

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.

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

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-

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

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

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

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

13 “(6) CONSISTENCY WITH THE HIGHER EDU-
 14 CATION ACT OF 1965.—The Secretary shall ensure
 15 that the policy developed under this subsection
 16 meets the requirements set out in paragraph (8) of
 17 section 485(f) of the Higher Education Act of 1965
 18 (20 U.S.C. 1092(f)(8)).”.

19 (b) MINIMUM PROCEDURES FOR HANDLING RE-
 20 PORTS OF SEXUAL HARASSMENT, DATING VIOLENCE,
 21 DOMESTIC VIOLENCE, SEXUAL ASSAULT, OR STALK-
 22 ING.—Subsection (b) of 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), 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.

○