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(Original Signature of Member)

115TH CONGRESS  
2D SESSION

**H. R.** \_\_\_\_\_

To provide for research to better understand the causes and consequences of sexual harassment affecting individuals in the scientific, technical, engineering, and mathematics workforce and to examine policies to reduce the prevalence and negative impact of such harassment, and for other purposes.

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IN THE HOUSE OF REPRESENTATIVES

M. \_\_\_\_\_ introduced the following bill; which was referred to the  
Committee on \_\_\_\_\_

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**A BILL**

To provide for research to better understand the causes and consequences of sexual harassment affecting individuals in the scientific, technical, engineering, and mathematics workforce and to examine policies to reduce the prevalence and negative impact of such harassment, 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,*

1 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

2 (a) **SHORT TITLE.**—This Act may be cited as the  
3 “Combating Sexual Harassment in Science Act of 2018”.

4 (b) **TABLE OF CONTENTS.**—The table of contents for  
5 this Act is as follows:

- Sec. 1. Short title; table of contents.
- Sec. 2. Findings.
- Sec. 3. Definitions.
- Sec. 4. Research grants.
- Sec. 5. Data collection.
- Sec. 6. Responsible conduct guide.
- Sec. 7. Interagency working group.
- Sec. 8. National academies assessment.
- Sec. 9. Authorization of appropriations.

6 **SEC. 2. FINDINGS.**

7 Congress makes the following findings:

8 (1) According to the report issued by the Na-  
9 tional Academies of Sciences, Engineering, and Med-  
10 icine in 2018 entitled “Sexual Harassment of  
11 Women: Climate, Culture, and Consequences in Aca-  
12 demic Sciences, Engineering, and Medicine”—

13 (A) sexual harassment is pervasive in insti-  
14 tutions of higher education;

15 (B) the most common type of sexual har-  
16 assment is gender harassment, which includes  
17 verbal and nonverbal behaviors that convey in-  
18 sulting, hostile, and degrading attitudes about  
19 members of one gender;

20 (C) 58 percent of individuals in the aca-  
21 demic workplace experience sexual harassment,

1 the second highest rate when compared to the  
2 military, the private sector, and Federal, State,  
3 and local government;

4 (D) women who are members of racial or  
5 ethnic minority groups are more likely to expe-  
6 rience sexual harassment and to feel unsafe at  
7 work than white women, white men, or men  
8 who are members of such groups;

9 (E) the training for each individual who  
10 has a doctor of philosophy in the science, tech-  
11 nology, engineering, and mathematics fields is  
12 estimated to cost approximately \$500,000; and

13 (F) attrition of an individual so trained re-  
14 sults in a loss of talent and money.

15 (2) Sexual harassment undermines career ad-  
16 vancement for women.

17 (3) According to a 2017 study led by Dr. Kath-  
18 ryn Clancy at the University of Illinois, among as-  
19 tronomers and planetary scientists, 18 percent of  
20 women who are members of racial or ethnic minority  
21 groups and 12 percent of white women skipped pro-  
22 fessional events because they did not feel safe at-  
23 tending.

1           (4) Many women report leaving employment at  
2 institutions of higher education due to sexual har-  
3 assment.

4           (5) Research shows the majority of individuals  
5 do not formally report experiences of sexual harass-  
6 ment due to a justified fear of retaliation or other  
7 negative professional or personal consequences.

8           (6) Reporting procedures with respect to such  
9 harassment are inconsistent among Federal science  
10 agencies and have varying degrees of accessibility.

11           (7) There is not adequate communication  
12 among Federal science agencies and between such  
13 agencies and grantees regarding reports of sexual  
14 harassment, which has resulted in harassers receiv-  
15 ing Federal funding after moving to a different in-  
16 stitution.

17 **SEC. 3. DEFINITIONS.**

18 In this Act:

19           (1) **ACADEMIES.**—The term “Academies”  
20 means the National Academies of Sciences, Engi-  
21 neering, and Medicine.

