

115TH CONGRESS  
1ST SESSION

# S. 1506

To improve the handling of instances of sexual harassment, dating violence, domestic violence, sexual assault, and stalking at the United States Merchant Marine Academy, and for other purposes.

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IN THE SENATE OF THE UNITED STATES

JUNE 29, 2017

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

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## A BILL

To improve the handling of instances of sexual harassment, dating violence, domestic violence, sexual assault, and stalking at the United States Merchant Marine Academy, 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. SHORT TITLE.**

4 This Act may be cited as the “Merchant Marine  
5 Academy Improvement Act of 2017”.

1 **SEC. 2. APPLICATION OF TITLE IX OF THE EDUCATION**  
 2 **AMENDMENTS OF 1972 TO THE UNITED**  
 3 **STATES MERCHANT MARINE ACADEMY.**

4 Section 901(a)(4) of the Education Amendments of  
 5 1972 (20 U.S.C. 1681(a)(4)) is amended by striking  
 6 “States, or the merchant marine;” and inserting  
 7 “States;”.

8 **SEC. 3. ACTIONS TO ADDRESS SEXUAL HARASSMENT, DAT-**  
 9 **ING VIOLENCE, DOMESTIC VIOLENCE, SEX-**  
 10 **UAL ASSAULT, AND STALKING AT THE**  
 11 **UNITED STATES MERCHANT MARINE ACAD-**  
 12 **EMY.**

13 (a) **REQUIRED POLICY.**—Subsection (a) of section  
 14 51318 of title 46, United States Code, as added by section  
 15 3510 of the National Defense Authorization Act for Fiscal  
 16 Year 2017 (Public Law 114–328; 130 Stat. 2782), is  
 17 amended—

18 (1) in paragraph (1), by striking “harassment  
 19 and sexual assault” and inserting “harassment, dat-  
 20 ing violence, domestic violence, sexual assault, and  
 21 stalking”;

22 (2) in paragraph (2)—

23 (A) in the matter preceding subparagraph  
 24 (A), by striking “harassment and sexual as-  
 25 sault” and inserting “harassment, dating vio-

1 lence, domestic violence, sexual assault, and  
 2 stalking”;

3 (B) in subparagraph (A), by inserting “do-  
 4 mestic violence, dating violence, stalking,” after  
 5 “acquaintance rape,”;

6 (C) in subparagraph (B)—

7 (i) in the matter preceding clause (i),  
 8 by striking “harassment or sexual as-  
 9 sault,” and inserting “harassment, dating  
 10 violence, domestic violence, sexual assault,  
 11 or stalking,”;

12 (ii) in clause (i), by striking “harass-  
 13 ment or sexual assault” and inserting  
 14 “harassment, dating violence, domestic vio-  
 15 lence, sexual assault, or stalking”; and

16 (iii) in clause (iii), by striking “crimi-  
 17 nal sexual assault” and inserting “a crimi-  
 18 nal sexual offense”;

19 (D) in subparagraph (D), by striking “har-  
 20 assment or sexual assault” and inserting “har-  
 21 assment, dating violence, domestic violence, sex-  
 22 ual assault, or stalking”;

23 (E) in subparagraph (E)—

24 (i) in clause (i), by striking “harass-  
 25 ment or sexual assault” and inserting

1 “harassment, dating violence, domestic vio-  
2 lence, sexual assault, or stalking”;

3 (ii) in clause (ii), by striking “sexual  
4 assault” and inserting “sexual harassment,  
5 dating violence, domestic violence, sexual  
6 assault, or stalking”; and

7 (iii) in clause (iii), by striking “har-  
8 assment and sexual assault” and inserting  
9 “harassment, dating violence, domestic vio-  
10 lence, sexual assault, or stalking”; and

11 (F) in subparagraph (F), by striking “har-  
12 assment or sexual assault” and inserting “har-  
13 assment, dating violence, domestic violence, sex-  
14 ual assault, or stalking”;

15 (3) by redesignating paragraphs (3) and (4) as  
16 paragraphs (4) and (5), respectively;

17 (4) by inserting after paragraph (2) the fol-  
18 lowing:

19 “(3) MINIMUM TRAINING REQUIREMENTS FOR  
20 CERTAIN INDIVIDUALS REGARDING SEXUAL HARASS-  
21 MENT, DATING VIOLENCE, DOMESTIC VIOLENCE,  
22 SEXUAL ASSAULT, AND STALKING.—

