, 1967, 81 Stat. 261; Pub. L. 90–448, title II, § 201(f), Aug. 1, 1968, 82 Stat. 502; Pub. L. 91–123, title I, § 106, Nov. 25, 1969, 83 Stat. 215; Pub. L. 92–65, title II, § 208, Aug. 5, 1971, 85 Stat. 169; Pub. L. 94–188, title I, § 113, Dec. 31, 1975, 89 Stat. 1082; Pub. L. 105–393, title II, § 212, Nov. 13, 1998, 112 Stat. 3621; Pub. L. 107–149, § 13(e), Mar. 12, 2002, 116 Stat. 71. |
| 14503(b) ..... | 40 App.:207(a). | |
| 14503(c) ..... | 40 App.:207(e) (words after ''areas of the region''). | |
| 14503(d) ..... | 40 App.:207(b). | |
| 14503(e) ..... | 40 App.:207(c). | |
| 14503(f) ..... | 40 App.:207(e) (words before ''and may provide funds''). | |
| 14503(g) ..... | 40 App.:207(f). | |

Subsection (a)(1) is added for clarity and for consistency with other titles of the United States Code.

In subsection (g), the words ''notwithstanding such section'' are omitted as unnecessary.

AMENDMENTS

2008—Subsec. (d)(1). Pub. L. 110–371, § 2(c)(1), added par. (1) and struck out heading and text of former par. (1). Text read as follows: ''A loan under subsection (b) shall not be more than 50 percent (or 80 percent for a project to be carried out in a county for which a distressed county designation is in effect under section 14526 of this title) of the cost of planning and obtaining financing for a project, including preliminary surveys and analyses of market needs, preliminary site engineering and architectural fees, site options, application and mortgage commitment fees, legal fees, and construction loan fees and discounts.''

Subsec. (e)(1). Pub. L. 110–371, § 2(c)(2), added par. (1) and struck out heading and text of former par. (1). Text read as follows: ''A grant under this section shall not be made to an organization established for profit and, except as provided in paragraph (2), shall not exceed 50 percent (or 80 percent for a project to be carried out in a county for which a distressed county designation is in effect under section 14526 of this title) of expenses, incident to planning and obtaining financing for a project, which the Secretary considers not to be recoverable from the proceeds of a permanent loan made to finance the project.''

## § 14504. Telecommunications and technology initiative

(a) PROJECTS TO BE ASSISTED.—The Appalachian Regional Commission may provide technical assistance, make grants, enter into contracts, or otherwise provide amounts to persons or entities in the region for projects—

(1) to increase affordable access to advanced telecommunications, entrepreneurship, and management technologies or applications in the region;

(2) to provide education and training in the use of telecommunications and technology;

(3) to develop programs to increase the readiness of industry groups and businesses in the region to engage in electronic commerce; or

(4) to support entrepreneurial opportunities for businesses in the information technology sector.

(b) LIMITATION ON AVAILABLE AMOUNTS.—Of the cost of any activity eligible for a grant under this section, not more than—

(1) 50 percent may be provided from amounts appropriated to carry out this section;

(2) in the case of a project to be carried out in a county for which a distressed county designation is in effect under section 14526, 80 percent may be provided from amounts appropriated to carry out this section; or

(3) in the case of a project to be carried out in a county for which an at-risk county designation is in effect under section 14526, 70 percent may be provided from amounts appropriated to carry out this section.

(c) SOURCES OF ASSISTANCE.—Assistance under this section may be provided entirely from amounts made available to carry out this section, in combination with amounts made available under other federal programs, or from any other source.

(d) FEDERAL SHARE.—Notwithstanding any provision of law limiting the federal share under any other federal program, amounts made available to carry out this section may be used to increase that federal share, as the Commission decides is appropriate.

(Pub. L. 107–217, Aug. 21, 2002, 116 Stat. 1270; Pub. L. 110–371, § 2(d), Oct. 8, 2008, 122 Stat. 4039.)

HISTORICAL AND REVISION NOTES

| *Revised Section* | *Source (U.S. Code)* | *Source (Statutes at Large)* |
|---|---|---|
| 14504(a) ..... | 40 App.:203(a). | Pub. L. 89–4, title II, § 203, as added Pub. L. 107–149, § 5, Mar. 12, 2002, 116 Stat. 67. |
| 14504(b) ..... | 40 App.:203(c). | |
| 14504(c) ..... | 40 App.:203(b)(1). | |
| 14504(d) ..... | 40 App.:203(b)(2). | |

AMENDMENTS

2008—Subsec. (b). Pub. L. 110–371 added subsec. (b) and struck out heading and text of former subsec. (b). Text read as follows: ''Not more than 50 percent (or 80 percent in the case of a project to be carried out in a county for which a distressed county designation is in effect under section 14526 of this title) of the cost of any activity eligible for a grant under this section may be provided from amounts appropriated to carry out this section.''

## § 14505. Entrepreneurship initiative

(a) BUSINESS INCUBATOR SERVICE.—In this section, the term ''business incubator service'' means a professional or technical service necessary for the initiation and initial sustainment of the operations of a newly established business, including a service such as—

(1) a legal service, including aid in preparing a corporate charter, partnership agreement, or basic contract;

(2) a service in support of the protection of intellectual property through a patent, a trademark, or any other means;

(3) a service in support of the acquisition and use of advanced technology, including the use of Internet services and Web-based services; and

(4) consultation on strategic planning, marketing, or advertising.

(b) PROJECTS TO BE ASSISTED.—The Appalachian Regional Commission may provide technical assistance, make grants, enter into contracts, or otherwise provide amounts to persons or entities in the region for projects—

(1) to support the advancement of, and provide, entrepreneurial training and education for youths, students, and businesspersons;

(2) to improve access to debt and equity capital by such means as facilitating the establishment of development venture capital funds;

(3) to aid communities in identifying, developing, and implementing development strategies for various sectors of the economy;

(4) to develop a working network of business incubators; and

(5) to support entities that provide business incubator services.

(c) LIMITATION ON AVAILABLE AMOUNTS.—Of the cost of any activity eligible for a grant under this section, not more than—

(1) 50 percent may be provided from amounts appropriated to carry out this section;

(2) in the case of a project to be carried out in a county for which a distressed county designation is in effect under section 14526, 80 percent may be provided from amounts appropriated to carry out this section; or