

105TH CONGRESS  
1ST SESSION

# S. 487

To amend the Public Health Service Act with respect to employment opportunities in the Department of Health and Human Services for women who are scientists, and for other purposes.

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## IN THE SENATE OF THE UNITED STATES

MARCH 20, 1997

Ms. MIKULSKI (for herself, Ms. MOSELEY-BRAUN, Mr. INOUE, and Mrs. BOXER) introduced the following bill; which was read twice and referred to the Committee on Labor and Human Resources

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## A BILL

To amend the Public Health Service Act with respect to employment opportunities in the Department of Health and Human Services for women who are scientists, and for other purposes.

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 “HHS Women Scientist  
5       Employment Opportunity Act”.

6       **SEC. 2. WOMEN’S SCIENTIFIC EMPLOYMENT.**

7       The Public Health Service Act (42 U.S.C. 281 et  
8       seq.) is amended by adding at the end the following:

1 “TITLE XXVIII—WOMEN’S SCIENTIFIC EMPLOY-  
2       MENT WITH DEPARTMENT OF HEALTH  
3       AND HUMAN SERVICES

4 **“SEC. 2801. WOMEN’S SCIENTIFIC EMPLOYMENT.**

5       “(a) POLICIES AND COMPLIANCE.—

6               “(1) IN GENERAL.—For each agency specified  
7       in paragraph (2), the Secretary, in collaboration  
8       with the head of the agency, shall—

9                       “(A) establish policies for the agency on  
10       matters relating to the employment by the  
11       agency of women as scientists, and periodically  
12       review and as appropriate revise such policies;  
13       and

14                      “(B) monitor the extent of compliance with  
15       such policies and take appropriate action in  
16       cases in which the Secretary determines that  
17       the policies have been violated.

18               “(2) SPECIFIED AGENCIES.—The agencies re-  
19       ferred to in paragraph (1) are the National Insti-  
20       tutes of Health, the Centers for Disease Control and  
21       Prevention, the Food and Drug Administration, and  
22       such other agencies or offices of the Department of  
23       Health and Human Services as the Secretary deter-  
24       mines to be appropriate.

25       “(b) CERTAIN FUNCTIONS.—

1           “(1) IN GENERAL.—In carrying out subsection  
2 (a) with respect to a specified agency, the Secretary  
3 shall provide for the following:

4           “(A) Determining the concerns of women  
5 scientists employed at the agency.

6           “(B) Developing a policy defining the  
7 standard tenure process for employment at the  
8 agency.

9           “(C) Determining the reason for departure  
10 from the agency by interviewing women and  
11 men scientists as they leave.

12           “(D) Distributing yearly to all employees  
13 of the agency copies of the policy of the agency  
14 on flexible family leave.

15           “(E) Monitoring the number of women, in-  
16 cluding minority women, included on the com-  
17 mittees, panels, and other working groups (and  
18 in meetings) of the agency.

19           “(F) Making efforts to recruit minority  
20 women, based on the small numbers of tenured  
21 minority women scientists.

22           “(G) Developing additional goals related to  
23 women and minority women scientists at the  
24 agency.

1           “(2) AGENCY-SPECIFIC PROVISIONS.—With re-  
2           spect to the National Institutes of Health, in carry-  
3           ing out subsection (a), the Secretary shall (in addi-  
4           tion to activities under paragraph (1)) provide for  
5           the implementation of the recommendations of the  
6           group known as the Task Force on the Status of  
7           NIH Intramural Women Scientists.

8           “(c) INCLUSION OF WOMEN ON INTRAMURAL AND  
9           EXTRAMURAL CONFERENCES AND OTHER GROUPS.—

10           “(1) IN GENERAL.—The Secretary shall estab-  
11           lish a policy at each specified agency of requiring in-  
12           clusion of women scientists in greater numbers on or  
13           in conferences, workshops, meetings, international  
14           congresses, and other groups funded or sponsored by  
15           the agency. Such policy shall provide for the inclu-  
16           sion of not less than one woman scientist in each  
17           such group, except as provided in paragraph (2).  
18           This paragraph applies whether such groups are  
19           held for employees of the agency headquarters, for  
20           employees of field offices, or both.

21           “(2) EXCLUSION; WRITTEN EXPLANATION.—  
22           The policy established in paragraph (1) may provide  
23           that no woman scientist will be included in a group  
24           for purposes of such paragraph if the Secretary pro-

1       vides a waiver of the requirement. The Secretary  
2       may grant such a waiver only if—

3               “(A) the individual with the chief respon-  
4               sibility for the group involved submits to the  
5               Secretary a written request for the waiver and  
6               the request provides an explanation of the rea-  
7               sons underlying the need for the waiver; and

8               “(B) the Secretary makes a determination  
9               that extraordinary circumstances justify provid-  
10              ing the waiver.

11       “(d) STUDY ON PAY EQUITY.—

12              “(1) IN GENERAL.—For each specified agency,  
13              the Secretary shall provide for a study to identify  
14              any pay differences among men and women sci-  
15              entists employed by the agency, both tenured and  
16              untenured. The study shall include recommendations  
17              on measures to adjust any disparities or inequities,  
18              and shall identify a program to communicate infor-  
19              mation on salary ranges to all employees.

20              “(2) REPORT.—Not later than 240 days after  
21              the date of the enactment of the HHS Women Sci-  
22              entist Employment Opportunity Act, the Secretary  
23              shall complete the study required in paragraph (1)  
24              and submit to the Committee on Commerce of the  
25              House of Representatives, and to the Committee on

1 Labor and Human Resources of the Senate, a report  
2 describing the findings made as a result of the  
3 study.

4 “(e) DEFINITIONS.—For purposes of this section, the  
5 term ‘specified agency’ means an agency specified in sub-  
6 section (a)(2).

7 “(f) AUTHORIZATION OF APPROPRIATIONS.—For the  
8 purpose of carrying out this section, there is authorized  
9 to be appropriated such sums as may be necessary for  
10 each of the fiscal years 1998 through 2000.”.

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