23 “(A) REQUIREMENT.—The Maritime Ad-  
24 ministrator shall develop a mandatory training  
25 program at the United States Merchant Marine

1 Academy for each individual who is involved in  
2 implementing the Academy's student grievance  
3 procedures, including each individual who is re-  
4 sponsible for—

5 “(i) resolving complaints of reported  
6 sexual harassment, dating violence, domes-  
7 tic violence, sexual assault, and stalking;

8 “(ii) resolving complaints of reported  
9 violations of the sexual misconduct policy  
10 of the Academy; or

11 “(iii) conducting an interview with a  
12 victim of sexual harassment, dating vio-  
13 lence, domestic violence, sexual assault, or  
14 stalking.

15 “(B) CONSULTATION.—The Maritime Ad-  
16 ministrator shall develop the training program  
17 described in subparagraph (A) in consultation  
18 with national, State, or local sexual assault,  
19 dating violence, domestic violence, or stalking  
20 victim advocacy, victim services, or prevention  
21 organizations.

22 “(C) ELEMENTS.—The training required  
23 by subparagraph (A) shall include the following:

24 “(i) Information on working with and  
25 interviewing persons subjected to sexual

1 harassment, dating violence, domestic vio-  
2 lence, sexual assault, or stalking.

3 “(ii) Information on particular types  
4 of conduct that would constitute sexual  
5 harassment, dating violence, domestic vio-  
6 lence, sexual assault, or stalking, regard-  
7 less of gender, including same-sex sexual  
8 harassment, dating violence, domestic vio-  
9 lence, sexual assault, or stalking.

10 “(iii) Information on consent and the  
11 effect that drugs or alcohol may have on  
12 an individual’s ability to consent.

13 “(iv) Information on the effects of  
14 trauma, including the neurobiology of trau-  
15 ma.

16 “(v) Training regarding the use of  
17 trauma-informed interview techniques,  
18 which means asking questions of an indi-  
19 vidual who has been a victim of sexual har-  
20 assment, dating violence, domestic violence,  
21 sexual assault, or stalking in a manner  
22 that is focused on the experience of the vic-  
23 tim, does not judge or blame the victim,  
24 and is informed by evidence-based research  
25 on the neurobiology of trauma.

1           “(vi) Training on cultural awareness  
2           regarding how dating violence, domestic vi-  
3           olence, sexual assault, or stalking may im-  
4           pact midshipmen differently depending on  
5           their cultural background.

6           “(vii) Information on sexual assault  
7           dynamics, sexual assault perpetrator be-  
8           havior, and barriers to reporting.

9           “(D) APPROVAL.—The training program  
10          described in subparagraph (A) shall be ap-  
11          proved by the Director of the Departmental Of-  
12          fice of Civil Rights of the Department of Trans-  
13          portation.

14          “(E) IMPLEMENTATION.—

15               “(i) DEVELOPMENT AND APPROVAL  
16               SCHEDULE.—The training program re-  
17               quired by subparagraph (A) shall be devel-  
18               oped and approved as required by subpara-  
19               graph (D) not later than 90 days after the  
20               date of the enactment of the Merchant Ma-  
21               rine Academy Improvement Act of 2017.

22               “(ii) COMPLETION OF TRAINING.—  
23               Each individual who is required to com-  
24               plete the training described in subpara-

graph (A) shall complete such training not  
later than—

“(I) 270 days after enactment of  
the Merchant Marine Academy Im-  
provement Act of 2017; or

“(II) 180 days after starting a  
position with responsibilities that in-  
clude the activities described clause  
(i), (ii), or (iii) of subparagraph (A).”;

and

(5) by inserting after paragraph (5), as so re-  
designated, the following:

“(6) CONSISTENCY WITH THE HIGHER EDU-  
CATION ACT OF 1965.—The Secretary shall ensure  
that the policy developed under this subsection  
meets the requirements set out in paragraph (8) of  
section 485(f) of the Higher Education Act of 1965  
(20 U.S.C. 1092(f)(8)).”.

