

positions in the Federal Government and in federally assisted research programs;

“(2) coordinate existing Federal programs designed to promote the employment of women, minorities, and the handicapped in such positions;

“(3) suggest cooperative interagency programs for promoting such employment;

“(4) identify exemplary State, local, or private sector programs designed to promote such employment; and

“(5) develop a long-range plan to advance opportunities for women, minorities, and the handicapped in Federal scientific and technical positions in federally assisted research, and to coordinate the activities of participating agencies with the Committee on Equal Opportunities in Science and Engineering established by section 36 of the National Science Foundation Authorization and Science and Technology Equal Opportunities Act [now the National Science Foundation Authorization and Science and Engineering Equal Opportunities Act] (42 U.S.C. 1885c), after the termination of the task force established by this section.

“(b) For purposes of this section, the term ‘participating agency’ means—

“(1) the National Science Foundation;

“(2) the Department of Health and Human Services;

“(3) the National Aeronautics and Space Administration;

“(4) the Environmental Protection Agency;

“(5) the Department of Agriculture;

“(6) the Department of Defense;

“(7) the Department of Education;

“(8) the Department of Energy;

“(9) the Department of Commerce; and

“(10) the Department of the Interior.

“(c)(1) The task force on women, minorities, and the handicapped in science and technology shall be composed of individuals appointed by participating agencies pursuant to this subsection.

“(2) The head of each participating agency shall appoint two individuals to serve as members of the task force. If an appointed member is unable to serve for the duration of the task force, the head of the participating agency who appointed that member shall appoint another individual to fill the vacancy.

“(3) Task force members may be appointed from private business, academia, professional associations, or nonprofit foundations.

“(d) The task force shall prepare and submit a report on its findings and recommendations to the President, the Congress, and the head of each participating agency not later than December 31, 1989.

“(e) The Office of Science and Technology Policy shall call the first meeting of the task force not later than 90 days after the date of enactment of this Act [Aug. 21, 1986], shall ensure that each participating agency has appointed two members, and shall assist the task force to meet its objectives.

“(f)(1) Members of the task force not otherwise employed by the Federal Government shall be reimbursed for travel, subsistence, and other necessary expenses incurred by them in carrying out the duties of the task force.

“(2) The Director of the National Science Foundation shall make provision for administrative support of the task force, and may enter into agreements with the heads of other participating agencies to facilitate the work of the task force.

“(g) The task force shall terminate on January 31, 1990.”

§ 1885b. Participation in science and engineering of minorities and persons with disabilities

(a) The Foundation is authorized (1) to undertake or support a comprehensive science and engineering education program to increase the participation of minorities in science and engineering, and (2) to support activities to initiate research at minority institutions.

(b) The Foundation is authorized to undertake or support programs and activities to encourage the participation of persons with disabilities in the science and engineering professions.

(Pub. L. 96-516, § 34, Dec. 12, 1980, 94 Stat. 3012; Pub. L. 99-159, title I, § 111(b)(7), Nov. 22, 1985, 99 Stat. 892; Pub. L. 105-207, title II, § 202(d)(1), July 29, 1998, 112 Stat. 874.)

Editorial Notes

CODIFICATION

Section was enacted as part of the Science and Engineering Equal Opportunities Act, and not as part of the National Science Foundation Act of 1950 which comprises this chapter.

AMENDMENTS

1998—Pub. L. 105-207, § 202(d)(1)(A), substituted section catchline for former section catchline.

Subsec. (b). Pub. L. 105-207, § 202(d)(1)(B), added subsec. (b) and struck out former subsec. (b), which read as follows: “By September 30, 1981, the Director, with the advice and assistance of the Committee on Equal Opportunities in Science and Technology established in section 1885c of this title, shall prepare and transmit to the Committee on Labor and Human Resources of the Senate and the Committee on Science and Technology of the House of Representatives a report proposing a comprehensive and continuing program at the Foundation to promote the full participation of minorities in science and engineering. Such report shall contain budgetary and legislative recommendations for the carrying out of such program by the Foundation.”

1985—Subsec. (a). Pub. L. 99-159, § 111(b)(7), substituted “science and engineering education” for “science education” and “engineering” for “technology”.

