

costs wherever possible. The Committee should submit the plan to the President for approval within six months of the effective date of this Order.

1-4. OTHER RESPONSIBILITIES OF THE FEDERAL DEPARTMENTS AND AGENCIES

1-401. The head of each department and agency shall designate a high level official to have the responsibility for the participation and cooperation of that department or agency in carrying out this Executive order. This person may be the same person who is the department or agency's representative to the Committee.

1-402. To the extent permitted by law, each department and agency upon request by the Chairperson shall furnish information, assistance and reports and otherwise cooperate with the Chairperson and the Committee in the performance of their functions hereunder. Each department or agency shall ensure that systematic data collection processes are capable of providing the Committee current data helpful in evaluating and promoting the efforts herein described.

1-403. The officials designated under Section 1-401, when so requested, shall review the policies and programs of the women's business enterprise program, and shall keep the Chairperson informed of proposed budget, plans and programs of their departments or agencies affecting women's business enterprise.

1-404. Each Federal department or agency, within constraints of law, shall continue current efforts to foster and promote women's business enterprise and to support the program herein set forth, and shall cooperate with the Chairperson and the Committee in increasing the total Federal effort.

1-5. REPORTS

1-501. The Chairperson shall, promptly after the close of the fiscal year, submit to the President a full report of the activities of the Committee hereunder during the previous fiscal year. Further, the Chairperson shall, from time to time, submit to the President the Committee's recommendations for legislation or other action to promote the purposes of this Order.

1-502. Each Federal department and agency shall report to the Chairperson as hereinabove provided on a timely basis so that the Chairperson and the Committee can consider such reports for the Committee report to the President.

1-6. DEFINITIONS

For the purposes of this Order, the following definitions shall apply:

1-601. "Women-owned business" means a business that is at least 51 percent owned by a woman or women who also control and operate it. "Control" in this context means exercising the power to make policy decisions. "Operate" in this context means being actively involved in the day-to-day management.

1-602. "Women's business enterprise" means a woman-owned business or businesses or the efforts of a woman or women to establish, maintain or develop such a business or businesses.

1-603. Nothing in subsections 1-601 or 1-602 of this Section (1-6) should be construed to prohibit the use of other definitions of a woman-owned business or women's business enterprise by departments and agencies of the Executive Branch where other definitions are deemed reasonable and useful for any purpose not inconsistent with the purposes of this Order. Wherever feasible, departments and agencies should use the definition of a woman-owned business in subsection 1-601 above for monitoring performance with respect to women's business enterprise in order to assure comparability of data throughout the Federal Government.

1-7. CONSTRUCTION

Nothing in this Order shall be construed as limiting the meaning or effect of any existing Executive order.

§ 7102. Duties of the Interagency Committee

(a) In general

The Interagency Committee shall—

(1) monitor, coordinate, and promote the plans, programs, and operations of the departments and agencies of the Federal Government that may contribute to the establishment and growth of women's business enterprise;

(2) develop and promote new public sector initiatives, policies, programs, and plans designed to foster women's business enterprise;

(3) review, monitor, and coordinate plans and programs, developed in the public sector, which affect the ability of women-owned businesses to obtain capital and credit;

(4) promote and assist, as appropriate, in the development of surveys of women-owned businesses; and

(5) design a comprehensive plan for a joint public-private sector effort to facilitate growth and development of women's business enterprise, which plan shall, not later than 1 year after October 22, 1994, be submitted to the President for review.

(b) Meetings

The Interagency Committee shall meet not less than biannually at such times as the Interagency Committee determines to be necessary to perform the duties under subsection (a) of this section. A majority of the members of the Committee shall constitute a quorum for the approval of recommendations or reports issued pursuant to this section.

(c) Interaction with Council

In performing its duties under subsection (a) of this section, the Interagency Committee shall consult with the Council. The Interagency Committee may meet jointly with the Council at the discretion of the chairperson of the Interagency Committee and the chairperson of the Council, but not less frequently than twice annually. The chairperson of the Interagency Committee shall serve as chairperson of any joint meetings of the Interagency Committee and the Council.

(Pub. L. 100-533, title IV, § 402, as added Pub. L. 103-403, title IV, § 413, Oct. 22, 1994, 108 Stat. 4193.)

PRIOR PROVISIONS

A prior section 402 of Pub. L. 100-533, title IV, Oct. 25, 1988, 102 Stat. 2694, related to duties of the National Women's Business Council, prior to the general amendment of title IV of Pub. L. 100-533 by Pub. L. 103-403. See section 7106 of this title.

§ 7103. Membership of the Interagency Committee

(a) In general

(1) Participants

The Interagency Committee shall be composed of 1 representative from each of the following:

(A) The Department of Commerce.

(B) The Department of Defense.

(C) The Department of Health and Human Services.

(D) The Department of Labor.

- (E) The Small Business Administration.
- (F) The Department of Transportation.
- (G) The Department of the Treasury.
- (H) The General Services Administration.
- (I) The Board of Governors of the Federal Reserve.
- (J) The Executive staff of the President engaged in policymaking activities.