(b) MINIMUM PROCEDURES FOR HANDLING RE-  
PORTS OF SEXUAL HARASSMENT, DATING VIOLENCE,  
DOMESTIC VIOLENCE, SEXUAL ASSAULT, OR STALK-  
ING.—Subsection (b) of section 51318 of title 46, United  
States Code, as added by section 3510 of the National  
Defense Authorization Act for Fiscal Year 2017 (Public



1 Law 114–328; 130 Stat. 2782), is amended to read as  
 2 follows:

3 “(b) DEVELOPMENT PROGRAM.—

4 “(1) IN GENERAL.—The Secretary shall ensure  
 5 that the development program of the Academy in-  
 6 cludes a section that—

7 “(A) describes the relationship between  
 8 honor, respect, and character development and  
 9 the prevention of sexual harassment, dating vio-  
 10 lence, domestic violence, sexual assault, and  
 11 stalking at the Academy;

12 “(B) includes a brief history of the prob-  
 13 lem of sexual harassment, dating violence, do-  
 14 mestic violence, sexual assault, and stalking in  
 15 the merchant marine, in the Armed Forces, and  
 16 at the Academy; and

17 “(C) includes information relating to re-  
 18 porting sexual harassment, dating violence, do-  
 19 mestic violence, sexual assault, and stalking,  
 20 victims’ rights, and dismissal for offenders.

21 “(2) MINIMUM REQUIREMENTS TO COMBAT RE-  
 22 TALIACTION.—

23 “(A) REQUIREMENT FOR PLAN.—Not later  
 24 than 90 days after the date of the enactment of  
 25 the Merchant Marine Academy Improvement

1 Act of 2017, the Maritime Administrator shall  
2 create and implement a plan to combat retalia-  
3 tion against midshipmen at the United States  
4 Merchant Marine Academy who report sexual  
5 harassment, dating violence, domestic violence,  
6 sexual assault, or stalking.

7 “(B) VIOLATION OF CODE OF CONDUCT.—

8 The Maritime Administrator shall consider an  
9 act of retaliation against a midshipman at the  
10 Academy who reports sexual harassment, dating  
11 violence, domestic violence, sexual assault, or  
12 stalking as a Class I violation of the Academy’s  
13 Midshipman Regulations and Sea Year Regula-  
14 tions and Instructions or equivalent code of  
15 conduct.

16 “(C) RETALIATION DEFINITION.—The

17 Maritime Administrator shall work with the  
18 sexual assault prevention and response staff of  
19 the Academy to define ‘retaliation’ for purposes  
20 of this subsection.

21 “(3) MINIMUM RESOURCE REQUIREMENTS.—

22 “(A) IN GENERAL.—The Secretary of

23 Transportation shall provide the staff at the  
24 United States Merchant Marine Academy with  
25 adequate and appropriate sexual harassment,

1 dating violence, domestic violence, sexual as-  
2 sault, and stalking prevention and response  
3 training materials and resources. Such re-  
4 sources shall include staff as follows:

5 “(i) Sexual assault response coordi-  
6 nator.

7 “(ii) Prevention educator.

8 “(iii) Administrative staff member.

9 “(iv) Strategic Sealift Officer.

10 “(B) COMMUNICATION.—The Director of  
11 the Office of Civil Rights of the Department of  
12 Transportation shall create and maintain a di-  
13 rect line of communication to the sexual assault  
14 response staff of the Academy that is outside of  
15 the chain of command of the Academy.

16 “(4) MINIMUM TRAINING REQUIREMENTS.—

17 The Superintendent shall ensure that all cadets re-  
18 ceive training on the sexual harassment, dating vio-  
19 lence, domestic violence, sexual assault, and stalking  
20 prevention and response sections of the development  
21 program of the Academy, as described in paragraph  
22 (1), as follows:

23 “(A) An initial training session, which  
24 shall occur not later than 7 days after a cadet’s  
25 initial arrival at the Academy.

1           “(B) Additional training sessions, which  
2           shall occur biannually following the cadet’s ini-  
3           tial training session until the cadet graduates  
4           or leaves the Academy.”.

5           (c) AGGREGATE REPORTING.—Section 51318 of title  
6 46, United States Code, as added by section 3510 of the  
7 National Defense Authorization Act for Fiscal Year 2017  
8 (Public Law 114–328; 130 Stat. 2782), is amended by  
9 adding at the end the following:

10          “(e) DATA FOR AGGREGATE REPORTING.—

11           “(1) IN GENERAL.—No requirement related to  
12           confidentiality in this section or section 51319 may  
13           be construed to prevent a sexual assault response co-  
14           ordinator from providing information for any report  
15           required by law regarding sexual harassment, dating  
16           violence, domestic violence, sexual assault, or stalk-  
17           ing.