Subsec. (b). Pub. L. 99-159, § 111(b)(7)(B), substituted “engineering” for “technology”.

§ 1885c. Committee on Equal Opportunities in Science and Engineering

(a) Establishment; purposes

There is established within the Foundation a Committee on Equal Opportunities in Science and Engineering (hereinafter referred to as the “Committee”). The Committee shall provide advice to the Foundation concerning (1) the implementation of the provisions of sections 1885 to 1885d of this title and (2) other policies and activities of the Foundation to encourage full participation of women, minorities, and persons with disabilities in scientific, engineering, and professional fields.

(b) Membership; Chairperson; term of members

Each member of the Committee shall be appointed by the Director. In addition, the Chairman of the National Science Board may designate a member of the Board as a member of the Committee. Members of the Committee shall be appointed to serve for a three-year term, and may be reappointed to serve one additional term of three years.

(c) Responsibilities of Committee

The Committee shall be responsible for reviewing and evaluating all Foundation matters relating to opportunities for the participation in, and the advancement of, women, minorities, and persons with disabilities in education, training, and science and engineering research programs.

(d) Standing or ad hoc subcommittees

The Committee may organize such standing or ad hoc subcommittees as the Committee finds appropriate.

(e) Biennial report

Every 2 years, the Committee shall prepare and submit to the Director a report on its activities during the previous 2 years and proposed activities for the next 2 years. The Director shall submit to Congress the report, unaltered, together with such comments as the Director considers appropriate, including—

(1) review data on the participation in Foundation activities of institutions serving populations that are underrepresented in STEM disciplines, including poor, rural, and tribal populations; and

(2) recommendations regarding how the Foundation could improve outreach and inclusion of these populations in Foundation activities.

(Pub. L. 96-516, §36, Dec. 12, 1980, 94 Stat. 3012; Pub. L. 99-159, title I, §111(b)(8), Nov. 22, 1985, 99 Stat. 893; Pub. L. 100-570, title I, §105(c), Oct. 31, 1988, 102 Stat. 2868; Pub. L. 105-207, title II, §202(d)(2), July 29, 1998, 112 Stat. 874; Pub. L. 114-329, title III, §313, Jan. 6, 2017, 130 Stat. 3014.)

Editorial Notes

REFERENCES IN TEXT

Sections 1885 to 1885d of this title, referred to in subsec. (a), was in the original “this Act”, meaning sections 31 et seq. of Pub. L. 96-516, known as the Science and Engineering Equal Opportunities Act, which enacted sections 1885 to 1885d of this title and provisions set out as notes under sections 1861 and 1885 of this title. For complete classification of this Act to the Code, see Short Title of 1980 Amendment note set out under section 1861 of this title and Tables.

CODIFICATION

Section was enacted as part of the Science and Engineering Equal Opportunities Act, and not as part of the National Science Foundation Act of 1950 which comprises this chapter.

AMENDMENTS

2017—Subsec. (e). Pub. L. 114-329, which directed the general amendment of section 204(e) of Pub. L. 100-570, was executed by making the amendment to subsec. (e) of this section, meaning section 36(e) of Pub. L. 96-516, to reflect the probable intent of Congress. Prior to amendment, text read as follows: “Every two years, the Committee shall prepare and transmit to the Director a report on its activities during the previous two years and proposed activities for the next two years. The Director shall transmit to Congress the report, unaltered, together with such comments as the Director deems appropriate.”

1998—Subsec. (a). Pub. L. 105-207, §202(d)(2)(A), substituted “minorities, and persons with disabilities in scientific” for “minorities, and other groups currently underrepresented in scientific”.

Subsec. (b). Pub. L. 105-207, §202(d)(2)(B), struck out “with the concurrence of the National Science Board” after “the Director” and substituted “In addition, the Chairman of the National Science Board may designate a member of the Board as a member of the Committee.” for “The Chairperson of the National Science Board Committee on Minorities and Women shall be an ex officio member of the Committee.”

