

105TH CONGRESS
1ST SESSION

H. R. 3007

To establish the Commission on the Advancement of Women in Science,
Engineering, and Technology Development.

IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 9, 1997

Mrs. MORELLA introduced the following bill; which was referred to the Committee on Education and the Workforce, and in addition to the Committee on Science, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To establish the Commission on the Advancement of Women
in Science, Engineering, and Technology Development.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Commission on the
5 Advancement of Women in Science, Engineering, and
6 Technology Development Act”.

7 **SEC. 2. FINDINGS.**

8 The Congress finds that—

1 (1) despite a consistently high presence of
2 women in the professional and total work forces of
3 the United States, women continue to be underrep-
4 resented in the fields of science, engineering, and
5 technology;

6 (2) women in the fields of science, engineering,
7 and technology have higher rates of unemployment
8 and underemployment than their male counterparts,
9 although the number of women receiving degrees in
10 science, engineering, and the computer sciences has
11 increased since 1981;

12 (3) artificial barriers exist in the recruitment,
13 retention, and advancement of women in the fields
14 of science, engineering, and technology;

15 (4) academia, industry, and government are in-
16 creasingly aware of the necessity of and the advan-
17 tages derived from diversity in the fields of science,
18 engineering, and technology;

19 (5) initiatives of the White House Task Force
20 on Women, Minorities, and the Handicapped in
21 Science and Technology and of the Federal Coordi-
22 nating Council on Science, Engineering, and Tech-
23 nology have been instrumental in raising public
24 awareness of—

1 (A) the underrepresentation of women in
2 the fields of science, engineering, and tech-
3 nology; and

4 (B) the desirability of eliminating artificial
5 barriers to the recruitment, retention, and ad-
6 vancement of women in such fields; and

7 (6) the establishment of a commission to exam-
8 ine issues raised by these initiatives would help to—

9 (A) focus greater attention on the impor-
10 tance of eliminating artificial barriers to the re-
11 cruitment, retention, and advancement of
12 women in the fields of science, engineering, and
13 technology and in all employment sectors of the
14 United States;

15 (B) promote work force diversity;

16 (C) sensitize employers to the need to re-
17 cruit and retain women scientists, engineers,
18 and computer specialists; and

19 (D) encourage the replication of successful
20 recruitment and retention programs by univer-
21 sities, corporations, and Federal agencies hav-
22 ing difficulties in employing women in the fields
23 of science, engineering, and technology.

1 **SEC. 3. ESTABLISHMENT.**

2 There is established a commission to be known as the
3 “Commission on the Advancement of Women in Science,
4 Engineering, and Technology Development” (in this Act
5 referred to as the “Commission”).

6 **SEC. 4. DUTY OF THE COMMISSION.**

7 The Commission shall conduct a study to—

8 (1) identify the number of women in the United
9 States in the fields of science, engineering, and tech-
10 nology, and the specific types of occupations in such
11 fields in which women scientists, engineers, and
12 technology specialists are underrepresented;

13 (2) examine the preparedness of women to—

14 (A) pursue careers in science, engineering,
15 and technology; and

16 (B) advance to positions of greater respon-
17 sibility within academia, industry, and govern-
18 ment;

19 (3) describe the practices and policies of em-
20 ployers and labor unions relating to the recruitment,
21 retention, and advancement of women in the fields
22 of science, engineering, and technology;

23 (4) identify the opportunities for, and artificial
24 barriers to, the recruitment, retention, and advance-
25 ment of women in the fields of science, engineering,

1 and technology in academia, industry, and govern-
2 ment;

3 (5) describe the employment situations in which
4 the recruitment, retention, and advancement of
5 women in science, engineering, and technology are
6 comparable to their male counterparts, and identify
7 those situations in which such comparability does
8 not exist;

9 (6) compile a synthesis of available research on
10 practices, policies, and programs that have success-
11 fully led to the recruitment, retention, and advance-
12 ment of women in the fields of science, engineering,
13 and technology, including training programs, rota-
14 tional assignments, developmental programs, reward
15 programs, employee benefit structures, and family
16 leave policies;

17 (7) examine such other issues and information
18 relating to the advancement of women in the fields
19 of science, engineering, and technology as are deter-
20 mined by the Commission to be appropriate; and

21 (8) issue recommendations that government (in-
22 cluding Congress and appropriate Federal agencies),
23 academia, and private industry can follow to assist
24 in the recruitment, retention, and advancement of
25 women in science, engineering, and technology.

1 **SEC. 5. MEMBERSHIP.**

2 (a) NUMBER AND APPOINTMENT.—The Commission
3 shall be composed of 18 members as follows:

4 (1) The Director of the National Science Foun-
5 dation.

6 (2) The Administrator of the National Aero-
7 nautics and Space Administration.

8 (3) The Secretary of Energy.

9 (4) The Under Secretary of Commerce for
10 Technology.

11 (5) The Under Secretary of Commerce for
12 Oceans and Atmosphere.

13 (6) The Director of the National Institutes of
14 Health.

15 (7) The Director of the Office of Science and
16 Technology Policy.

