

105TH CONGRESS
2D SESSION

S. 2479

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

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 16, 1998

Ms. SNOWE introduced the following bill; which was read twice and referred
to the Committee on Labor and Human Resources

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 and Minorities in Science, Engi-
6 neering, and Technology Development Act”.

7 **SEC. 2. FINDINGS.**

8 Congress finds the following:

1 (1) According to the National Science Founda-
2 tion's 1996 report, Women, Minorities, and Persons
3 with Disabilities in Science and Engineering—

4 (A) women have historically been under-
5 represented in scientific and engineering occu-
6 pations, and although progress has been made
7 over the last several decades, there is still room
8 for improvement;

9 (B) female and minority students take
10 fewer high-level mathematics and science
11 courses in high school;

12 (C) female students earn fewer bachelors,
13 masters, and doctoral degrees in science and
14 engineering;

15 (D) among recent bachelors of science and
16 bachelors of engineering graduates, women are
17 less likely to be in the labor force, to be em-
18 ployed full-time, and to be employed in their
19 field than are men;

20 (E) among doctoral scientists and engi-
21 neers, women are far more likely to be em-
22 ployed at 2-year institutions, are far less likely
23 to be employed in research universities, and are
24 much more likely to teach part-time;

1 (F) among university full-time faculty,
2 women are less likely to chair departments or
3 hold high-ranked positions;

4 (G) a substantial salary gap exists between
5 men and women with doctorates in science and
6 engineering;

7 (H) Blacks, Hispanics, and Native Ameri-
8 cans continue to be seriously underrepresented
9 in graduate science and engineering programs;
10 and

11 (I) Blacks, Hispanics, and Native Ameri-
12 cans as a group are 23 percent of the popu-
13 lation of the United States, but only 6 percent
14 are scientists or engineers.

15 (2) According to the National Research Coun-
16 cil's 1995 report, *Women Scientists and Engineers*
17 *Employed in Industry: Why So Few?*—

18 (A) limited access is the first hurdle faced
19 by women seeking industrial jobs in science and
20 engineering, and while progress has been made
21 in recent years, common recruitment and hiring
22 practices that make extensive use of traditional
23 networks often overlook the available pool of
24 women;

1 (B) once on the job, many women find pa-
2 ternalism, sexual harassment, allegations of re-
3 verse discrimination, different standards for
4 judging the work of men and women, lower sal-
5 ary relative to their male peers, inequitable job
6 assignments, and other aspects of a male-ori-
7 ented culture that are hostile to women; and

8 (C) women to a greater extent than men
9 find limited opportunities for advancement, par-
10 ticularly for moving into management positions,
11 and the number of women who have achieved
12 the top levels in corporations is much lower
13 than would be expected, based on the pipeline
14 model.

15 (3) The establishment of a commission to exam-
16 ine issues raised by the findings of these 2 reports
17 would help—

18 (A) to focus attention on the importance of
19 eliminating artificial barriers to the recruit-
20 ment, retention, and advancement of women
21 and minorities in the fields of science, engineer-
22 ing, and technology, and in all employment sec-
23 tors of the United States;

24 (B) to promote work force diversity;

1 (C) to sensitize employers to the need to
2 recruit and retain women and minority sci-
3 entists, engineers, and computer specialists; and

4 (D) to encourage the replication of suc-
5 cessful recruitment and retention programs by
6 universities, corporations, and Federal agencies
7 having difficulties in employing women or mi-
8 norities in the fields of science, engineering, and
9 technology.

10 **SEC. 3. ESTABLISHMENT.**

11 There is established a commission to be known as the
12 “Commission on the Advancement of Women and Minori-
13 ties in Science, Engineering, and Technology Develop-
14 ment” (in this Act referred to as the “Commission”).

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

16 The Commission shall review available research, and,
17 if determined necessary by the Commission, conduct addi-
18 tional research to—

19 (1) identify the number of women, minorities,
20 and individuals with disabilities in the United States
21 in specific types of occupations in science, engineer-
22 ing, and technology development;

23 (2) examine the preparedness of women, mi-
24 norities, and individuals with disabilities to—

1 (A) pursue careers in science, engineering,
2 and technology development; and

3 (B) advance to positions of greater respon-
4 sibility within academia, industry, and govern-
5 ment;

6 (3) describe the practices and policies of em-
7 ployers and labor unions relating to the recruitment,
8 retention, and advancement of women, minorities,
9 and individuals with disabilities in the fields of
10 science, engineering, and technology development;

11 (4) identify the opportunities for, and artificial
12 barriers to, the recruitment, retention, and advance-
13 ment of women, minorities, and individuals with dis-
14 abilities in the fields of science, engineering, and
15 technology development in academia, industry, and
16 government;

17 (5) compile a synthesis of available research on
18 lawful practices, policies, and programs that have
19 successfully led to the recruitment, retention, and
20 advancement of women, minorities, and individuals
21 with disabilities in science, engineering, and tech-
22 nology development;

23 (6) issue recommendations with respect to law-
24 ful policies that government (including Congress and
25 appropriate Federal agencies), academia, and private

