

**(2) Assigned staff**

To assist in performing the functions under subsection (c), the Director shall assign to the Office a sufficient number of individuals, who shall have no official duties other than duties related to the Office while so assigned.

**(c) Functions of Office****(1) Functions**

The Director shall establish the functions and role of the Office, which shall include the following:

(A) Providing to eligible individuals under subsection (d) advice and assistance on health and wellbeing, including with respect to—

- (i) physical health and access to physical health care;
- (ii) mental health and access to mental health care; and
- (iii) other related programs and benefits for which the individual may be eligible.

(B) In providing advice and assistance to individuals under subparagraph (A), assisting such individuals who are applying for, and navigating the process to obtain, benefits furnished by the United States Government for which the individual is eligible, including, at a minimum—

- (i) health care and benefits described in such subparagraph; and
- (ii) benefits furnished pursuant to section 3519b of this title.

(C) Maintaining, and making available to eligible individuals under subsection (d), the following:

- (i) A list of physicians and mental health care providers (including from the private sector, as applicable), who have experience with the physical and mental health care needs of the Agency workforce.
- (ii) A list of chaplains and religious counselors who have experience with the needs of the Agency workforce, including information regarding access to the Chaplain Corps established under section 3527 of this title.
- (iii) Information regarding how to select and retain private attorneys who have experience with the legal needs of the Agency workforce, including detailed information on the process for the appropriate sharing of information with retained private attorneys.

(D) Any other functions the Director determines appropriate.

**(2) Rule of construction**

The inclusion of any person on a list maintained or made available pursuant to paragraph (1)(C) shall not be construed as an endorsement of such person (or any service furnished by such person), and the Director shall not be liable, as a result of such inclusion, for any portion of compensable injury, loss, or damage attributable to such person or service.

**(3) Confidentiality****(A) Requirement**

The Director shall ensure that, to the extent permitted by law, the advice and assist-

ance provided by the Office to eligible individuals under subsection (d) is provided in a confidential manner.

**(B) Regulations**

The Director may prescribe regulations regarding the requirement for confidentiality under this paragraph. The Director shall submit to the congressional intelligence committees (as defined in section 3003 of this title), the Subcommittee on Defense of the Committee on Appropriations of the Senate, and the Subcommittee on Defense of the Committee on Appropriations of the House of Representatives any such regulations not later than 30 days after prescribing such regulations.

**(d) Eligibility****(1) In general**

An individual described in paragraph (2) may receive a service under the Office at the election of the individual.

**(2) Individuals described**

An individual described in this paragraph is—

- (A) a current or former officer or employee of the Agency; or
- (B) an individual affiliated with the Agency, as determined by the Director.

(June 20, 1949, ch. 227, §29, as added Pub. L. 117-263, div. F, title LXIV, §6416(a), Dec. 23, 2022, 136 Stat. 3528.)

**Statutory Notes and Related Subsidiaries****DEADLINE FOR ESTABLISHMENT**

Pub. L. 117-263, div. F, title LXIV, §6416(b), Dec. 23, 2022, 136 Stat. 3530, provided that: “The Director of the Central Intelligence Agency shall establish the Office under section 29 of the Central Intelligence Agency Act of 1949 [50 U.S.C. 3530] (as added by subsection (a)) (in this section referred to as the ‘Office’) by not later than 120 days after the date of the enactment of this Act [Dec. 23, 2022].”

**§ 3531. Sexual assault and sexual harassment within the Agency****(a) Responsibilities of Director**

The Director shall carry out the following responsibilities:

- (1) Establishing professional and uniform training for employees assigned to working with all aspects of the response of the Agency to allegations of sexual assault and sexual harassment.
- (2) Developing and implementing policies and procedures to protect the confidentiality of employees who report sexual assault or sexual harassment and to mitigate negative effects on the reputation or career of such an employee as a result of such a report.
- (3) Developing and implementing documented standards for—

- (A) appropriate mitigation and protection measures for individuals who make allegations of a sexual assault or sexual harassment to be put in place while an investigation proceeds;
- (B) appropriate employee consequences to be imposed based on the findings of an in-

quiry or investigation into a substantiated allegation of sexual assault or sexual harassment;

(C) appropriate career path protection for all employees involved in an incident resulting in a reported allegation of sexual assault or sexual harassment while an administrative or criminal investigation or review of the allegation is pending; and

(D) mitigation measures to protect employees and mission execution while such allegations are being addressed.

(4) Articulating and enforcing norms, expectations, practices, and policies, including with respect to employee promotions and assignments, that are published for the workforce and designed to promote a healthy workplace culture that is inhospitable to sexual assault and sexual harassment.

