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ENVIRONMENTAL PROTECTION AGENCY

Status Summary

The Environmental Protection Agency (EPA) was created to coordinate governmental action on behalf of the environment. The agency controls and abates pollution in the areas of water, air, solid waste, pesticides, noise, and radiation. It coordinates and supports research and anti-pollution activities by state and local governments and educational institutions, among others. The agency also reinforces efforts among Federal agencies with respect to the impact of their operations on the environment.

EPA has completed a portion of its review of the USC, the CFR, policies, and practices for sex discrimination.

EPA reports that no provision in the USC was found to "contain provisions that directly discriminate against women." EPA was asked to report on the absence of established review procedure for review of EPA regulations for direct or indirect gender discrimination. However, the Office of Policy and Research Management (OPRM) examines each proposed and final regulation before publication in the Federal Register. EPA has determined that OPRM should review all proposed legislation and regulations for gender discrimination.

U.S. ENVIRONMENTAL PROTECTION AGENCY

QUARTERLY REPORT FOR TASK FORCE ON LEGAL EQUITY FOR WOMEN

The Environmental Protection Agency (EPA) was established by Reorganization Plan No. 3 of 1970 to consolidate and coordinate governmental action on behalf of the environment. The Agency is responsible for administering pollution control programs in the areas of water, air, solid waste, pesticides, noise, and radiation. These programs include establishing standards and regulations, research, support to state and local governments for their pollution control programs, funding for construction of publicly-owned wastewater treatment works, and clean-up of hazardous waste disposal sites.

I. Programs Directly Affecting Women in External EPA Activity

A. Programs to Eliminate Gender Discrimination

Section 13 of the Federal Water Pollution Control Act Amendments of 1972 Pub. L. No. 92-500, states that, "[n]o person in the United States shall on the ground of sex be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal assistance under this Act, the Federal Water Pollution Control Act, or the Environmental Financing Act." Section 13 is currently implemented by regulations at 40 C.F.R. Part 12. The Agency proposed integrated anti-discrimination regulations, addressing racial, ethnic, handicap and age discrimination, as well as sex

discrimination, 46 Fed. Reg. 2306 (January 8, 1981). We anticipate publication of the integrated regulation, which will supersede Part 12, in the near future.

EPA distributes funds to a number of educational institutions under a variety of research and development programs. Compliance with Title IX of the Civil Rights Act of 1972 is required as a condition of each grant awarded to educational institutions. EPA has promulgated no regulations or policies to implement this provision.

B. Affirmative Programs for Women in External Programs

The primary area in which EPA has affirmative programs for women is in procurement. These programs include employment and contracting/subcontracting initiatives.

Executive Order 11246 requires government contractors and construction contractors in federally assisted programs to develop affirmative action plans for employing women and minorities. EPA regulations implementing this Executive Order are in 40 C.F.R. Part 8.

There is no statutorily created program to promote women's business enterprise (WBE) as there is for minority-owned businesses under The Small Business Act. However, the Agency has incorporated several provisions into its direct procurement guidance to promote women's business enterprise. For example, EPA has modified its source selection procedures to include WBE participation as an evaluation factor. EPA's information system has been improved to accurately report WBE participation

statistics. PASS terminals have been installed at each major buying facility to insure that WBE's receive requests for proposals. The Agency also periodically hosts symposia and has an outreach/advisory assistance program to aid WBE's in becoming familiar with EPA procurement policies. These activities are described in EPA Project Officer's guidance and in an EPA publication, "Selling to EPA." Executive Order 12138 authorizes these activities.

With respect to the set-aside program under section 8(a) of the Small Business Act, EPA contracted \$1.9 million of \$15.2 total set-aside dollars to women-owned businesses in fiscal year (fy) 1982, representing 12.5 percent WBE participation in the section 8(a) program. A total of 6 WBE firms, all owned by minority women, participated in EPA section 8(a) contracts in fy 1982.

Regarding procurement under EPA grants and cooperative agreements, the Agency is not currently involved in directly assisting WBE's. Instead, EPA requires recipients to undertake efforts to insure WBE participation. This requirement is included in the Agency's procurement regulations, 40 C.F.R. Part 33. These regulations implement Office of Management and Budget Circular A-102, Attachment O. Pursuant to paragraph 9 of Attachment O, the Part 33 regulations require recipients of EPA funds to exercise affirmative steps to use MBE, WBE, small and labor surplus area concerns.

At the present time, Part 33 is effective only for the wastewater treatment works construction grants program administered under Title II of the Clean Water Act, 33 U.S.C. 1281 et seq. The regulations were published as an interim final rule for the construction grants program and as a proposed rule for all other EPA assistance programs, 47 Fed. Reg. 20474 (May 12, 1982). Final regulations will be published in the very near future.

After Executive Order 12138 was issued, EPA developed a WBE policy for the wastewater treatment grants construction grants program, 44 Fed. Reg. 29637 (May 22, 1979). At that time, the construction grants program operated under separate procurement regulations, 40 C.F.R. 35.936-35.939. The WBE policy for the construction grants program is now non-mandatory guidance for that program.

C. Regulatory Review of Agency Regulations for Gender-Discrimination

EPA has no established requirement for review of regulations for direct or indirect gender discrimination. A comprehensive regulatory review process exists through which the Office of Policy and Resource Management (OPRM) has an opportunity to examine each proposed and final regulation before publication in the Federal Register. The Agency has determined that OPRM should be required to review all such proposals for language which discriminates against or may have a discriminating affect on women, in the course of its review.

II. Provisions Indirectly Affecting Women

A. EPA Statutes

We have undertaken a review of statutes placing primary administrative responsibility on EPA to ascertain whether any provisions indirectly discriminate against women. The statutes reviewed are:

1. Clean Water Act, 33 U.S.C. 1251 et seq.
2. Clean Air Act, 42 U.S.C. 7401 et seq.
3. Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act, 42 U.S.C. 6901 et seq.
4. Safe Drinking Water Act, 42 U.S.C. 300f et seq.
5. Noise Control Act of 1972, as amended, 42 U.S.C. 4901 et seq.
6. Comprehensive Environmental Response, Compensation and Liability Act of 1980 (CERCLA) 42 U.S.C. 9601 et seq.
7. Toxic Substances Control Act, 15 U.S.C. 2601 et seq.
8. Federal Insecticide, Fungicide and Rodenticide Act, (FIFRA) 7 U.S.C. 136-136y
9. Marine Protection, Research and Sanctuaries Act, 33 U.S.C. 1401 et seq.

None of the statutes contain provisions that directly discriminate against women. EPA's programs, by their nature, do not have a disparate impact on women, thus the statutory language does not contain discriminatory language.