22           (2) **DIRECTOR.**—The term “Director” means  
23 the Director of the National Science Foundation.

24           (3) **FEDERAL SCIENCE AGENCY.**—The term  
25 “Federal science agency” means any Federal agency

1 with an annual extramural research expenditure of  
2 over \$100,000,000.

3 (4) GRANTEE.—The term “grantee” means the  
4 legal entity to which a grant is awarded and that is  
5 accountable to the Federal Government for the use  
6 of the funds provided.

7 (5) GRANT PERSONNEL.—The term “grant per-  
8 sonnel” means principal investigators, co-principal  
9 investigators, other personnel supported by a grant  
10 award under Federal law, and their trainees.

11 (6) INSTITUTION OF HIGHER EDUCATION.—The  
12 term “institution of higher education” has the  
13 meaning given such term in section 101 of the High-  
14 er Education Act of 1965 (20 U.S.C. 1001).

15 (7) SEXUAL HARASSMENT.—The term “sexual  
16 harassment” means conduct that encompasses—

17 (A) verbal and nonverbal behaviors that  
18 convey hostility, objectification, exclusion, or  
19 second-class status about one’s gender or gen-  
20 der identity;

21 (B) unwelcome sexual advances;

22 (C) unwanted physical contact that is sex-  
23 ual in nature, including assault;

1 (D) unwanted sexual attention, including  
2 sexual comments and propositions for sexual ac-  
3 tivity;

4 (E) conditioning professional or edu-  
5 cational benefits on sexual activity; and

6 (F) retaliation for rejecting unwanted sex-  
7 ual attention.

8 **SEC. 4. RESEARCH GRANTS.**

9 (a) IN GENERAL.—The Director shall establish a pro-  
10 gram to award grants, on a competitive basis, to institu-  
11 tions of higher education or nonprofit organizations (or  
12 consortia of such institutions or organizations)—

13 (1) to expand research efforts to better under-  
14 stand the factors contributing to, and consequences  
15 of, sexual harassment affecting individuals in the  
16 scientific, technical, engineering, and mathematics  
17 workforce, including students and trainees; and

18 (2) to examine interventions to reduce the inci-  
19 dence and negative consequences of such harass-  
20 ment.

21 (b) USE OF FUNDS.—Activities funded by a grant  
22 under this section may include—

23 (1) research on the sexual harassment experi-  
24 ences of individuals in underrepresented or vulner-  
25 able groups, including racial and ethnic minority

1 groups, disabled individuals, foreign nationals,  
2 sexual- and gender-minority individuals, and others;

3 (2) development and assessment of policies,  
4 procedures, trainings, and interventions, with respect  
5 to sexual harassment, conflict management, the pre-  
6 vention of incivility, and ways to foster respectful  
7 and inclusive climates;

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

11 (4) support for institutions of higher education  
12 to develop, adapt, implement, and assess the impact  
13 of innovative, evidence-based strategies, policies, and  
14 approaches to policy implementation to prevent and  
15 address sexual harassment at such institutions;

16 (5) research on alternatives to the hierarchical  
17 and dependent relationships in academia that have  
18 been shown to create higher levels of risk for sexual  
19 harassment; and

20 (6) establishing a center for the ongoing com-  
21 pilation, management, and analysis of campus cli-  
22 mate survey data.

23 **SEC. 5. DATA COLLECTION.**

24 Not later than 180 days after the date of enactment  
25 of this Act, the Director shall convene a working group

1 composed of representatives of Federal statistical agen-  
2 cies—

3 (1) to develop questions on sexual harassment  
4 in science, technology, engineering, and mathematics  
5 departments to gather national data on the preva-  
6 lence, nature, and implications of sexual harassment  
7 in institutions of higher education; and

8 (2) to include such questions as appropriate,  
9 with sufficient protections of the privacy of respond-  
10 ents, in relevant surveys conducted by the National  
11 Center for Science and Engineering Statistics and  
12 other relevant entities.

