

119TH CONGRESS
2D SESSION

H. R. 2406

AN ACT

To amend the National Defense Authorization Act for Fiscal Year 2017 to address sexual harassment and sexual assault involving National Oceanic and Atmospheric Administration personnel, 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. SHORT TITLE.**

2 This Act may be cited as the “National Oceanic and
3 Atmospheric Administration Sexual Harassment and As-
4 sault Prevention Improvements Act of 2025”.

5 **SEC. 2. REFERENCES.**

6 Except as otherwise specifically provided, whenever in
7 this Act an amendment or repeal is expressed in terms
8 of an amendment to, or repeal of, a provision, the ref-
9 erence shall be considered to be made to a provision of
10 subtitle C of title XXXV of the National Defense Author-
11 ization Act for Fiscal Year 2017 (33 U.S.C. 894 et seq.).

12 **SEC. 3. POLICY ON PREVENTION OF AND RESPONSE TO**
13 **SEXUAL HARASSMENT INVOLVING NATIONAL**
14 **OCEANIC AND ATMOSPHERIC ADMINISTRA-**
15 **TION PERSONNEL.**

16 Section 3541(f) (33 U.S.C. 894(f)) is amended—

17 (1) by inserting “and equal employment” after
18 “sexual harassment” in each place it appears; and

19 (2) in paragraph (2)—

20 (A) by redesignating subparagraphs (C)
21 and (D) as subparagraphs (D) and (E), respec-
22 tively; and

23 (B) by inserting after subparagraph (B)
24 the following:

25 “(C) Relevant data, including—

1 “(i) a synopsis of each case and the
2 disciplinary action taken, if any, with re-
3 spect to each such case; and

4 “(ii) data collected pursuant to the
5 Notification and Federal Employee Anti-
6 discrimination and Retaliation Act of 2002
7 (5 U.S.C. 2301 note).”.

8 **SEC. 4. ANNUAL REPORT ON SEXUAL HARASSMENT, SEX-**
9 **UAL ASSAULT, AND EQUAL EMPLOYMENT.**

10 Section 3548 (33 U.S.C. 894e) is amended—

11 (1) by striking the section heading and insert-
12 ing the “**ANNUAL REPORT ON SEXUAL HARASS-**
13 **MENT, SEXUAL ASSAULT, AND EQUAL EMPLOY-**
14 **MENT IN NATIONAL OCEANIC AND ATMOS-**
15 **PHERIC ADMINISTRATION**”.

16 (2) in subsection (a), by striking “the sexual as-
17 saults involving” and inserting “sexual harassment
18 and sexual assault cases involving, and the equal
19 employment of,”;

20 (3) in subsection (b)—

21 (A) in paragraph (1), by striking “as-
22 saults” and inserting “harassment and sexual
23 assault cases”;

24 (B) in paragraph (4), by inserting “, in-
25 cluding a synopsis of each sexual harassment

1 and equal employment case and the disciplinary
2 action taken, if any, with respect to each such
3 case” before the period at the end; and

4 (C) by adding at the end the following:

5 “(5) A summary of the number of change of
6 station, unit transfer, and change of work location
7 requests submitted to the Secretary of Commerce,
8 acting through the Under Secretary for Oceans and
9 Atmosphere, under subsection (a) of section 3544,
10 including the number of such requests the Secretary
11 denied under that subsection.

12 “(6) A summary of the number of cases re-
13 ported to the Commandant of the Coast Guard
14 under section 3550.

15 “(7) The number of alleged sexual harassment
16 and sexual assault cases involving fisheries observ-
17 ers, protected species observers, and endangered spe-
18 cies observers, including—

19 “(A) a synopsis of each case and the sta-
20 tus of each such case;

21 “(B) the disposition of any investigation;
22 and

23 “(C) a description of the fishery manage-
24 ment region and fishery or the geographic re-
25 gion and type of permitted operation in which

1 the incident of sexual harassment or sexual as-
2 sault is alleged to have occurred, as appro-
3 priate.”; and

4 (4) in subsection (c), by striking “assault” and
5 inserting “harassment or sexual assault case”.