17 (8) 3 members appointed jointly by the Speaker
18 of the House of Representatives and the majority
19 leader of the Senate.

20 (9) 1 member appointed by the majority leader
21 of the House of Representatives.

22 (10) 1 member appointed by the minority lead-
23 er of the House of Representatives.

24 (11) 1 member appointed by the majority lead-
25 er of the Senate.

1 (12) 1 member appointed by the minority lead-
2 er of the Senate.

3 (13) 2 Members of the House of Representa-
4 tives, appointed jointly by the majority leader and
5 the minority leader of the House of Representatives.

6 (14) 2 Senators appointed jointly by the major-
7 ity leader and the minority leader of the Senate.

8 (b) ADDITIONAL QUALIFICATIONS.—Initial appoint-
9 ments shall be made under subsection (a) not later than
10 180 days after the date of the enactment of this Act. In
11 making each appointment under subsection (a), the ap-
12 pointing authority shall consider (among other factors)
13 whether the individual—

14 (1) is a member of an organization representing
15 women and minorities;

16 (2) holds executive management or senior deci-
17 sionmaking positions in any business entity; and

18 (3) possesses academic expertise or other recog-
19 nized abilities relating to employment and employ-
20 ment discrimination issues.

21 (c) CONTINUATION OF MEMBERSHIP.—If a member
22 was appointed to the Commission because the member was
23 an officer or employee of any government, that member
24 may continue as a member of the Commission for not

1 longer than the 60-day period beginning on the date the
2 member ceases to be such an officer or employee.

3 (d) TERMS.—

4 (1) IN GENERAL.—Each member shall be ap-
5 pointed for the life of the Commission.

6 (2) VACANCIES.—A vacancy in the Commission
7 shall be filled in the manner in which the original
8 appointment was made.

9 (e) BASIC PAY.—

10 (1) RATES OF PAY.—Except as provided in
11 paragraph (2), each member of the Commission
12 shall receive compensation at the daily equivalent of
13 the maximum rate of pay payable under section
14 5376 of title 5, United States Code, for each day the
15 member is engaged in the performance of duties for
16 the Commission, including attendance at meetings
17 and conferences of the Commission, and travel to
18 conduct the duties of the Commission.

19 (2) PROHIBITION OF COMPENSATION OF FED-
20 ERAL EMPLOYEES.—Members of the Commission
21 who are full-time officers or employees of the United
22 States or Members of Congress may not receive ad-
23 ditional pay, allowances, or benefits by reason of
24 their service on the Commission.

1 (f) TRAVEL EXPENSES.—Each member shall receive
2 travel expenses, including per diem in lieu of subsistence,
3 in accordance with sections 5702 and 5703 of title 5,
4 United States Code.

5 (g) QUORUM.—A majority of the members of the
6 Commission shall constitute a quorum for the transaction
7 of business.

8 (h) CHAIRPERSON.—The Director of the Office of
9 Science and Technology Policy shall serve as the Chair-
10 person of the Commission.

11 (i) MEETINGS.—

12 (1) MEETINGS PRIOR TO COMPLETION OF RE-
13 PORT.—The Commission shall meet not fewer than
14 5 times in connection with and pending the comple-
15 tion of the reports described in subsections (a) and
16 (b) of section 8. The Commission shall hold addi-
17 tional meetings for such purpose if the Chairperson
18 or a majority of the members of the Commission re-
19 quests the additional meetings in writing.

20 (2) MEETINGS AFTER COMPLETION OF RE-
21 PORT.—The Commission shall meet at least once,
22 but not more than twice after the completion of the
23 report described in section 8(b), in connection with
24 and pending completion of the report required by
25 section 8(c).

1 (j) EMPLOYMENT STATUS.—A member of the Com-
2 mission, who is not otherwise an officer or employee of
3 the Federal Government, shall not be deemed to be an
4 employee of the Federal Government except for the pur-
5 poses of—

6 (1) the tort claims provisions of chapter 171 of
7 title 28, United States Code; and

8 (2) subchapter I of chapter 81 of title 5, United
9 States Code, relating to compensation for work inju-
10 ries.

11 **SEC. 6. DIRECTOR AND STAFF OF COMMISSION; EXPERTS**
12 **AND CONSULTANTS.**

13 (a) DIRECTOR.—The Commission shall have a Direc-
14 tor who shall be appointed by the Chairperson. The Direc-
15 tor shall be paid at a rate not to exceed the maximum
16 annual rate of basic pay payable under section 5376 of
17 title 5, United States Code.

18 (b) STAFF.—Subject to rules prescribed by the Com-
19 mission, the Chairperson may appoint and fix the pay of
20 additional personnel as the Chairperson considers appro-
21 priate.

22 (c) APPLICABILITY OF CERTAIN CIVIL SERVICE
23 LAWS.—The Director and staff of the Commission may
24 be appointed without regard to the provisions of title 5,
25 United States Code, governing appointments in the com-

1 petitive service, and may be paid without regard to the
2 provisions of chapter 51 and subchapter III of chapter 53
3 of that title relating to classification and General Schedule
4 pay rates, except that an individual so appointed may not
5 receive pay in excess of the maximum annual rate of basic
6 pay payable under section 5376 of title 5, United States
7 Code.