18           “(2) IDENTITY PROTECTION.—Any information  
19           provided for a report referred to in paragraph (1)  
20           shall be provided in a manner that protects the iden-  
21           tity of the victim or witness.”.

22           (d) DEFINITIONS.—Section 51318 of title 46, United  
23 States Code, as added by section 3510 of the National  
24 Defense Authorization Act for Fiscal Year 2017 (Public

1 Law 114–328; 130 Stat. 2782), as amended by subsection  
 2 (c), is further amended by adding at the end the following:

3 “(f) DEFINITIONS.—In this section and section  
 4 51319:

5 “(1) DATING VIOLENCE; DOMESTIC VIOLENCE;  
 6 STALKING.—The terms ‘dating violence’, ‘domestic  
 7 violence’, and ‘stalking’ have the meanings given  
 8 those terms is section 40002(a) of the Violence  
 9 Against Women Act of 1994 (42 U.S.C. 13925(a)).

10 “(2) SEXUAL ASSAULT.—The term ‘sexual as-  
 11 sault’ means an offense classified as a forcible or  
 12 nonforcible sex offense under the uniform crime re-  
 13 porting system of the Federal Bureau of Investiga-  
 14 tion.”.

15 (e) CONFORMING AMENDMENTS.—

16 (1) HEADING.—Section 51318 of title 46,  
 17 United States Code, as added by section 3510 of the  
 18 National Defense Authorization Act for Fiscal Year  
 19 2017 (Public Law 114–328; 130 Stat. 2782), is  
 20 amended by striking the section heading and insert-  
 21 ing the following:

1 **“§ 51318. Policy on sexual harassment, dating vio-**  
 2 **lence, domestic violence, sexual assault,**  
 3 **and stalking”.**

4 (2) TABLE OF SECTIONS AMENDMENT.—The  
 5 table of sections for chapter 513 of title 46, United  
 6 States Code, as amended by subtitle A of title  
 7 XXXV of the National Defense Authorization Act  
 8 for Fiscal Year 2017 (Public Law 114–328; 130  
 9 Stat. 2774), is amended by striking the item relating  
 10 to section 51318 and inserting the following:

“Sec. 51318. Policy on sexual harassment, dating violence, domestic violence,  
 sexual assault, and stalking.”.

11 **SEC. 4. SEXUAL ASSAULT RESPONSE COORDINATORS AND**  
 12 **SEXUAL ASSAULT VICTIM ADVOCATE.**

13 (a) IN GENERAL.—Section 51319 of title 46, United  
 14 States Code, as added by section 3511 of the National  
 15 Defense Authorization Act for Fiscal Year 2017 (Public  
 16 Law 114–328; 130 Stat. 2785), is amended—

17 (1) by redesignating subsection (b) as sub-  
 18 section (g); and

19 (2) by striking subsection (a) and inserting the  
 20 following:

21 “(a) SEXUAL ASSAULT RESPONSE COORDINA-  
 22 TORS.—

23 “(1) REQUIREMENT FOR COORDINATORS.—The  
 24 United States Merchant Marine Academy shall em-

1       ploy or contract with at least 1 full-time sexual as-  
2       sault response coordinator who shall reside at or  
3       near the Academy. The Secretary of Transportation  
4       may assign additional full-time or part-time sexual  
5       assault response coordinators at the Academy as  
6       necessary.

7               “(2) SELECTION CRITERIA.—Each sexual as-  
8       sault response coordinator shall be selected based  
9       on—

10               “(A) experience and a demonstrated ability  
11       to effectively provide victim services related to  
12       sexual harassment, dating violence, domestic vi-  
13       olence, sexual assault, and stalking; and

14               “(B) protection of the individual under  
15       State law to provide privileged communication.

16               “(3) CONFIDENTIALITY.—A sexual assault re-  
17       sponse coordinator shall, to the extent authorized  
18       under State law, provide confidential services to a  
19       midshipman who reports being a victim of, or wit-  
20       ness to, sexual harassment, dating violence, domestic  
21       violence, sexual assault, or stalking.

