

for teachers using best practices that improves the STEM content and knowledge of the teachers, including through programs linking STEM teachers with STEM educators at the higher education level.

(c) NOAA science education plan

The Administrator, appropriate National Oceanic and Atmospheric Administration programs, ocean atmospheric science and education experts, and interested members of the public shall maintain a science education plan setting forth education goals and strategies for the Administration, as well as programmatic actions to carry out such goals and priorities over the next 20 years, and evaluate and update such plan every 5 years.

(d) Metrics

In executing the National Oceanic and Atmospheric Administration science education plan under subsection (c), the Administrator shall maintain a comprehensive system for evaluating the Administration's educational programs and activities. In so doing, the Administrator shall ensure that such education programs have measurable objectives and milestones as well as clear, documented metrics for evaluating programs. For each such education program or portfolio of similar programs, the Administrator shall—

- (1) encourage the collection of evidence as relevant to the measurable objectives and milestones; and
- (2) ensure that program or portfolio evaluations focus on educational outcomes and not just inputs, activities completed, or the number of participants.

(e) Construction

Nothing in this section may be construed to affect the application of section 1232a of title 20 or sections 794 and 794d of title 29.

(f) STEM defined

In this section, the term “STEM” means the academic and professional disciplines of science, technology, engineering, and mathematics.

(Pub. L. 110-69, title IV, § 4002, Aug. 9, 2007, 121 Stat. 600; Pub. L. 111-358, title III, § 302, Jan. 4, 2011, 124 Stat. 3997; Pub. L. 114-329, title III, § 314, Jan. 6, 2017, 130 Stat. 3015.)

Editorial Notes

AMENDMENTS

2017—Subsec. (a). Pub. L. 114-329, § 314(a), substituted “the agency, with consideration given to the goal of promoting the participation of individuals identified in sections 1885a and 1885b of title 42” for “agency, with consideration given to the goal of promoting the participation of individuals from underrepresented groups”.

Subsec. (b)(4)(C) to (E). Pub. L. 114-329, § 314(b), added subpars. (C) and (E) and redesignated former subpar. (C) as (D).

Subsecs. (d) to (f). Pub. L. 114-329, § 314(c), added subsec. (d) and redesignated former subsecs. (d) and (e) as (e) and (f), respectively.

2011—Subsec. (a). Pub. L. 111-358, § 302(1), substituted “agency, with consideration given to the goal of promoting the participation of individuals from underrepresented groups in STEM fields and in promoting the acquisition and retention of highly qualified and moti-

vated young scientists to complement and supplement workforce needs.” for “the agency.”

Subsec. (b). Pub. L. 111-358, § 302(3), added subsec. (b). Former subsec. (b) redesignated (c).

Subsec. (c). Pub. L. 111-358, § 302(4), substituted “maintain” for “develop”.

Pub. L. 111-358, § 302(2), redesignated subsec. (b) as (c). Former subsec. (c) redesignated (d).

Subsec. (d). Pub. L. 111-358, § 302(2), redesignated subsec. (c) as (d).

Subsec. (e). Pub. L. 111-358, § 302(5), added subsec. (e).

§ 893b. NOAA’s contribution to innovation

(a) Participation in interagency activities

The National Oceanic and Atmospheric Administration shall be a full participant in any interagency effort to promote innovation and economic competitiveness through near-term and long-term basic scientific research and development and the promotion of science, technology, engineering, and mathematics education, consistent with the agency mission, including authorized activities.

(b) Historic foundation

In order to carry out the participation described in subsection (a), the Administrator of the National Oceanic and Atmospheric Administration shall build on the historic role of the National Oceanic and Atmospheric Administration in stimulating excellence in the advancement of ocean and atmospheric science and engineering disciplines and in providing opportunities and incentives for the pursuit of academic studies in science, technology, engineering, and mathematics.

(Pub. L. 110-69, title IV, § 4003, Aug. 9, 2007, 121 Stat. 600.)

§ 893c. Workforce study

(a) In general

The Under Secretary of Commerce for Oceans and Atmosphere, in cooperation with the Secretary of Education, shall request the National Academy of Sciences to conduct a study on the scientific workforce in the areas of oceanic and atmospheric research and development. The study shall investigate—

(1) whether there is a shortage in the number of individuals with advanced degrees in oceanic and atmospheric sciences who have the ability to conduct high quality scientific research in physical and chemical oceanography, meteorology, and atmospheric modeling, and related fields, for government, non-profit, and private sector entities;

(2) whether there is a shortage in the number of individuals with technical or trade-based degrees, skillsets, or credentials suited to a career in oceanic and atmospheric data collection, processing, satellite production, or satellite operations;

(3) what Federal programs are available to help facilitate the education of students hoping to pursue these degrees, skillsets, or credentials;

(4) barriers to transitioning highly qualified oceanic and atmospheric scientists or highly qualified technical professionals and tradespeople into Federal civil service scientist career tracks;

(5) what institutions of higher education, the private sector, and the Congress could do to increase the number of individuals with such post baccalaureate degrees, skillsets, or credentials;

(6) the impact of an aging Federal workforce on the ability of Federal agencies to conduct high quality scientific research, observations, and monitoring;

(7) what actions the Federal government can take to assist the transition of highly qualified scientists, technical professionals, and tradespeople into Federal career positions;

(8) workforce diversity and actions the Federal Government can take to increase diversity in the scientific workforce; and

(9) actions the Federal Government can take to shorten the hiring backlog for such workforce.

