

**AMENDMENT TO THE RULES COMMITTEE PRINT**

**117-5**

**OFFERED BY MS. LOIS FRANKEL OF FLORIDA**

Add at the end the following:

1 **TITLE VI—PREVENTING AND RE-**  
2 **SPONDING TO WORKPLACE**  
3 **HARASSMENT**

4 **SEC. 601. SEC FILINGS AND MATERIAL DISCLOSURES AT**  
5 **PUBLIC COMPANIES.**

6 (a) DEFINITIONS.—In this section—

7 (1) the term “Form 10-K” means the form de-  
8 scribed in section 249.310 of title 17, Code of Fed-  
9 eral Regulations, or any successor regulation; and

10 (2) the term “issuer” has the meaning given  
11 the term in section 3(a) of the Securities Exchange  
12 Act of 1934 (15 U.S.C. 78c(a)).

13 (b) FINDINGS.—Congress finds that—

14 (1) shareholders and the public should know  
15 whether corporations—

16 (A) are expending company funds to re-  
17 solve, settle, or litigate claims of workplace har-  
18 assment, including sexual harassment; and

1 (B) along with the executives and man-  
2 agers of those corporations—

3 (i) are complying with prohibitions  
4 against workplace harassment, including  
5 sexual harassment; and

6 (ii) facilitate a culture of silence, dis-  
7 respect, intimidation, and abuse that nega-  
8 tively impacts the health and safety of the  
9 workers of those corporations and the  
10 value of those corporations; and

11 (2) the requirements of this section will—

12 (A) establish necessary transparency and  
13 accountability; and

14 (B) provide an incentive for corporations  
15 to—

16 (i) promptly address workplace har-  
17 assment, including sexual harassment, as  
18 that misconduct occurs; and

19 (ii) foster a culture in which work-  
20 place harassment is not protected and does  
21 not occur.

22 (c) INFORMATION REQUIRED.—Not later than 1 year  
23 after the date of enactment of this Act, the Securities and  
24 Exchange Commission shall promulgate a regulation that  
25 requires any issuer that is required to submit an annual

1 report using Form 10-K to include in any such submis-  
2 sion—

3 (1) during the period covered by the submis-  
4 sion—

5 (A) with respect to workplace harassment,  
6 including sexual harassment, and retaliation for  
7 reporting, resisting, opposing, or assisting in  
8 the investigation of workplace harassment—

9 (i) the number of settlements reached  
10 by the issuer as a signatory or when the  
11 issuer is a beneficiary of a release of  
12 claims; and

13 (ii) whether any judgments or awards  
14 (including awards through arbitration or  
15 administrative proceedings) were entered  
16 against the issuer in part or in whole, or  
17 any payments made in connection with a  
18 release of claims; and

19 (B) the total amount paid by the issuer or  
20 another party as a result of—

21 (i) the settlements described in sub-  
22 paragraph (A)(i); and

23 (ii) the judgments described in sub-  
24 paragraph (A)(ii); and

1           (2) information regarding whether, in the ag-  
2           gregate, including the period covered by the submis-  
3           sion, there have been three or more settlements  
4           reached by, or judgments against, the issuer with re-  
5           spect to workplace harassment, including sexual har-  
6           assment, or retaliation for reporting, resisting, op-  
7           posing, or assisting in the investigation of workplace  
8           harassment that relate to a particular individual em-  
9           ployed by the issuer, without identifying that indi-  
10          vidual by name.