22               “(4) TRAINING.—

23               “(A) REQUIREMENT.—Not later than 90  
24       days after the date of the enactment of the  
25       Merchant Marine Academy Improvement Act of

1           2017, the Maritime Administrator shall develop  
2           a specialized training program for each sexual  
3           assault response coordinator and receive ap-  
4           proval for such program from the Director of  
5           the Departmental Office of Civil Rights of the  
6           Department of Transportation within 90 days  
7           of enactment of this Act.

8           “(B)   TRAINING   PROGRAM   REQUIRE-  
9           MENTS.—The specialized training program re-  
10          quired by subparagraph (A) shall include train-  
11          ing in—

12               “(i) working with victims of sexual  
13               harassment, dating violence, domestic vio-  
14               lence, sexual assault, and stalking;

15               “(ii) the policies, procedures, and re-  
16               sources of the Academy related to respond-  
17               ing to sexual harassment, dating violence,  
18               domestic violence, sexual assault, and  
19               stalking; and

20               “(iii) national, State, and local victim  
21               services and resources available to victims  
22               of sexual harassment, dating violence, do-  
23               mestic violence, sexual assault, and stalk-  
24               ing.



1           “(C) APPROVAL.—The specialized training  
2           program developed under subparagraph (A)  
3           shall be approved by the Director of the De-  
4           partmental Office of Civil Rights of the Depart-  
5           ment of Transportation.

6           “(D) IMPLEMENTATION.—

7                   “(i) DEVELOPMENT AND APPROVAL  
8                   SCHEDULE.—The specialized training pro-  
9                   gram required by subparagraph (A) shall  
10                  be developed and approved as required by  
11                  subparagraph (C) not later than 90 days  
12                  after the date of the enactment of the Mer-  
13                  chant Marine Academy Improvement Act  
14                  of 2017.

15                  “(ii) COMPLETION OF TRAINING.—A  
16                  sexual assault response coordinator shall  
17                  complete the specialized training program  
18                  required by subparagraph (A) not later  
19                  than—

20                           “(I) 270 days after enactment of  
21                           the Merchant Marine Academy Im-  
22                           provement Act of 2017; or

23                           “(II) 180 days after starting in  
24                           the role of sexual assault response co-  
25                           ordinator.

1           “(5) DUTIES.—A sexual assault response coor-  
2       dinator shall—

3           “(A) confidentially receive reports from  
4       victims of sexual harassment, dating violence,  
5       domestic violence, sexual assault, or stalking;

6           “(B) inform such victims of—

7           “(i) their rights under Federal and  
8       State law;

9           “(ii) options for reporting an incident  
10      of sexual harassment, dating violence, do-  
11      mestic violence, sexual assault, or stalking  
12      to the Academy and law enforcement;

13          “(iii) how to access available services,  
14      including emergency medical care, medical  
15      forensic or evidentiary examinations, legal  
16      services, services provided by rape crisis  
17      centers and other victim service providers,  
18      services provided by the volunteer sexual  
19      assault victim advocates at the Academy,  
20      and crisis intervention counseling and on-  
21      going counseling;

22          “(iv) such coordinator’s ability to as-  
23      sist in arranging access to such services,  
24      with the consent of the victim;

1           “(v) available accommodations, such  
2           as allowing a victim to change living ar-  
3           rangements and obtain accessibility serv-  
4           ices;

5           “(vi) such coordinator’s ability to as-  
6           sist in arranging such accommodations,  
7           with the consent of the victim;

8           “(vii) the victim’s rights and the  
9           Academy’s responsibilities regarding orders  
10          of protection, no contact orders, restrain-  
11          ing orders, or similar lawful orders issued  
12          by the Academy or a criminal, civil, or  
13          tribal court; and

14          “(viii) privacy limitations based on  
15          Federal and State law;

16          “(C) represent the interests of any mid-  
17          shipmen who reports being a victim of sexual  
18          harassment, dating violence, domestic violence,  
19          sexual assault, or stalking, even if such inter-  
20          ests are in conflict with the interests of the  
21          Academy;

22          “(D) advise such victims of, and provide  
23          written materials regarding, the information de-  
24          scribed in subparagraph (B);

1           “(E) liaise with appropriate staff at the  
2           Academy, with the victim’s consent, to arrange  
3           reasonable accommodations through the Acad-  
4           emy to allow a victim to change living arrange-  
5           ments, obtain accessibility services, or access  
6           other accommodations;