To find unnecessary gender-specific terms, these statutes were searched for the use of the following words, in both singular and plural and masculine and feminine gender: man,

woman, chairman, committeeman, workman, manpower, materialman, husband, wife, feminine, masculine, male, female, and gender. Of these, the only words appearing in the statutes searched are "chairman," "manpower," and "man."

The word "chairman" appears in the following statutory provisions:

1. Clean Water Act, 33 U.S.C. 1281n, 1320(c), 1325(b), 1325(f), 1374
2. Clean Air Act, 42 U.S.C. 7410(c)(2)(A), 7453(f) 7546(b), 7623(d), 7623(g)
3. CERCLA, 42 U.S.C. 9651(e)(2)
4. Toxic Substances Control Act, 15 U.S.C. 2603(e)

The word "manpower" appears in the following statutory provisions:

1. Clean Water Act, 33 U.S.C. 1251(f), 1254(g), 1314(i)(2)(D)
2. Clean Air Act, 42 U.S.C. 7502(b), 7623(a)

The word "man" appears in EPA legislation in the context of e.g., "man's environment" or "man-made" products. The following statutory provisions include the word "man":

1. Clean Water Act, 33 U.S.C. 1362(19)
2. Safe Drinking Water Act, 42 U.S.C. 300j-1
3. CERCLA, 42 U.S.C. 9651(e)(1)

4. FIFRA, 7 U.S.C. 136(d), (h), (j), (k), (q)(2)(D), (t), (u), (bb); 136a(c)(2); 136r(c); 136w(c)(2)

The Noise Control Act of 1972, as amended, 42 U.S.C. 4901 et seq. and the Marine Protection, Research and Sanctuaries Act, 33 U.S.C. 1401 et seq. contain none of words searched. The 1980 amendments to the Solid Waste Disposal Act, Pub. L. No. 96-482, included a provision, section 33, establishing the National Advisory Commission on Resource Conservation and Recovery to be headed by a "chairperson."

In addition to words enumerated above, the pronouns "he," "his," and "him" appear throughout EPA statutes when referring to the Administrator or other governmental officials. The specific occurrences of these pronouns have not been searched at this time, however.

B. EPA Regulations

A partial review of EPA's regulations has taken place, and the effort is continuing. Few of EPA's regulations for external programs concern individuals, thus gender distinctions do not arise in a substantive way. Those regulations which do address individuals are contained in Subchapter 1 and Subchapter 2 of 40 C.F.R. The subchapters contain EPA's general administrative rules and grant regulations, including: implementation of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (Part 4); tuition fees for direct training (Part 5); nondiscrimination in programs receiving federal assistance from the Environmental Protection Agency -

effectuation of Title VI of the Civil Rights Act of 1964 (Part 7); equal employment opportunity under EPA contracts and EPA assisted construction contracts (Part 8); administrative claims under Federal Tort Claims Act (Part 10); nondiscrimination in programs receiving assistance from the Environmental Protection Agency - effectuation of section 13 of the Federal Water Pollution Control Act amendments of 1972 (Part 12); implementation of the Privacy Act of 1974 (Part 16); implementation of the Equal Access to Justice Act (Part 17); general grant regulations; research and demonstration grants (Part 40); training grants and manpower forecasting (Part 45); fellowships (Part 46). With the exception of Part 45 which includes "manpower forecasting," none of the above regulations contains language that could be construed as discriminatory on its face. We have found some unnecessary gender-specific language in these regulations which will be eliminated in the future.

The remainder - and bulk - of EPA regulations set forth standards, criteria, and administrative procedures relating to air programs (Parts 50-99), water programs (Parts 100-149), pesticide programs (Parts 162-180), radiation protection programs (Parts 190-192), noise abatement and control (Parts 201-211), ocean dumping (Parts 220-231), solid waste processing and disposal (Parts 240-265), effluent guidelines and standards (Parts 400-460), energy policy (Parts 600 and 610), and control of Toxic Substances (Parts 704-775). As in the general and grant regulations described above, these regulations also

contain no language that is discriminatory on its face. However there are some unnecessary gender-specific words contained in various parts of these regulations. This terminology will be eliminated in the future.

III. Future Quarterly Reports

EPA will continue its review of all Agency regulations. The next quarterly report will, to the extent completed, include an inventory of EPA regulations with gender-specific language, along with the necessary proposed changes to that language. The Agency will also address whether, and to what extent, published or unpublished disseminated policy and guidance documents contain language that is discriminatory or unnecessarily gender-specific.

FEDERAL COMMUNICATIONS COMMISSION

Status Summary

The Federal Communications Commission (FCC) was created by the Communications Act of 1934 (15 U.S.C. §21; 47 U.S.C. §§35, 151-609) to regulate in the public interest, interstate and foreign communications by wire and radio. Additional regulatory authority was granted pursuant to the Communications Satellite Act of 1962 (47 U.S.C. §§701-744). The regulatory authority extends to radio and television broadcasting; telephone, telegraph and cable television operation; two-way radio and radio operators; and satellite communication.

The FCC has conducted a thorough review of the USC, the CFR, policies, practices, field instruments, and publications. No substantive sex discrimination has been identified.

A number of appendices to the FCC submission have been omitted due to length (affirmative action plan, employment statistics for 1981-82, EEO statistics for 1982, and participation of women in training programs).

FEDERAL COMMUNICATIONS COMMISSION

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I. Introduction and Summary

(a) The Federal Communications Commission (hereinafter the Commission) has completed a review of its laws, regulations, policies and practices (hereinafter regulations) as requested by the Assistant Attorney General, Civil Rights Division, United States Department of Justice in a letter dated August 10, 1982, pursuant to Executive Order 12336, Subject: The Task Force on Legal Equity for Women. More specifically, as requested, the Commission has identified those regulations that: "(1) make overt gender distinctions; (2) use unnecessary gender-specific terminology, though they may not substantively discriminate; (3) have a disproportionate impact on one gender though they may be neutral on their face; and (4) those which prohibit gender discriminations, or propose to eliminate existing distinctions based on gender," refer to DOJ letter supra.

(b) Extensive use of Appendix A, "Guidelines for Preparation of Draft Quarterly Report," 1/ has been made in preparing the Commission's Report to satisfy the Department of Justice's threshold requirements for acceptability of agency reports. In general, the information requested in the DOJ letter supra and Appendix A has been summarized in the body of the report; more detailed information is provided in the appropriate appendix. For example, Appendix B provides a list of the Commission's rules that are "clean," i.e., such rules lack gender distinct terminology. 2/ Appendix C provides a list of rules 3/ and Appendix D provides a list of forms 4/ that:

- (1) "make overt gender distinctions";
- (2) use unnecessary gender-specific terminology though they may not substantially discriminate; [or]
- (3) have a disproportionate impact on one gender though they may be neutral on their face,: refer to para. I(a) supra.

