

DEPARTMENTAL MANUAL



TRANSMITTAL SHEET

PART 405 DM 1 - 2	SUBJECT Personal Property and Services Business and Economic Development Program Management Review and Operating Procedures	RELEASE NUMBER 5029
FOR FURTHER INFORMATION, CONTACT Office of Small and Disadvantaged Business Utilization		DATE 11/20/20

EXPLANATION OF MATERIAL TRANSMITTED:

This Departmental Manual Release rescinds and archives the following policy documents in Part 405 of the Departmental Manual: Management Reviews (405 DM 1); Business Utilization and Development Specialist Standard Operating Procedures (405 DM 2); and the Business Utilization and Development Program Handbook. The chapters are superseded by updates to the Small Business Act. The Small Business Administration (SBA) has codified the updates into their regulations. All other policies and requirements in 405 DM 1-2 and the Handbook that are not covered by the SBA regulations are incorporated into 112 DM 20. Provided below are explanations for rescinding and archiving the documents.

405 DM 1 - Management Reviews

The chapter establishes policies and procedures to conduct Business and Economic Development Program Management Reviews and cites EO 11625, EO 12073 and PL 95-89, EO 12138 and PL 95-507 as the justification for the reviews. The EOs and legislation are no longer applicable and have been incorporated into subsequent legislation and SBA regulations. The Office of Small and Disadvantaged Business Utilization (OSDBU) has not conducted the reviews for several years and has determined that they are no longer necessary under the Small Business Act.

The referenced Executive Orders in 405 DM 1 are superseded by changes in legislation. Below is the legal and regulatory analysis for each referenced Executive Order:

- E.O. 11625 - The Small Business Act PL-85-536, as amended, incorporates Agency responsibilities under E.O. 11625. The action required of Agencies in E.O. 11625 are covered in 112 DM 20 which specifies OSDBU responsibilities under Section 8 and the Small Business Act
- E.O. 12073, PL 95-89 - PL 95-89 amends The Small Business Act PL-85-5
Subsequent amendments have incorporated various changes regarding the HUBzone program. The HUBzone program established in 1998, incorporates labor surplus area when determining HUBzone areas. Oversight of the HUBzone program rests with the SBA. The action required of Agencies in E.O. 12073 is now the responsibility of the SB

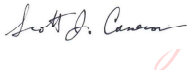
- E.O. 12138 and PL 95-507 - PL 95-507 amend The Small Business Act PL-85-536. The Small Business Act PL-85-536 as amended incorporates various changes regarding the Women owned program. The Women Owned Small Business Program was established in 2011. Oversight of the Women Owned Small Business program currently rests with the SBA. Therefore, the action required of Agencies in E.O. 12138 is covered through implementation of PL-85-536 as amended.
- Section 8 and 15 of the Small Business Act, PL-85-536 - Authority under Section 8 and 15 under the Small Business Act is defined in 112 DM 20 and the references in 405 DM 1 are redundant and out of date.

405 DM 2- Business Utilization and Development Specialist Standard Operating Procedures

The requirement to issue the Business Utilization and Development Specialist Standard Operating Procedures referenced in 405 DM 2 is no longer necessary.

Business Utilization and Development Program Handbook

Policy and procedures in the Handbook are incorporated into acquisition policy and are now issued under DOI-AAAP-0082 Small Business Specialist.

 Digitally signed by
SCOTT CAMERON
Date: 2020.11.20

Acting Assistant Secretary – Policy, Management and Budget

FILING INSTRUCTIONS:

Remove:

405 DM 1 (3 Sheets)
405 DM 2 (1 Sheet)

Insert:

None
None