6 **SEC. 5. INVESTIGATION AND CRIMINAL REFERRAL RE-**
7 **QUIREMENTS.**

8 (a) TECHNICAL AMENDMENT.—Sections 3548 and
9 3549 (33 U.S.C. 894e and 894f) are redesignated as sec-
10 tions 3551 and 3552, respectively.

11 (b) CRIMINAL REFERRAL.—Section 3547 (33 U.S.C.
12 894d–2) is amended—

13 (1) by striking “pursuant to” and inserting “at
14 the onset or during the course of”; and

15 (2) by inserting “and, with respect to a licensed
16 mariner, the Commandant of the Coast Guard”
17 after “United States Attorney”.

18 (c) IN GENERAL.—Subtitle C of title XXXV (33
19 U.S.C. 894 et seq.) is amended by inserting after section
20 3547 (33 U.S.C. 894d–2) the following:

21 **“SEC. 3548. EXCEPTIONS REGARDING ANONYMITY OF VIC-**
22 **TIMS IN CERTAIN CASES.**

23 “(a) IN GENERAL.—In any case in which an em-
24 ployee of the Administration, member of the commissioned
25 officer corps of the Administration, or covered personnel

1 elects restricted or unrestricted reporting under section
2 3541(b)(3)(B) or 3542(b)(5)(B), disclosure to the fol-
3 lowing persons or organizations of the personally identi-
4 fying information of such individual is authorized for the
5 following reasons:

6 “(1) To Administration staff or law enforce-
7 ment personnel, if authorized by the victim in writ-
8 ing.

9 “(2) To Administration staff or law enforce-
10 ment personnel to prevent or lessen a serious or im-
11 minent threat to the health or safety of the victim
12 or another person.

13 “(3) To a victim advocate or healthcare pro-
14 vider, if required for the provision of victim services.

15 “(4) To a State or Federal court, if pursuant
16 to a court order or if disclosure is required by Fed-
17 eral or State statute.

18 “(b) NOTICE OF DISCLOSURE; PRIVACY PROTEC-
19 TION.—If information described in subsection (a) is dis-
20 closed under that subsection, the Secretary shall—

21 “(1) make reasonable attempts to provide no-
22 tice to the individual the information of whom is so
23 disclosed; and

24 “(2) take such action as is necessary to protect
25 the privacy and safety of the individual.

1 **“SEC. 3549. RESTRICTED REPORTING UPDATE.**

2 “Not later than 3 years after the date of the enact-
3 ment of the National Oceanic and Atmospheric Adminis-
4 tration Sexual Harassment and Assault Prevention Im-
5 provements Act of 2025, the Secretary of Commerce, act-
6 ing through the Under Secretary for Oceans and Atmos-
7 phere, shall update the policies developed under sections
8 3541 and 3542 with respect to the mechanism established
9 under subsections (b)(3)(B) and (b)(5)(B) of those sec-
10 tions, respectively, such that each such mechanism pro-
11 vides for a restricted reporting system that allows an em-
12 ployee of the Administration, member of the commissioned
13 officer corps of the Administration, or covered personnel
14 who alleges to have been sexually harassed or sexually as-
15 saulted to confidentially disclose the details of such sexual
16 harassment or sexual assault to specified individuals and
17 receive the services outlined in this subtitle—

18 “(1) without the dissemination of the personally
19 identifying information of such individual, except as
20 necessary for the provision of such services and as
21 provided by section 3548(a); and

22 “(2) without automatically triggering an inves-
23 tigative process.