Appendices E-H provide the various statistical and factual information, to the extent such information was available or could be reasonably obtained, on female employment and training as requested in Appendix A.

(c) In the review of its regulations for gender distinctions, the Commission has concluded that the long-standing use of the term "chairman" and of masculine pronouns therefor comprises the majority of the instances wherein gender distinct language in the regulations appear. More important, as a result of the review, it is concluded that the great majority of the Commission's substantive regulations do not contain gender distinct language. Section II contains a discussion of programs and regulations "which prohibit gender discriminations, or propose to eliminate existing distinctions based on gender; refer to para. I(a) supra. Section III contains a discussion of the Commission's regulations that employ gender distinct language.

1/ See Appendix A: Guidelines for Preparation of Draft Quarterly Report.

2/ See Appendix B: A List of the Commission's Rules Lacking Gender Distinct Terminology.

3/ See Appendix C: A List of the Commission's Rules Employing Gender Distinct Terminology.

4/ See Appendix D: A List of the Commission's Forms Employing Gender Distinct
(Continued)

(d) While a small percentage of the Commission's regulations contain gender distinct language, such language is non-substantive and in no way detracts from the Commission's long-standing policy,

"[T]o provide equal employment opportunity for all qualified persons; to prohibit discrimination because of race, color, religion, sex, national origin, politics, marital status, or physical handicap; and to promote the full realization of equal employment opportunity through a positive, continuing program designed to ensure equal opportunity in every aspect of the Commission's employment policy and practice." (Emphasis added) 5/

In conformance with the Commission's policy of equal employment opportunity, supra, is the goal to promote equal employment in every aspect of its employment policy and practices. 6/

(e) The review of the Commission's regulations for gender distinct language was directed and coordinated by Maurice P. Talbot, Jr., Associate General Counsel for Regulatory Review. Key organizational entities that participated in the review of the rules for gender distinction included:

- (1) The Office of General Counsel,
- (2) The Mass Media Bureau,
- (3) The Common Carrier Bureau,
- (4) The Private Radio Bureau,
- (5) The Office of Science and Technology, and
- (6) The Field Operations Bureau.

II. Review of FCC's Programs, Rules and Policies that Promote/Require Equality of Opportunity for Women

The Commission has in place numerous programs which seek to address equal opportunities for women.

- (1) The Equal Employment Opportunity Program,
- (2) The Affirmative Action Program,
- (3) The Federal Women's Program,
- (4) The Spanish Speaking Program,

Terminology.

5/ See Chapter 713, FCC Personnel Manual, Page 713-2, para. 4(a), July 1969.

6/ See Id. at Page 713-2, para. 4(b).

- (5) The Upward Mobility Program, and
- (6) The Commission's Training Program.

The goals, objectives and achievements of the latter programs as they relate to women are briefly summarized below.

The Equal Employment Opportunity Program

The Commission's EEO Program is structured to encompass all of the Programs cited supra. The Commission's commitment to a strong and continuing EEO Program with adequate reviews and due concern for the rights and advancement of women is reflected in the latest policy statement of the Chairperson, to wit:

"It is the policy of the Federal Communications Commission to insure equal employment opportunity for all persons regardless of race, creed, color, sex, national origin, age, or handicap. In order to achieve this policy of equal employment opportunity and to overcome the effects of past discrimination, special affirmative action is required throughout the agency. Affirmative action will effect all personnel practices, including, but not limited to recruitment, hiring, merit promotions, and terminations.

To be effective, equal employment opportunity cannot be a neutral policy. It requires goal setting programs, as detailed in the Affirmative Action Plan. It is not enough, however, to set goals; a system of evaluation, as used with other major agency programs, is necessary and will be used to insure accountability for goal achievement.

Managers at all levels, share with the Directors of the Equal Employment Office and the Personnel Management Division responsibility for equal employment opportunity. As such, managers will be held accountable for achievement of agency affirmative action goals and will have their performance evaluated in terms of these as well as other major agency goals." 7/

Although, the total number of Commission employees decreased during the period May 31, 1981, to November 28, 1982, due to hiring freezes to comport with budget restraints imposed for FY 1981 and FY 1982, the number of female supervisors in the Commission actually increased. The latter increase can be attributed to the policy stated supra and goals set as a result of said policy.

Appendix F provides a summary of female supervisors as a percentage of FCC female workforce vs. male supervisors as a percentage of FCC male workforce for 1981 & 1982. The representation of male supervisors to male employees remains

7/ See Appendix E: Affirmative Action Program Plan Fiscal Year 1981, November 16, 1981.

consistently above 21% for 1981-1982 while the percentage of female supervisors to female workforce increased slightly from 5.5% in 1981 to 6.5% in 1982. Appendix F also provides a summary of the number of female employees by Bureau and Office and the percent of females by GS-Grade. 8/

Female Employment Statistics within the Commission

The statistical analyses provided in Appendix E, figures 8, 9 & 10 reveal that the Commission is close to parity or beyond in most professional job categories for female employees, with some exceptions. Whether women are represented at parity, underrepresented or over represented in each of the Commission's job categories is outlined in Figure 9 of Appendix E. Ultimate and Annual goals for the employment of women to alleviate any serious under-representations by job category are outlined in Figure 10 of Appendix E. Additionally, Figure 10 provides a summary of job categories wherein no under-representation for female employees currently exists. Finally, Figure 13 of Appendix E summarizes affirmative action goals for women and minority group members by job category.

Female Employment Statistics within the Broadcast Industry

It is noted that employment statistics maintained for the Commission by the EEO Branch "for the broadcast industry reveal an increase during 1981 of 9,176 full-time and part-time positions, a gain of 5.2 percent over 1980. Of these 4,729 (51.5%) were women and 2,324 (25.3%) were minority (i.e., Blacks, Asians, and Pacific Islanders, American Indians and Alaskan Natives and Hispanics.) The remaining 2,123 (23.2%) of the increase employment can be attributed to white males. Additionally, of the more than 127,000 full-time employees in upper-level broadcasting jobs in 1981, almost 32,000 were women and increase of 4,000 positions over 1980. 9/

Based on the foregoing summaries, women gained positions in the broadcast industry in 1981 and their respective numbers increased in the upper-level job categories during the same period.

Women's Participation In The Commission's Training Programs

The participation of females in the Commission's training programs has resulted in an increase in the number of females in upper-level job categories. Appendix H provides the categories of training by job speciality area for 1981 and 1982. In both years, the participation of females in the training programs is near parity with that of males.