(b) Coordination

The Under Secretary of Commerce for Oceans and Atmosphere and the Secretary of Education shall consult with the heads of other Federal agencies and departments with oceanic and atmospheric expertise or authority in preparing the specifications for the study.

(c) Report

No later than 18 months after December 23, 2022, the Under Secretary of Commerce for Oceans and Atmosphere and the Secretary of Education shall transmit a joint report to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Natural Resources and the Committee on Science, Space, and Technology of the House of Representatives, detailing the findings and recommendations of the study and setting forth a prioritized plan to implement the recommendations.

(d) Program and plan

The Under Secretary of Commerce for Oceans and Atmosphere shall evaluate the National Academy of Sciences study and develop a workforce program and plan to institutionalize the Administration's Federal science career pathways and address aging workforce issues. The program and plan shall be developed in consultation with the Administration's cooperative institutes and other academic partners.

(Pub. L. 111-358, title III, § 303, Jan. 4, 2011, 124 Stat. 3998; Pub. L. 117-263, div. J, title CI, § 10103, Dec. 23, 2022, 136 Stat. 3957.)

Editorial Notes

AMENDMENTS

2022—Subsec. (a). Pub. L. 117-263, § 10103(a)(1), substituted “Under Secretary of Commerce for Oceans and Atmosphere” for “Secretary of Commerce” in introductory provisions.

Subsec. (a)(2). Pub. L. 117-263, § 10103(a)(8), added par. (2). Former par. (2) redesignated (3).

Pub. L. 117-263, § 10103(a)(2), inserted “, skillsets, or credentials” after “degrees”.

Subsec. (a)(3). Pub. L. 117-263, § 10103(a)(7), redesignated par. (2) as (3). Former par. (3) redesignated (4).

Pub. L. 117-263, § 10103(a)(3), inserted “or highly qualified technical professionals and tradespeople” after “atmospheric scientists”.

Subsec. (a)(4). Pub. L. 117-263, § 10103(a)(7), redesignated par. (3) as (4). Former par. (4) redesignated (5).

Pub. L. 117-263, § 10103(a)(4), inserted “, skillsets, or credentials” after “degrees”.

Subsec. (a)(5). Pub. L. 117-263, § 10103(a)(7), redesignated par. (4) as (5). Former par. (5) redesignated (6).

Pub. L. 117-263, § 10103(a)(5), struck out “scientist” after “aging Federal” and substituted “, observations, and monitoring;” for “; and”.

Subsec. (a)(6). Pub. L. 117-263, § 10103(a)(7), redesignated par. (5) as (6). Former par. (6) redesignated (7).

Pub. L. 117-263, § 10103(a)(6), substituted “, technical professionals, and tradespeople into Federal career positions;” for “into Federal career scientist positions and ensure that the experiences of retiring Federal scientists are adequately documented and transferred prior to retirement from Federal service.”

Subsec. (a)(7). Pub. L. 117-263, § 10103(a)(7), redesignated par. (6) as (7).

Subsec. (a)(8), (9). Pub. L. 117-263, § 10103(a)(9), added pars. (8) and (9).

Subsec. (b). Pub. L. 117-263, § 10103(b), substituted “Under Secretary of Commerce for Oceans and Atmosphere” for “Secretary of Commerce”.

Subsec. (c). Pub. L. 117-263, § 10103(c), substituted “December 23, 2022” for “January 4, 2011”, “Under Secretary of Commerce for Oceans and Atmosphere” for “Secretary of Commerce”, and “to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Natural Resources and the Committee on Science, Space, and Technology of the House of Representatives” for “to each committee of Congress with jurisdiction over the programs described in section 893a(b) of this title, as amended by section 302 of this Act”.

Subsec. (d). Pub. L. 117-263, § 10103(d), substituted “Under Secretary of Commerce for Oceans and Atmosphere” for “Administrator of the National Oceanic and Atmospheric Administration” and “academic partners.” for “academic partners to identify and implement programs and mechanisms to ensure that—

“(1) sufficient highly qualified scientists are able to transition into Federal career scientist positions in the Administration's laboratories and programs; and

“(2) the technical and management experiences of senior employees are documented and transferred before leaving Federal service.”

SUBCHAPTER VI—SEXUAL HARASSMENT AND ASSAULT PREVENTION

§ 894. Actions to address sexual harassment at National Oceanic and Atmospheric Administration

(a) Required policy

Not later than 1 year after December 23, 2016, the Secretary of Commerce shall, acting through the Under Secretary for Oceans and Atmosphere, develop a policy on the prevention of and response to sexual harassment involving employees of the National Oceanic and Atmospheric Administration, members of the commissioned officer corps of the Administration, and individuals who work with or conduct business on behalf of the Administration.

(b) Matters to be specified in policy

The policy developed under subsection (a) shall include—

(1) establishment of a program to promote awareness of the incidence of sexual harassment;

(2) clear procedures an individual should follow in the case of an occurrence of sexual harassment, including—

(A) a specification of the person or persons to whom an alleged occurrence of sexual harassment should be reported by an indi-