8 (d) EXPERTS AND CONSULTANTS.—The Commission
9 may procure temporary and intermittent services under
10 section 3109(b) of title 5, United States Code, at rates
11 for individuals not to exceed the maximum annual rate
12 of basic pay payable under section 5376 of title 5, United
13 States Code.

14 (e) STAFF OF FEDERAL AGENCIES.—Upon request
15 of the Commission, the head of any Federal department
16 or agency may detail, on a reimbursable basis, any of the
17 personnel of that department or agency to the Commission
18 to assist it in carrying out its duties under this Act.

19 **SEC. 7. POWERS OF COMMISSION.**

20 (a) HEARINGS AND SESSIONS.—The Commission
21 may, for the purpose of carrying out this Act, hold hear-
22 ings, sit and act at times and places, take testimony, and
23 receive evidence as the Commission considers appropriate.
24 The Commission may administer oaths or affirmations to
25 witnesses appearing before it.

1 (b) POWERS OF MEMBERS AND AGENTS.—Any mem-
2 ber or agent of the Commission may, if authorized by the
3 Commission, take any action which the Commission is au-
4 thorized to take by this section.

5 (c) OBTAINING OFFICIAL DATA.—The Commission
6 may secure directly from any department or agency of the
7 United States information necessary to enable it to carry
8 out this Act. Upon request of the Chairperson of the Com-
9 mission, the head of that department or agency shall fur-
10 nish that information to the Commission.

11 (d) GIFTS, BEQUESTS, AND DEVICES.—The Commis-
12 sion may accept, use, and dispose of gifts, bequests, or
13 devises of services or property, both real and personal, for
14 the purpose of aiding or facilitating the work of the Com-
15 mission. Gifts, bequests, or devises of money and proceeds
16 from sales of other property received as gifts, bequests,
17 or devises shall be deposited in the Treasury and shall be
18 available for disbursement upon order of the Commission.

19 (e) MAILS.—The Commission may use the United
20 States mails in the same manner and under the same con-
21 ditions as other departments and agencies of the United
22 States.

23 (f) ADMINISTRATIVE SUPPORT SERVICES.—Upon the
24 request of the Commission, the Administrator of General
25 Services shall provide to the Commission, on a reimburs-

1 able basis, the administrative support services necessary
2 for the Commission to carry out its responsibilities under
3 this Act.

4 (g) CONTRACT AUTHORITY.—To the extent provided
5 in advance in appropriations Acts, the Commission may
6 contract with and compensate government and private
7 agencies or persons for the purpose of conducting research
8 or surveys necessary to enable the Commission to carry
9 out its duties under this Act.

10 **SEC. 8. REPORTS.**

11 (a) STATUS REPORT.—Not later than 1 year after
12 the date on which the initial appointments under section
13 5(a) are completed, the Commission shall submit to the
14 President and the Congress a written report describing the
15 current activities and findings of the Commission and the
16 direction of the Commission.

17 (b) RECOMMENDATION REPORT.—Not later than 18
18 months after the date on which the initial appointments
19 under section 5(a) are completed, the Commission shall
20 submit to the President and the Congress a written report
21 containing—

22 (1) the findings and conclusions of the Commis-
23 sion resulting from the study conducted under sec-
24 tion 4; and

1 (2) recommendations, including specific pro-
2 posed legislation and administrative action, based on
3 the findings and conclusions referred to in para-
4 graph (1).

5 (c) FOLLOW-UP REPORT.—After submission of the
6 report required by subsection (b) and before the termi-
7 nation of the Commission, the Commission shall submit
8 to the President and to the Congress a written report—

9 (1) identifying which of the recommendations
10 included in such report have been implemented; and

11 (2) containing any additional information the
12 Commission considers to be appropriate.

13 **SEC. 9. CONSTRUCTION; USE OF INFORMATION OBTAINED.**

14 (a) IN GENERAL.—Nothing in this Act shall be con-
15 strued to require any non-Federal entity (such as a busi-
16 ness, college or university, foundation, or research organi-
17 zation) to provide information to the Commission concern-
18 ing such entity’s personnel policies, including salaries and
19 benefits, promotion criteria, and affirmative action plans.

20 (b) USE OF INFORMATION OBTAINED.—No informa-
21 tion obtained from any entity by the Commission may be
22 used in connection with any employment related litigation.

23 **SEC. 10. TERMINATION.**

24 The Commission shall terminate 1 year after submit-
25 ting the report required by section 8(b).

1 **SEC. 11. NATIONAL SCIENCE FOUNDATION STUDY.**

2 (a) STUDY.—The National Science Foundation shall
3 conduct a study of the educational opportunities available
4 to women who desire to enter the fields of science, engi-
5 neering, and technology.

6 (b) REPORT TO CONGRESS.—Within 1 year after the
7 date of the enactment of this Act, the National Science
8 Foundation shall transmit to the Congress a report con-
9 taining its findings from the study conducted under sub-
10 section (a), along with recommendations for how to im-
11 prove the educational opportunities for women who desire
12 to enter the fields of science, engineering, and technology.

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