

**STATEMENT OF HARVEY JOHNSON
DEPUTY ASSISTANT SECRETARY
OFFICE OF RESOLUTION MANAGEMENT, DIVERSITY & INCLUSION
OFFICE OF HUMAN RESOURCES AND ADMINISTRATION/OPERATIONS,
SECURITY AND PREPAREDNESS
DEPARTMENT OF VETERANS AFFAIRS (VA)
BEFORE THE
SUBCOMMITTEE ON OVERSIGHT AND INVESTIGATIONS
COMMITTEE ON VETERANS' AFFAIRS
U.S. HOUSE OF REPRESENTATIVES**

July 28, 2022

Good morning, Chairman Pappas, Ranking Member Mann, and Members of the Subcommittee. Thank you for inviting us here today to discuss VA's efforts to prevent and effectively respond to sexual harassment and assault. Joining me today is Ms. Perdita Johnson-Abercrombie, Regional Director, Eastern Operations, Office of Resolution Management, Diversity, and Inclusion.

It is an honor to be here with you, and VA thanks you for your partnership and continued commitment to our Nation's Veterans. Specifically, passage of the Deborah Sampson Act has led to positive change, and we will describe today how VA is going above and beyond to implement this law on behalf of Veterans and employees. Further, we appreciate this opportunity to convey the unwavering commitment of VA Secretary Denis McDonough, Deputy Secretary Remy, and the broader leadership team across the VA enterprise to achieving and sustaining an inclusive, welcoming environment for every Veteran VA serves, as well as the entirety of our world-class workforce. Our aim is to ensure that everyone who engages with VA – Veterans, employees, families, caregivers, survivors, volunteers, and contractors – has a safe, positive experience and is treated with the respect they deserve.

To achieve and sustain that aim, VA has a zero-tolerance policy for sexual assault and harassment, which means we expect and actively work to manage an enterprise free of such incidents. This is critically important, and we are proud of this firm stance – but it is just where our effort begins. Reacting to sexual harassment and assault is not enough; we must achieve and sustain a *proactively* inclusive enterprise culture - supported by Veteran and employee centered policy, operations, engagement, training, and technology – such that we *prevent* sexual harassment and assault and ensure an excellent experience for each person we serve and employ. Today, you'll hear us describe our efforts to do just that.

A Veteran and Employee Centered Approach

VA places Veterans and employees at the forefront of all our efforts. This past September, VA established the Secretary's Work Group on Sexual Assault and Harassment Prevention – an expert group of Veterans Service Organization

representatives, advocates, State Directors of Veterans Affairs, Tribal representatives, VA employees serving in a personal capacity, and survivors of sexual assault and harassment. The input of this exceptional group, in addition to VA's ongoing Veteran engagement and outreach efforts, is informing VA's way forward. We, as an organization, are grateful for the commitment, courage, and expertise of each volunteer member of this group.

To ensure action on the insight of the Secretary's Work Group and set a direction for VA's future efforts, Secretary McDonough simultaneously chartered an official Sub-Council of VA enterprise governance: the Sexual Harassment and Assault Prevention / Survivor Care and Support Sub-Council. This Sub-Council meets bi-weekly on Fridays and brings together VA's work on sexual harassment and assault prevention and responses across the Veterans Health Administration (VHA), Veterans Benefits Administration (VBA), National Cemeteries Administration (NCA), Board of Veterans Appeals (BVA), and all staff offices – centering the enterprise on a unified and Veteran-informed vision and strategy. At present the Sub-Council is working to establish a robust and comprehensive enterprise operating model, clarifying, and unifying prevention and response operations across the VA enterprise. VA expects that a unified model will enable a seamless experience of prevention and response for Veterans and employees. Once completed, this unified model will be the first of its kind in the Department's history, and its development is made possible by the sustained emphasis and attention on this issue from senior leaders and subject matter experts alike. Importantly, VA places emphasis on our mission to care for Veteran survivors of sexual harassment and assault throughout their lives. For many Veterans, incidents of sexual harassment or assault may have occurred before or beyond their engagement with VA. VA believes that this makes it even more important for us to lead on this issue, and we take pride in our mission to cultivate the health and resilience of survivors. At the specific direction of Secretary McDonough and Deputy Secretary Remy, the enterprise operating model VA is building brings a focus on excellence in our care of survivors.