1 industry can follow regarding the recruitment, reten-
2 tion, and advancement of women, minorities, and in-
3 dividuals with disabilities in science, engineering,
4 and technology development;

5 (7) identify the disincentives for women, minori-
6 ties, and individuals with disabilities to continue
7 graduate education in the fields of engineering,
8 physics, and computer science;

9 (8) identify university undergraduate programs
10 that are successful in retaining women, minorities,
11 and individuals with disabilities in the fields of
12 science, engineering, and technology development;

13 (9) identify the disincentives that lead to a dis-
14 proportionate number of women, minorities, and in-
15 dividuals with disabilities leaving the fields of
16 science, engineering, and technology development be-
17 fore completing their undergraduate education;

18 (10) assess the extent to which the rec-
19 ommendations of the Task Force on Women, Mi-
20 norities, and the Handicapped in Science and Tech-
21 nology established under section 8 of the National
22 Science Foundation Authorization Act for Fiscal
23 Year 1987 (Public Law 99-383; 42 U.S.C. 1885a
24 note) have been implemented;

1 (11) compile a list of all Federally funded re-
2 ports on the subjects of encouraging women, minori-
3 ties, and individuals with disabilities to enter the
4 fields of science and engineering and retaining
5 women, minorities, and individuals with disabilities
6 in the science and engineering workforce that have
7 been issued since the date that the Task Force de-
8 scribed in paragraph (10) submitted its report to
9 Congress;

10 (12) assess the extent to which the rec-
11 ommendations contained in the reports described in
12 paragraph (11) have been implemented; and

13 (13) evaluate the benefits of family-friendly
14 policies in order to assist recruiting, retaining, and
15 advancing women in the fields of science, engineer-
16 ing, and technology such as the benefits or disadvan-
17 tages of the Family and Medical Leave Act of 1993
18 (29 U.S.C. 2001 et seq.).

19 **SEC. 5. MEMBERSHIP.**

20 (a) NUMBER AND APPOINTMENT.—The Commission
21 shall be composed of 11 members as follows:

22 (1) 1 member appointed by the President from
23 among for-profit entities that hire individuals in the
24 fields of engineering, science, or technology develop-
25 ment.

1 (2) 2 members appointed by the Speaker of the
2 House of Representatives from among such entities.

3 (3) 1 member appointed by the minority leader
4 of the House of Representatives from among such
5 entities.

6 (4) 2 members appointed by the majority leader
7 of the Senate from among such entities.

8 (5) 1 member appointed by the minority leader
9 of the Senate from among such entities.

10 (6) 2 members appointed by the Chairman of
11 the National Governors Association from among in-
12 dividuals in education or academia in the fields of
13 life science, physical science, or engineering.

14 (7) 2 members appointed by the Vice Chairman
15 of the National Governors Association from among
16 such individuals.

17 (b) INITIAL APPOINTMENTS.—Initial appointments
18 shall be made under subsection (a) not later than 90 days
19 after the date of the enactment of this Act.

20 (c) TERMS.—

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

23 (2) VACANCIES.—A vacancy in the Commission
24 shall be filled in the manner in which the original
25 appointment was made.

1 (d) PAY OF MEMBERS.—Members shall not be paid
2 by reason of their service on the Commission.

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

7 (f) QUORUM.—A majority of the members of the
8 Commission shall constitute a quorum for the transaction
9 of business.

10 (g) CHAIRPERSON.—The Chairperson of the Commis-
11 sion shall be elected by the members.

12 (h) MEETINGS.—The Commission shall meet not
13 fewer than 5 times in connection with and pending the
14 completion of the report described in section 8. The Com-
15 mission shall hold additional meetings for such purpose
16 if the Chairperson or a majority of the members of the
17 Commission requests the additional meetings in writing.

18 (i) EMPLOYMENT STATUS.—Members of the Com-
19 mission shall not be deemed to be employees of the Fed-
20 eral Government by reason of their work on the Commis-
21 sion except for the purposes of—

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

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

4 **SEC. 6. DIRECTOR AND STAFF OF COMMISSION; EXPERTS**
5 **AND CONSULTANTS.**

6 (a) DIRECTOR.—The Commission shall appoint a Di-
7 rector who shall be paid at a rate not to exceed the maxi-
8 mum annual rate of basic pay payable under section 5376
9 of title 5, United States Code.

10 (b) STAFF.—The Commission may appoint and fix
11 the pay of additional personnel as the Commission consid-
12 ers appropriate.

13 (c) APPLICABILITY OF CERTAIN CIVIL SERVICE
14 LAWS.—The Director and staff of the Commission may
15 be appointed without regard to the provisions of title 5,
16 United States Code, governing appointments in the com-
17 petitive service, and may be paid without regard to the
18 provisions of chapter 51 and subchapter III of chapter 53
19 of that title relating to classification and General Schedule
20 pay rates, except that an individual so appointed may not
21 receive pay in excess of the maximum annual rate of basic
22 pay payable under section 5376 of title 5, United States
23 Code.