7           “(F) maintain the privacy and confiden-  
8           tiality of the victim, and shall not notify the  
9           Academy or any other authority of the identity  
10          of the victim or the alleged circumstances sur-  
11          rounding the reported incident unless—

12                 “(i) otherwise required by the applica-  
13                 ble State law; or

14                 “(ii) requested to do so by the victim  
15                 who has been fully and accurately informed  
16                 about what procedures shall occur if the  
17                 information is shared;

18           “(G) assist the victim in contacting and re-  
19           porting an incident of sexual harassment, dat-  
20           ing violence, domestic violence, sexual assault,  
21           or stalking to the Academy or law enforcement,  
22           if requested to do so by the victim who has been  
23           fully and accurately informed about what proce-  
24           dures shall occur if information is shared; and

1           “(H) submit to the Director of the Office  
2 of Civil Rights of the Department of Transpor-  
3 tation an annual report summarizing how the  
4 resources supplied to the coordinator were used  
5 during the prior year, including the number of  
6 victims assisted by the coordinator.

7           “(b) OVERSIGHT.—

8           “(1) IN GENERAL.—

9           “(A) REPORTING.—Each sexual assault re-  
10 sponse coordinator shall—

11                   “(i) report directly to the Super-  
12 intendent; and

13                   “(ii) have concurrent reporting re-  
14 sponsibility to the Executive Director of  
15 the Maritime Administration on matters  
16 related to the Maritime Administration and  
17 the Department of Transportation and  
18 upon belief that the Academy leadership is  
19 acting inappropriately regarding sexual as-  
20 sault prevention and response matters.

21           “(B) SUPPORT.—The Maritime Adminis-  
22 tration Office of Civil Rights shall provide sup-  
23 port to the sexual assault response staff at the  
24 Academy on all sexual assault and sexual har-  
25 assment prevention matters.

1           “(2) PROHIBITION ON INVESTIGATION BY THE  
2       ACADEMY.—Any request by a victim for an accom-  
3       modation, as described in subsection (a)(5)(F), made  
4       by a sexual assault response coordinator shall not  
5       trigger an investigation by the Academy, even if  
6       such coordinator deals only with matters relating to  
7       sexual harassment, dating violence, domestic vio-  
8       lence, sexual assault, or stalking.

9           “(3) PROHIBITION ON RETALIATION.—A sexual  
10      assault response coordinator, victim advocate, or  
11      companion may not be disciplined, penalized, or oth-  
12      erwise retaliated against by the Academy for rep-  
13      resenting the interests of the victim, even if such in-  
14      terests are in conflict with the interests of the Acad-  
15      emy.

16      “(c) SUPPORT FOR REPORTING.—The Maritime Ad-  
17      ministrators shall contract with a third party to make sup-  
18      port services available 24 hours a day to midshipmen at  
19      the United States Merchant Marine Academy who are vic-  
20      tims of sexual harassment, dating violence, domestic vio-  
21      lence, sexual assault, or stalking. Such support shall—

22           “(1) be greater than or equal to the support  
23      services offered by the Department of Defense  
24      SAFE Helpline; and

1           “(2) be provided by individuals who are trained  
2           regarding the resources that are available to mid-  
3           shipmen that might not be available to the general  
4           public.”.

5           (b) REPEAL OF DUPLICATE REQUIREMENT.—Sub-  
6           section (g) of section 51319 of title 46, United States  
7           Code, as redesignated by subsection (a)(1), is amended—

8                   (1) by striking paragraph (5);

9                   (2) by redesignating paragraph (6) as para-  
10           graph (5); and

11                   (3) in paragraph (5), as so redesignated, by  
12           striking “(3), (4), and (5)” and inserting “(3) and  
13           (4)”.

14   **SEC. 5. PROTECTION OF STUDENTS FROM SEXUAL AS-**  
15                   **SAULT ONBOARD VESSELS.**

16           (a) IN GENERAL.—Chapter 513 of title 46, United  
17           States Code, as amended by subtitle A of title XXXV of  
18           the National Defense Authorization Act for Fiscal Year  
19           2017 (Public Law 114–328), is amended by adding at the  
20           end the following new section:

21   **“§ 51320. Protection of students from sexual assault**  
22                   **onboard vessels**

23           “(a) PROVISION OF INDIVIDUAL SATELLITE COMMU-  
24           NICATION DEVICES DURING SEA YEAR.—

1           “(1) IN GENERAL.—The Maritime Adminis-  
 2           trator shall ensure that each midshipman at the  
 3           United States Merchant Marine Academy is pro-  
 4           vided a functional satellite communication device  
 5           during the midshipman’s Sea Year.

