

103<sup>D</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 4673

To establish a United States Design Council as an advisory committee within the Department of Commerce to promote understanding of the importance of design in the development of products and systems, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

JUNE 29, 1994

Mr. BROWN of California (for himself, Mr. VALENTINE, Mrs. MORELLA, Mr. KLEIN, Mr. McHALE, and Mr. JOHNSON of Georgia) introduced the following bill; which was referred jointly to the Committees on Energy and Commerce and Science, Space, and Technology

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## A BILL

To establish a United States Design Council as an advisory committee within the Department of Commerce to promote understanding of the importance of design in the development of products and systems, 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. FINDINGS AND PURPOSES.**

4 (a) FINDINGS.—The Congress finds the following:

5 (1) The United States lags behind many of the  
6 other industrialized nations in understanding the re-

1 relationship of design principles to the  
2 conceptualization and development of high quality  
3 products and systems and to research and design  
4 methodologies.

5 (2) Innovative and excellent design is critical to  
6 the successful development, manufacturing, and  
7 marketing of products and systems.

8 (3) Since 70 percent or more of the costs of  
9 product, process, and system development, manufac-  
10 ture, and use is determined during the initial design  
11 stage, design must be a critical factor from the be-  
12 ginning of product development.

13 (4) A strong domestic design engineering capa-  
14 bility can reduce costs and enhance competitiveness.

15 (5) Excellence in design, including integrating  
16 environmental objectives at the beginning of the pro-  
17 duction process, improves the quality of life by creat-  
18 ing useful, safe, and attractive products and systems  
19 and by conserving nonrenewable resources through  
20 the efficient use of materials and the reduction of  
21 the generation of waste.

22 (6) Information technologies and concurrent en-  
23 gineering processes can aid the concurrent design  
24 process. Information technologies can also provide  
25 links among different industry sectors.

1           (7) Greater efforts should be made to exhibit  
2           and promote, both domestically and internationally,  
3           well-designed United States products and systems.

4           (8) The United States, unlike many of its for-  
5           eign economic competitors, lacks a national strategy  
6           to promote and recognize design excellence in its  
7           products and systems.

8           (9) Excellence in design can be enhanced  
9           through a combination of efforts of the private and  
10          public sectors.

11          (10) A national design program to promote ex-  
12          cellence in the design of United States products and  
13          systems can enhance the competitiveness of United  
14          States products and systems and expand trade and  
15          economic opportunities for the people of the United  
16          States.

17          (b) PURPOSES.—It is the purpose of this Act—

18               (1) to establish a United States Design Council  
19               as an advisory committee within the Department of  
20               Commerce;

21               (2) to educate United States businesses with re-  
22               spect to the importance of innovation and excellence  
23               in design to competitiveness;

24               (3) to promote programs of research, develop-  
25               ment, and technology transfer related to promoting

1 understanding of the principles and processes of de-  
2 sign and design engineering; and

3 (4) to assist government agencies in developing  
4 and encouraging innovation and excellence in design  
5 in their own facilities and programs and by suppliers  
6 of products and systems.

7 **SEC. 2. DESIGN COUNCIL.**

8 (a) ESTABLISHMENT.—

9 (1) IN GENERAL.—There is established a  
10 United States Design Council (hereinafter in this  
11 Act referred to as the “Council”) as an advisory  
12 committee within the Department of Commerce to  
13 advise the Secretary of Commerce on matters related  
14 to design. The Council shall be composed of 17  
15 members appointed by the Secretary of Commerce  
16 as follows:

17 (A) 2 members who are employed as busi-  
18 ness executives in the fields of product develop-  
19 ment, manufacturing, and systems development.

20 (B) 2 members who are industrial design-  
21 ers.

22 (C) 4 members who have expertise in infor-  
23 mation technologies, concurrent engineering, or  
24 environmental engineering.

25 (D) 2 members who are architects.

1 (E) 2 members who are graphic designers.

2 (F) 3 members who are employees of Fed-  
3 eral agencies which have a specialized interest  
4 in innovation and excellence in design.

5 (G) 2 members who are representatives of  
6 labor organizations.

7 (2) UNDERSTANDING OF UNITED STATES  
8 ECONOMY.—All members of the Council shall be in-  
9 dividuals who have a broad understanding of the  
10 United States economy and the international com-  
11 petitive position of the United States.