Implementing the Deborah Sampson Act

Implementation of the Deborah Sampson Act presented an opportunity for VA to further innovate and enhance our efforts to prevent and respond to sexual harassment and assault. We are pleased to note that we made tremendous progress in implementing the provisions of Section 5303 of the Act. The Act directs VA to update handbooks, directives, and policy; identify facility points of contact to receive reports of harassment; assess Veteran survey information; develop remediation plans for facilities with 5 or more incidents of sexual harassment or assault in a Fiscal Year; update facility signage; update mandatory training and bystander intervention training; and establish a Secretary's Work Group on Sexual Harassment and Assault, among other elements. VA has taken action on these requirements as follows:

Policy and Regulation: VA disseminated VA Handbook 5979 in March 2022 and released the Secretary's Annual Policy Statement on The Equal Opportunity, Diversity and Inclusion, No FEAR and Whistleblower Rights and Protection Policy Statement on March 15, 2021.

VBA published complementary, detailed policy on February 14, 2022, and VHA plans on publishing a directive in Summer 2022 to implement P. L. 116-315, Title V (also known as the Deborah Sampson Act), §5303 (codified at U.S.C. §533). These documents set forth requirements outlined in statute, including: designation points of contact who receive reports of sexual assault and sexual harassment; completion of remediation plans by facilities that have had five or more substantiated incidents of sexual harassment, sexual assault, or any combination thereof; and updating signage that indicates how and to whom to report incidents of sexual harassment and sexual assault. Each of these documents will be updated as final decisions on a unified enterprise operating model are made.

- **Designated Facility Points of Contacts:** VA expanded the number of VA employees trained and available to receive reports of harassment or sexual assault at VA facilities and clarified responsibility. In addition to VA Police and local law enforcement, VA leadership affirmed the following personnel as Designated Points of Contact to receive reports of harassment or sexual assault from Veterans and visitors at VA facilities:
 - Medical Centers: Patient Advocate Office
 - Regional Benefits Offices: Harassment Prevention Coordinators
 - National Cemeteries: Cemetery Directors
 - Vet Centers: Vet Center Directors

Importantly, VA's work to establish a unified enterprise operating model will further clarify and streamline roles and responsibilities across the enterprise, centering on the experience of survivors.

- **Veteran Survey Safety Questions:** VA's VSignals Outpatient Safety Survey is disseminated to Veterans to gather actionable feedback regarding their care and service experiences. The survey inquires generally about Veterans' feelings of safety while attending appointments, inquiries about trust, and prompts a free text response. It is disseminated to Veterans to gather actionable feedback regarding their care and service experiences. Since the survey first deployed in October 2021, it has been sent to 284,715 Veterans, of which 45,549 have responded. Of those responses, 13 have indicated sexually based concerns. Importantly, VA also developed and implemented an alert in VSignals whereby any comments related to military sexual trauma or assault/harassment, or to a Veteran feeling unsafe or uncomfortable in a VAMC, are flagged by VSignals and automatically routed to designated MST coordinators in the facility and also sent to the VHA Assault and Harassment Prevention Office to ensure that Veteran engagement and appropriate action occur.

