

Editorial Notes

AMENDMENTS

2020—Subsec. (b)(3)(A). Pub. L. 116-260 designated existing provisions as cl. (i), inserted heading, and added cl. (ii).

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 2020 AMENDMENT

Pub. L. 116-260, div. N, title III, §346(b), Dec. 27, 2020, 134 Stat. 2052, provided that: “The amendments made by subsection (a) [amending this section] shall be effective as if included in the CARES Act (Public Law 116-136; 134 Stat. 281).”

§ 9003. State Trade Expansion Program**(a) In general**

Notwithstanding paragraph (3)(C)(iii) of section 649(l) of this title, for grants under the State Trade Expansion Program under such section 649(l) of this title using amounts made available for fiscal year 2018 or fiscal year 2019, the period of the grant shall continue through the end of fiscal year 2021.

(b) Reimbursement

The Administrator shall reimburse any recipient of assistance under section 649(l) of this title for financial losses relating to a foreign trade mission or a trade show exhibition that was cancelled solely due to a public health emergency declared due to COVID-19 if the reimbursement does not exceed a recipient’s grant funding.

(Pub. L. 116-136, div. A, title I, §1104, Mar. 27, 2020, 134 Stat. 297.)

§ 9004. Waiver of matching funds requirement under the Women’s Business Center program

During the period beginning on March 27, 2020, and ending on June 30, 2021, the requirement relating to obtaining cash contributions from non-Federal sources under section 656(c)(1) of this title is waived for any recipient of assistance under such section 656 of this title.

(Pub. L. 116-136, div. A, title I, §1105, Mar. 27, 2020, 134 Stat. 297; Pub. L. 116-260, div. N, title III, §345(a), Dec. 27, 2020, 134 Stat. 2051.)

Editorial Notes

AMENDMENTS

2020—Pub. L. 116-260 substituted “the period beginning on March 27, 2020, and ending on June 30, 2021” for “the 3-month period beginning on March 27, 2020”.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 2020 AMENDMENT

Pub. L. 116-260, div. N, title III, §345(b), Dec. 27, 2020, 134 Stat. 2051, provided that: “The amendment made by subsection (a) [amending this section] shall be effective as if included in the CARES Act (Public Law 116-136; 134 Stat. 281).”

§ 9005. Transferred**Editorial Notes**

CODIFICATION

Section, Pub. L. 116-136, div. A, title I, §1106, Mar. 27, 2020, 134 Stat. 297; Pub. L. 116-142, §3(b), June 5, 2020, 134

Stat. 641, which related to loan forgiveness, was renumbered as section 7A of Pub. L. 85-536 by Pub. L. 116-260, div. N, title III, §304(b)(1)(A), Dec. 27, 2020, 134 Stat. 1993, and transferred to section 636m of this title.

§ 9006. Direct appropriations**(a) In general**

There is appropriated, out of amounts in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2020, to remain available until September 30, 2021, for additional amounts—

(1) \$670,335,000,000 under the heading “Small Business Administration—Business Loans Program Account, CARES Act” for the cost of guaranteed loans as authorized under paragraph (36) of section 636(a) of this title, as added by section 1102(a) of this Act;

(2) \$675,000,000 under the heading “Small Business Administration—Salaries and Expenses” for salaries and expenses of the Administration;

(3) \$25,000,000 under the heading “Small Business Administration—Office of Inspector General”, to remain available until September 30, 2024, for necessary expenses of the Office of Inspector General of the Administration in carrying out the provisions of the Inspector General Act of 1978 (5 U.S.C. App.);

(4) \$265,000,000 under the heading “Small Business Administration—Entrepreneurial Development Programs”, of which—

(A) \$240,000,000 shall be for carrying out section 9002(b) of this title; and

(B) \$25,000,000 shall be for carrying out section 9002(c) of this title;

(5) \$10,000,000 under the heading “Department of Commerce—Minority Business Development Agency” for minority business centers of the Minority Business Development Agency to provide technical assistance to small business concerns;

(6) \$10,000,000 under the heading “Small Business Administration—Emergency EIDL Grants” shall be for carrying out section 9009 of this title;

(7) \$17,000,000 under the heading “Small Business Administration—Business Loans Program Account, CARES Act” shall be for carrying out section 9011 of this title; and

(8) \$25,000,000 under the heading “Department of the Treasury—Departmental Offices—Salaries and Expenses” shall be for carrying out section 9008 of this title.

(b) Secondary market

During the period beginning on March 27, 2020, and ending on September 30, 2021, guarantees of trust certificates authorized by section 634(g) of this title with respect to loans under any paragraph of section 636(a) of this title shall not exceed a principal amount of \$100,000,000,000.