(5) Developing and issuing workforce messaging to inform Agency employees of policies, procedures, resources, and points of contact to obtain information related to, or to report, sexual assault or sexual harassment globally.

(6) Developing and implementing sexual assault and sexual harassment training for all Agency employees that—

(A) is designed to strengthen individual knowledge, skills, and capacity to prevent and respond to sexual assault and sexual harassment;

(B) includes onboarding programs, annual refresher training, and specialized leadership training; and

(C) includes details of the definitions of sexual assault and sexual harassment, the distinction between such terms, and what does or does not constitute each.

(7) Developing and implementing processes and procedures applicable to personnel involved in providing the training referred to in paragraph (6) that—

(A) are designed to ensure seamless policy consistency and mechanisms for submitting reports of sexual assault and sexual harassment in all training environments; and

(B) include requirements for in-person training that—

(i) covers the reporting processes for sexual assault and sexual harassment that are specific to training environments for students and trainers; and

(ii) shall be provided at an appropriate time during the first 5 days of any extended or residential training course.

(8) Developing and implementing, in consultation with the Victim Advocacy Specialists of the Federal Bureau of Investigation, appropriate training requirements, policies, and procedures applicable to all employees whose professional responsibilities include interaction with people making reports alleging sexual assault or sexual harassment.

(9) Developing and implementing procedures under which current and former employees of the Agency who have reported an allegation of sexual assault or sexual harassment may obtain documents and records related to such a report, as appropriate and upon request.

(10) Developing and implementing procedures under which an employee who makes a

restricted or unrestricted report containing an allegation of a sexual assault or sexual harassment may transfer out of the current assignment or location of the employee, upon the request of the employee making the report. Such procedures shall be consistent with the privilege established in section 3532 of this title.

(11) Developing policies and procedures for the Special Victim Investigator, as applicable, to facilitate outside engagement requests of employees reporting allegations of sexual assault or sexual harassment as described in sections 3532 and 3533 of this title.

(12) Coordinating the response of the Agency to allegations of sexual assault and sexual harassment.

#### **(b) Semiannual report**

Not less frequently than once every 180 days, the Director shall submit to the Select Committee on Intelligence of the Senate and the Permanent Select Committee on Intelligence of the House of Representatives a report on the activities of all Agency offices responsible for preventing, investigating, adjudicating, and addressing claims of sexual assault or sexual harassment. The Director shall personally review, approve, and submit each report under this subsection on a nondelegable basis. Each such report shall include—

(1) for the period covered by the report—

(A) the number of new allegations of sexual assault and sexual harassment reported to any Agency office, disaggregated by restricted and unrestricted reports;

(B) the number of new or ongoing cases in which the Sexual Harassment/Assault Response and Prevention Office has provided victim advocacy services;

(C) a description of all training activities related to sexual assault and sexual harassment carried out Agency-wide, and the number of such trainings conducted; and

(2) for the period beginning on December 22, 2023, and ending on the last day of the period covered by the report—

(A) the total number of allegations of sexual assault and sexual harassment;

(B) the disposition of each report of such an allegation;

(C) any corrective action taken in response to each such report;

(D) the number of such allegations that were not substantiated; and

(E) the number of employee reassignment and relocation requests, including—

(i) the number of such requests that were granted;

(ii) the number of such requests that were denied; and

(iii) for any such request that was denied, the position of the individual who denied the request and the reason for denial.

#### **(c) Applicability**

##### **(1) In general**

The policies developed pursuant to this section shall apply to each of the following:

(A) Any employee of the Agency.

(B) Any person other than an Agency employee who alleges they were sexually as-

saulted or harassed at a facility associated with the Agency or during the performance of a function associated with the Agency. If such person is an employee of an industrial contractor, the contracting officer for the relevant contract shall coordinate with the contractually identified representative for the prime contractor in a manner consistent with section 3532 of this title.

**(2) Relation to existing regulations**

The policies developed pursuant to this section for handling allegations of sexual harassment shall be in addition to the requirements of part 1614 of title 29, Code of Federal Regulations, or successor regulations.

(June 20, 1949, ch. 227, § 30, as added Pub. L. 118-31, div. G, title III, § 7339(b), Dec. 22, 2023, 137 Stat. 1052.)

