

116TH CONGRESS  
1ST SESSION

**S.** \_\_\_\_\_

To improve provisions of law relating to sexual harassment and assault prevention at the National Oceanic and Atmospheric Administration, and for other purposes.

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IN THE SENATE OF THE UNITED STATES

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\_\_\_\_\_ introduced the following bill; which was read twice and referred to the Committee on \_\_\_\_\_

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**A BILL**

To improve provisions of law relating to sexual harassment and assault prevention at the National Oceanic and Atmospheric Administration, 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. IMPROVEMENTS RELATING TO SEXUAL HAR-**  
4 **ASSMENT AND ASSAULT PREVENTION AT THE**  
5 **NATIONAL OCEANIC AND ATMOSPHERIC AD-**  
6 **MINISTRATION.**

7 (a) ANONYMOUS REPORTING.—Subtitle C of title  
8 XXXV of the National Defense Authorization Act for Fis-  
9 cal Year 2017 (33 U.S.C. 894 et seq.) is amended—

1           (1) in section 3541(b)(3)(B) (33 U.S.C.  
2           894(b)(3)(B)), by striking “confidentially” and in-  
3           serting “anonymously”; and

4           (2) in section 3542(b)(5)(B) (33 U.S.C.  
5           894a(b)(5)(B)), by striking “confidentially” and in-  
6           serting “anonymously”.

7           (b) INVESTIGATIVE REQUIREMENT.—Such subtitle is  
8           amended—

9           (1) by redesignating sections 3546 and 3547 as  
10          sections 3548 and 3549, respectively; and

11          (2) by inserting after section 3545 the fol-  
12          lowing:

13       **“SEC. 3546. INVESTIGATION REQUIREMENT.**

14       “(a) REQUIREMENT TO INVESTIGATE.—

15           “(1) IN GENERAL.—The Secretary of Com-  
16           merce, acting through the Under Secretary for  
17           Oceans and Atmosphere, shall ensure that each alle-  
18           gation of sexual assault reported under section 3541  
19           and each allegation of sexual harassment reported  
20           under section 3542 is investigated thoroughly and  
21           promptly.

22           “(2) SENSE OF CONGRESS ON COMMENCEMENT  
23           OF INVESTIGATION.—It is the sense of Congress  
24           that the Secretary should ensure that an investiga-  
25           tion of an alleged sexual assault reported under sec-

1       tion 3541 or sexual harassment reported under sec-  
 2       tion 3542 commences not later than 48 hours after  
 3       the time at which the allegation was reported.

4       “(b) NOTIFICATION OF DELAY.—In any case in  
 5 which the time between the reporting of an alleged sexual  
 6 assault or sexual harassment under section 3541 or 3542,  
 7 respectively, and commencement of an investigation of the  
 8 allegation exceeds 48 hours, the Secretary shall notify the  
 9 Committee on Commerce, Science, and Transportation of  
 10 the Senate and the Committee on Natural Resources of  
 11 the House of Representatives of the delay.

12       **“SEC. 3547. CRIMINAL REFERRAL.**

13       “If the Secretary of Commerce finds, pursuant to an  
 14 investigation under section 3546, evidence that a crime  
 15 may have been committed, the Secretary shall refer the  
 16 matter to the appropriate law enforcement authorities, in-  
 17 cluding the appropriate United States Attorney.”.

18       (c) CLERICAL AMENDMENT.—The table of contents  
 19 in section 2(b) of such Act is amended by striking the  
 20 items relating to sections 3546 and 3547 and inserting  
 21 the following new items:

“Sec. 3546. Investigation requirement.

“Sec. 3547. Criminal referral.

“Sec. 3548. Annual report on sexual assaults in the National Oceanic and At-  
 mospheric Administration.

“Sec. 3549. Sexual assault defined.”.