

Calendar No. 520116TH CONGRESS
2^D SESSION**S. 2782****[Report No. 116–259]**

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

IN THE SENATE OF THE UNITED STATES

NOVEMBER 5, 2019

Ms. CANTWELL introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

AUGUST 13, 2020

Reported by Mr. WICKER, without amendment

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,*

1 **SECTION 1. IMPROVEMENTS RELATING TO SEXUAL HAR-**
2 **ASSMENT AND ASSAULT PREVENTION AT THE**
3 **NATIONAL OCEANIC AND ATMOSPHERIC AD-**
4 **MINISTRATION.**

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

8 (1) in section 3541(b)(3)(B) (33 U.S.C.
9 894(b)(3)(B)), by striking “confidentially” and in-
10 sserting “anonymously”; and

11 (2) in section 3542(b)(5)(B) (33 U.S.C.
12 894a(b)(5)(B)), by striking “confidentially” and in-
13 sserting “anonymously”.

14 (b) INVESTIGATIVE REQUIREMENT.—Such subtitle is
15 amended—

16 (1) by redesignating sections 3546 and 3547 as
17 sections 3548 and 3549, respectively; and

18 (2) by inserting after section 3545 the fol-
19 lowing:

20 **“SEC. 3546. INVESTIGATION REQUIREMENT.**

21 **“(a) REQUIREMENT TO INVESTIGATE.—**

22 **“(1) IN GENERAL.—**The Secretary of Com-
23 merce, acting through the Under Secretary for
24 Oceans and Atmosphere, shall ensure that each alle-
25 gation of sexual assault reported under section 3541
26 and each allegation of sexual harassment reported

1 under section 3542 is investigated thoroughly and
2 promptly.

3 “(2) SENSE OF CONGRESS ON COMMENCEMENT
4 OF INVESTIGATION.—It is the sense of Congress
5 that the Secretary should ensure that an investiga-
6 tion of an alleged sexual assault reported under sec-
7 tion 3541 or sexual harassment reported under sec-
8 tion 3542 commences not later than 48 hours after
9 the time at which the allegation was reported.

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

18 **“SEC. 3547. CRIMINAL REFERRAL.**

19 “If the Secretary of Commerce finds, pursuant to an
20 investigation under section 3546, evidence that a crime
21 may have been committed, the Secretary shall refer the
22 matter to the appropriate law enforcement authorities, in-
23 cluding the appropriate United States Attorney.”.

24 (c) CLERICAL AMENDMENT.—The table of contents
25 in section 2(b) of such Act is amended by striking the

- 1 items relating to sections 3546 and 3547 and inserting
- 2 the following new items:

“Sec. 3546. Investigation requirement.

“Sec. 3547. Criminal referral.

“Sec. 3548. Annual report on sexual assaults in the National Oceanic and Atmospheric Administration.

“Sec. 3549. Sexual assault defined.”.

Calendar No. 520

116TH CONGRESS
2^D SESSION

S. 2782

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August 13, 2020

Reported without amendment