24 **“SEC. 3550. MARINER REPORTING.**

25 “(a) MANDATORY REPORTING BY RESPONSIBLE EN-
26 TITY OF A VESSEL.—

1 “(1) UNRESTRICTED REPORTS.—The respon-
 2 sible entity of a vessel shall report to the Com-
 3 mandant of the Coast Guard any incident of sexual
 4 harassment or sexual assault in violation of employer
 5 policy or law, of which the responsible entity of a
 6 vessel is made aware, involving—

7 “(A) an employee or contractor of the Ad-
 8 ministration who is required to hold a valid
 9 merchant mariner credential as a condition of
 10 employment; or

11 “(B) a crewmember of a vessel that, at the
 12 time of such incident, was operating under a
 13 contract with the Administration.

14 “(2) RESTRICTED REPORTS.—Paragraph (1)
 15 does not apply with respect to an incident of sexual
 16 harassment or sexual assault reported on a re-
 17 stricted basis pursuant to the mechanisms estab-
 18 lished for such reporting under sections
 19 3541(b)(3)(B) and 3542(b)(5)(B), respectively.

20 “(b) REPORTING PROCEDURES.—

21 “(1) IN GENERAL.—

22 “(A) TIMING OF REPORTING.—The respon-
 23 sible entity of a vessel shall make a report re-
 24 quired under subsection (a)(1) as soon as the
 25 responsible entity of a vessel is made aware of

1 the incident of sexual harassment or sexual as-
2 sult that is the subject of the report.

3 “(B) MODE OF REPORTING.—The respon-
4 sible entity of a vessel shall make a report re-
5 quired under subsection (a)(1) to a single entity
6 in the Coast Guard designated by the Com-
7 mandant of the Coast Guard to receive such re-
8 ports by the fastest telecommunication channel
9 available to the responsible entity of a vessel.

10 “(2) CONTENTS OF REPORT.—Each report
11 made under this section shall include, to the best of
12 the knowledge of the responsible entity of a vessel—

13 “(A) the name, Coast Guard merchant
14 mariner credential reference number, if applica-
15 ble, official position or role in relation to the
16 vessel, and contact information of each indi-
17 vidual involved in the incident of sexual harass-
18 ment or sexual assault that is the subject of the
19 report;

20 “(B) the name and official number of the
21 vessel;

22 “(C) the time and date of the incident of
23 sexual harassment or sexual assault;

1 “(D) the geographic position or location of
2 the vessel when the incident of sexual harass-
3 ment or sexual assault occurred; and

4 “(E) a brief description of the incident of
5 alleged sexual harassment or sexual assault
6 being reported.

7 “(c) NOTIFICATION BY SECRETARY.—

8 “(1) IN GENERAL.—The Secretary of Com-
9 merce, acting through the Under Secretary for
10 Oceans and Atmosphere, shall notify the Director of
11 the Office of Marine and Aviation Operations of
12 each report of an incident of sexual harassment or
13 sexual assault received by the Secretary.

14 “(2) NOTIFICATION CONTENTS.—Each notifica-
15 tion under paragraph (1) shall include, to the best
16 of the knowledge of the Secretary of Commerce, act-
17 ing through the Under Secretary for Oceans and At-
18 mosphere—

19 “(A) with respect to an unrestricted report
20 submitted pursuant to section 3541(b)(3)(B) or
21 3542(b)(5)(B), the information required under
22 subsection (b)(2) of this section; and

23 “(B) with respect to a restricted report
24 submitted pursuant to section 3541(b)(3)(B) or
25 3542(b)(5)(B), the information required under

1 subsection (b)(2) of this section that does not
2 include the personally identifying information of
3 the individual that submitted the restricted re-
4 port.”.

5 **SEC. 6. DEFINITIONS.**

6 Section 3552, as redesignated by section 5(a) of this
7 Act, is amended to read as follows:

8 **“SEC. 3552. DEFINITIONS.**

9 “In this subtitle:

10 “(1) ADMINISTRATION.—The term ‘Administra-
11 tion’ means the National Oceanic and Atmospheric
12 Administration.

13 “(2) COVERED PERSONNEL.—

14 “(A) IN GENERAL.—The term ‘covered
15 personnel’ means an individual who works with
16 or conducts business on behalf of the Adminis-
17 tration.

