

(Pub. L. 89-136, title V, §502, as added Pub. L. 105-393, title I, §102(a), Nov. 13, 1998, 112 Stat. 3610; amended Pub. L. 108-373, title V, §501, Oct. 27, 2004, 118 Stat. 1768.)

PRIOR PROVISIONS

A prior section 3192, Pub. L. 89-136, title V, §513, as added Pub. L. 91-123, title II, §206, Nov. 25, 1969, 83 Stat. 219; amended Pub. L. 94-188, title II, §203, Dec. 31, 1975, 89 Stat. 1087, related to regional transportation systems, prior to repeal by Pub. L. 97-35, title XVIII, §1821(a)(8), Aug. 13, 1981, 95 Stat. 766, effective Sept. 30, 1981.

A prior section 502 of Pub. L. 89-136 was classified to section 3182 of this title prior to repeal by Pub. L. 97-35, §1821(a)(8).

AMENDMENTS

2004—Par. (1). Pub. L. 108-373, §501(1), added par. (1) and struck out former par. (1) which read as follows: “maintain a central information clearinghouse on matters relating to economic development, economic adjustment, disaster recovery, defense conversion, and trade adjustment programs and activities of the Federal and State governments, including political subdivisions of States;”.

Par. (2). Pub. L. 108-373, §501(2), added par. (2) and struck out former par. (2) which read as follows: “assist potential and actual applicants for economic development, economic adjustment, disaster recovery, defense conversion, and trade adjustment assistance under Federal, State, and local laws in locating and applying for the assistance; and”.

Par. (4). Pub. L. 108-373, §501(3), (4), added par. (4).

§ 3193. Consultation with other persons and agencies

(a) Consultation on problems relating to employment

The Secretary may consult with any persons, including representatives of labor, management, agriculture, and government, who can assist in addressing the problems of area and regional unemployment or underemployment.

(b) Consultation on administration of chapter

The Secretary may provide for such consultation with interested Federal agencies as the Secretary determines to be appropriate in the performance of the duties of the Secretary under this chapter.

(Pub. L. 89-136, title V, §503, as added Pub. L. 105-393, title I, §102(a), Nov. 13, 1998, 112 Stat. 3610.)

PRIOR PROVISIONS

A prior section 3193, Pub. L. 89-136, title V, §514, as added Pub. L. 93-423, §11, Sept. 27, 1974, 88 Stat. 1162, provided for the acquisition and disposal of excess property from the Administrator of General Services by the Federal cochairman of each regional action planning commission, prior to repeal by Pub. L. 94-519, §§6, 9, Oct. 17, 1976, 90 Stat. 2456, 2457, effective Oct. 17, 1977.

A prior section 503 of Pub. L. 89-136 was classified to section 3183 of this title prior to repeal by Pub. L. 97-35, §1821(a)(8).

§ 3194. Administration, operation, and maintenance

The Secretary shall approve Federal assistance under this chapter only if the Secretary is satisfied that the project for which Federal assistance is granted will be properly and efficiently administered, operated, and maintained.

(Pub. L. 89-136, title V, §504, as added Pub. L. 105-393, title I, §102(a), Nov. 13, 1998, 112 Stat. 3610.)

PRIOR PROVISIONS

A prior section 3194, Pub. L. 89-136, title V, §515, as added Pub. L. 94-188, title II, §204, Dec. 31, 1975, 89 Stat. 1088, related to energy demonstration projects and programs, prior to repeal by Pub. L. 97-35, title XVIII, §1821(a)(8), Aug. 13, 1981, 95 Stat. 766, effective Sept. 30, 1981.

A prior section 504 of Pub. L. 89-136 was classified to section 3184 of this title prior to repeal by Pub. L. 97-35, §1821(a)(8).

§ 3195. Repealed. Pub. L. 108-373, title V, § 502(a), Oct. 27, 2004, 118 Stat. 1768

Section, Pub. L. 89-136, title V, §505, as added Pub. L. 105-393, title I, §102(a), Nov. 13, 1998, 112 Stat. 3610, related to businesses desiring Federal contracts.

PRIOR PROVISIONS

A prior section 3195, Pub. L. 89-136, title V, §516, as added Pub. L. 94-188, title II, §205, Dec. 31, 1975, 89 Stat. 1088, related to health and nutrition demonstration projects, prior to repeal by Pub. L. 97-35, title XVIII, §1821(a)(8), Aug. 13, 1981, 95 Stat. 766, effective Sept. 30, 1981.

A prior section 505 of Pub. L. 89-136 was classified to section 3185 of this title prior to repeal by Pub. L. 97-35, §1821(a)(8).

§ 3196. Performance evaluations of grant recipients

(a) In general

The Secretary shall conduct an evaluation of each university center and each economic development district that receives grant assistance under this chapter (each referred to in this section as a “grantee”) to assess the grantee’s performance and contribution toward retention and creation of employment.

(b) Purpose of evaluations of university centers

The purpose of the evaluations of university centers under subsection (a) of this section shall be to determine which university centers are performing well and are worthy of continued grant assistance under this chapter, and which should not receive continued assistance, so that university centers that have not previously received assistance may receive assistance.

(c) Timing of evaluations

Evaluations under subsection (a) of this section shall be conducted on a continuing basis so that each grantee is evaluated within 3 years after the first award of assistance to the grantee, and at least once every 3 years thereafter, so long as the grantee receives the assistance.

(d) Evaluation criteria

(1) Establishment

The Secretary shall establish criteria for use in conducting evaluations under subsection (a) of this section.