13 **SEC. 6. RESPONSIBLE CONDUCT GUIDE.**

14 (a) IN GENERAL.—Not later than 180 days after the  
15 date of enactment of this Act, the Director shall enter into  
16 an agreement with the Academies to update the report en-  
17 titled “On Being a Scientist: A Guide to Responsible Con-  
18 duct in Research” issued by the Academies. The report,  
19 as so updated, shall include—

20 (1) updated professional standards of conduct  
21 in research;

22 (2) standards of treatment individuals can ex-  
23 pect to receive under such updated standards of con-  
24 duct;

1           (3) evidence-based practices for fostering a cli-  
2           mate intolerant of sexual harassment;

3           (4) methods, including bystander intervention,  
4           for identifying and addressing incidents of sexual  
5           harassment; and

6           (5) professional standards for mentorship and  
7           teaching with an emphasis on preventing sexual har-  
8           assment.

9           (b) **RECOMMENDATIONS.**—In updating the report  
10          under subsection (a), the Academies shall take into ac-  
11          count recommendations made in the report issued by the  
12          Academies in 2018 entitled “Sexual Harassment of  
13          Women: Climate, Culture, and Consequences in Academic  
14          Sciences, Engineering, and Medicine” and other relevant  
15          studies and evidence.

16          (c) **REPORT.**—Not later than 16 months after the ef-  
17          fective date of the contract under subsection (a), the Acad-  
18          emies, as part of such agreement, shall submit to the Di-  
19          rector and the Committee on Science, Space, and Tech-  
20          nology of the House of Representatives and the Committee  
21          on Commerce, Science, and Transportation of the Senate  
22          the report referred to in such subsection, as updated pur-  
23          suant to such subsection.

1 **SEC. 7. INTERAGENCY WORKING GROUP.**

2 (a) IN GENERAL.—The Director of the Office Science  
3 and Technology Policy, acting through the National  
4 Science and Technology Council, shall establish an inter-  
5 agency working group for the purpose of coordinating  
6 Federal science agency efforts to reduce the prevalence of  
7 sexual harassment involving grant personnel. The working  
8 group shall be chaired by the Director of the Office of  
9 Science and Technology Policy (or the Director's designee)  
10 and shall include a representative from each Federal  
11 science agency with annual extramural research expendi-  
12 tures totaling over \$1,000,000,000.

13 (b) RESPONSIBILITIES OF WORKING GROUP.—The  
14 interagency working group established under subsection  
15 (a) shall coordinate Federal science agency efforts to im-  
16 plement the policy guidelines developed under subsection  
17 (c)(2).

18 (c) RESPONSIBILITIES OF OSTP.—The Director of  
19 the Office of Science and Technology Policy shall—

20 (1) not later than 90 days after the date of the  
21 enactment of this Act, submit to the Committee on  
22 Science, Space, and Technology of the House of  
23 Representatives and the Committee on Commerce,  
24 Science, and Transportation of the Senate an inven-  
25 tory of Federal science agency policies, procedures,

1 and resources dedicated to preventing and respond-  
2 ing to reports of sexual harassment; and

3 (2) not later than 6 months after the date on  
4 which the inventory is submitted under paragraph  
5 (1)—

6 (A) in consultation with outside stake-  
7 holders, develop a uniform set of policy guide-  
8 lines for Federal science agencies; and

9 (B) submit a report to the committees re-  
10 ferred to in paragraph (1) containing such  
11 guidelines;

12 (3) encourage and monitor efforts of Federal  
13 science agencies to develop or maintain and imple-  
14 ment policies based on the guidelines developed  
15 under paragraph (2);

16 (4) not later than 1 year after the date on  
17 which the inventory under paragraph (1) is sub-  
18 mitted, and every 5 years thereafter, the Director of  
19 the Office of Science and Technology Policy shall re-  
20 port to Congress on the implementation by Federal  
21 science agencies of the policy guidelines developed  
22 under paragraph (2); and

23 (5) update such policy guidelines as needed.