(c) Reports

Not later than 180 days after March 27, 2020, the Administrator shall submit to the Committee on Appropriations of the Senate and the Committee on Appropriations of the House of Representatives a detailed expenditure plan for using the amounts appropriated to the Administration under subsection (a).

(Pub. L. 116-136, div. A, title I, §1107, Mar. 27, 2020, 134 Stat. 301; Pub. L. 116-139, div. A, §101(a)(2), Apr. 24, 2020, 134 Stat. 620; Pub. L. 116-260, div. N, title III, §323(b), Dec. 27, 2020, 134 Stat. 2019.)

Editorial Notes

REFERENCES IN TEXT

The CARES Act, referred to in subsec. (a)(1), (7), is Pub. L. 116-136, Mar. 27, 2020, 134 Stat. 281, also known as the Coronavirus Aid, Relief, and Economic Security Act. For complete classification of this Act to the Code, see Short Title note set out under section 9001 of this title and Tables.

Section 1102(a) of this Act, referred to in subsec. (a)(1), means section 1102(a) of div. A of Pub. L. 116-136.

The Inspector General Act of 1978, referred to in subsec. (a)(3), is Pub. L. 95-452, Oct. 12, 1978, 92 Stat. 1101, which is set out in the Appendix to Title 5, Government Organization and Employees.

AMENDMENTS

2020—Subsec. (a)(1). Pub. L. 116-139 substituted “\$670,335,000,000” for “\$349,000,000,000”.

Subsec. (b). Pub. L. 116-260 inserted “with respect to loans under any paragraph of section 636(a) of this title” before “shall not exceed”.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 2020 AMENDMENT

Amendment by Pub. L. 116-260 effective on Dec. 27, 2020, and applicable to loans and grants made on or after Dec. 27, 2020, see section 348 of Pub. L. 116-260, set out as a note under section 636 of this title.

§ 9007. Minority Business Development Agency

(a) Definitions

In this section—

(1) the term “Agency” means the Minority Business Development Agency of the Department of Commerce;

(2) the term “minority business center” means a Business Center of the Agency;

(3) the term “minority business enterprise” means a for-profit business enterprise—

(A) not less than 51 percent of which is owned by 1 or more socially disadvantaged individuals, as determined by the Agency; and

(B) the management and daily business operations of which are controlled by 1 or more socially disadvantaged individuals, as determined by the Agency; and

(4) the term “minority chamber of commerce” means a chamber of commerce developed specifically to support minority business enterprises.

(b) Education, training, and advising grants

(1) In general

The Agency may provide financial assistance in the form of grants to minority business centers and minority chambers of commerce to provide education, training, and advising to minority business enterprises.

(2) Use of funds

Grants under this section shall be used for the education, training, and advising of minority business enterprises and their employees on—

(A) accessing and applying for resources provided by the Agency and other Federal resources relating to access to capital and business resiliency;

(B) the hazards and prevention of the transmission and communication of COVID-19 and other communicable diseases;

(C) the potential effects of COVID-19 on the supply chains, distribution, and sale of products of minority business enterprises and the mitigation of those effects;

(D) the management and practice of telework to reduce possible transmission of COVID-19;

(E) the management and practice of remote customer service by electronic or other means;

(F) the risks of and mitigation of cyber threats in remote customer service or telework practices;

(G) the mitigation of the effects of reduced travel or outside activities on minority business enterprises during COVID-19 or similar occurrences; and

(H) any other relevant business practices necessary to mitigate the economic effects of COVID-19 or similar occurrences.

(3) No matching funds required

Matching funds shall not be required for any grant under this section.

(4) Goals and metrics

(A) In general

Goals and metrics for the funds made available under this section shall be jointly developed, negotiated, and agreed upon, with full participation of both parties, between the minority business centers, minority chambers of commerce, and the Agency, which shall—

(i) take into consideration the extent of the circumstances relating to the spread of COVID-19, or similar occurrences, that affect minority business enterprises located in the areas covered by minority business centers and minority chambers of commerce, particularly in rural areas or economically distressed areas;

(ii) generally follow the use of funds outlined in paragraph (2), but shall not restrict the activities of minority business centers and minority chambers of commerce in responding to unique situations; and

(iii) encourage minority business centers and minority chambers of commerce to develop and provide services to minority business enterprises.

(B) Public availability

The Agency shall make publicly available the methodology by which the Agency, minority business centers, and minority chambers of commerce jointly develop the metrics and goals described in subparagraph (A).

(c) Waivers

(1) In general

Notwithstanding any other provision of law or regulation, the Agency may, during the 3-