

111TH CONGRESS
1ST SESSION

H. R. 648

To establish the Commission on Women's Business Ownership.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 22, 2009

Ms. EDDIE BERNICE JOHNSON of Texas (for herself, Mr. HONDA, and Ms. BORDALLO) introduced the following bill; which was referred to the Committee on Financial Services, and in addition to the Committees on Oversight and Government Reform and Small Business, 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 Women's Business
Ownership.

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 “Women's Business
5 Ownership Act of 2009”.

1 **SEC. 2. ESTABLISHMENT.**

2 There is established a commission to be known as the
3 “National Commission on Women’s Business Ownership”
4 (hereinafter in this Act referred to as the “Commission”).

5 **SEC. 3. DUTIES OF THE COMMISSION.**

6 (a) REVIEW REQUIRED.—The Commission shall—

7 (1) review the status of women business owners
8 nationwide, and the progress made since the 1980
9 White House Conference on Small Business;

10 (2) review the role of the Federal Government
11 in aid to, and the promotion of, women business
12 owners; and

13 (3) review data collection procedures with re-
14 gard to women-owned business and Federal initia-
15 tives and procurement, with a view toward recom-
16 mending improvements.

17 (b) RECOMMENDATIONS REQUIRED.—Based on its
18 review, the Commission shall—

19 (1) recommend new private-sector initiatives re-
20 garding management and technical assistance to
21 women business owners;

22 (2) recommend ways to create greater access to
23 credit for women in business; and

24 (3) recommend ways to enhance procurement
25 opportunities for women business owners.

1 (c) DEFINITION.—For purposes of this Act, a busi-
2 ness is owned by a woman if the sole owner is a woman,
3 or if one-half or more of the partners are women, or if
4 it is a corporation, where 50 percent or more of the stock
5 is owned by women.

6 **SEC. 4. MEMBERSHIP.**

7 (a) IN GENERAL.—The Commission shall be com-
8 posed of nine members appointed as follows:

9 (1) Three members appointed by the President.

10 (2) Three members appointed by the Speaker of
11 the House of Representatives from a list of fifteen
12 individuals nominated for such appointment by the
13 chairman of the Committee on Small Business of the
14 House of Representatives.

15 (3) Three members appointed by the majority
16 leader of the Senate from a list of fifteen individuals
17 nominated for such appointment by the chairman of
18 the Committee on Small Business and Entrepre-
19 neurship of the Senate.

20 (b) QUALIFICATIONS.—(1) Appointments under sub-
21 section (a) shall be made from individuals who are spe-
22 cially qualified to serve on the Commission by virtue of
23 their education, training, or experience, and who are not
24 officers or employees of the Federal Government or Mem-
25 bers of Congress.

1 (2) Of the three individuals appointed under each of
2 paragraphs (1), (2), and (3) of subsection (a)—

3 (A) no more than two members appointed
4 under each paragraph shall be of the same political
5 party;

6 (B) at least one member appointed under each
7 paragraph shall be a woman; and

8 (C) at least one member appointed under each
9 paragraph shall be an individual who is a small busi-
10 ness owner.

11 (3) In making the appointments under subsection (a),
12 the appointing authorities should give consideration to
13 achieving a geographical balance.

14 (c) TERM.—Members shall be appointed for the life
15 of the Commission, except that, if any member of the
16 Commission becomes an officer or employee of the Federal
17 Government or a Member of Congress, such individual
18 may continue as a member of the Commission for not
19 longer than the thirty-day period beginning on the date
20 such individual becomes such an officer or employee or
21 Member of Congress.

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

1 (e) PAY.—Members of the Commission shall serve
2 without pay, except members of the Commission shall be
3 entitled to reimbursement for travel, subsistence, and
4 other necessary expenses incurred by them in carrying out
5 the functions of the Commission, in the same manner as
6 persons employed intermittently in the Federal Govern-
7 ment are allowed expenses under section 5703 of title 5,
8 United States Code.

9 (f) QUORUM.—Five members of the Commission shall
10 constitute a quorum but a lesser number may hold hear-
11 ings.

12 (g) CHAIRPERSON AND VICE CHAIRPERSON.—The
13 Chairperson and Vice Chairperson of the Commission
14 shall be designated by the President. The term of office
15 of the Chairperson and Vice Chairperson shall be the life
16 of the Commission.

17 (h) MEETINGS.—The Commission shall meet not less
18 than four times nor more than six times each year. Meet-
19 ings shall be at the call of a majority of its members.

20 **SEC. 5. DIRECTOR AND STAFF OF THE COMMISSION.**

21 (a) DIRECTOR AND STAFF.—(1) The Commission
22 shall have a Director who shall be appointed by the Com-
23 mission. The Commission, with the recommendation of the
24 Director, may appoint and fix the pay of four additional
25 personnel.

1 (2) The Director and staff of the Commission may
2 be appointed without regard to section 5311(b) of title 5,
3 United States Code, and without regard to the provisions
4 of such title governing appointments in the competitive
5 service, and may be paid without regard to the provisions
6 of chapter 51 and subchapter III of chapter 53 of such
7 title relating to classification and General Schedule pay
8 rates, except that no individual so appointed may receive
9 pay in excess of the annual rate of basic pay payable for
10 GS–18 of the General Schedule.

11 (b) SERVICES.—The Commission may procure tem-
12 porary and intermittent services under section 3109(b) of
13 title 5 of the United States Code, but at rates for individ-
14 uals not to exceed the daily equivalent of the maximum
15 annual rate of basic pay payable for GS–18 of the General
16 Schedule.

17 (c) DETAILS.—Upon request of the Commission, the
18 head of any department or agency may detail, on a reim-
19 bursable basis, any of the personnel of such agency to the
20 Commission to assist the Commission in carrying out its
21 duties under this Act.

22 **SEC. 6. POWERS OF THE COMMISSION.**

23 (a) IN GENERAL.—The Commission may, for the
24 purpose of carrying out this Act, hold such hearings, sit
25 and act at such times and places, take such testimony,

1 and receive such evidence, as the Commission considers
2 appropriate.

3 (b) DELEGATION.—Any member or agent of the
4 Commission may, if so authorized by the Commission,
5 take any action which the Commission is authorized to
6 take by this section.

7 (c) ACCESS TO INFORMATION.—The Commission
8 may secure directly from any department or agency of the
9 United States information necessary to enable it to carry
10 out this Act. Upon request of the Chairperson of the Com-
11 mission, the head of such department or agency shall fur-
12 nish such information to the Commission.

13 (d) USE OF MAILS.—The Commission may use the
14 United States mails in the same manner and under the
15 same conditions as other departments and agencies of the
16 United States.

17 (e) ADMINISTRATIVE SUPPORT.—The Administrator
18 of General Services shall provide to the Commission on
19 a reimbursable basis such administrative support services
20 as the Commission may request.

21 **SEC. 7. REPORTS.**

22 The Commission shall transmit to the President and
23 to each House of the Congress such interim reports as
24 it considers appropriate and shall transmit a final report
25 to the President no later than twenty-six months after the

1 date of the Commission's first meeting. The final report
2 shall contain a detailed statement of the findings and con-
3 clusions of the Commission, together with its rec-
4 ommendations for such legislation and administrative ac-
5 tions as it considers appropriate.

6 **SEC. 8. TERMINATION.**

7 The Commission shall cease to exist on the date that
8 it transmits its final report to the President and to each
9 House of the Congress.

10 **SEC. 9. AUTHORIZATION OF APPROPRIATIONS.**

11 There are authorized to be appropriated such sums
12 as may be necessary to carry out this Act.

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