24 (d) REQUIREMENTS.—In developing policy guidelines  
25 under subsection (c)(2), the Director of the Office of

1 Science and Technology Policy shall include guidelines  
2 that require—

3 (1) grantees to submit to the Federal science  
4 agency or agencies from which the grantees receive  
5 funding reports relating to—

6 (A) findings or determinations of sexual  
7 harassment; and

8 (B) any decisions made to place grant per-  
9 sonnel on administrative leave or impose any  
10 administrative action on grant personnel related  
11 to any sexual harassment investigation;

12 (2) the sharing and archiving of reports of sex-  
13 ual harassment from grantees submitted under para-  
14 graph (1) with Federal science agencies on a quar-  
15 terly basis; and

16 (3) to the extent practicable, ensure consistency  
17 among relevant agencies with regards to the policies  
18 and procedures for receiving reports pursuant to  
19 paragraph (1), which may include the designation of  
20 a single agency to field submissions

21 (e) CONSIDERATIONS.—In developing policy guide-  
22 lines under subsection (c)(2), the Director of the Office  
23 of Science and Technology Policy shall consider guidelines  
24 that—

1           (1) require grantees to periodically assess their  
2           organizational climate using climate surveys, focus  
3           groups, and exit interviews;

4           (2) require grantees to publish on a publicly  
5           available Internet website the results of assessments  
6           conducted pursuant to paragraph (1), disaggregated  
7           by gender and, if possible, race, ethnicity, disability  
8           status, and sexual orientation;

9           (3) require grantees to make public on an an-  
10          nual basis the number of reports of sexual harass-  
11          ment at each such institution;

12          (4) require grantees to regularly assess and im-  
13          prove policies, procedures, and interventions to re-  
14          duce the prevalence of sexual harassment;

15          (5) require each grantee to describe in its grant  
16          proposal a code of conduct for maintaining a healthy  
17          and welcoming workplace for grant personnel; and

18          (6) reward and incentivize grantees working to  
19          create a climate intolerant of sexual harassment.

20          (f) FEDERAL SCIENCE AGENCY IMPLEMENTATION.—  
21          Each Federal science agency shall—

22               (1) develop or maintain and implement policies  
23               with respect to sexual harassment that are con-  
24               sistent with such guidelines and protect the privacy  
25               of targets of sexual harassment; and

1           (2) broadly disseminate such policies to current  
2           and potential recipients of research grants awarded  
3           by such agency.

4           (g) SUNSET.—The interagency working group estab-  
5           lished under subsection (a) shall terminate on the date  
6           that is 7 years after the date of the enactment of this  
7           Act.

8           **SEC. 8. NATIONAL ACADEMIES ASSESSMENT.**

9           (a) IN GENERAL.—Not later than 3 years after the  
10          date of enactment of this Act, the Director shall enter into  
11          an agreement with the Academies to undertake a study  
12          of the influence of sexual harassment in institutions of  
13          higher education on the career advancement of individuals  
14          in the scientific, engineering, technical, and mathematics  
15          workforce. The study shall assess—

16                (1) the state of research on sexual harassment  
17                in such workforce;

18                (2) whether research demonstrates a decrease  
19                in the prevalence of sexual harassment in such work-  
20                force;

21                (3) the progress made with respect to imple-  
22                menting recommendations promulgated in the Acad-  
23                emies consensus study report entitled “Sexual Har-  
24                assment of Women: Climate, Culture, and Con-

1 sequences in Academic Sciences, Engineering, and  
2 Medicine”;

3 (4) the degree to which Federal science agen-  
4 cies have implemented the policy guidelines devel-  
5 oped under section 7(c)(2) and the effectiveness of  
6 that implementation; and

7 (5) where to focus future efforts with respect to  
8 decreasing sexual harassment in such institutions.

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

10 There is authorized to be appropriated to the Direc-  
11 tor to carry out this Act, \$17,400,000.