

104TH CONGRESS
2D SESSION

H. R. 3726

To establish the Commission on the Advancement of Women in the Science
and Engineering Work Forces.

IN THE HOUSE OF REPRESENTATIVES

JUNE 26, 1996

Mrs. MORELLA (for herself and Ms. EDDIE BERNICE JOHNSON of Texas) in-
troduced the following bill; which was referred to the Committee on Eco-
nomic and Educational Opportunities

A BILL

To establish the Commission on the Advancement of Women
in the Science and Engineering Work Forces.

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 the Science and Engineering
6 Work Forces Act”.

7 **SEC. 2. FINDINGS.**

8 The Congress finds that—

9 (1) despite a consistently high presence of
10 women in the professional and total work forces of

1 the United States, women continue to be underrep-
2 resented in the science and engineering work forces;

3 (2) women scientists and engineers have higher
4 rates of unemployment and underemployment than
5 their male counterparts, although the number of
6 women receiving degrees in scientific and engineer-
7 ing disciplines has increased since 1981;

8 (3) artificial barriers exist in the recruitment,
9 retention, and advancement of women in the science
10 and engineering work forces;

11 (4) academia, industry, and government are in-
12 creasingly aware of the necessity of and the advan-
13 tages derived from diverse science and engineering
14 work forces;

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

21 (A) the underrepresentation of women in
22 the science and engineering work forces; and

23 (B) the desirability of eliminating artificial
24 barriers to the recruitment, retention, and ad-
25 vancement of women in such work forces; and

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

3 (A) focus greater attention on the impor-
4 tance of eliminating artificial barriers to the re-
5 cruitment, retention, and advancement of
6 women in the science and engineering work
7 forces and in all employment sectors of the
8 United States;

9 (B) promote work force diversity; and

10 (C) encourage the replication of successful
11 recruitment and retention programs by univer-
12 sities, corporations, and Federal agencies hav-
13 ing difficulties in employing women scientists
14 and engineers.

15 **SEC. 3. ESTABLISHMENT.**

16 There is established a commission to be known as the
17 “Commission on the Advancement of Women in the
18 Science and Engineering Work Forces” (hereinafter in
19 this Act referred to as the “Commission”).

20 **SEC. 4. DUTY OF COMMISSION.**

21 The Commission shall conduct a study to—

22 (1) identify the number of women in the United
23 States in the science and engineering work forces,
24 and the specific types of occupations in such

1 workforces in which women scientists and engineers
2 are underrepresented;

3 (2) examine the preparedness of women to—

4 (A) pursue careers in the science and engi-
5 neering work forces; and

6 (B) advance to positions of greater respon-
7 sibility within academia, industry, and govern-
8 ment;

9 (3) describe the practices and policies of em-
10 ployers and labor unions relating to the recruitment,
11 retention, and advancement of women scientists and
12 engineers;

13 (4) identify the opportunities for, and artificial
14 barriers to, the recruitment, retention, and advance-
15 ment of women scientists and engineers in academia,
16 industry, and government;

17 (5) describe the employment situations in which
18 the recruitment, retention, and advancement of
19 women scientists and engineers are comparable to
20 their male counterparts, and identify those situa-
21 tions in which such comparability does not exist;

22 (6) compile a synthesis of available research on
23 practices, policies, and programs that have success-
24 fully led to the recruitment, retention, and advance-
25 ment of women in the science and engineering work

1 forces, including training programs, rotational as-
2 signments, developmental programs, reward pro-
3 grams, employee benefit structures, and family leave
4 policies;

5 (7) examine such other issues and information
6 relating to the advancement of women in the science
7 and engineering work forces as determined by the
8 Commission to be appropriate; and

9 (8) issue recommendations that government (in-
10 cluding Congress and appropriate Federal agencies),
11 academia, and private industry can follow to assist
12 in the recruitment, retention, and advancement of
13 women in science and engineering.

14 **SEC. 5. MEMBERSHIP.**

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

17 (1) 5 members appointed by the President.

18 (2) 3 members appointed jointly by the Speaker
19 of the House of Representatives and the majority
20 leader of the Senate.

21 (3) 1 member appointed by the majority leader
22 of the House of Representatives.

23 (4) 1 member appointed by the minority leader
24 of the House of Representatives.

