

(B) Permit parties to a transaction to determine the appropriate authentication technologies and implementation models for their transactions, with assurance that those technologies and implementation models will be recognized and enforced.

(C) Permit parties to a transaction to have the opportunity to prove in court or other proceedings that their authentication approaches and their transactions are valid.

(D) Take a nondiscriminatory approach to electronic signatures and authentication methods from other jurisdictions.

#### (b) Consultation

In conducting the activities required by this section, the Secretary shall consult with users and providers of electronic signature products and services and other interested persons.

#### (c) Definitions

As used in this section, the terms “electronic record” and “electronic signature” have the same meanings provided in section 7006 of this title.

(Pub. L. 106-229, title III, §301, June 30, 2000, 114 Stat. 475.)

### CHAPTER 97—WOMEN’S BUSINESS ENTERPRISE DEVELOPMENT

Sec.	
7101.	Establishment of the Interagency Committee.
7102.	Duties of the Interagency Committee.
7103.	Membership of the Interagency Committee.
7104.	Reports from the Interagency Committee.
7105.	Establishment of the National Women’s Business Council.
7106.	Duties of the Council.
7107.	Membership of the Council.
7108.	Definitions.
7109.	Studies and other research.
7110.	Authorization of appropriations.

#### CODIFICATION

This chapter is comprised of title IV of Pub. L. 100-533, as added by Pub. L. 103-403, title IV, §413, Oct. 22, 1994, 108 Stat. 4193, and amended. Title IV of Pub. L. 100-533 was formerly set out as a note under section 631 of this title.

#### § 7101. Establishment of the Interagency Committee

There is established an interagency committee to be known as the Interagency Committee on Women’s Business Enterprise.

(Pub. L. 100-533, title IV, §401, as added Pub. L. 103-403, title IV, §413, Oct. 22, 1994, 108 Stat. 4193.)

#### PRIOR PROVISIONS

A prior section 401 of Pub. L. 100-533, title IV, Oct. 25, 1988, 102 Stat. 2694, related to the establishment 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 7105 of this title.

#### SHORT TITLE OF 2000 AMENDMENT

Pub. L. 106-554, §1(a)(9) [title VII, §701], Dec. 21, 2000, 114 Stat. 2763, 2763A-701, provided that: “This title [amending sections 7107, 7109, and 7110 of this title and repealing former section 7109 of this title] may be cited as the ‘National Women’s Business Council Reauthorization Act of 2000’.”

EX. ORD. NO. 12138. NATIONAL WOMEN’S BUSINESS ENTERPRISE POLICY AND NATIONAL PROGRAM FOR WOMEN’S BUSINESS ENTERPRISE

Ex. Ord. No. 12138, May 18, 1979, 44 F.R. 29637, as amended by Ex. Ord. No. 12608, Sept. 9, 1987, 52 F.R. 34617, provided:

In response to the findings of the Interagency Task Force on Women Business Owners and congressional findings that recognize:

1. the significant role which small business and women entrepreneurs can play in promoting full employment and balanced growth in our economy;
2. the many obstacles facing women entrepreneurs; and
3. the need to aid and stimulate women’s business enterprise;

By the authority vested in me as President of the United States of America, in order to create a National Women’s Business Enterprise Policy and to prescribe arrangements for developing, coordinating and implementing a national program for women’s business enterprise, it is ordered as follows:

#### 1-1. RESPONSIBILITIES OF THE FEDERAL DEPARTMENTS AND AGENCIES

1-101. Within the constraints of statutory authority and as otherwise permitted by law:

(a) Each department and agency of the Executive Branch shall take appropriate action to facilitate, preserve and strengthen women’s business enterprise and to ensure full participation by women in the free enterprise system.

(b) Each department and agency shall take affirmative action in support of women’s business enterprise in appropriate programs and activities including but not limited to:

- (1) management, technical, financial and procurement assistance,
- (2) business-related education, training, counseling and information dissemination, and
- (3) procurement.

(c) Each department or agency empowered to extend Federal financial assistance to any program or activity shall issue regulations requiring the recipient of such assistance to take appropriate affirmative action in support of women’s business enterprise and to prohibit actions or policies which discriminate against women’s business enterprise on the ground of sex. For purposes of this subsection, Federal financial assistance means assistance extended by way of grant, cooperative agreement, loan or contract other than a contract of insurance or guaranty. These regulations shall prescribe sanctions for noncompliance. Unless otherwise specified by law, no agency sanctions shall be applied until the agency or department concerned has advised the appropriate person or persons of the failure to comply with its regulations and has determined that compliance cannot be secured by voluntary means.

1-102. For purposes of this Order, affirmative action may include, but is not limited to, creating or supporting new programs responsive to the special needs of women’s business enterprise, establishing incentives to promote business or business-related opportunities for women’s business enterprise, collecting and disseminating information in support of women’s business enterprise, and insuring to women’s business enterprise knowledge of and ready access to business-related services and resources. If, in implementing this Order, an agency undertakes to use or to require compliance with numerical set-asides, or similar measures, it shall state the purpose of such measure, and the measure shall be designed on the basis of pertinent factual findings of discrimination against women’s business enterprise and the need for such measure.

1-103. In carrying out their responsibilities under Section 1-1, the departments and agencies shall consult the Department of Justice, and the Department of Justice shall provide legal guidance concerning these responsibilities.