

assistance from such State, local, and national organizations and subject matter experts as the Secretary considers appropriate.

(Pub. L. 114-328, div. C, title XXXV, §3542, Dec. 23, 2016, 130 Stat. 2801.)

§ 894b. Rights of the victim of a sexual assault

A victim of a sexual assault covered by the comprehensive policy developed under section 894a(a) of this title has the right to be reasonably protected from the accused.

(Pub. L. 114-328, div. C, title XXXV, §3543, Dec. 23, 2016, 130 Stat. 2803.)

§ 894c. Change of station

(a) Change of station, unit transfer, or change of work location of victims

(1) Timely consideration and action upon request

The Secretary of Commerce, acting through the Under Secretary for Oceans and Atmosphere, shall—

(A) in the case of a member of the commissioned officer corps of the National Oceanic and Atmospheric Administration who was a victim of a sexual assault, in order to reduce the possibility of retaliation or further sexual assault, provide for timely determination and action on an application submitted by the victim for consideration of a change of station or unit transfer of the victim; and

(B) in the case of an employee of the Administration who was a victim of a sexual assault, to the degree practicable and in order to reduce the possibility of retaliation against the employee for reporting the sexual assault, accommodate a request for a change of work location of the victim.

(2) Procedures

(A) Period for approval and disapproval

The Secretary, acting through the Under Secretary, shall ensure that an application or request submitted under paragraph (1) for a change of station, unit transfer, or change of work location is approved or denied within 72 hours of the submission of the application or request.

(B) Review

If an application or request submitted under paragraph (1) by a victim of a sexual assault for a change of station, unit transfer, or change of work location of the victim is denied—

(i) the victim may request the Secretary to review the denial; and

(ii) the Secretary, acting through the Under Secretary, shall, not later than 72 hours after receiving such request, affirm or overturn the denial.

(b) Change of station, unit transfer, and change of work location of alleged perpetrators

(1) In general

The Secretary, acting through the Under Secretary, shall develop a policy for the protection of victims of sexual assault described in subsection (a)(1) by providing the alleged

perpetrator of the sexual assault with a change of station, unit transfer, or change of work location, as the case may be, if the alleged perpetrator is a member of the commissioned officer corps of the Administration or an employee of the Administration.

(2) Policy requirements

The policy required by paragraph (1) shall include the following:

(A) A means to control access to the victim.

(B) Due process for the victim and the alleged perpetrator.

(c) Regulations

(1) In general

The Secretary shall promulgate regulations to carry out this section.

(2) Consistency

When practicable, the Secretary shall make regulations promulgated under this section consistent with similar regulations promulgated by the Secretary of Defense.

(Pub. L. 114-328, div. C, title XXXV, §3544, Dec. 23, 2016, 130 Stat. 2803.)

§ 894d. Applicability of policies to crews of vessels secured by National Oceanic and Atmospheric Administration under contract

The Under Secretary for Oceans and Atmosphere shall ensure that each contract into which the Under Secretary enters for the use of a vessel by the National Oceanic and Atmospheric Administration that covers the crew of the vessel, if any, shall include as a condition of the contract a provision that subjects such crew to the policy developed under section 894(a) of this title and the comprehensive policy developed under section 894a(a) of this title.

(Pub. L. 114-328, div. C, title XXXV, §3545, Dec. 23, 2016, 130 Stat. 2804.)

§ 894e. Annual report on sexual assaults in the National Oceanic and Atmospheric Administration

(a) In general

Not later than January 15 of each year, the Secretary of Commerce shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Natural Resources of the House of Representatives a report on the sexual assaults involving employees of the National Oceanic and Atmospheric Administration, members of the commissioned officer corps of the Administration, and individuals who work with or conduct business on behalf of the Administration.

(b) Contents

Each report submitted under subsection (a) shall include, with respect to the previous calendar year, the following:

(1) The number of alleged sexual assaults involving employees, members, and individuals described in subsection (a).

(2) A synopsis of each case and the disciplinary action taken, if any, in each case.

(3) The policies, procedures, and processes implemented by the Secretary, and any up-