1 (5) 1 member appointed by the majority leader
2 of the Senate.

3 (6) 1 member appointed by the minority leader
4 of the Senate.

5 (7) 2 Members of the House of Representatives,
6 appointed jointly by the majority leader and the mi-
7 nority leader of the House of Representatives.

8 (8) 2 Senators appointed jointly by the majority
9 leader and the minority leader of the Senate.

10 (9) The Director of the Office of Science and
11 Technology Policy.

12 (b) ADDITIONAL QUALIFICATIONS.—Initial appoint-
13 ments shall be made under subsection (a) not later than
14 180 days after the date of the enactment of this Act. In
15 making each appointment under subsection (a), the ap-
16 pointing authority shall consider (among other factors)
17 whether the individual—

18 (1) is a member of an organization representing
19 women and minorities;

20 (2) holds executive management or senior deci-
21 sion-making positions in any business entity; and

22 (3) possesses academic expertise or other recog-
23 nized abilities relating to employment and employ-
24 ment discrimination issues.

1 (c) POLITICAL AFFILIATION.—Not more than ½ of
2 the members may be of the same political party.

3 (d) CONTINUATION OF MEMBERSHIP.—If a member
4 was appointed to the Commission because the member was
5 an officer or employee of any government and later ceases
6 to be such an officer or employee, that member may con-
7 tinue as a member of the Commission for not longer than
8 the 60-day period beginning on the date the member
9 ceases to be such an officer or employee.

10 (e) TERMS.—

11 (1) IN GENERAL.—Each Member shall be ap-
12 pointed for the life of the Commission.

13 (2) VACANCIES.—A vacancy in the Commission
14 shall be filled in the manner in which the original
15 appointment was made.

16 (f) BASIC PAY.—

17 (1) RATES OF PAY.—Except as provided in
18 paragraph (2), each member of the Commission
19 shall receive compensation at the daily equivalent of
20 the maximum rate of pay payable under section
21 5376 of title 5, United States Code, for each day the
22 member is engaged in the performance of duties for
23 the Commission, including attendance at meetings
24 and conferences of the Commission, and travel to
25 conduct the duties of the Commission.

1 (2) PROHIBITION OF COMPENSATION OF FED-
2 ERAL EMPLOYEES.—Members of the Commission
3 who are full-time officers or employees of the United
4 States or Members of Congress may not receive ad-
5 ditional pay, allowances, or benefits by reason of
6 their service on the Commission.

7 (g) TRAVEL EXPENSES.—Each member shall receive
8 travel expenses, including per diem in lieu of subsistence,
9 in accordance with sections 5702 and 5703 of title 5,
10 United States Code.

11 (h) QUORUM.—A majority of the members of the
12 Commission shall constitute a quorum for the transaction
13 of business.

14 (i) CHAIRPERSON.—The Director of the Office of
15 Science and Technology Policy shall serve as the Chair-
16 person of the Commission.

17 (j) MEETINGS.—

18 (1) MEETINGS PRIOR TO COMPLETION OF RE-
19 PORT.—The Commission shall meet not fewer than
20 5 times in connection with and pending the comple-
21 tion of the reports described in subsections (a) and
22 (b) of section 8. The Commission shall hold addi-
23 tional meetings for such purpose if the Chairperson
24 or a majority of the members of the Commission re-
25 quests the additional meetings in writing.

1 (2) MEETINGS AFTER COMPLETION OF RE-
 2 PORT.—The Commission shall meet at least once,
 3 but not more than twice after the completion of the
 4 report described in section 8(b), in connection with
 5 and pending completion of the report required by
 6 section 8(c).

7 (k) EMPLOYMENT STATUS.—A member of the Com-
 8 mission, who is not otherwise an officer or employee of
 9 the Federal Government, shall not be deemed to be an
 10 employee of the Federal Government except for the pur-
 11 poses of—

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

14 (2) subchapter I of chapter 81 of title 5, United
 15 States Code, relating to compensation for work inju-
 16 ries.

17 **SEC. 6. DIRECTOR AND STAFF OF COMMISSION; EXPERTS**
 18 **AND CONSULTANTS.**

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

24 (b) STAFF.—Subject to rules prescribed by the Com-
 25 mission, the Chairperson may appoint and fix the pay of

1 additional personnel as the Chairperson considers appro-
2 priate.