Publicatons Promoting Equality of Opportunity for Women

During the previous review of the Commission's rules for gender distinct language, Chapter 713 of the FCC Personnel Manual was found to contain such language. The majority of the gender distinct language derived from the use of the title Chairman and the masculine pronouns he, him, his, and himself that substitute for such titles. The gender distinct language in Chapter 713 has now been eliminated. The updated Chapter 713 will be published in the near future.

8/ See Appendix F:

Commission Employment Statistics for 1981-1982.

9/ See Appendix G:

Equal Employment Opportunity Statistics - 48th Annual Report/Fiscal Year 1982 Federal Communications Commission.

Women's Participation In The Commission's Procurement/Contract Programs

The Commission's regulations do not impose or erect any barriers to the participation of women in procurement and other contract actions. Moreover, it is the policy and practice of the Commission to identify, inform and encourage female and minority contractors to submit bids whenever the Commission takes a significant procurement action.

III. Review of the Commission's Rules, Regulations and Policies

The review of the Commission's Regulations for gender distinct language revealed that the great majority of the Commission's Regulations do not contain gender distinctions as outlined in Section I(a). Moreover, where gender distinct language was found in the Commission's regulations, such regulations are worded so as to permit a sex-neutral interpretation e.g., "Chairman" or "Chairperson." The title "Chairman" and the masculine pronouns associated with the use of such title account for the majority of occurrences wherein gender distinct language has been found in the Commission's Regulations.

The absence of gender distinct language in the majority of the Commission's regulations can be attributed to two factors: (1) internal review within the Office of General Counsel (OGC) and within Bureaus and Offices would result in the identification of the inappropriate use of gender distinct language in rulemakings; and (2) many of the Commission's regulations are technical in content and therefore provide few instances wherein gender distinct language would be even remotely appropriate. Conversely, the presence of gender distinct language in some of the Commission's Regulations, e.g., Parts 0, 1, 2, 5, 19 can be attributed to the long-standing practice of using the masculine form for titles and the general use of masculine pronouns. In addition to the rules listed at Appendix B, certain Commission forms (e.g. Form 395 and others) and Instructions for the use of such forms employ gender distinct language.

IV. Conclusions

The Commission has completed a thorough review of its laws, regulations, policies and practices for the purpose of identifying gender distinct terminology. (Refer to Section I) We have determined that the majority of the Commission's substantive regulations i.e., those regulations that govern licensing, operational and technical procedures do not contain gender distinct terminology. Conversely, we have also determined that some of the regulations governing internal Commission Practices and Procedures contain gender distinct terminology. The majority of such terminology is due to using the gender distinct title "chairman" and masculine pronouns. We regard such gender distinct terminology to be non-substantive in that the term "chairman" can legally and reasonably be interpreted to be sex-neutral, i.e., chairperson. 10/

10/ 1 U.S.C. §1 provides: "[I]n determining the meaning of any Act of Congress, unless the context indicates otherwise --- words importing the masculine gender include the feminine as well."

Appendix B: */
{All 47 CFR}

A List of the Commission's Regulations Lacking Gender
Distinct Language.

<u>Part</u>	<u>Subject</u>
1. Part 73	- Radio Broadcast Services.
2. Part 74	- Experimental, Auxiliary, and Special Broadcast and Other Program Distributional Services.
3. Part 76	- Cable Television Service.
4. Part 78	- Cable Television Relay Service.
5. Part 23	- International fixed public radio- communications services.
6. Part 25	- Satellite Communications.
7. Part 31	- Uniform system of accounts for Class A and Class B telephone companies.
8. Part 33	- Uniform system of accounts for Class C telephone companies.
9. Part 34	- Uniform system of accounts for radiotelegraph carriers.
10. Part 35	- Uniform system of accounts for wire-telegraph and ocean- cable carriers.
11. Part 41	- Telegraph and telephone franks.
12. Part 42	- Preservation of records of communications common carriers.
13. Part 43	- Reports of communication common carriers and certain affiliates.
14. Part 51	- Occupational classification and compensation of employees telephone companies.
15. Part 52	- Classification of wire-telegraph employees.
16. Part 61	- Tariffs.
17. Part 62	- Applications to hold interlocking directorates.
18. Part 63	- Extension of lines and discontinuance of service by carriers.
19. Part 64	- Miscellaneous rules pertaining to common carriers.
20. Part 66	- Applications relating to consolidation, acquisition, or control of telephone companies.

*/ The listed ruleparts comprise the majority of the Commission's technical, operational, licensing and procedural rules; such rules, in general, have been found not to contain gender distinct language.

None of these regulations substantively discriminate.

{All 47 CFR}

- 21. Part 67 - Jurisdictional separations.
- 22. Part 81 - Stations on land in the maritime services and Alaska-public fixed stations.
- 23. Part 83 - Stations on shipboard in the maritime services.
- 24. Part 87 - Aviation services.
- 25. Part 90 - Private land mobile radio services.
- 26. Part 94 - Private operational-fixed microwave service.
- 27. Part 95 - Personal radio services.
- 28. Part 97 - Amateur radio service.
- 29. Part 99 - Disaster communications service.
- 30. Part 18 - Industrial, Scientific and medical equipment.
- 31. Part 15 - Radio Frequency Devices.

Appendix C:

A List of the Commission's Rules Employing Gender Distinct Terminology *

{All 47 CFR}

Part 1 -- Practice and Procedure

Part 1 §§1.5(b)

Part 1 §§1.360

1.6(b)
1.10
1.21(c)
1.22
1.23(a), (b)
1.24(a)(2), (b)
1.25(a), (c), (d), (e)
1.27(a), (b), (c)
1.47(b), (d), (e)
1.52
1.65
1.80(f)(1)(i), (2)
1.85
1.87(a), (b), (c)
1.89(a)
1.91(c)
1.92(a)(1), (2), (3)
1.94(d); 1.104(d)
1.106(a)(2), (b)(1)
1.115(a), (g)(2)
1.209
1.221(c), (e)
1.223(b), (c)
1.224(a)(1), (b), (c)(1), (d)
1.225(b)
1.243(g)
1.245(a), (b)(2)
1.246(b)(1)
1.248(b)(1), (d)(2)
1.249
1.251(a)(2), (b), (d), (f)(1), (2), (3)
1.261
1.267(c)
1.277(e)
1.291(a)(5)
1.298(b)
1.301(a)(5), (b), (c)(1), (7)
1.315(a)(1), (c), (d)(1)
1.316(a)(1), (b), (e), (f)(1), (2)
1.318(c)(e), (f)
1.319(c)(3)
1.321(c), (d)(4)
1.323(d)
1.325(a)(1), (2)
1.331(b)
1.336(a), (b)
1.337(a)
1.338(c)
1.359

1.362
1.429(b)(2)
1.703(a), (b)
1.721(a)
1.731(a)
1.743(b)
1.744(c)
1.747; 1.748(b)(2)
1.911(e)
1.913(b); 1.918(d)
1.924(a)(1), (b)(2)(i), (ii)
1.925(d), (e), (f)
1.961(a)
1.962(h)
1.1101; 1.1117(e)
1.1205(b), (e), (f), (g)
1.1209(b), (d), note, (e), (f), (g), (h)
1.1225(a)
1.1227(c)
1.1241(d)(1), (e)
1.1243(b)(2), (d), (e)
1.1245; 1.1251(a)(2)
1.1313(b)(2)
1.1414(d)
1.1415 Appendix A
 Procedure Governing Joint
 Hearing (b), (c), (d), (e)

 Appointment of Cooperating
 Commissioners by the President

 Tenure of Cooperators (a), (b), (c), (d)

* NOTE: Each reference refers to an instance of masculine pronoun or use of Chairman or both only. No instance of substantive discrimination remains.