(2) Evaluation criteria for university centers

The criteria for evaluation of a university center shall, at a minimum, provide for an assessment of the center’s contribution to providing technical assistance, conducting applied research, program performance, and dis-

seminating results of the activities of the center.

(3) Evaluation criteria for economic development districts

The criteria for evaluation of an economic development district shall, at a minimum, provide for an assessment of management standards, financial accountability, and program performance.

(e) Peer review

In conducting an evaluation of a university center or economic development district under subsection (a) of this section, the Secretary shall provide for the participation of at least 1 other university center or economic development district, as appropriate, on a cost-reimbursement basis.

(Pub. L. 89-136, title V, § 506, as added Pub. L. 105-393, title I, § 102(a), Nov. 13, 1998, 112 Stat. 3611; amended Pub. L. 108-373, title V, § 503, Oct. 27, 2004, 118 Stat. 1769.)

PRIOR PROVISIONS

A prior section 3196, Pub. L. 89-136, title V, § 517, as added Pub. L. 94-188, title II, § 206, Dec. 31, 1975, 89 Stat. 1090, related to vocational and technical educational demonstration projects, prior to repeal by Pub. L. 97-35, title XVIII, § 1821(a)(8), Aug. 13, 1981, 95 Stat. 766, effective Sept. 30, 1981.

A prior section 506 of Pub. L. 89-136 was classified to section 3186 of this title prior to repeal by Pub. L. 97-35, § 1821(a)(8).

AMENDMENTS

2004—Subsec. (c). Pub. L. 108-373, § 503(a), struck out “after the effective date of the Economic Development Administration Reform Act of 1998” after “assistance to the grantee”.

Subsec. (d)(2). Pub. L. 108-373, § 503(b), inserted “program performance,” after “applied research.”

§ 3197. Notification of reorganization

Not later than 30 days before the date of any reorganization of the offices, programs, or activities of the Economic Development Administration, the Secretary shall provide notification of the reorganization to the Committee on Environment and Public Works and the Committee on Appropriations of the Senate, and the Committee on Transportation and Infrastructure and the Committee on Appropriations of the House of Representatives.

(Pub. L. 89-136, title V, § 507, as added Pub. L. 105-393, title I, § 102(a), Nov. 13, 1998, 112 Stat. 3611.)

PRIOR PROVISIONS

A prior section 507 of Pub. L. 89-136 was classified to section 3187 of this title prior to repeal by Pub. L. 97-35, § 1821(a)(8).

Prior sections 3201 to 3204 were repealed by Pub. L. 105-393, title I, § 102(a), Nov. 13, 1998, 112 Stat. 3597.

Section 3201, Pub. L. 89-136, title VI, § 601(a), Aug. 26, 1965, 79 Stat. 569; Pub. L. 97-195, § 1(c)(3), June 16, 1982, 96 Stat. 115, related to appointment of Assistant Secretary of Commerce and Administrator for Economic Development.

Section 3202, Pub. L. 89-136, title VI, § 602, Aug. 26, 1965, 79 Stat. 570, related to National Public Advisory Committee on Regional Economic Development.

Section 3203, Pub. L. 89-136, title VI, § 603, Aug. 26, 1965, 79 Stat. 570, authorized Secretary to consult with other persons and agencies.

Section 3204, Pub. L. 89-136, title VI, § 604, as added Pub. L. 90-103, title II, § 204, Oct. 11, 1967, 81 Stat. 268, conditioned assistance upon proper administration, operation, and maintenance of project.

SUBCHAPTER VI—MISCELLANEOUS

§ 3211. Powers of Secretary

(a) In general

In carrying out the duties of the Secretary under this chapter, the Secretary may—

(1) adopt, alter, and use a seal, which shall be judicially noticed;

(2) subject to the civil service and classification laws, select, employ, appoint, and fix the compensation of such personnel as are necessary to carry out this chapter;

(3) hold such hearings, sit and act at such times and places, and take such testimony, as the Secretary determines to be appropriate;

(4) request directly, from any Federal agency, board, commission, office, or independent establishment, such information, suggestions, estimates, and statistics as the Secretary determines to be necessary to carry out this chapter (and each Federal agency, board, commission, office, or independent establishment may provide such information, suggestions, estimates, and statistics directly to the Secretary);

(5) under regulations promulgated by the Secretary—

(A) assign or sell at public or private sale, or otherwise dispose of for cash or credit, in the Secretary's discretion and on such terms and conditions and for such consideration as the Secretary determines to be reasonable, any evidence of debt, contract, claim, personal property, or security assigned to or held by the Secretary in connection with assistance provided under this chapter; and

(B) collect or compromise all obligations assigned to or held by the Secretary in connection with that assistance until such time as the obligations are referred to the Attorney General for suit or collection;

(6) deal with, complete, renovate, improve, modernize, insure, rent, or sell for cash or credit, on such terms and conditions and for such consideration as the Secretary determines to be reasonable, any real or personal property conveyed to or otherwise acquired by the Secretary in connection with assistance provided under this chapter;

(7) pursue to final collection, by means of compromise or other administrative action, before referral to the Attorney General, all claims against third parties assigned to the Secretary in connection with assistance provided under this chapter;

(8) acquire, in any lawful manner, any property (real, personal, or mixed, tangible or intangible), to the extent appropriate in connection with assistance provided under this chapter;

(9) in addition to any powers, functions, privileges, and immunities otherwise vested in the Secretary, take any action, including the procurement of the services of attorneys by contract, determined by the Secretary to be necessary or desirable in making, purchasing,