

SUBCHAPTER VI—FEDERAL COORDINATION
OF MINORITY BUSINESS PROGRAMS

§ 9581. General duties

The Under Secretary may coordinate, as consistent with law, the plans, programs, and operations of the Federal Government that affect, or may contribute to, the establishment, preservation, and strengthening of socially or economically disadvantaged business concerns.

(Pub. L. 117-58, div. K, title VI, §100601, Nov. 15, 2021, 135 Stat. 1464.)

§ 9582. Participation of Federal departments and agencies

The Under Secretary shall—

(1) consult with other Federal agencies and departments as appropriate to—

(A) develop policies, comprehensive plans, and specific program goals for the programs carried out under part B of subchapter I and subchapter III;

(B) establish regular performance monitoring and reporting systems to ensure that goals established by the Under Secretary with respect to the implementation of this chapter are being achieved; and

(C) evaluate the impact of Federal support of socially or economically disadvantaged business concerns in achieving the objectives of this chapter;

(2) conduct a coordinated review of all proposed Federal training and technical assistance activities in direct support of the programs carried out under part B of subchapter I and subchapter III to ensure consistency with program goals and to avoid duplication; and

(3) convene, for purposes of coordination, meetings of the heads of such Federal agencies and departments, or their designees, the programs and activities of which may affect or contribute to the carrying out of this chapter.

(Pub. L. 117-58, div. K, title VI, §100602, Nov. 15, 2021, 135 Stat. 1464.)

Editorial Notes

REFERENCES IN TEXT

This chapter, referred to in pars. (1)(B), (C), (3), was in the original “this division”, meaning div. K of Pub. L. 117-58, Nov. 15, 2021, 135 Stat. 1445, which is classified principally to this chapter. For complete classification of division K to the Code, see Short Title note set out under section 9501 of this title and Tables.

SUBCHAPTER VII—ADMINISTRATIVE POWERS OF THE AGENCY; MISCELLANEOUS PROVISIONS

§ 9591. Administrative powers

(a) In general

In carrying out this chapter, the Under Secretary may—

(1) adopt and use a seal for the Agency, which shall be judicially noticed;

(2) hold hearings, sit and act, and take testimony as the Under Secretary may determine to be necessary or appropriate to carry out this chapter;

(3) acquire, in any lawful manner, any property that the Under Secretary determines to be necessary or appropriate to carry out this chapter;

(4) with the consent of another Federal agency, enter into an agreement with that Federal agency to utilize, with or without reimbursement, any service, equipment, personnel, or facility of that Federal agency;

(5) coordinate with the heads of the Offices of Small and Disadvantaged Business Utilization of Federal agencies;

(6) develop procedures under which the Under Secretary may evaluate the compliance of a recipient of assistance under this chapter with the requirements of this chapter;

(7) deobligate assistance provided under this chapter to a recipient that has demonstrated an insufficient level of performance with respect to the assistance, or has engaged in wasteful or fraudulent spending; and

(8) provide that a recipient of assistance under this chapter that has demonstrated an insufficient level of performance with respect to the assistance, or has engaged in wasteful or fraudulent spending, shall be ineligible to receive assistance under this chapter for a period determined by the Under Secretary, consistent with the considerations under section 180.865 of title 2, Code of Federal Regulations (or any successor regulation), beginning on the date on which the Under Secretary makes the applicable finding.

(b) Use of property

(1) In general

Subject to paragraph (2), in carrying out this chapter, the Under Secretary may, without cost (except for costs of care and handling), allow any public sector entity, or any recipient nonprofit organization, for the purpose of the development of minority business enterprises, to use any real or tangible personal property acquired by the Agency in carrying out this chapter.

(2) Terms, conditions, reservations, and restrictions

The Under Secretary may impose reasonable terms, conditions, reservations, and restrictions upon the use of any property under paragraph (1).

(Pub. L. 117-58, div. K, title VII, §100701, Nov. 15, 2021, 135 Stat. 1464.)

Editorial Notes

REFERENCES IN TEXT

This chapter, referred to in subsecs. (a) and (b)(1), was in the original “this division” or “this Act”, meaning div. K of Pub. L. 117-58, Nov. 15, 2021, 135 Stat. 1445, known as the Minority Business Development Act of 2021, which is classified principally to this chapter. For complete classification of this Act to the Code, see Short Title note set out under section 9501 of this title and Tables.