Part 5 -- Experimental Radio Services
(other than Broadcast)

Part 5 §§5.54(b); 5.69
5.106(e)(2), (3)
5.151(a)(1); 5.163(b)(1), (2), (3)

Part 2 -- Frequency allocations and Radio Treaty

Part 2 §§2.815(d), (e)
2.909(c), (d)
2.917(b)
2.925(a)(1), (c); 2.926(c); 2.938(c)
2.955(b)
2.963(c)
2.1001(f)(5); 2.1043(b)(2)
2.1213
2.1219(b), (c)

Part 15 -- Radio Frequency Devices

Part 15 §§15.4(q), (s)
15.133
15.135(a)
15.311(b)
15.423(b)
15.803
15.805(a)(2)
15.818(a)

Part 0 §§0.3(a)(2), (b)
0.5(b)(1), (3), (c), (d)
0.6

0.11(a), (c)
0.152(e), (f)
0.181(g); 0.185
0.201 note
0.204(a), (b) (c)(4)
0.211(a), (b), (c)
0.212(a), (c)
0.231(a), (b), (c), (d), (f), (h)
0.282(b), (c)
0.288(d)
0.290
0.302
0.337
0.341(a), (b), (c)
0.371(f)
0.442(c)(4)
0.457(d)(2)(i)
0.461(c), (d)(1), (g)(3), (h)(2), (3), (4), (k)(3)
0.463(a); 0.465(c)(2); 0.483(c)(2)
0.502(d); 0.503
0.551(a), (b)(2)
0.552(g)

0.554(a), (b)(1), note (2)
0.555(a)(1), (2), (3)(e)
0.556(a), (c)(1), (e)(1), (2)(i), (ii)
0.557(a), (d)(2), (4)

Part 13 §§13.5(c)(1), (3), (4)

13.27
13.63; 13.68
13.70
13.73
13.75(a), (b), (c)

Part 13 - Commercial Radio Operator

Part 19 §§19.735-101

Part 19 - Employee Responsibilities and Conduct

19.735-104(b)(3), (4)
19.735-105(c), (e)
19.735-106(a), (b), (c)
19.735-107(b), (c)(2), (3)(i), (ii), (iii), (iv), (v)
19.735-201
19.735-202(a)(3), (d), (f)
19.735-203(a)(2), (b)(c)
19.735-204(a), (b), (c)(2), (d), (e)(1)(ii), (2)(i), (ii), (e)(3), (4)
19.735-205
19.735-206
19.735-207
19.735-210(n)
19.735-302
19.735-303(a)
19.735-304
19.735-305(a)
19.735-306(b)(1), (2), (3)(iii), (c)(1), (2), (d), (e)
19.735-403a
19.735-405(a)(2), (b)(2), (c)
19.735-408
19.735-411
19.735-412(a), (b)(2), (e)
19.735-413(c), (d)

Part 21

21.21

Part 21 - Domestic Public
Fixed Radio Services

21.22(a)
21.22(b)
21.30(c)(2)
21.35(b)(1)(iii)
21.35(b)(2)
21.203(a)
21.203(b)
21.207(e)
21.208(e)(2)
21.405(a)
21.706(c)
21.706(d)

Part 22

22.22(a)

Part 22 - Public Mobile Radio Services

22.22(b)
22.28(a)
22.35(b)(1)(i)
22.35(b)(2)
22.103(b)
22.203(a)
22.203(b)
22.207(e)
22.501(f)(2)(i)

Appendix D: A List of the Commissions Forms Employing Gender Distinct Terminology *

FCC Form	Title	Remarks
*310	Application For an International Experimental Television, Experimental Facsimile, Or a Developmental Broadcast	(Page 1 of Form)
*311	Application for Renewal of An International Experimental Television, Experimental Facsimile, Or a Developmental Broadcast Station License	(Page 1 of Form)
*325	Annual Report of Cable Television (Page 1) Systems (and Instructions)	(Schedule 1 and 2)
*327	Application for Cable Television Instructions) Relay Service Station Authorization	(Page 2 of
*330-L	Application for Instructional Television Fixed Station License	(Page 1 of Form)
*330-P	Application for Authority to Construct or Make Changes in an Instructional Television Fixed and/or Response Station(s) and Low Power Relay Station(s)	(Page 1 of Form)
*330-R	Application for Renewal of an ITFS and/or Response Station(s) and Low Power Relay Station(s) License	(Page 1 of Form)
*340	Application for Authority to Construct which removes or Make Change in a Noncommercial Educational Broadcast Station	Revision pending sex biased language.
*341	Application for a New Noncommercial Educational Broadcast Station License	(Page 1 of Form)
*395	Annual Employment Report (and Instr.) Instructions)	(Page 2 and 3 of Revision will be made on 1983 ed.
*395-A	Annual Employment Report - Cable Television	(Page 1 of Form and 2 pgs. of attachment - Job Category)

**NOTE: All include references to masculine pronouns and/or Chairman only. No instances of substantive discrimination included.

FEDERAL EMERGENCY MANAGEMENT AGENCY

Status Summary

The Federal Emergency Management Agency (FEMA) was created to provide a single point of accountability for all Federal emergency preparedness. The agency is chartered to enhance the multiple use of emergency preparedness and response resources at the Federal, State, and local levels of government in preparing for and responding to emergencies and to integrate into a comprehensive framework, activities concerned with hazard mitigation, preparedness planning relief operations, and recovery assistance.

FEMA has reviewed the USC and the CFR and found no instances of substantive sex discrimination.

FEDERAL EMERGENCY MANAGEMENT AGENCY

Report on Review of Laws and Regulations for Sex Discriminatory Provisions

The Federal Emergency Management Agency has examined the basic laws which it administers and its regulations. It has no significant substantial sex discriminatory provisions in these statutes and regulations.

