

**(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).

## EFFECTIVE DATE

Section effective Feb. 11, 1999, see section 105 of Pub. L. 105-393, set out as a note under section 3121 of this title.

**§ 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).

## EFFECTIVE DATE

Section effective Feb. 11, 1999, see section 105 of Pub. L. 105-393, set out as a note under section 3121 of this title.

**§ 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 Repealed.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) 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) 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).

**(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 disseminating 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), 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.”.

## EFFECTIVE DATE

Section effective Feb. 11, 1999, see section 105 of Pub. L. 105-393, set out as a note under section 3121 of this title.

**§ 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.

## EFFECTIVE DATE

Section effective Feb. 11, 1999, see section 105 of Pub. L. 105-393, set out as a note under section 3121 of this title.

## 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, servicing, compromising, modifying, liquidating, or otherwise administratively dealing with assets held in connection with financial assistance provided under this chapter;

(10)(A) employ experts and consultants or organizations as authorized by section 3109 of title 5 except that contracts for such employment may be renewed annually;

(B) compensate individuals so employed, including compensation for travel time; and

(C) allow individuals so employed, while away from their homes or regular places of business, travel expenses, including per diem in lieu of subsistence, as authorized by section 5703 of title 5 for persons employed intermittently in the Federal Government service;

(11) establish performance measures for grants and other assistance provided under this chapter, and use the performance measures to evaluate the economic impact of economic development assistance programs under this chapter, which establishment and use of performance measures shall be provided by the Secretary through—