12 (3) RECOMMENDATIONS FOR APPOINTMENTS.—  
13 In making appointments under this Act, the Sec-  
14 retary of Commerce shall consider recommendations  
15 made by appropriate professional and trade associa-  
16 tions, and by any other persons concerned with the  
17 innovative and excellent design of products and  
18 systems.

19 (4) TERMS.—

20 (A) IN GENERAL.—Except as provided in  
21 subparagraphs (B) and (C), each member of  
22 the Council shall be appointed for a term of  
23 three years.

24 (B) ORIGINAL APPOINTMENTS.—Of the  
25 members originally appointed under this sub-

1 section, five members shall be appointed for a  
2 term of one year and five members shall be ap-  
3 pointed for a term of two years, as designated  
4 by the Secretary of Commerce at the time of  
5 appointment.

6 (C) OTHER TERMS.—A member appointed  
7 to fill a vacancy shall serve for the remainder  
8 of the term for which the predecessor of such  
9 member was appointed. A member may serve  
10 after the expiration of the member's term until  
11 a successor has taken office.

12 (5) VACANCIES.—A vacancy in the Council  
13 shall not affect the powers of the Council and shall  
14 be filled in the same manner in which the original  
15 appointment was made. No member shall be eligible  
16 for reappointment during the one-year period follow-  
17 ing the expiration of the member's term unless such  
18 member served on the Council for less than one  
19 year.

20 (6) CHAIRPERSON.—The Secretary of Com-  
21 merce shall designate one member of the Council as  
22 Chairperson.

23 (7) VICE CHAIRPERSON.—The Council shall  
24 elect one of its members to serve as Vice Chair-  
25 person.

1 (8) PROHIBITION ON COMPENSATION.—

2 (A) IN GENERAL.—Except as provided in  
3 subparagraph (B), members of the Council shall  
4 serve on the Council without pay.

5 (B) TRAVEL EXPENSES.—Each member of  
6 the Council shall receive travel expenses, includ-  
7 ing per diem in lieu of subsistence, in accord-  
8 ance with sections 5702 and 5703 of title 5,  
9 United States Code.

10 (9) MEETINGS.—The Council shall meet not  
11 less than twice a year. The Council shall meet at the  
12 call of the Chairperson or a majority of its members.

13 (b) ADVICE AND RECOMMENDATIONS.—The Council  
14 shall provide advice and recommendations to the Secretary  
15 of Commerce on the performance by the Secretary of the  
16 following functions:

17 (1) To support, as appropriate, private-sector  
18 efforts for the development of voluntary standards  
19 for innovation, appropriateness, and excellence in the  
20 design of products and systems.

21 (2) To provide information to United States  
22 businesses on the use of design in the strategic plan-  
23 ning process and in promoting their competitiveness.

24 (3) To plan and implement programs which will  
25 educate United States businesses and the public

1 with respect to the value of innovation and excel-  
2 lence in design and to encourage such businesses to  
3 promote such value in the design and creation of  
4 products and systems.

5 (4) To consult and, to the extent practicable,  
6 coordinate its activities with each Federal agency  
7 that is concerned with the design of products, proc-  
8 esses, and systems.

9 (5) To develop a repository of information on  
10 aspects of design in manufacturing and economic de-  
11 velopment, and to make the information available for  
12 use by the public.

13 (6) To devise and propose mechanisms by which  
14 the design activities of each Federal agency referred  
15 to in this Act is made known to, and coordinated  
16 with, the activities of each other such Federal agen-  
17 cy in a manner that will contribute to the carrying  
18 out of this Act.

19 (7) To acquaint the public with the possibility  
20 of careers in design.

21 (8) To encourage educational institutions to  
22 adopt courses in design and in research related to  
23 design, and to include materials related to the ap-  
24 preciation of design in various courses of instruction.

1           (9) To cooperate, to the extent practicable, with  
2 State and local governments, international organiza-  
3 tions, and private agencies concerned with innova-  
4 tion and excellence in the design of products and  
5 systems.

6           (c) POWERS.—

7           (1) IN GENERAL.—The Council may prescribe  
8 such rules as may be necessary to carry out its func-  
9 tions under this Act.

