

Sec.	
15702.	Distressed counties and areas.
15703.	Counties eligible for assistance in more than one region.
15704.	Inspector General; records.
15705.	Biannual meetings of representatives of all Commissions.

SUBCHAPTER II—DESIGNATION OF REGIONS

15731.	Southeast Crescent Regional Commission.
15732.	Southwest Border Regional Commission.
15733.	Northern Border Regional Commission.
15734.	Great Lakes Authority.
15735.	Mid-Atlantic Regional Commission.
15736.	Southern New England Regional Commission.

SUBCHAPTER III—AUTHORIZATION OF APPROPRIATIONS

15751.	Authorization of appropriations.
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Editorial Notes

AMENDMENTS

2025—Pub. L. 118-272, div. B, title II, §§2249(b)(2), 2250(b)(2), Jan. 4, 2025, 138 Stat. 3209, 3210, which directed amendment of the analysis for subchapter II of this chapter by adding items 15735 and 15736 at the end, was executed by adding items 15735 and 15736 to the analysis for this chapter to reflect the probable intent of Congress.

2022—Pub. L. 117-328, div. O, title IV, §401(b)(2), Dec. 29, 2022, 136 Stat. 5228, which directed amendment of the analysis for subchapter II of this chapter by adding item 15734 at the end, was executed by adding item 15734 to the analysis for this chapter to reflect the probable intent of Congress.

2018—Pub. L. 115-334, title VI, §6304(g), Dec. 20, 2018, 132 Stat. 4752, renumbered chapter 4 of subtitle V of this title as chapter 157 of this title.

SUBCHAPTER I—GENERAL PROVISIONS

§ 15701. Consent of States

This subtitle does not require a State to engage in or accept a program under this subtitle without its consent.

(Added Pub. L. 110-234, title XIV, §14217(a)(2), May 22, 2008, 122 Stat. 1479, and Pub. L. 110-246, §4(a), title XIV, §14217(a)(2), June 18, 2008, 122 Stat. 1664, 2241.)

Editorial Notes

CODIFICATION

Pub. L. 110-234 and Pub. L. 110-246 enacted identical sections. Pub. L. 110-234 was repealed by section 4(a) of Pub. L. 110-246.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE

Section effective on the first day of the first fiscal year beginning after June 18, 2008, see section 14217(d) of Pub. L. 110-246, set out as a note under section 15101 of this title.

§ 15702. Distressed counties and areas

(a) DESIGNATIONS.—Not later than 90 days after the date of the enactment of this section, and annually thereafter, each Commission shall make the following designations:

(1) DISTRESSED COUNTIES.—The Commission shall designate as distressed counties those counties in its region that are the most severely and persistently economically dis-

tressed and underdeveloped and have high rates of poverty, unemployment, or outmigration.

(2) TRANSITIONAL COUNTIES.—The Commission shall designate as transitional counties those counties in its region that are economically distressed and underdeveloped or have recently suffered high rates of poverty, unemployment, or outmigration.

(3) ATTAINMENT COUNTIES.—The Commission shall designate as attainment counties, those counties in its region that are not designated as distressed or transitional counties under this subsection.

(4) ISOLATED AREAS OF DISTRESS.—The Commission shall designate as isolated areas of distress, areas located in counties designated as attainment counties under paragraph (3) that have high rates of poverty, unemployment, or outmigration.

(b) ALLOCATION.—A Commission shall allocate at least 50 percent of the appropriations made available to the Commission to carry out this subtitle for programs and projects designed to serve the needs of distressed counties and isolated areas of distress in the region.

(c) ATTAINMENT COUNTIES.—

(1) IN GENERAL.—Except as provided in paragraph (2), funds may not be provided under this subtitle for a project located in a county designated as an attainment county under subsection (a).

(2) EXCEPTIONS.—

(A) ADMINISTRATIVE EXPENSES OF LOCAL DEVELOPMENT DISTRICTS.—The funding prohibition under paragraph (1) shall not apply to grants to fund the administrative expenses of local development districts under section 15505.

(B) MULTICOUNTY AND OTHER PROJECTS.—A Commission may waive the application of the funding prohibition under paragraph (1) with respect to—

(i) a multicounty project that includes participation by an attainment county; and

(ii) any other type of project, if a Commission determines that the project could bring significant benefits to areas of the region outside an attainment county.

(3) APPLICATION.—Paragraph (2) shall not apply to—

(A) a county described in paragraph (2) or (3) of section 15735; or

(B) the Southern New England Regional Commission.

(4) ISOLATED AREAS OF DISTRESS.—For a designation of an isolated area of distress to be effective, the designation shall be supported—

(A) by the most recent Federal data available; or

(B) if no recent Federal data are available, by the most recent data available through the government of the State in which the isolated area of distress is located.

(Added Pub. L. 110-234, title XIV, §14217(a)(2), May 22, 2008, 122 Stat. 1479, and Pub. L. 110-246, §4(a), title XIV, §14217(a)(2), June 18, 2008, 122 Stat. 1664, 2241; amended Pub. L. 118-272, div. B,

title II, §§ 2249(c), 2250(c), Jan. 4, 2025, 138 Stat. 3209, 3210.)