3 (c) APPLICABILITY OF CERTAIN CIVIL SERVICE
4 LAWS.—The Director and staff of the Commission may
5 be appointed without regard to the provisions of title 5,
6 United States Code, governing appointments in the com-
7 petitive service, and may be paid without regard to the
8 provisions of chapter 51 and subchapter III of chapter 53
9 of that title relating to classification and General Schedule
10 pay rates, except that an individual so appointed may not
11 receive pay in excess of the maximum annual rate of basic
12 pay payable under section 5376 of title 5, United States
13 Code.

14 (d) EXPERTS AND CONSULTANTS.—The Commission
15 may procure temporary and intermittent services under
16 section 3109(b) of title 5, United States Code, at rates
17 for individuals not to exceed the maximum annual rate
18 of basic pay payable under section 5376 of title 5, United
19 States Code.

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

1 **SEC. 7. POWERS OF COMMISSION.**

2 (a) HEARINGS AND SESSIONS.—The Commission
3 may, for the purpose of carrying out this Act, hold hear-
4 ings, sit and act at times and places, take testimony, and
5 receive evidence as the Commission considers appropriate.
6 The Commission may administer oaths or affirmations to
7 witnesses appearing before it.

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

12 (c) OBTAINING OFFICIAL DATA.—The Commission
13 may secure directly from any department or agency of the
14 United States information necessary to enable it to carry
15 out this Act. Upon request of the Chairperson of the Com-
16 mission, the head of that department or agency shall fur-
17 nish that information to the Commission.

18 (d) GIFTS, BEQUESTS, AND DEVISES.—The Commis-
19 sion may accept, use, and dispose of gifts, bequests, or
20 devises of services or property, both real and personal, for
21 the purpose of aiding or facilitating the work of the Com-
22 mission. Gifts, bequests, or devises of money and proceeds
23 from sales of other property received as gifts, bequests,
24 or devises shall be deposited in the Treasury and shall be
25 available for disbursement upon order of the Commission.

1 (e) **MAILS.**—The Commission may use the United
2 States mails in the same manner and under the same con-
3 ditions as other departments and agencies of the United
4 States.

5 (f) **ADMINISTRATIVE SUPPORT SERVICES.**—Upon the
6 request of the Commission, the Administrator of General
7 Services shall provide to the Commission, on a reimburs-
8 able basis, the administrative support services necessary
9 for the Commission to carry out its responsibilities under
10 this Act.

11 (g) **CONTRACT AUTHORITY.**—To the extent provided
12 in advance in appropriations Acts, the Commission may
13 contract with and compensate government and private
14 agencies or persons for the purpose of conducting research
15 or surveys necessary to enable the Commission to carry
16 out its duties under this Act.

17 **SEC. 8. REPORTS.**

18 (a) **STATUS REPORT.**—Not later than 1 year after
19 the date on which the initial appointments under section
20 5(a) are completed, the Commission shall submit to the
21 President and the Congress a written report describing the
22 current activities and findings of the Commission and the
23 direction of the Commission.

24 (b) **RECOMMENDATION REPORT.**—Not later than 18
25 months after the date on which the initial appointments

1 under section 5(a) are completed, the Commission shall
2 submit to the President and the Congress a written report
3 containing—

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

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

11 (c) FOLLOW-UP REPORT.—After submission of the
12 report required by subsection (b) and before the termi-
13 nation of the Commission, the Commission shall submit
14 to the President and to the Congress a written report—

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

17 (2) containing any additional information the
18 Commission considers to be appropriate.

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

20 (a) IN GENERAL.—Nothing in this Act shall be con-
21 strued to require any non-Federal entity (such as a busi-
22 ness, college, or university, foundation, or research organi-
23 zation) to provide information to the Commission concern-
24 ing such entity's personnel policies, including, but not lim-

1 ited to, salaries and benefits, promotion criteria, and af-
2 firmative action plans.

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

6 **SEC. 10. TERMINATION.**

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

9 **SEC. 11. AUTHORIZATION OF APPROPRIATIONS.**

10 There are authorized to be appropriated for fiscal
11 years 1997, 1998, and 1999 such sums as may be nec-
12 essary to carry out this Act.

○