6           “(2) CHECK-IN.—Not less often than once each  
 7           week, each such midshipman shall check-in with des-  
 8           ignated personnel at the Academy via the mid-  
 9           shipman’s personal satellite communication device.

10           “(3) AUTHORIZATION OF APPROPRIATIONS.—  
 11           There are authorized to be appropriated to the Mari-  
 12           time Administrator such funds as may be necessary  
 13           to carry out paragraph (1).

14           “(b) RIDING GANGS.—The Maritime Administrator  
 15           shall—

16           “(1) require the owner or operator of any com-  
 17           mercial vessel carrying a midshipman of the Acad-  
 18           emy to certify their compliance with the Inter-  
 19           national Convention for Safety of Life at Sea, 1974,  
 20           with annex, done at London November 1, 1974 (32  
 21           UST 47), and section 8106; and

22           “(2) ensure the Academy informs midshipmen  
 23           preparing for Sea Year of the obligations that vessel  
 24           owners and operators have to provide for the secu-  
 25           rity of individuals aboard a vessel under United



1 States law, including chapter 81 and section  
2 70103(c).

3 “(c) CHECKS OF COMMERCIAL VESSELS.—

4 “(1) REQUIREMENT.—Not less frequently than  
5 once every two years, the sexual assault prevention  
6 and response staff of the United States Merchant  
7 Marine Academy or the Maritime Administration  
8 shall conduct both random and targeted unan-  
9 nounced checks of not less than 10 percent of the  
10 commercial vessels that host a midshipman from the  
11 Academy.

12 “(2) REMOVAL OF STUDENTS.—If such staff  
13 determine that such a commercial vessel is in viola-  
14 tion of the sexual assault policy developed by the  
15 Academy through such a check, such staff are au-  
16 thorized to remove any midshipman of the Academy  
17 from the vessel and report any such violation to the  
18 company that owns the vessel.

19 “(d) MAINTENANCE OF SEXUAL ASSAULT TRAINING  
20 RECORDS.—The Maritime Administrator shall require  
21 each company or seafarer union for a commercial vessel  
22 to maintain records of sexual assault training for the crew  
23 and passengers of any vessel hosting a midshipman from  
24 the Academy.

25 “(e) SEA YEAR SURVEY.—

1           “(1) REQUIREMENT.—The Maritime Adminis-  
 2           trator shall require each midshipman from the Acad-  
 3           emy upon completion of the midshipman’s Sea Year  
 4           to complete a survey regarding the environment and  
 5           conditions on each commercial vessel that hosted the  
 6           midshipman during the Sea Year.

7           “(2) AVAILABILITY.—The Maritime Adminis-  
 8           trator shall make available to the public for each  
 9           year—

10                   “(A) the questions used in the survey re-  
 11                   quired by paragraph (1); and

12                   “(B) the aggregated data received from  
 13                   such surveys.”.

14           (b) TABLE OF SECTIONS AMENDMENT.—The table of  
 15           sections for chapter 513 of title 46, United States Code,  
 16           as amended by subtitle A of title XXXV of the National  
 17           Defense Authorization Act for Fiscal Year 2017 (Public  
 18           Law 114–328), is amended by adding at the end the fol-  
 19           lowing:

          “Sec. 51320. Protection of students from sexual assault onboard vessels.”.

20   **SEC. 6. TRAINING REQUIREMENT FOR SEXUAL ASSAULT IN-**  
 21                   **VESTIGATORS.**

22           The Secretary of Transportation shall require each  
 23           employee of the Office of Inspector General of the Depart-  
 24           ment of Transportation who conducts investigations and

1 who is assigned to the Regional Investigations Office in  
2 New York, New York—

3           (1) to participate in specialized training in con-  
4           ducting sexual assault investigations; and

5           (2) to attend at least one Federal Law Enforce-  
6           ment Training Center (FLETC) sexual assault in-  
7           vestigation course each year.

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