

**AMENDMENT TO THE AMENDMENT IN THE
NATURE OF A SUBSTITUTE TO H.R. 2830
OFFERED BY MS. LORETTA SANCHEZ OF
CALIFORNIA**

At the end of title II add the following:

1 **SEC. 222. POLICY ON SEXUAL HARASSMENT AND SEXUAL**
2 **VIOLENCE AT THE COAST GUARD ACADEMY.**

3 (a) **REQUIRED POLICY.**—Under guidance prescribed
4 by the Secretary of the department in which the Coast
5 Guard is operating, the Commandant of the Coast Guard
6 shall direct the Superintendent of the Coast Guard Acad-
7 emy to prescribe a policy on sexual harassment and sexual
8 violence applicable to the cadets and other personnel of
9 the Academy.

10 (b) **MATTERS TO BE SPECIFIED IN POLICY.**—The
11 policy on sexual harassment and sexual violence prescribed
12 under this section shall include specification of the fol-
13 lowing:

14 (1) Programs to promote awareness of the inci-
15 dence of rape, acquaintance rape, and other sexual
16 offenses of a criminal nature that involve cadets or
17 other Academy personnel.

1 (2) Procedures that a cadet should follow in the
2 case of an occurrence of sexual harassment or sexual
3 violence, including—

4 (A) if the cadet chooses to report an occur-
5 rence of sexual harassment or sexual violence, a
6 specification of the person or persons to whom
7 the alleged offense should be reported and the
8 options for confidential reporting;

9 (B) a specification of any other person
10 whom the victim should contact; and

11 (C) procedures on the preservation of evi-
12 dence potentially necessary for proof of criminal
13 sexual assault.

14 (3) Procedures for disciplinary action in cases
15 of alleged criminal sexual assault involving a cadet
16 or other Academy personnel.

17 (4) Any other sanction authorized to be im-
18 posed in a substantiated case of sexual harassment
19 or sexual violence involving a cadet or other Acad-
20 emy personnel in rape, acquaintance rape, or any
21 other criminal sexual offense, whether forcible or
22 nonforcible.

23 (5) Required training on the policy for all ca-
24 dets and other Academy personnel, including the
25 specific training required for personnel who process

1 allegations of sexual harassment or sexual violence
2 involving Academy personnel.

3 (c) ANNUAL ASSESSMENT.—

4 (1) The Secretary, through the Commandant of
5 the Coast Guard, shall direct the Superintendent of
6 the Coast Guard Academy to conduct an assessment
7 during each Academy program year to determine the
8 effectiveness of the Academy's policies, training, and
9 procedures on sexual harassment and sexual violence
10 involving cadets and other Academy personnel.

11 (2) For the assessment for each of the 2009,
12 2010, 2011, 2012, and 2013 Academy program
13 years, the Superintendent shall conduct a survey of
14 all academy personnel—

15 (A) to measure—

16 (i) the incidence, during that program
17 year, of sexual harassment and sexual vio-
18 lence events, on or off the Academy res-
19 ervation, that have been reported to offi-
20 cials of the Academy; and

21 (ii) the incidence, in that program
22 year, of sexual harassment and sexual vio-
23 lence events, on or off the Academy res-
24 ervation, that have not been reported to of-
25 ficials of the Academy; and

1 (B) to assess the perceptions of Academy
2 personnel on—

3 (i) the policies, training, and proce-
4 dures on sexual harassment and sexual vio-
5 lence involving Academy personnel;

6 (ii) the enforcement of such policies;

7 (iii) the incidence of sexual harass-
8 ment and violence involving Academy per-
9 sonnel in such program year; and

10 (iv) any other issues relating to sexual
11 harassment and violence involving Acad-
12 emy personnel.

13 (d) ANNUAL REPORT.—

14 (1) The Commandant of the Coast Guard shall
15 direct the Superintendent of the Coast Guard Acad-
16 emy to submit to the Commandant a report on sex-
17 ual harassment and sexual violence involving acad-
18 emy personnel for each of the 2009, 2010, 2011,
19 2012, and 2013 academy program years.

20 (2) The annual report under paragraph (1)
21 shall contain, for the Academy program year covered
22 by the report, the following matters:

23 (A) The number of sexual assaults, rapes,
24 and other sexual offenses involving academy
25 personnel that have been reported to Academy

1 officials during the program year, and the num-
2 ber of the reported cases that have been sub-
3 stantiated.

4 (B) The policies, procedures, and processes
5 implemented by the Commandant of the Coast
6 Guard and the leadership of the Coast Guard
7 Academy in response to sexual harassment and
8 sexual violence involving Academy personnel
9 during the program year.

10 (C) In the report for the 2009 Academy
11 program year, a discussion of the survey con-
12 ducted under subsection (b), together with an
13 analysis of the results of the survey and a dis-
14 cussion of any initiatives undertaken on the
15 basis of such results and analysis.

16 (D) In the report for each of the subse-
17 quent Academy program years, the results of
18 the annual survey conducted in such program
19 year under subsection (b).

20 (E) A plan for the actions that are to be
21 taken in the following Academy program year
22 regarding prevention of and response to sexual
23 harassment and sexual violence involving Acad-
24 emy personnel.

1 (3) The Commandant of the Coast Guard shall
2 transmit the annual report on the Coast Guard
3 Academy required under this subsection, together
4 with the Commandant's comments on the report, to
5 the Secretary and the Board of Visitors of the acad-
6 emy.

7 (4) The Secretary shall transmit the annual re-
8 port, together with the Secretary's comments on the
9 report, to the Committee on Transportation and In-
10 frastructure of the House of Representatives and the
11 Committee on Commerce, Science, and Transpor-
12 tation of the Senate.

13 (5) The report for the 2009 Academy program
14 year for the academy shall be submitted to the Com-
15 mandant of the Coast Guard not later than one year
16 after the date of the enactment of this Act.

17 (6) In this subsection, the term "Academy pro-
18 gram year" with respect to a year, means the Acad-
19 emy program year that ends in that year.