(2) Appointments

(A) In general

Except as provided in subparagraph (B), the head of each department and agency listed in paragraph (1) shall, not later than 45 days after December 2, 1997, designate a representative who shall be a policymaking official within the department or agency, and who shall report directly to the head of the agency on the status of the activities of the Interagency Committee.

(B) Small Business Administration

With respect to the Small Business Administration, the representative shall be the Assistant Administrator of the Office of Women's Business Ownership, who also shall serve as the vice chairperson of the Interagency Committee and shall report directly to the Administrator on the status of the activities on the Interagency Committee and shall serve as the Interagency Committee Liaison to the National Women's Business Council established under section 7105 of this title.

(3) Other participation

Other representatives of the Federal Government not listed in paragraph (1) may participate in the meetings and functions of the Interagency Committee on a temporary basis as needed to carry out specific Interagency Committee goals.

(b) Appointment of chairperson

Not later than 45 days after December 2, 1997, the President, in consultation with the Administrator of the Small Business Administration, shall appoint 1 of the members of the Interagency Committee to serve as chairperson.

(c) Noncompensation

The members of the Interagency Committee shall serve without additional pay for such membership.

(d) Detail of Federal employees

Upon request by the chairperson of the Interagency Committee, the head of any Federal department or agency may detail any of the personnel of such agency to assist the Interagency Committee in carrying out its duties under this chapter without regard to section 3341 of title 5.

(Pub. L. 100-533, title IV, § 403, as added Pub. L. 103-403, title IV, § 413, Oct. 22, 1994, 108 Stat. 4194; amended Pub. L. 105-135, title III, § 301, Dec. 2, 1997, 111 Stat. 2608.)

CODIFICATION

December 2, 1997, referred to in subsec. (a)(2)(A), was in the original "the date of enactment of the Small Business Administration Reauthorization Act of 1997" and December 2, 1997, referred to in subsec. (b), was in the original "enactment of the Small Business Administration

Reauthorization Act of 1997", both of which were translated as meaning the date of enactment of the Small Business Reauthorization Act of 1997, Pub. L. 105-135, which was approved Dec. 2, 1997, to reflect the probable intent of Congress.

PRIOR PROVISIONS

A prior section 403 of Pub. L. 100-533, title IV, Oct. 25, 1988, 102 Stat. 2694; Pub. L. 102-191, § 5, Dec. 5, 1991, 105 Stat. 1591, related to membership of the National Women's Business Council, prior to the general amendment of title IV of Pub. L. 100-533 by Pub. L. 103-403. See section 7107 of this title.

AMENDMENTS

1997—Subsec. (a)(2)(A). Pub. L. 105-135, § 301(1), substituted "December 2, 1997" for "October 22, 1994" and inserted before period at end "and who shall report directly to the head of the agency on the status of the activities of the Interagency Committee". See Codification note above.

Subsec. (a)(2)(B). Pub. L. 105-135, § 301(2), inserted before period at end "and shall report directly to the Administrator on the status of the activities on the Interagency Committee and shall serve as the Interagency Committee Liaison to the National Women's Business Council established under section 7105 of this title".

Subsec. (b). Pub. L. 105-135, § 301(3), substituted "December 2, 1997" for "October 22, 1994". See Codification note above.

EFFECTIVE DATE OF 1997 AMENDMENT

Amendment by Pub. L. 105-135 effective Oct. 1, 1997, see section 3 of Pub. L. 105-135, set out as a note under section 631 of this title.

§ 7104. Reports from the Interagency Committee

Not later than September 30, 1995, and annually thereafter, the Interagency Committee shall transmit, through the Small Business Administration, to the President and to the Committees on Small Business of the Senate and the House of Representatives, a report containing—

(1) a detailed description of the activities of the Interagency Committee, including a verbatim report on the status of progress of the Interagency Committee in meeting its responsibilities and duties under section 7102(a) of this title;

(2) the findings and conclusions of the Interagency Committee; and

(3) the Interagency Committee's recommendations for such legislation and administrative actions as the Interagency Committee considers appropriate to promote the development of small business concerns owned and controlled by women.

(Pub. L. 100-533, title IV, § 404, as added Pub. L. 103-403, title IV, § 413, Oct. 22, 1994, 108 Stat. 4194; amended Pub. L. 105-135, title III, § 302, Dec. 2, 1997, 111 Stat. 2608.)

PRIOR PROVISIONS

A prior section 404 of Pub. L. 100-533, title IV, Oct. 25, 1988, 102 Stat. 2695, related to appointment and pay of the Director and staff of the National Women's Business Council, prior to the general amendment of title IV of Pub. L. 100-533 by Pub. L. 103-403. See section 7107 of this title.

AMENDMENTS

1997—Pub. L. 105-135, § 302(1), in introductory provisions, inserted "through the Small Business Administration," after "transmit".