

advocate for victims of sexual assaults involving employees of the Administration, members of the commissioned officer corps of the Administration, and individuals who work with or conduct business on behalf of the Administration.

**(2) Victim advocates**

For purposes of this subsection, a victim advocate is an existing permanent employee of the Administration who—

(A) is trained in matters relating to sexual assault and the comprehensive policy developed under subsection (a); and

(B) serves as a victim advocate voluntarily and in addition to the employee's other duties as an employee of the Administration.

**(3) Primary duties**

The primary duties of a victim advocate established under paragraph (1) shall include the following:

(A) Supporting victims of sexual assault and informing them of their rights and the resources available to them as victims.

(B) Acting as a companion in navigating investigative, medical, mental and emotional health, and recovery processes relating to sexual assault.

(C) Helping to identify resources to ensure the safety of victims of sexual assault.

**(4) Location**

The Secretary shall ensure that at least 1 victim advocate established under paragraph (1) is stationed—

(A) in each region in which the Administration conducts operations; and

(B) in each marine and aviation center of the Administration.

**(5) Hotline**

**(A) In general**

In carrying out this subsection, the Secretary shall provide a telephone number at which a victim of a sexual assault can contact a victim advocate.

**(B) 24-hour access**

The Secretary shall ensure that the telephone number established under subparagraph (A) is monitored at all times.

**(C) Partnership**

The Secretary shall, where possible, use established hotlines for purposes of this paragraph.

**(6) Formal relationships with other entities**

The Secretary may enter into formal relationships with other entities to make available additional victim advocates.

**(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) 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.

(Pub. L. 114-328, div. C, title XXXV, §3542, Dec. 23, 2016, 130 Stat. 2801; Pub. L. 116-259, title V, §504(a)(2), Dec. 23, 2020, 134 Stat. 1180.)

**Editorial Notes**

AMENDMENTS

2020—Subsec. (b)(5)(B). Pub. L. 116-259 substituted “can be reported on a restricted or unrestricted basis” for “can be confidentially reported”.

**§ 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.