The statutes reviewed include The Disaster Relief Act of 1974, as amended (42 U.S.C. 5121 et seq.), The Federal Civil Defense Act of 1950, as amended (50 U.S.C. App. 2251 et seq.), The National Flood Insurance Act, as amended, and The Flood Disaster Protection Act of 1973, as amended (42 U.S.C. 4001 et seq.), The Urban Property Protection and Reinsurance Act of 1968, as amended (12 U.S.C. 1749 666-1), The Defense Production Act of 1950, as amended (50 U.S.C. 3061 et seq.), The Federal Fire Prevention and Control Act of 1974, as amended (15 U.S.C. 2201 et seq.) and the Earthquake Hazards Reduction Act of 1977, as amended (42 U.S.C. 7701 et seq.).

The regulations are those set out in Chapter 1 of Title 44, Code of Federal Regulations, "Emergency Management and Assistance."

There is some terminology and language in the regulations which needs to be and is being corrected, as regulations are revised. This assures that this will be done as expeditiously as feasible.

As to positive guidance on nondiscrimination because of sex, Section 311 of The Disaster Relief Act specifically requires that disaster relief be administered in an equitable and impartial fashion and without discrimination on several grounds, including sex.

There is a specific requirement in the regulation governing the sale of flood insurance that no person be excluded from participation in that program because of sex (44 C.F.R. 624(b)). Additional information will be submitted on this in the report due May 1, 1983.

GENERAL SERVICES ADMINISTRATION

Status Summary

The General Services Administration (GSA) establishes policy and provides for the Federal government an economical and efficient system for the management of its property and records, including construction and operation of buildings; procurement and distribution of supplies; utilization and disposal of property, transportation, traffic, and communication management; stockpiling of strategic materials; and the management of the government-wide automatic data processing resources program.

GSA has issued nation-wide guidance, authorized by the Office of the General Counsel, requesting a review of all GSA regulations, policies, guidelines, and procedures for sex discrimination.



General
Services
Administration

Washington, DC 20405

17 JAN 1983

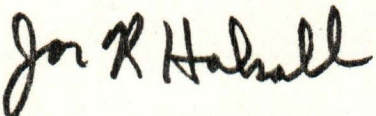
Ms. Stewart B. Oneglia, Chief
Coordination and Review Section
Civil Rights Division
U.S. Department of Justice
Washington, DC 20530

Dear Ms. Oneglia:

As required by Executive Order 12336 of December 21, 1981, the General Services Administration (GSA) has issued guidance on a nationwide basis requesting review of all GSA regulations, guidelines, policies, and procedures for the purpose of identifying discrimination based on sex and the unnecessary reference to gender in these documents and recommending corrective action if necessary. Internal clearance has been obtained from our Office of General Counsel.

The first quarterly report due April 15, 1983, will provide detailed information regarding the results of the review. GSA conducted a comprehensive review in 1978 of laws, regulations, policies, and procedures, and it was determined at that time that a significant number of revisions were not required.

Sincerely,

for 
BOND R. FAULWELL
Director of Organization
and Personnel

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Status Summary

The Department of Health and Human Services (HHS) is the cabinet-level department that is most concerned with the basic needs of the American people and most involved with the Nation's human concerns. The Department of Health, Education, and Welfare was created on April 11, 1953. The Department was redesignated as the Department of Health and Human Services by the Department of Education Organization Act (20 U.S.C. §3508), approved October 17, 1979.

The HHS submission states that it has been implementing many of the Federal statutes that contain substantive sex bias identified in Appendix B of the First Quarterly Report, in a gender-neutral manner, as a result of court decisions. HHS has been asked to specify by citation those statutes that it is so implementing.

HHS also notes that it is considering legislative proposals to correct the remaining substantive statutory problems identified in Appendix B in the First Quarterly Report. A detailed report on these proposals has been requested.

Status Report of the Department of Health
and Human Services on Legal Equity for Women
February, 1983

On December 21, 1981 the President signed Executive Order 12336 establishing an inter-agency Task Force on Legal Equity for Women. The Executive Order also directs the Attorney General to "complete the review of Federal law, regulations, policies, and practices which contain language that unjustifiably differentiates, or which effectively discriminates on the basis of sex," and to report his findings on a quarterly basis to the President through the Cabinet Council on Legal Policy. Federal agencies have been asked to participate directly in this review process, and to submit progress reports to the Task Force on Legal Equity for Women, for inclusion in the Attorney General's quarterly reports.

The Department of Health and Human Services (HHS) has had a long-standing commitment to achieve the goal, articulated in Executive Order 12336, of establishing legal equity for women in Department programs and activities. This initial status report summarizes some of the Department's efforts and accomplishments in this area. It also sets forth a plan for updating and finalizing work done earlier, and for identifying and addressing remaining problems of sex discrimination in HHS programs and activities.

Accomplishments and Ongoing Efforts

1. The First Quarterly Report of the Attorney General included an appendix (Appendix B) listing "sex-biased statutes requiring corrective action by Congress." Among those statutes listed were a number of provisions of the Social Security Act, pertaining to the social security and welfare programs administered by this Department. HHS has already been implementing many of these provisions in a gender-neutral fashion, broadly effectuating court orders which the Department, in conjunction with the Department of Justice, decided not to appeal. In order to remedy fully the gender-bias remaining in the statutory text, HHS is considering legislative proposals designed to eliminate from the Social Security Act all the remaining explicit gender-based distinctions in the social security (old age, survivor and disability insurance) program identified in the Attorney General's First Quarterly Report. This includes several such distinctions which have not been addressed by the courts and, accordingly, for which proposed legislation would effectuate a change beyond simply conforming the statute to existing practice.

Additionally, we note that section 2313(a)(2) and (b) of Pub. L. 97-35, the Omnibus Budget Reconciliation Act of 1981, eliminated the gender-bias which existed in 42 USC §§607 and 602(a)(19)(A)(v) and (vi) respectively, two of the four welfare provisions described as in need of correction in the Attorney General's First Quarterly Report.

2. The Department's fiscal year 1984 legislative proposals also include the addition of a provision to Title XX of the Social Security Act (Block Grants to States for Social Services) to prohibit explicitly discrimination on the basis of sex. All of the other block grant statutes administered by HHS already contain provisions explicitly prohibiting sex discrimination. On February 3, 1983, the Secretary of Health and Human Services signed a Notice of Proposed Rulemaking to implement the prohibitions on sex discrimination contained in existing block grant legislation. This proposed rule has been forwarded for review to the Department of Justice, the Equal Employment Opportunity Commission, and the Office of Management and Budget.