- **Remediation Plans:** Two facilities met the requirement to complete remediation plans in FY 2021. VA takes this process very seriously and manages responses and best practice sharing across multiple levels of the organization, including with Medical Center Directors, Network Directors, the Office of Resolution Management, Diversity, and Inclusion (ORMDI), and the Sub-Council on Sexual Assault and Harassment Prevention / Survivor Care and Support. Remediation plans included amplifying Veteran-facing bystander training, reinforcing the White Ribbon Pledge, and leadership engagement to ensure employee engagement and completion of internal training, among other efforts.
- **Strategic Communications:** VA launched a campaign to promote a proactively inclusive culture and amplify the Department's zero tolerance policy. This includes prominent facility signage, internet banners, and annual distribution policy letters to Veterans – all of which are informed by the insight of the Secretary's Work Group. For example, VA:
 - Distributed an inaugural annual VA anti-harassment/sexual assault policy letter to 16 million Veterans via U.S. Mail and emailed to those with email accounts registered with VA.
 - Posted standardized anti-harassment/sexual assault signage indicating how and to whom Veterans can report incidents. VHA distributed signage and has received a 100% attestation from VISNs that signage is prominently posted in high traffics areas throughout each facility. Posters are most often displayed in entryways, lobbies, waiting rooms, elevator areas, atriums, clinical areas, and canteens, and are also electronically displayed.
 - Included anti-harassment and anti-sexual assault messaging and resources on:
 - A web banner on the VHA internet site <https://www.va.gov/HEALTH/>;
 - A web banner for Veterans Benefits Administration (VBA) <https://benefits.va.gov/benefits/>
- **Training:** In September 2021, VA launched Veteran-focused bystander intervention training. The 35-minute, interactive, online training is easily accessible for viewing on a personal computer, laptop, and most mobile devices. As of 14 July 2022, about 3500 individuals have completed Veteran Bystander Intervention Training, and follow-on enhancements to the training were informed by the Secretary's Work Group once it was established. VA also updated and refreshed the mandatory employee harassment prevention training to include bystander intervention techniques in October 2021. VA is diligently working to effectively market and advocate for Veterans, employees, family members, and caregivers to invest time in this important training.

- **Congressionally Mandated Reports:** VA submitted an Annual Report to Congress on Reporting Harassment and Sexual Assault Incidents Occurring in Facilities of the Department, required under P. L. 116-315 Title V Section 5303, on December 24, 2021; and the Annual Report to Congress on Reporting and Tracking of Sexual Assault and Other Safety Incidents, required under 38 United States Code (U.S.C.) 1709(d), October 2021. VA expects our 2022 annual submissions to demonstrate improved operations and outcomes as a result of our ongoing efforts.
- **Secretary's Work Group:** As described above, Secretary McDonough established the Secretary's Sexual Assault and Harassment Prevention Work Group to advise VA on strategic communications and outreach, policy and accountability pertaining to sexual harassment and assault. The Work Group's first meeting was September 22, 2021, and expert members have decided to establish two subcommittees that meet on a weekly basis:
 - Strategic Communications and Outreach – Focused on development of media materials for electronic and print use and outreach;
 - Policy and Accountability – Focused on policy review and development, best practices, and innovation.

Going Above and Beyond for Veterans and Employees

VA believes a proactively inclusive culture is essential to ensure Veterans and their families and caregivers, employees, and all who interact with VA have a safe and welcoming experience of care and services. Among the actions VA is taking to establish this culture are:

- **White Ribbon Pledge**
 - VA's White Ribbon Pledge represents a unified, national call to action to eliminate sexual harassment, sexual assault, and domestic violence across VA and surrounding communities. White Ribbon VA is embedded in VA programming, and VA has a White Ribbon VA champion at 100% of VA Medical Centers. A White Ribbon VA Toolkit was created and disseminated to facilities to support their local programming efforts, and about 60,000 Veterans, employees, interagency, and community partners have taken the White Ribbon VA pledge.
 - On April 6, the Department of the Navy and Howard University hosted a National Discussion on Sexual Assault and Sexual Harassment at America's Colleges, Universities and Service Academies. This forum focused on the importance of healthy climates and safe environments where all community members can thrive. Deputy Secretary Remy attended the event's plenary session, hosted by the Secretary of the Navy Carlos Del Toro and Howard University President Dr. Wayne Frederick, and moderated by Ms. Rosie Hidalgo, Senior Advisor on Gender Based Violence and Special Assistant to