Subsec. (c). Pub. L. 105-207, §202(d)(2)(C), (D), added subsec. (c) and struck out former subsec. (c) which read

as follows: “There shall be a subcommittee of the Committee which shall be known as the Subcommittee on Women in Science and Engineering. The Subcommittee on Women in Science and Engineering shall have responsibility for all Committee matters relating to (1) the participation in and opportunities for the education, training, and research of women in science and engineering and (2) the impact of science and engineering on women. The Subcommittee shall be composed of all the women members of the Committee and such other members of the Committee as the Committee may designate.”

Subsec. (d). Pub. L. 105-207, §202(d)(2)(F), struck out “additional” after “organize such”.

Pub. L. 105-207, §202(d)(2)(C), (E), redesignated subsec. (e) as (d) and struck out former subsec. (d) which read as follows: “There shall be a subcommittee of the Committee which shall be known as the Subcommittee on Minorities in Science and Engineering. The Subcommittee on Minorities in Science and Engineering shall have responsibility for all Committee matters relating to (1) the participation in and opportunities for education, training, and research for minorities in science and engineering and (2) the impact of science and engineering on minorities. The Subcommittee shall be composed of all minority members of the Committee and such other members of the Committee as the Committee may designate.”

Subsecs. (e), (f). Pub. L. 105-207, §202(d)(2)(E), redesignated subsec. (f) as (e). Former subsec. (e) redesignated (d).

1988—Subsec. (f). Pub. L. 100-570 amended subsec. (f) generally. Prior to amendment, subsec. (f) read as follows: “Each year the Committee shall prepare and transmit to the Director a report concerning its activities during the previous year and its proposed activities for the next year. The Director shall transmit to Congress the report, unaltered, along with comments.”

1985—Pub. L. 99-159, §111(b)(8)(A), substituted “Engineering” for “Technology” in section catchline.

Subsec. (a). Pub. L. 99-159 substituted “Engineering” for “Technology” and “scientific, engineering, and professional” for “scientific engineering, professional, and technical”.

Subsecs. (c), (d). Pub. L. 99-159, §111(b)(8)(A), substituted “Engineering” for “Technology” and “engineering” for “technology” wherever appearing.

Statutory Notes and Related Subsidiaries

TERMINATION OF ADVISORY COMMITTEES

Advisory committees established after Jan. 5, 1973 to terminate not later than the expiration of the 2-year period beginning on the date of their establishment, unless, in the case of a committee established by the President or an officer of the Federal Government, such committee is renewed by appropriate action prior to the expiration of such 2-year period, or in the case of a committee established by the Congress, its duration is otherwise provided by law. See section 1013 of Title 5, Government Organization and Employees.

REPORT BY COMMITTEE ON EQUAL OPPORTUNITIES IN SCIENCE AND ENGINEERING

Pub. L. 107-368, §20, Dec. 19, 2002, 116 Stat. 3063, provided that: “As part of the first report required by section 36(e) of the Science and Engineering Equal Opportunities Act (42 U.S.C. 1885c(e)) transmitted to Congress after the date of enactment of this Act [Dec. 19, 2002], the Committee on Equal Opportunities in Science and Engineering shall include—

“(1) a summary of its findings over the previous 10 years;

“(2) a description of past and present policies and activities of the Foundation to encourage full participation of women, minorities, and persons with disabilities in science, mathematics, and engineering fields, including activities in support of minority-serving institutions; and

“(3) an assessment of the trends in participation in Foundation activities, and an assessment of the success of Foundation policies and activities, along with proposals for new strategies or the broadening of existing successful strategies toward facilitating the goals of that Act [42 U.S.C. 1885 et seq.]”

[For definitions of terms used in section 20 of Pub. L. 107-368, set out above, see section 4 of Pub. L. 107-368, set out as a note under section 1862n of this title.]

§ 1885d. Biennial reports

(a) By January 30 of each odd-numbered year, the Director shall simultaneously transmit a report to the Congress, the Attorney General, the Director of the Office of Science and Technology Policy, the Chairman of the Equal Employment Opportunity Commission, the Director of the Office of Personnel Management, the Secretary of Labor, the Secretary of Education, and the Secretary of Health and Human Services.

