

TCUs, and MSIs in STEM education and research training of underrepresented minority students as models for other institutions, including both HBCUs, TCUs, and MSIs and institutions of higher education that are not HBCUs, TCUs, or MSIs. Such centers will be located on campuses of selected HBCUs, TCUs, or MSIs, and serve as incubators to allow institutions of higher education to experiment, pilot, evaluate, and scale up promising practices.

(g) Awards

Awards made under this subsection shall be for periods of three years and may be extended for periods of not more than five years.

(h) Authorization of appropriations

There are authorized to be appropriated to the Director \$200,000,000 for fiscal year 2023 and \$250,000,000 for each of fiscal years 2024 through 2027 to carry out the activities in this section and section 19182 of this title.

(i) Report on improving the research capacity at high research activity Historically Black Colleges and Universities

(1) In general

Not later than one year after August 9, 2022, the National Science and Technology Council shall prepare and submit a report that—

- (A) identifies challenges and barriers to Federal research and development awards for high research activity status HBCUs; and
- (B) identifies recommendations for Federal research agencies to sustainably boost the research capacity of high research activity status HBCUs through awards-making authorities.

(2) Report submission

The National Science and Technology Council shall transmit the report required under paragraph (1) to the Director, the Administrator of the National Aeronautics and Space Administration, the Secretary of Agriculture, the Secretary of Commerce, the Secretary of Defense, the Secretary of Energy, the Secretary of Health and Human Services, and the heads of other such agencies as determined relevant by the National Science and Technology Council.

(3) Information from Federal agencies

The National Science and Technology Council may secure directly from a Federal department or agency such information as the National Science and Technology Council considers necessary to prepare the report required under paragraph (1). Upon a request from the National Science and Technology Council, the head of a Federal department or agency shall furnish such information as is requested to the National Science and Technology Council.

(Pub. L. 117–167, div. B, title V, §10524, Aug. 9, 2022, 136 Stat. 1623.)

§ 19184. Definitions

In this part:

(1) Director

The term “Director” means the Director of the National Science Foundation.

(2) HBCU

The term “HBCU” has the meaning given the term “part B institution” in section 1061 of title 20.

(3) Minority serving institution

The term “minority serving institution” or “MSI” means Hispanic-Serving Institutions as defined in section 1101a) of title 20; Alaska Native Serving Institutions and Native Hawaiian-Serving Institutions as defined in section 1059d of title 20; and Predominantly Black Institutions, Asian American and Native American Pacific Islander-Serving Institutions, and Native American-Serving Nontribal Institutions as defined in section 1067q of title 20.

(4) TCU

The term “TCU” has the meaning given the term “Tribal College or University” in section 1059c of title 20.

(Pub. L. 117–167, div. B, title V, §10526, Aug. 9, 2022, 136 Stat. 1627.)

PART D—COMBATING SEXUAL HARASSMENT IN SCIENCE

§ 19191. Findings

Congress makes the following findings:

(1) According to the report issued by the National Academies of Sciences, Engineering, and Medicine in 2018 entitled “Sexual Harassment of Women: Climate, Culture, and Consequences in Academic Sciences, Engineering, and Medicine”—

(A) sexual harassment is pervasive in institutions of higher education;

(B) the most common type of sexual harassment is gender harassment;

(C) 58 percent of individuals in the academic workplace experience sexual harassment, the second highest rate when compared to the military, the private sector, and Federal, State, and local government;

(D) women who are members of racial or ethnic minority groups are more likely to experience sexual harassment and to feel unsafe at work than White women, White men, or men who are members of such groups;

(E) the training for each individual who has a Doctor of Philosophy in the science, technology, engineering, and mathematics fields is estimated to cost approximately \$500,000; and

(F) attrition of an individual so trained results in a loss of talent and money.

(2) According to a 2017 University of Illinois study, among astronomers and planetary scientists, 18 percent of women who are members of racial or ethnic minority groups and 12 percent of White women skipped professional events because they did not feel safe attending.

(3) Reporting procedures with respect to sexual harassment are inconsistent among Federal research agencies and have varying degrees of accessibility.

(4) There is not adequate communication among Federal research agencies and between such agencies and recipients regarding reports

of sexual harassment, which has resulted in harassers receiving Federal funding after moving to a different institution.

