

112TH CONGRESS
1ST SESSION

H. R. 744

To establish the National Commission on Women's Business Ownership, and
for other purposes.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 16, 2011

Ms. EDDIE BERNICE JOHNSON of Texas introduced the following bill; which was referred to the Committee on Financial Services, and in addition to the Committees on Small Business and Oversight and Government Reform, 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 National Commission on Women's Business
Ownership, 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 "Women's Business
5 Ownership Act of 2011".

1 **SEC. 2. ESTABLISHMENT.**

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

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

6 (a) REVIEW.—The Commission shall—

7 (1) review the status of women business owners
8 across the United States and the progress made by
9 women business owners since the 1980 White House
10 Conference on Small Business;

11 (2) review the role of the Federal Government
12 in aiding and promoting women business owners;
13 and

14 (3) review data collection procedures with re-
15 spect to women-owned businesses, including for Fed-
16 eral initiatives and procurement, with the goal of
17 recommending improvements to those procedures.

18 (b) RECOMMENDATIONS.—Based on the review con-
19 ducted under subsection (a), the Commission shall develop
20 recommendations on—

21 (1) private-sector initiatives for providing man-
22 agement and technical assistance to women business
23 owners;

24 (2) ways to create greater access to credit for
25 women business owners; and

1 (3) ways to enhance Federal procurement op-
2 portunities for women business owners.

3 (c) BUSINESS OWNERSHIP.—For purposes of this
4 Act, a business is owned by a woman if—

5 (1) the sole owner is a woman;

6 (2) 50 percent or more of the partners are
7 women; or

8 (3) 50 percent or more of the stock is owned
9 by women, if the business is a corporation.

10 **SEC. 4. MEMBERSHIP.**

11 (a) NUMBER AND APPOINTMENT.—The Commission
12 shall be composed of 9 members appointed as follows:

13 (1) Three members appointed by the President.

14 (2) Three members appointed by the Speaker of
15 the House of Representatives from a list of 15 indi-
16 viduals nominated for appointment by the chairman
17 of the Committee on Small Business of the House
18 of Representatives.

19 (3) Three members appointed by the majority
20 leader of the Senate from a list of 15 individuals
21 nominated for appointment by the chairman of the
22 Committee on Small Business and Entrepreneurship
23 of the Senate.

24 (b) QUALIFICATIONS.—

1 (1) IN GENERAL.—Individuals appointed under
2 subsection (a) shall be specially qualified to serve on
3 the Commission by virtue of their education, train-
4 ing, or experience and may not be officers or em-
5 ployees of the Federal Government or Members of
6 Congress.

7 (2) POLITICAL AFFILIATION.—Of the 3 mem-
8 bers appointed under each of paragraphs (1), (2),
9 and (3) of subsection (a)—

10 (A) not more than 2 members appointed
11 under each paragraph may be of the same polit-
12 ical party;

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

15 (C) at least one member appointed under
16 each paragraph shall be an individual who is a
17 small business owner.

18 (3) GEOGRAPHICAL BALANCE.—In making ap-
19 pointments under subsection (a), the appointing au-
20 thorities should give consideration to achieving geo-
21 geographical balance in the membership of the Commis-
22 sion.

23 (c) TERM.—Each member of the Commission shall
24 be appointed for the life of the Commission, except that
25 if any member of the Commission becomes an officer or

1 employee of the Federal Government or a Member of Con-
2 gress that individual may continue as a member of the
3 Commission for not longer than the 30-day period begin-
4 ning on the date that individual becomes an officer or em-
5 ployee or a Member of Congress.

6 (d) VACANCIES.—A vacancy in the Commission shall
7 be filled in the manner in which the original appointment
8 was made.

9 (e) PAY.—

10 (1) IN GENERAL.—Members of the Commission
11 shall serve without pay, except as provided in para-
12 graph (2).

13 (2) TRAVEL EXPENSES.—While away from
14 their homes or regular places of business in the per-
15 formance of services for the Commission, members
16 of the Commission shall be allowed travel expenses,
17 including per diem in lieu of subsistence, in the
18 same manner as persons employed intermittently in
19 the Government service are allowed travel expenses
20 under section 5703 of title 5, United States Code.

21 (f) QUORUM.—Five members of the Commission shall
22 constitute a quorum but a lesser number may hold hear-
23 ings.

24 (g) CHAIRPERSON AND VICE CHAIRPERSON.—The
25 Chairperson and Vice Chairperson of the Commission

1 shall be designated by the President. The term of office
2 of the Chairperson and Vice Chairperson shall be the life
3 of the Commission.

4 (h) MEETINGS.—The Commission shall meet not less
5 than 4 times, and not more than 6 times, each year. Meet-
6 ings shall be at the call of a majority of the members of
7 the Commission.

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

9 (a) DIRECTOR AND STAFF.—

10 (1) IN GENERAL.—The Commission shall have
11 a Director who shall be appointed by the Commis-
12 sion. The Commission, with the recommendation of
13 the Director, may appoint and fix the pay of 4 addi-
14 tional personnel.

15 (2) APPLICABILITY OF CERTAIN LAWS.—The
16 Director and staff of the Commission may be ap-
17 pointed without regard to the provisions of title 5,
18 United States Code, governing appointments in the
19 competitive service, and may be paid without regard
20 to the provisions of chapter 51 and subchapter III
21 of chapter 53 of that title, relating to classification
22 and General Schedule pay rates, except that an indi-
23 vidual so appointed may not receive pay in excess of
24 the maximum annual rate of basic pay payable for
25 grade GS–15 of the General Schedule.

1 (b) SERVICES.—The Commission may procure tem-
2 porary and intermittent services under section 3109(b) of
3 title 5, United States Code, but at rates for individuals
4 not to exceed the daily equivalent of the maximum annual
5 rate of basic pay payable for grade GS–15 of the General
6 Schedule.

7 (c) STAFF OF FEDERAL AGENCIES.—Upon the re-
8 quest of the Commission, the head of any Federal depart-
9 ment or agency may detail, on a reimbursable basis, any
10 of the personnel of that department or agency to the Com-
11 mission to assist the Commission in carrying out the du-
12 ties of the Commission under this Act.

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

14 (a) IN GENERAL.—The Commission may, for the
15 purpose of carrying out this Act, hold hearings, sit and
16 act at times and places, take testimony, and receive evi-
17 dence, as the Commission considers appropriate.

18 (b) DELEGATION.—Any member or agent of the
19 Commission may, if authorized by the Commission, take
20 any action which the Commission is authorized to take by
21 this section.

22 (c) ACCESS TO INFORMATION.—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 the request of the Chairperson of the

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

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

7 (e) ADMINISTRATIVE SUPPORT.—The Administrator
8 of General Services shall provide to the Commission, on
9 a reimbursable basis, such administrative support services
10 as the Commission may request.

11 **SEC. 7. REPORTS.**

12 The Commission shall transmit to the President and
13 to Congress interim reports as the Commission considers
14 appropriate and shall transmit a final report to the Presi-
15 dent and to Congress not later than 26 months after the
16 date of the Commission's first meeting. The final report
17 shall contain a detailed statement of the findings and con-
18 clusions of the Commission, including recommendations
19 for legislation and administrative actions the Commission
20 considers appropriate.

21 **SEC. 8. TERMINATION.**

22 The Commission shall cease to exist on the date that
23 the Commission transmits its final report to the President
24 and to Congress.

1 **SEC. 9. AUTHORIZATION OF APPROPRIATIONS.**

2 There are authorized to be appropriated such sums

3 as may be necessary to carry out this Act.

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