the President's White House Gender Policy Council. The 2022 National Discussion on Sexual Assault and Sexual Harassment at America's Colleges, Universities and Service Academies hosted by Department of the Navy and Howard University was attended by over 3,000 participants from across Department of Defense, Military Services, academic partners, and industry leaders in prevention and response to sexual violence. Deputy Secretary Remy discussed VA's commitment to end sexual assault and harassment, strengthening VA culture, and providing lifelong, world-class care for survivors. He ended the session by leading his co-panelists and more than 3,000 participants in taking the White Ribbon Pledge.

- **Sexual Harassment and Assault Prevention / Survivor Care and Support Sub-Council**

VA significantly enhanced coordination across the Department by establishing a Sub-Council of enterprise governance focused on achieving and sustaining a culture of prevention, as well as excellence in response, accountability, and the lifelong care of survivors. The Sub-Council creates a forum to unify agency efforts, integrate work to complete provisions of statute - including Deborah Sampson Act implementation, and ensure VA's policy and operations are Veteran-informed. This governance body has engaged on each of the specific initiatives and accomplishments above and is now governing the development of a comprehensive enterprise operating model, with the input of the Secretary's Work Group. The Sub-Council is organized into four workstreams:

- **Proactive Culture:** This workstream develops proactive enterprise prevention strategies and coordinates efforts with a distinct Sub-Council on Inclusion, Diversity, Equity and Access (I-DEA).
- **Accountability:** This workstream focuses on accountability and works to continually enhance the process, structure, and corrective measures by which effective response is achieved.
- **Survivor Care and Support:** This workstream focuses on excellence in the care of survivors.
- **Strategic Engagement:** This workstream serves to foster unified enterprise communication with Veterans and employees.

Action towards prevention include:

- The distribution of the inaugural anti-harassment/anti-sexual assault SECVA letter and educational brochure to over 16 million Veterans
- VA's 2023 budget allocates \$9.8 billion for all of women Veterans healthcare, including \$767 million towards women's gender specific care.
- VA changed the name of Veterans Health Administration's "LGBT and Related Identities" health program to "LGBTQ+" Health Program.
- The VA Center for Women Veterans is working with the Office of Small and Disadvantaged Business Utilization to establish a partnership with the Department of Commerce to empower minority women Veterans to become

entrepreneurs and is collaborating with the Office of Women's Health to enhance women Veteran's access to information about issues and programs that specifically address their concerns.

- Established a SECVA harassment and sexual assault prevention workgroup comprised of VSOs and tribal representatives to advise the secretary on department policies and procedures to eliminate sexual assault and harassment in VA facilities
- **Technology:** Importantly, as part of enterprise operating model development, the Sub-Council is conducting a technology review aimed at unifying enterprise technology to assist VA in tracking and trending reports of sexual harassment and sexual assault across the Department. Currently, multiple legacy systems capture this data, and VA desires a unified system to comprehensively manage triage, reporting, tracking and case management. VA's aim is to create a seamless experience for Veterans and employees.

Closing

Veterans, their families, caregivers, and survivors are the heart of America, having dedicated their lives to serving and sacrificing for this country—for *all of us*—in the times when we've needed them most. Now, it's our job to serve them as well as they have served us by delivering timely access to world-class health care and earned benefits in a safe, welcoming environment. VA will keep fighting to do exactly that.

VA appreciates the continued support of this Committee in achieving excellence for our Nation's Veterans, and we look forward to continuing to keep you apprised of our ongoing efforts. This concludes my statement, Chairman Pappas. My colleague and I would be happy to answer any questions you or other Members of the Committee may have.