18 “(B) INCLUSION.—The term ‘covered per-
19 sonnel’ includes—

20 “(i) observers, at-sea monitors, and
21 catch monitors required by the National
22 Marine Fisheries Service to operate on or
23 in commercial fishing vessels, other pri-
24 vately owned vessels, barges, or platforms,
25 and shoreside processing facilities for—

1 “(I) commercial fisheries obser-
2 vation required by the Magnuson-Ste-
3 vens Fishery Conservation and Man-
4 agement Act (13 U.S.C. 1801 et
5 seq.);

6 “(II) protected species or endan-
7 gered species observation required by
8 the Marine Mammal Protection Act of
9 1972 (16 U.S.C. 1361 et seq.) or the
10 Endangered Species Act of 1973 (16
11 U.S.C. 1351 et seq.); or

12 “(III) platform removal observa-
13 tion; and

14 “(ii) voting members and executive
15 and administrative staff of each Regional
16 Fishery Management Council established
17 by section 302 of the Magnuson-Stevens
18 Fishery Conservation and Management Act
19 (16 U.S.C. 1852).

20 “(3) RESPONSIBLE ENTITY OF A VESSEL.—The
21 term ‘responsible entity of a vessel’ means the Direc-
22 tor of the Office of Marine and Aviation Operations,
23 with respect to each vessel owned or operated by the
24 Administration.

6 (a) CONFORMING AMENDMENTS.—Subtitle C of title
7 XXXV (33 U.S.C. 894 et seq.) is amended—

8 (1) by striking “individuals who work with or
9 conduct business on behalf of the Administration”
10 each place it appears and inserting “covered per-
11 sonnel”; and

(2) by striking “National Oceanic and Atmospheric” each place it appears.

(1) GLOBAL TABLE OF CONTENTS.—The table of contents in section 2(b) is amended by striking the items relating to sections 3548 and 3549 and inserting the following:

“Sec. 3552. Definitions.”.

(2) TITLE XXXV TABLE OF CONTENTS.—The table of contents at the beginning of title XXXV is amended by striking the items relating to sections 3546 and 3547 and inserting the following:

“Sec. 3546. Investigation requirement.

“Sec. 3547. Criminal referral.

“Sec. 3548. Exceptions regarding anonymity of victims in certain cases.

“Sec. 3549. Restricted reporting update.

“Sec. 3550. Mariner referral.

“Sec. 3551. Annual report on sexual harassment, sexual assault, and equal employment in National Oceanic and Atmospheric Administration.

“Sec. 3552. Definitions.”.

1 **SEC. 8. PROHIBITED ACTS.**

2 Section 307(1)(L) of the Magnuson-Stevens Fishery
3 Conservation and Management Act (16 U.S.C.
4 1857(1)(L)) is amended—

5 (1) by striking “forcibly”; and

6 (2) by striking “on a vessel”.

7 **SEC. 9. PROHIBITION ON SERVICE IN COMMISSIONED OFFI-** 8 **CER CORPS OF NATIONAL OCEANIC AND AT-** 9 **MOSPHERIC ADMINISTRATION BY INDIVID-** 10 **UALS CONVICTED OF CERTAIN SEXUAL OF-** 11 **FENSES.**

12 Section 261(a) of the National Oceanic and Atmos-
13 pheric Administration Commissioned Officer Corps Act of
14 2002 (33 U.S.C. 3071(a)) is amended—

15 (1) by redesignating paragraph (26) as para-
16 graph (27); and

17 (2) by inserting after paragraph (25) the fol-
18 lowing:

1 “(26) Section 657, relating to prohibition on
2 service by individuals convicted of certain sexual of-
3 fenses.”.

 Passed the House of Representatives September 14,
2026.

Attest:

Clerk.

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AN ACT

To amend the National Defense Authorization Act for Fiscal Year 2017 to address sexual harassment and sexual assault involving National Oceanic and Atmospheric Administration personnel, and for other purposes.