10           (2) INFORMATION.—The Council may secure di-  
11 rectly from a Federal agency such information as  
12 the Council may require to carry out its functions  
13 under this Act. Upon request of the Chairperson or  
14 Vice Chairperson of the Council, the head of the  
15 Federal agency shall furnish the information to the  
16 Council.

17           (3) ADVISORY COMMITTEES.—The Council may  
18 appoint advisory committees to assist the Council in  
19 carrying out its functions under this Act. A member  
20 of an advisory committee under this paragraph may  
21 not receive compensation for the member's service  
22 on the advisory committee.

23           (4) MAIL.—The Council may use the United  
24 States mails in the same manner and upon the same  
25 conditions as any other Federal agency.

1 (d) DIRECTOR; STAFF, EXPERTS AND CONSULT-  
2 ANTS.—

3 (1) DIRECTOR.—The Council shall have a Di-  
4 rector who shall be appointed by the Secretary of  
5 Commerce and who shall be paid at a rate not to ex-  
6 ceed the rate of basic pay payable for grade 15 of  
7 the General Schedule set forth in title 5, United  
8 States Code.

9 (2) STAFF.—The Council may appoint and fix  
10 the pay of any staff in addition to the Director that  
11 the Council considers necessary to carry out this  
12 Act.

13 (3) APPLICABILITY OF CIVIL SERVICE LAWS.—  
14 The staff of the Council shall be appointed subject  
15 to the provisions of title 5, United States Code, and  
16 shall be paid in accordance with the provisions of  
17 chapter 51 and subchapter III of chapter 53 of such  
18 title, relating to classification and General Schedule  
19 pay rates.

20 (4) EXPERTS AND CONSULTANTS.—With the  
21 approval of the Council, the Director may procure  
22 temporary and intermittent services to the same ex-  
23 tent as is authorized by section 3109(b) of title 5,  
24 United States Code.

1           (5) OTHER ASSISTANCE.—As permitted by law  
2           and as necessary to carry out this Act, the Depart-  
3           ment of Commerce shall provide to the Council any  
4           staff, available information, and other assistance re-  
5           quired by the Council to perform its functions under  
6           this Act.

7           (e) CONSULTATION AND COORDINATION.—In provid-  
8           ing advice and recommendations to the Secretary of Com-  
9           merce under this Act, the Council may—

10           (1) consult with, and take into account the in-  
11           terests and views of, representatives of United  
12           States commerce and industry (including small busi-  
13           nesses, science organizations, industrial design orga-  
14           nizations, engineering organizations, and labor orga-  
15           nizations), educational institutions, consumers, other  
16           Federal agencies, State and local governments, na-  
17           tionally recognized organizations that develop and  
18           coordinate standards, and any other persons the  
19           Council considers appropriate;

20           (2) take into account relevant, ongoing activi-  
21           ties in the private and public sectors to avoid the un-  
22           necessary duplication of such activities;

23           (3) provide for appropriate procedures pursuant  
24           to which persons may, under the auspices of the  
25           Council, formulate, recommend, or suggest to the

1 Council specific programs for coordinating innova-  
2 tion and excellence in design in each industry or seg-  
3 ment thereof;

4 (4) publicize in an appropriate manner pro-  
5 grams and standards proposed under this Act and  
6 provide an opportunity for interested persons to sub-  
7 mit comments on the programs and standards;

8 (5) consult and cooperate with organizations  
9 and persons in the United States who are working  
10 to gain international recognition for design as a  
11 competitive advantage; and

12 (6) make recommendations to the Congress and  
13 the Secretary of Commerce with respect to design is-  
14 sues, including—

15 (A) the impact of design on workers and  
16 on different occupations and industries;

17 (B) the value to consumers of innovation  
18 and excellence in design;

19 (C) the impact of design on society and the  
20 economy;

21 (D) the effects of design on small busi-  
22 nesses;

23 (E) the impact of design on the inter-  
24 national competitiveness of the United States;

25 and

1           (F) the appropriateness of, and methods  
2           for, using procurement by the Federal Govern-  
3           ment as a means to effect innovation and excel-  
4           lence in design.

5           (f) ANNUAL REPORT.—Each year, the Council shall  
6           submit to the Secretary of Commerce and to the Congress  
7           a report that summarizes the activities of the Council dur-  
8           ing the year preceding the year in which the report is sub-  
9           mitted. The report shall include any recommendations the  
10          Council considers appropriate.

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