Editorial Notes

REFERENCES IN TEXT

The date of the enactment of this section, referred to in subsec. (a), is the date of enactment of Pub. L. 110-246, which was approved June 18, 2008.

CODIFICATION

Pub. L. 110-234 and Pub. L. 110-246 enacted identical sections. Pub. L. 110-234 was repealed by section 4(a) of Pub. L. 110-246.

AMENDMENTS

2025—Subsec. (c)(3). Pub. L. 118-272, § 2250(c), inserted dash after “to” in introductory provisions and subpar. (A) designation before “a county”, substituted “; or” for period at end, and added subpar. (B).

Pub. L. 118-272, § 2249(c)(2), added par. (3). Former par. (3) redesignated (4).

Subsec. (c)(4). Pub. L. 118-272, § 2249(c)(1), redesignated par. (3) as (4).

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE

Section effective on the first day of the first fiscal year beginning after June 18, 2008, see section 14217(d) of Pub. L. 110-246, set out as a note under section 15101 of this title.

§ 15703. Counties eligible for assistance in more than one region

(a) **LIMITATION.**—A political subdivision of a State may not receive assistance under this subtitle in a fiscal year from more than one Commission.

(b) **SELECTION OF COMMISSION.**—A political subdivision included in the region of more than one Commission shall select the Commission with which it will participate by notifying, in writing, the Federal Cochairperson and the appropriate State member of that Commission.

(c) **CHANGES IN SELECTIONS.**—The selection of a Commission by a political subdivision shall apply in the fiscal year in which the selection is made, and shall apply in each subsequent fiscal year unless the political subdivision, at least 90 days before the first day of the fiscal year, notifies the Cochairpersons of another Commission in writing that the political subdivision will participate in that Commission and also transmits a copy of such notification to the Cochairpersons of the Commission in which the political subdivision is currently participating.

(d) **INCLUSION OF APPALACHIAN REGIONAL COMMISSION.**—In this section, the term “Commission” includes the Appalachian Regional Commission established under chapter 143.

(Added Pub. L. 110-234, title XIV, § 14217(a)(2), May 22, 2008, 122 Stat. 1480, and Pub. L. 110-246, § 4(a), title XIV, § 14217(a)(2), June 18, 2008, 122 Stat. 1664, 2242.)

Editorial Notes

CODIFICATION

Pub. L. 110-234 and Pub. L. 110-246 enacted identical sections. Pub. L. 110-234 was repealed by section 4(a) of Pub. L. 110-246.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE

Section effective on the first day of the first fiscal year beginning after June 18, 2008, see section 14217(d) of Pub. L. 110-246, set out as a note under section 15101 of this title.

§ 15704. Inspector General; records

(a) **APPOINTMENT OF INSPECTOR GENERAL.**—There shall be an Inspector General for the Commissions appointed in accordance with section 403(a) of title 5. All of the Commissions shall be subject to a single Inspector General.

(b) **RECORDS OF A COMMISSION.**—

(1) **IN GENERAL.**—A Commission shall maintain accurate and complete records of all its transactions and activities.

(2) **AVAILABILITY.**—All records of a Commission shall be available for audit and examination by the Inspector General (including authorized representatives of the Inspector General).

(c) **RECORDS OF RECIPIENTS OF COMMISSION ASSISTANCE.**—

(1) **IN GENERAL.**—A recipient of funds from a Commission under this subtitle shall maintain accurate and complete records of transactions and activities financed with the funds and report to the Commission on the transactions and activities.

(2) **AVAILABILITY.**—All records required under paragraph (1) shall be available for audit by the Commission and the Inspector General (including authorized representatives of the Commission and the Inspector General).

(d) **ANNUAL AUDIT.**—The Inspector General shall audit the activities, transactions, and records of each Commission on an annual basis.

(Added Pub. L. 110-234, title XIV, § 14217(a)(2), May 22, 2008, 122 Stat. 1480, and Pub. L. 110-246, § 4(a), title XIV, § 14217(a)(2), June 18, 2008, 122 Stat. 1664, 2242; amended Pub. L. 117-286, § 4(b)(70), Dec. 27, 2022, 136 Stat. 4350.)

Editorial Notes

CODIFICATION

Pub. L. 110-234 and Pub. L. 110-246 enacted identical sections. Pub. L. 110-234 was repealed by section 4(a) of Pub. L. 110-246.

AMENDMENTS

2022—Subsec. (a). Pub. L. 117-286 substituted “section 403(a) of title 5.” for “section 3(a) of the Inspector General Act of 1978 (5 U.S.C. App.).”

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE

Section effective on the first day of the first fiscal year beginning after June 18, 2008, see section 14217(d) of Pub. L. 110-246, set out as a note under section 15101 of this title.

§ 15705. Biannual meetings of representatives of all Commissions

(a) **IN GENERAL.**—Representatives of each Commission, the Appalachian Regional Commission, and the Denali Commission shall meet biannually to discuss issues confronting regions suf-