3. The Department centralizes final review of all legislative and regulatory proposals in the Office of the Secretary. All such proposals are given in-depth scrutiny by staffs offices, including the Offices of the General Counsel, the Assistant Secretary for Planning and Evaluation, and the Assistant Secretary for Management and Budget, as well as by components of the Department affected by or expert in the particular subject. These reviews routinely address a broad range of concerns, one element of which is the elimination of sex discrimination. This

process is not merely reactive, but may involve consideration of affirmative policy changes. For example, in developing legislative specifications for block grant proposals in 1981, Office of the Secretary staff raised the possibility of including protection against sex discrimination not available under prior law. Subsequently, the Administration proposed and Congress enacted block grant laws containing explicit sex discrimination prohibitions. In this manner, the Department has institutionalized the consideration of gender-bias issues in the development and revision of its statutes and regulations. This process should contribute significantly to the establishment of full legal equity for women in Department programs since, over time, it will lead to the complete elimination of any remaining vestiges of unjustifiable gender-bias in HHS statutes and regulations.

4. The Department's Public Affairs Management Manual, which governs the approval of publications prepared by or for HHS, requires review of these publications for discriminatory portrayals and distinctions based on sex. HHS has also developed and released a variety of publications and other public service materials concerning issues and problems of particular interest to women which previously had not been addressed. For example,

in February 1982, the Department released, and followed up with public service announcements, The Health Consequences of Smoking, a report of a study devoted to the issue of women and smoking.

Plan for Future Action

The Department of Health and Human Services has responsibility for administering a vast number of programs, which by their nature frequently include gender-related terms or concepts in the governing statutes, regulations, and policy guidelines. While some of these gender-based distinctions may be found to have an unjustifiable program impact, many either have little or no meaningful program effect or clearly reflect legitimate legislative policy decisions. HHS has structured its plan for assisting the Attorney General's review based on the direction provided in Executive Order 12336. We will complete the review of HHS laws, regulations, policies and practices which contain language that unjustifiably differentiates or which effectively discriminates on the basis of sex.

We plan to use staff of the Office of the Assistant Secretary for Planning and Evaluation and then a Department-wide committee to complete the identification of gender discrimination arising from law, policy, or practice, and having an unjustifiable program impact. Following this review process, a smaller committee will develop recommendations to the Secretary for resolving remaining gender discrimination issues.

More specifically, a summary of the Department's workplan is as follows:

<u>TASK</u>	<u>Initiation Date</u>	<u>Completion Date</u>
° Staff members in Office of Assistant Secretary for Planning and Evaluation will compile, review, and update work already done	3/1/83	5/1/83
° Department-wide committee consisting of representatives from program and staff offices will review compilation of prior work and identify any new or unresolved issues	5/1/83	7/15/83
° Recommendations committee will develop recommendations for the Secretary	7/15/83	10/15/83
° Secretarial decisions will be implemented		

DEPARTMENT OF LABOR

Status Summary

The Department of Labor (DOL) was created to promote the welfare of the American worker. Its mission includes guaranteeing safety on the job, assuring just payment and benefits to workers, protecting against employment discrimination, and keeping track of national economic measurements.

Due to a change in the DOL person coordinating the review, DOL was unable to begin its review until after the submission date for this report.

However, a number of DOL statutes containing sex bias have already been identified as substantively discriminatory. Several provisions of title 30 provide for benefits to widows but not also to widowers of coal miners. Although DOL has voluntarily "corrected" these statutes by regulation (20 C.F.R. §715.101(d)), the statutes remain uncorrected. DOL agrees that the statutes should be amended.

There are also several provisions in title 33 that discriminate in the provision of benefits to surviving spouses of maritime workers referring to "dependent widowerhood," "widow or dependent husband," and "surviving wife."

41 U.S.C. §35(d) establishes different minimum ages for males (16) and females (18) to contract with executive departments, independent establishments, or other

instrumentalities. DOL regulations establish a minimum age of 16 for both sexes.

DOL also has been asked to assess sex bias in the Employment Retirement Income Security Act of 1974.

THE DEPARTMENT OF LABOR'S ACTIVITIES
UNDER EXECUTIVE ORDER 12336

Under Executive Order 12336, the Attorney General has been directed to complete a review of all federal laws, regulations, policies and practices which make unnecessary gender distinctions, use unnecessary gender-specific terminology or have a disproportionate impact on one gender. The Attorney General has delegated this responsibility to the Coordination and Review Staff of the Civil Rights Division. The Department of Labor's co-liaisons to the Coordination and Review Staff are Ruth Shinn of the Women's Bureau and Judith Kramer of the Office of the Solicitor (Ms. Kramer recently replaced Karen Ward as a co-liaison).

One attorney from each of the eleven divisions of the Solicitor's Office has been designated to identify the particular laws and regulations enforced or administered by that division which fall within the purview of the Executive Order. When this task has been completed, Ms. Shinn and Ms. Kramer will compile the Department of Labor's report to the Coordination and Review Staff.

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

Status Summary

The National Aeronautics and Space Administration (NASA) was established by the National Aeronautics and Space Act of 1958, as amended (42 U.S.C. §§2451 et seq.). NASA conducts research to solve problems of flight within and outside the earth's atmosphere and to develop, construct, test, and operate aeronautical and space vehicles; conducts activities required for the exploration of space; arranges for the most effective utilization of scientific and engineering resources of the United States with other nations engaged in aeronautical and space activities for peaceful purposes; and provides for the widest practicable and appropriate dissemination of information concerning NASA's activities and their results.

NASA has conducted a thorough review of the USC and the CFR. No substantive sex discrimination was uncovered.

According to NASA's report, gender-based terminology in the CFR and NASA documents will be corrected.

QUARTERLY REPORT TO THE ATTORNEY GENERAL

ON GENDER DISCRIMINATION

UNDER EXECUTIVE ORDER 12336

JANUARY 1983

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

I. Agency Mandates

The National Aeronautics and Space Administration was established by the National Aeronautics and Space Act of 1958 (72 Stat. 426; 42 U.S.C. §§ 2451 et seq.), as amended. The principal statutory functions of NASA are to conduct research for solutions to problems of flight within and outside the earth's atmosphere and to develop, construct, test and operate aeronautical and space vehicles; to conduct activities required in the exploration of space; to arrange for the most effective utilization of the scientific and engineering resources of the United States with other nations engaged in aeronautical and space activities for peaceful purposes; and to provide for the widest practicable and appropriate dissemination of information concerning NASA's activities and their results.

II. Review of NASA's Efforts Which Meet the Objectives of the Executive Order

NASA established a Task Force on Sex Discrimination in 1978 to review the agency's regulations, issuances and directives for gender-specific language. The major outcome was the development of a NASA policy that requires the use of gender-neutral language in the formulation of NASA regulations, policies, programs, publications, and all other aspects of the agency's public information program. The policy is spelled out in NASA's Management Directives Handbook, NHB 1410.12 dated November 7, 1979, and is still in effect. NHB 1410.12 establishes responsibility at the program/functional office level for assuring that all directives, policies, regulations, and publications are produced with gender-neutral language. New and updated agency documents are subjected to reviews by appropriate program and functional office officials who review for substance as well as adherence to NASA's gender-neutral language policy.

