

committee of Congress with jurisdiction over the programs described in section 893a(b) of this title, as amended by section 302 of this Act, detailing the findings and recommendations of the study and setting forth a prioritized plan to implement the recommendations.

(d) Program and plan

The Administrator of the National Oceanic and Atmospheric Administration shall evaluate the National Academy of Sciences study and develop a workforce program and plan to institutionalize the Administration's Federal science career pathways and address aging workforce issues. The program and plan shall be developed in consultation with the Administration's cooperative institutes and other academic partners to identify and implement programs and mechanisms to ensure that—

(1) sufficient highly qualified scientists are able to transition into Federal career scientist positions in the Administration's laboratories and programs; and

(2) the technical and management experiences of senior employees are documented and transferred before leaving Federal service.

(Pub. L. 111-358, title III, § 303, Jan. 4, 2011, 124 Stat. 3998.)

REFERENCES IN TEXT

Section 302 of this Act, referred to in subsec. (c), is section 302 of Pub. L. 111-358, which amended section 893a of this title.

SUBCHAPTER VI—SEXUAL HARASSMENT
AND ASSAULT PREVENTION

§ 894. Actions to address sexual harassment at National Oceanic and Atmospheric Administration

(a) Required policy

Not later than 1 year after December 23, 2016, the Secretary of Commerce shall, acting through the Under Secretary for Oceans and Atmosphere, develop a policy on the prevention of and response to sexual harassment 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) Matters to be specified in policy

The policy developed under subsection (a) shall include—

(1) establishment of a program to promote awareness of the incidence of sexual harassment;

(2) clear procedures an individual should follow in the case of an occurrence of sexual harassment, including—

(A) a specification of the person or persons to whom an alleged occurrence of sexual harassment should be reported by an individual and options for confidential reporting, including—

(i) options and contact information for after-hours contact; and

(ii) a procedure for obtaining assistance and reporting sexual harassment while working in a remote scientific field camp, at sea, or in another field status; and

(B) a specification of any other person whom the victim should contact;

(3) establishment of a mechanism by which—
(A) questions regarding sexual harassment can be confidentially asked and confidentially answered; and

(B) incidents of sexual harassment can be confidentially reported; and

(4) a prohibition on retaliation and consequences for retaliatory actions.

(c) Consultation and assistance

In developing the policy required by subsection (a), the Secretary may consult or receive assistance from such State, local, and national organizations and subject matter experts as the Secretary considers appropriate.

(d) Availability of policy

The Secretary shall ensure that the policy developed under subsection (a) is available to—

(1) all employees of the Administration and members of the commissioned officer corps of the Administration, including those employees and members who conduct field work for the Administration; and

(2) the public.

(e) Geographic distribution of equal employment opportunity personnel

The Secretary shall designate out of existing staff at least 1 employee of the Administration who is tasked with handling matters relating to equal employment opportunity or sexual harassment at each marine and aviation center of the Administration.

(f) Quarterly reports

(1) In general

Not less frequently than 4 times each year, the Director of the Civil Rights Office of the Administration shall submit to the Under Secretary a report on sexual harassment in the Administration.

(2) Contents

Each report submitted under paragraph (1) shall include the following:

(A) The number of sexual harassment cases, both actionable and non-actionable, involving individuals covered by the policy developed under subsection (a).

(B) The number of open actionable sexual harassment cases and how long the cases have been open.

(C) Such trends or region-specific issues as the Director may have discovered with respect to sexual harassment in the Administration.

(D) Such recommendations as the Director may have with respect to sexual harassment in the Administration.

(Pub. L. 114-328, div. C, title XXXV, § 3541, Dec. 23, 2016, 130 Stat. 2800.)

§ 894a. Actions to address sexual assault at National Oceanic and Atmospheric Administration

(a) Comprehensive policy on prevention of and response to sexual assaults

Not later than 1 year after December 23, 2016, the Secretary of Commerce shall, acting