(Pub. L. 117-167, div. B, title V, §10531, Aug. 9, 2022, 136 Stat. 1627.)

§ 19192. Purpose

The purpose of this part is to increase understanding of the causes and consequences of sex-based and sexual harassment, as discussed in the report issued by the National Academies in 2018 entitled “Sexual Harassment of Women: Climate, Culture, and Consequences in Academic Sciences, Engineering, and Medicine”, and to advance evidence-based approaches to reduce the prevalence and negative impact of such harassment.

(Pub. L. 117-167, div. B, title V, §10532, Aug. 9, 2022, 136 Stat. 1628.)

§ 19193. Definition

In this part, the term “Director” means the Director of the National Science Foundation.

(Pub. L. 117-167, div. B, title V, §10533, Aug. 9, 2022, 136 Stat. 1628.)

§ 19194. Research awards

(a) In general

The Director shall make awards, on a competitive basis, to institutions of higher education or nonprofit organizations (or consortia of such institutions or organizations)—

(1) to expand research efforts to better understand the factors contributing to, and consequences of, sex-based and sexual harassment affecting individuals in the STEM workforce, including students and trainees; and

(2) to examine approaches to reduce the incidence and negative consequences of such harassment.

(b) Use of funds

Activities funded by an award under this section may include—

(1) research on the sex-based and sexual harassment experiences of individuals, including in racial and ethnic minority groups, disabled individuals, foreign nationals, sexual-minority individuals, and others;

(2) development and assessment of policies, procedures, trainings, and interventions, with respect to sex-based and sexual harassment, conflict management, and ways to foster respectful and inclusive climates;

(3) research on approaches for remediating the negative impacts and outcomes of such harassment on individuals experiencing such harassment;

(4) support for institutions of higher education or nonprofit organizations to develop, adapt, implement, and assess the impact of innovative, evidence-based strategies, policies, and approaches to policy implementation to prevent and address sex-based and sexual harassment;

(5) research on alternatives to the power dynamics, hierarchical, and dependent relationships, including but not limited to the mentor-mentee relationship, in academia that have

been shown to create higher levels of risk for and lower levels of reporting of sex-based and sexual harassment; and

(6) establishing a center for the ongoing compilation, management, and analysis of organizational climate survey data.

(Pub. L. 117-167, div. B, title V, §10534, Aug. 9, 2022, 136 Stat. 1628.)

§ 19195. Interagency working group

(a) In general

The Director of the Office of Science and Technology Policy, acting through the National Science and Technology Council, shall establish or designate an interagency working group for the purpose of coordinating Federal research agency efforts to reduce the prevalence of sex-based and sexual harassment involving award personnel. In coordination with the working group on inclusion in STEM fields established under section 6626 of this title and the Safe Inclusive Research Environments Subcommittee of the National Science and Technology Council, and in consultation with representatives from each Federal research agency, the Office for Civil Rights at the Department of Health and Human Services, the Office for Civil Rights at the Department of Education, and the Equal Employment Opportunity Commission, the working group shall—

(1) not later than 90 days after August 9, 2022, submit to the Committee on Science, Space, and Technology, the Committee on Education and Labor, and the Committee on Energy and Commerce of the House of Representatives and the Committee on Commerce, Science, and Transportation and the Committee on Health, Education, Labor, and Pensions of the Senate an inventory of Federal research agency policies, procedures, and resources dedicated to preventing and responding to reports of sex-based and sexual harassment;

(2) not later than 6 months after the date on which the inventory is submitted under paragraph (1)—

(A) in consultation with outside stakeholders, develop a consistent set of policy guidelines for Federal research agencies; and

(B) submit a report to the committees referred to in paragraph (1) containing such guidelines;

(3) encourage and monitor efforts of Federal research agencies to develop or maintain and implement policies based on the guidelines developed under paragraph (2);

(4) not later than 1 year after the date on which the inventory under paragraph (1) is submitted, and every 5 years thereafter, the Director of the Office of Science and Technology Policy shall report to Congress on the implementation by Federal research agencies of the policy guidelines developed under paragraph (2); and

(5) update such policy guidelines as needed.

(b) Requirements

In developing policy guidelines under subsection (a)(2), the Director of the Office of Science and Technology Policy shall include