



COMMONWEALTH of VIRGINIA
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MEMORANDUM

To: Verniece Love, Deputy Director,
Department of Small Business and Supplier Diversity

From: Leslie C. Allen
Senior Assistant Attorney General

Date: June 5, 2026

Subject: Letter of Assurance for Fast Track Action to Repeal 7 VAC 10-10

I have reviewed the Department of Small Business and Supplier Diversity (the “Department”)’s Fast Track Regulation for 7 VAC 10-10, to repeal the former Department of Minority Business Enterprise (DMBE) Public Participation Guidelines published at 7 VAC 10-10. In my view, as counsel to the Department, the Department has authority to alter, amend or rescind (i.e., repeal) the DMBE regulations pursuant to Code of Virginia, via the sixth enactment clause of Chapter 482 of the 2013 Acts of Assembly. In my opinion, the Department has authority to repeal the former DMBE regulations (at 7 VAC 10-10) and promulgate new Department regulations.

With respect to this regulatory action, the proposed repeal of 7 VAC 10-10 does not appear to conflict with the Constitution of the United States or the Constitution of the Commonwealth of Virginia, nor do they appear to conflict with any federal or state law currently in effect.

This memorandum addresses legal matters only and is not intended to serve, nor should it be construed, as a comment for or against the merits of repealing the prior DMBE public participation guidelines.