(b) The report required by subsection (a) shall contain—

(1) an accounting and comparison, by sex, race, and ethnic group and by discipline, of the participation of women and men in scientific and engineering positions, including—

(A) the number of individuals in permanent and temporary and in full-time and part-time scientific and engineering positions by appropriate level or similar category;

(B) the average salary of individuals in such scientific and engineering positions;

(C) the number and type of promotional opportunities realized by individuals in such scientific and engineering positions;

(D) the number of individuals serving as principal investigators in federally conducted or federally supported research and development; and

(E) the unemployment rate of individuals seeking scientific and engineering positions;

(2) an assessment, including quantitative and other data, of the proportion of women and minorities studying scientific and engineering fields, including mathematics and computer skills, at all educational levels; and

(3) such other data, analyses, and evaluations as the Director, acting on the advice of the Committee on Equal Opportunities in Science and Engineering, determines appropriate to carry out the Foundation's functions as well as the policies and programs of sections 1885 to 1885d of this title.

(Pub. L. 96-516, §37, Dec. 12, 1980, 94 Stat. 3013; Pub. L. 99-159, title I, §111(b)(9), Nov. 22, 1985, 99 Stat. 893; Pub. L. 108-360, title II, §208, Oct. 25, 2004, 118 Stat. 1679.)

Editorial Notes

REFERENCES IN TEXT

Sections 1885 to 1885d of this title, referred to in subsec. (b)(3), was in the original “this Act”, meaning sections 31 et seq. of Pub. L. 96-516, known as the Science and Engineering Equal Opportunities Act, which enacted sections 1885 to 1885d of this title and provisions set out as notes under sections 1861 and 1885 of this title. For complete classification of this Act to this title, see Short Title of 1980 Amendment note set out under section 1861 of this title and Tables.

CODIFICATION

Section was enacted as part of the Science and Engineering Equal Opportunities Act, and not as part of the National Science Foundation Act of 1950 which comprises this chapter.

AMENDMENTS

2004—Subsec. (a). Pub. L. 108-360 substituted “By January 30 of each odd-numbered year” for “By January 30, 1982, and biennially thereafter”.

1985—Subsec. (b)(1), (2). Pub. L. 99-159, §111(b)(9)(A), substituted “engineering” for “technical” wherever appearing.

Subsec. (b)(3). Pub. L. 99-159, §111(b)(9)(B), substituted “Engineering” for “Technology”.

§ 1886. Data collection and analysis

The National Science Foundation is authorized to design, establish, and maintain a data collection and analysis capability in the Foundation for the purpose of identifying and assessing the research facilities needs of universities. The needs of universities, by major field of science and engineering, for construction and modernization of research laboratories, including fixed equipment and major research equipment, shall be documented. University expenditures for the construction and modernization of research facilities, the sources of funds, and other appropriate data shall be collected and analyzed. The Foundation, in conjunction with other appropriate Federal agencies, shall conduct the necessary surveys every 2 years and report the results to the Congress. The first report shall be submitted to the Congress by September 1, 1986.

(Pub. L. 99-159, title I, §108, Nov. 22, 1985, 99 Stat. 888.)

Editorial Notes

CODIFICATION

Section was enacted as part of the National Science Foundation Authorization Act for Fiscal Year 1986, and not as part of the National Science Foundation Act of 1950 which comprises this chapter.

§ 1886a. Data on specific fields of study

The National Science Foundation shall continue to collect statistically reliable data on the field of degree of college-educated individuals to fulfill obligations under section 1863(j)(1) of this title and the Science and Engineering Equal Opportunities Act [42 U.S.C. 1885 et seq.]. If the Director of the Foundation determines that there is a legal impediment to the continued collection of this data, he shall inform the Committee on Science of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate not later than 180 days after December 30, 2005.

(Pub. L. 109-155, title VII, §721, Dec. 30, 2005, 119 Stat. 2938.)

Editorial Notes

REFERENCES IN TEXT

The Science and Engineering Equal Opportunities Act, referred to in text, is Part B of Pub. L. 96-516, Dec. 12, 1980, 94 Stat. 3010, which enacted sections 1885 to 1885d of this title and provisions set out as notes under