During Fiscal Year 1982, approximately 200 NASA directives and issuances were changed or updated and reviewed for gender-specific language. In addition, twenty NASA publications were reviewed for gender-specific language and for indications of how women were portrayed. The majority of these documents portrayed women in many positive and diverse roles. Only two documents had questionable language, and one of those featuring activities with boy scouts is no longer used. The remaining document will be revised when it is updated or changed.

The NASA Directives Officer is Ms. Margaret M. Herring who is located in the Office of the Associate Administrator for Management, Logistics and Information Programs Division. Additionally, each NASA Installation has a counterpart Directives Officer to assure uniformity in the issuance system. Ms. Herring's address and phone number are as follows:

Ms. Margaret Herring
NASA Directives Officer
NASA (Code NIM-12)
600 Independence Avenue, SW
Washington, DC 20546
755-3142

In addition to NHB 1410.12, NASA has directives, letters and policies which prohibit discrimination based on gender-neutral effect. Management Instruction 3713.2D, "Federal Equal Employment Opportunity Programs of NASA," prohibits discrimination, including any based on sex, and outlines specific responsibilities of agency officials to assure that this mandate is followed. NASA continues to recognize the need for achieving its technical missions and goals with a fully integrated work force. It maintains an Affirmative Action Program for all employees and applicants for employment. Despite the problems of a constantly declining work force and other

factors that contribute to limited placement opportunities, NASA is still accomplishing its affirmative action objectives through innovative and high visibility internal and external activities.

For example, the agency now employs eight female astronauts including Dr. Sally Ride, who is scheduled as a Mission Specialist on STS-7 approximately in April of 1983. Dr. Ride will be the first woman to fly in space for the United States. Fourteen women are now in positions at the GS-16/EXC/SES level and 315 in the GS/GM 13/15 grade range. Women now make up 21.8% of the total work force including 32.2% of the administrative professional jobs and 5.8% of the Scientist and Engineering jobs. Women were hired at a rate of 40 percent or better in the past five years, and NASA is continuing its multi-year trend toward increasing the number of women in professional occupations.

NASA's Upward Mobility Programs are designed to provide lower-graded employees with opportunities to make career changes into job categories with higher-graded career ladder positions. In Fiscal Year 1982, 70.5 % of the participants were women.

The Office of Small and Disadvantaged Business Utilization sets goals for both women-owned businesses and minority firms. For Fiscal Year 1982, contracts were awarded to women-owned

firms in the amount of 11.9 million dollars. NASA's goal was 7.6 million and we actually achieved 155.9% of our goal. For minority firms, NASA's goal was 84.4 million dollars and we actually achieved 108.3 million dollars or 128.3% of our goal.

The goals for women-owned businesses and minority firms are based on what is available in the market place and on our past experiences. There are very few women-owned firms which specialize in research and development or other aspects of technology and the related support activity that is required by most NASA contracts. Because of the small number of available women-owned firms, the dollar amount awarded is concomitantly smaller for women than for minority firms.

III. Status of Current Documents

NASA has no laws, regulations nor policies which restrict the participation of women in the agency's programs. Listed below are some NASA documents which need minor revisions to assure that both genders are reflected. These changes and corrections are primarily word changes, such as: he vs. he/she; manpower vs. human resources; chairman vs. chair and man-years vs. staff-years. For cost effectiveness, these changes will be made through the normal review cycle as documents are revised or updated. Most revisions will be accomplished during the next two years.

In the near future the Federal Acquisition Regulation will be issued which will require NASA to revise and update all NASA Procurement Regulations. When this new regulation is published, NASA Procurement Regulations will be revised and gender-specific terminology will be removed at that time.

The following NASA documents have been identified as needing minor revisions and will be corrected as they are revised and updated.

A. Code of Federal Regulations

1. The NASA Seal and Other Devices and the Congressional Space Medal of Honor

14 CFR 1221.201

(Revision required: change "his" to "his/her," and himself to "himself/herself.")

14 CFR 1221. Appendix A

(Revision required: change "men" to "men/women," and "man's" to "mankind's.")

2. Space Transportation System

14 CFR 1214. Appendix A

(Revision required: change "manpower" to "human resources.")

14 CFR 1214. Appendix B (Revision required: change
"three-man" to "three-person.")

3. Standards of Conduct

14 CFR 1207.735-309 (Revision required: change
14 CFR 1207.735-605 all sections from "his," and
14 CFR 1207.735-201 "himself" to "his/her," and
14 CFR 1207.735-603 "himself/herself.")
14 CFR 1207.735-402
14 CFR 1207. Appendix A
14 CFR 1207. Appendix B

4. Inventions and Contributions

14 CFR 1240.104 (Revision required: change
14 CFR 1240.206 "chairman," to "chairperson.")

5. Contract Appeals

14 CFR 1241.12 (Revision required: change
"chairman," to "chairperson.")

6. Patents and Other Intellectual Property Rights

14 CFR 1245.102

14 CFR 1245.109

14 CFR 1245.115

14 CFR 1245.212

14 CFR 1245.214

(Revision required: change
all sections from "chairman"
to "chairperson.")

7. Grants

14 CFR 1260.510

(Revision required: change
"chairman" to "chairperson.")

B. NASA Procurement Regulations (Revision required: change
"his" to "his/her.")

C. Other NASA Publications, Films and Public Documents

D. NASA Management Directives (Revision required: change
"his" to "his/her," and
"man-hours" to "staff-hours.")

IV. Future Plans

NASA plans to take the following actions:

- Within the next month a memorandum will be sent to the heads of all NASA Installations outlining President Reagan's Executive Order 12336 to ensure that our policies and mandates on gender-neutral language are reaffirmed.
- The NASA Equal Opportunity Council, as a key agency management group, will be utilized to stress the importance of gender-free terminology and gender-free effect.
- Installation Federal Women's Program Managers will again be reminded of this new emphasis at their annual meeting later this month.
- Reviews of all regulations, publications, and directives for gender-specific language will continue and the necessary changes will be made as they are updated or revised. The responsible official is Ms. Margaret Herring as outlined on page 3 of this document.
- NASA managers and supervisors are held responsible for enforcing and adhering to the NASA policy of non-discrimination, including any based on gender.

This policy is enforced through the complaint procedure for employees and applicants for employment as specified in 29 CFR 1613.201 - 1613.806, and NASA Management Instruction 3713.2D which specifies the other legal authorities and civil rights policies. These policies will continue to be enforced.