**Statutory Notes and Related Subsidiaries**

REPORTING AND INVESTIGATING ALLEGATIONS OF SEXUAL ASSAULT AND SEXUAL HARASSMENT WITHIN THE CENTRAL INTELLIGENCE AGENCY

Pub. L. 118-31, div. G, title III, § 7339(a), Dec. 22, 2023, 137 Stat. 1051, provided that:

“(a) SENSE OF CONGRESS.—It is the sense of Congress that—

“(1) sexual assault and sexual harassment arise from, and are often indicative of, an environment where toxic, provocative, and sometimes significantly inappropriate behavior is tolerated;

“(2) when supervisors and senior leaders at headquarters and in the field are among the offenders and facilitate a work climate in which toxic and disrespectful behavior is tolerated, harassment and even assault will often go unaddressed and unpunished;

“(3) while establishing clear policies and procedures and enhancing training are necessary first steps toward protecting victims and establishing stronger internal mechanisms for preventing and responding to future sexual assault and sexual harassment within the Central Intelligence Agency, comprehensive culture change driven by Agency leadership will be necessary to accomplish impactful and enduring improvement; and

“(4) it is vital for the Central Intelligence Agency to maintain an independent and neutral person with whom all employees at all levels, supervisors and non-supervisors, may speak confidentially, informally, and off-the-record about work-related concerns or questions.”

**IMPLEMENTATION AND REPORTING REQUIREMENTS**

Pub. L. 118-31, div. G, title III, § 7339(e), Dec. 22, 2023, 137 Stat. 1061, provided that:

“(1) DEADLINE FOR IMPLEMENTATION.—Not later than 180 days after the date of the enactment of this Act [Dec. 22, 2023], the Director of the Central Intelligence Agency shall—

“(A) complete an Agency climate assessment—

“(i) which does not request any information that would make an Agency employee or an Agency employee’s position identifiable;

“(ii) for the purposes of—

“(I) preventing and responding to sexual assault and sexual harassment; and

“(II) examining the prevalence of sexual assault and sexual harassment occurring among the Agency’s workforce; and

“(iii) that includes an opportunity for Agency employees to express their opinions regarding the manner and extent to which the Agency responds to allegations of sexual assault and complaints of sexual harassment, and the effectiveness of such response;

“(B) submit to the appropriate congressional committees the findings of the Director with respect to the climate assessment completed pursuant to subparagraph (A);

“(C) establish and implement the policies required under sections 30 and 31 of the Central Intelligence Agency Act of 1949 [50 U.S.C. 3531 and 3532], as added by subsections (b) and (c), respectively;

“(D) consolidate the responsibilities of the Director under section 30 of the Central Intelligence Agency Act of 1949 [50 U.S.C. 3531] in a single Office, as determined by the Director; and

“(E) establish the Special Victim Investigator, as required by section 32 of the Central Intelligence Agency Act of 1949 [50 U.S.C. 3533], as added by subsection (d).

“(2) REPORT.—Not later than 90 days after the date of the enactment of this Act, and not less frequently than once every 90 days thereafter for 2 years, the Director of the Central Intelligence Agency shall submit to the appropriate congressional committees a report on the implementation of this section and the amendments made by this section. The Director shall personally review, approve, and submit each report under this paragraph on a nondelegable basis.

“(3) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this subsection, the term ‘appropriate congressional committees’ means—

“(A) the Select Committee on Intelligence and the Subcommittee on Defense of the Committee on Appropriations of the Senate; and

“(B) the Permanent Select Committee on Intelligence and the Subcommittee on Defense of the Committee on Appropriations of the House of Representatives.”

**§ 3532. Reporting and investigation of allegations of sexual assault and sexual harassment**

**(a) Policies relating to restricted and unrestricted reporting of sexual assault and sexual harassment**

**(1) In general**

The Director shall develop and implement policies, regulations, personnel training, and workforce education to establish and provide information about restricted reports and unrestricted reports of allegations of sexual assault and sexual harassment within the Agency in accordance with this subsection.

**(2) Workforce education**

Workforce education developed under paragraph (1) shall be designed to clearly inform Agency employees of the differences between restricted and unrestricted reporting of allegations of sexual assault and sexual harassment, and which individual or office within the Agency is responsible for receiving each type of report.

**(3) Relationship to the Sexual Harassment/Assault Response and Prevention Office**

To the extent consistent with preserving a victim’s complete autonomy, the policies, regulations, training, and messaging described in this subsection shall—

(A) encourage Agency employees to make restricted or unrestricted reports of sexual assault and sexual harassment to the Sexual Harassment/Assault Response and Prevention Office;

(B) encourage Agency employees to use the Sexual Harassment/Assault Response and Prevention Office as the primary point of contact and entry point for Agency em-