24 (d) EXPERTS AND CONSULTANTS.—The Commission
25 may procure temporary and intermittent services under

1 section 3109(b) of title 5, United States Code, at rates
2 for individuals not to exceed the maximum annual rate
3 of basic pay payable under section 5376 of title 5, United
4 States Code.

5 (e) STAFF OF FEDERAL AGENCIES.—Upon request
6 of the Commission, the Director of the National Science
7 Foundation or the head of any other Federal department
8 or agency may detail, on a reimbursable basis, any of the
9 personnel of that department or agency to the Commission
10 to assist it in carrying out its duties under this Act.

11 **SEC. 7. POWERS OF COMMISSION.**

12 (a) HEARINGS AND SESSIONS.—The Commission
13 may, for the purpose of carrying out this Act, hold hear-
14 ings, sit and act at times and places, take testimony, and
15 receive evidence as the Commission considers appropriate.
16 The Commission may administer oaths or affirmations to
17 witnesses appearing before it.

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

22 (c) OBTAINING OFFICIAL DATA.—The Commission
23 may secure directly from any department or agency of the
24 United States information necessary to enable it to carry
25 out this Act. Upon request of the Chairperson of the Com-

1 mission, the head of that department or agency shall fur-
2 nish that information to the Commission.

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

7 (e) **ADMINISTRATIVE SUPPORT SERVICES.**—Upon
8 the request of the Commission, the Administrator of Gen-
9 eral Services shall provide to the Commission, on a reim-
10 bursable basis, the administrative support services nec-
11 essary for the Commission to carry out its responsibilities
12 under this Act.

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

19 **SEC. 8. REPORT.**

20 Not later than 1 year after the date on which the
21 initial appointments under section 5(a) are completed, the
22 Commission shall submit to the President, the Congress,
23 and the highest executive official of each State, a written
24 report containing the findings, conclusions, and rec-

1 ommendations of the Commission resulting from the study
2 conducted under section 4.

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

4 (a) IN GENERAL.—Nothing in this Act shall be con-
5 strued to require any non-Federal entity (such as a busi-
6 ness, college or university, foundation, or research organi-
7 zation) to provide information to the Commission concern-
8 ing such entity's personnel policies, including salaries and
9 benefits, promotion criteria, and affirmative action plans.

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

13 **SEC. 10. TERMINATION; ACCESS TO INFORMATION.**

14 (a) TERMINATION.—The Commission shall terminate
15 30 days after submitting the report required by section
16 8.

17 (b) ACCESS TO INFORMATION.—On or before the
18 date of the termination of the Commission under sub-
19 section (a), the Commission shall provide to the National
20 Science Foundation the information gathered by the Com-
21 mission in the process of carrying out its duties under this
22 Act. The National Science Foundation shall act as a cen-
23 tral repository for such information and shall make such
24 information available to the public, including making such
25 information available through the Internet.

1 **SEC. 11. REVIEW OF INFORMATION PROVIDED BY THE NA-**
2 **TIONAL SCIENCE FOUNDATION AND OTHER**
3 **AGENCIES.**

4 (a) PROVISION OF INFORMATION.—At the request of
5 the Commission, the National Science Foundation and any
6 other Federal department or agency shall provide to the
7 Commission any information determined necessary by the
8 Commission to carry out its duties under this Act, includ-
9 ing—

10 (1) data on academic degrees awarded to
11 women, minorities, and individuals with disabilities
12 in science, engineering, and technology development,
13 and workforce representation and the retention of
14 women, minorities, individuals with disabilities in the
15 fields of science, engineering, and technology devel-
16 opment; and

17 (2) information gathered by the National
18 Science Foundation in the process of compiling its
19 biennial report on Women, Minorities, and Persons
20 with Disabilities in Science and Engineering.

21 (b) REVIEW OF INFORMATION.—The Commission
22 shall review any information provided under subsection (a)
23 and shall include in the report required under section 8—

24 (1) recommendations on how to correct any de-
25 ficiencies in the collection of the types of information
26 described in that subsection, and in the analysis of

1 such data, which might impede the characterization
2 of the factors which affect the attraction and reten-
3 tion of women, minorities, and individuals with dis-
4 abilities in the fields of science, engineering, and
5 technology development; and

6 (2) an assessment of the biennial report of the
7 National Science Foundation on Women, Minorities,
8 and Persons with Disabilities in Science and Engi-
9 neering, and recommendations on how that report
10 could be improved.

11 **SEC. 12. DEFINITION OF STATE.**

12 In this Act, the term “State” includes the several
13 States, the District of Columbia, the Commonwealth of
14 Puerto Rico, the Commonwealth of the Northern Mariana
15 Islands, American Samoa, Guam, the Virgin Islands, and
16 any other territory or possession of the United States.

17 **SEC. 13. AUTHORIZATION OF APPROPRIATIONS.**

18 There are authorized to be appropriated to carry out
19 this Act—

20 (1) \$400,000 for fiscal year 1999; and

21 (2) \$400,000 for fiscal year 2000.

○