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**THE MILITARY'S #METOO MOMENT:
AN EXAMINATION OF SEXUAL ASSAULT
AND PERCEIVED RETALIATION IN
THE DEPARTMENT OF DEFENSE AND
AT FORT HOOD**

HEARING

BEFORE THE

SUBCOMMITTEE ON MILITARY PERSONNEL

OF THE

COMMITTEE ON ARMED SERVICES
HOUSE OF REPRESENTATIVES

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HOUSE OF REPRESENTATIVES,
COMMITTEE ON ARMED SERVICES,
SUBCOMMITTEE ON MILITARY PERSONNEL,
Washington, DC, Wednesday, July 29, 2020.

The subcommittee met, pursuant to call, at 10:00 a.m., in room 2118, Rayburn House Office Building, Hon. Jackie Speier (chairwoman of the subcommittee) presiding.

OPENING STATEMENT OF HON. JACKIE SPEIER, A REPRESENTATIVE FROM CALIFORNIA, CHAIRWOMAN, SUBCOMMITTEE ON MILITARY PERSONNEL

Ms. SPEIER. Good morning, ladies and gentlemen.

This is the Military Personnel Subcommittee. I am the chair, Jackie Speier, and today we are going to have a hearing entitled, “#MeToo Moment: An Examination of Sexual Harassment and Perceived Retaliation in the Department of Defense and at Fort Hood.”

The hearing will now come to order.

We are here to discuss a pernicious military culture that time and time again, SAPRO [Sexual Assault Prevention and Response Office] report after SAPRO report, exposes an environment that is ripe for sexual harassment, where women are afraid to report their harassers because of a stigma, fear of retaliation, ostracism, or worse, fear that they won't be believed and the harassers won't be held accountable.

By declaring #IAMVanessaGuillen, thousands of service members and veterans have taken to the streets and social media, demanding safety and respect, demanding that the rules of the, quote, “Old Boys’ Club” and the, quote, “locker room talk” are no longer the price of admission.

Demanding that the sexually explicit language in the motor pool, in the field, or in the office, stop.

Demanding that the unwelcome stares in the dining facility and the unyielding sexual propositions, or worse, stop.

In an institution that prides itself in cohesiveness, to leave no soldier behind, we are failing. These service members and veterans who have taken to the streets, spurred by the horrific circumstances surrounding Specialist Vanessa Guillen's disappearance and murder, raised their voices and laid bare their stories of sexual harassment and assault in the military.

For too long they have lived and suffered in silence, silenced by a culture that doesn't trust women, that questions their compe-

tence, that is suspicious of their motives, that perceives them as weak and unreliable.

But their voices will never again be silenced. When our service members pledged their lives to defend our Nation, when their parents, brothers, sisters, loved ones entrust their child, their sister, their friend to the military, it should be with the comfort that they will not be sexually harassed, demeaned, raped, or brutally murdered by one of their own.

Specialist Guillen's death will not be in vain. By now you know the story. Specialist Guillen was murdered in an arms room on Fort Hood on April 22nd, 2020. For her family and loved ones, there is the memory of an outstanding young soldier and the terrible belief that she had been sexually harassed by someone in her chain of command.

After Specialist Guillen's sister reported that Specialist Guillen was sexually harassed but afraid to report for fear of retaliation, hundreds of current and former military members, women and men, shared their stories of sexual harassment, assault, and fears of retaliation under the social media #IAmVanessaGuillen and #IAmVanessa.

Stories like Trista's, who was in her first week of tech school when she went to a birthday party for a fellow airman where she was drugged and sexually assaulted. Trista and her assailants all received the same punishment, a letter of reprimand for underage drinking.

Stories like Crystal's, who joined the Navy at age 19. On her first deployment she was repeatedly catcalled. When Crystal reported the sexual harassment to a SHARP [Sexual Harassment/Assault Response and Prevention program] official, she asked that it be kept confidential. But her request was not honored. After the SHARP told one of her supervisors, the harassment got worse and her commander told Crystal that she needed to, quote, "grow up."

But the abuse didn't stop and instead it turned physical. The SHARP official discouraged her from reporting it, saying that she should ask herself is it worth it. Crystal reported the assault anyway, but her assailants were given a slap on the wrist and one was even promoted.

And stories like Tyler's, who was an ordnance Marine and newly open about his sexuality. A respected staff sergeant would tease him about it in front of other Marines but also offered to serve as his mentor.

This mentorship continued until the staff sergeant sexually assaulted Tyler. Tyler confided in a fellow Marine, who suggested that Tyler keep his mouth shut about the incident because he thought the leadership would defend the staff sergeant while Tyler's career would be cut short.

Tyler took the advice, kept silent and, ultimately, transferred to the Army.

These stories and the thousands more provided the catalyst for grass roots movements combating sexual harassment and assault in the military to spring up across social media.

Rallies and vigils were held in Specialist Guillen's name to promote awareness and demand reform.

The Coast Guard is outside this committee's jurisdiction, but the cultural rot is the same. Recently, Sara Faulkner, the Coast Guard's first female elite rescue swimmer, spoke out against the extreme hostility and debasing abuse she endured throughout her distinguished career of some 20 years.

She has also become a rallying cry for other women and men in the Coast Guard as dozens more have come forward to share their stories of harassment and assault despite Coast Guard leadership pressuring them not to speak out or even post support online for Sara and her colleagues, who were also interviewed in the McClatchy five-part investigative series that was printed recently in 29 daily newspapers in 14 States.

Service members everywhere have bravely raised their voices to demand accountability, to call out their perpetrators and demand change now. Their voices are a warning to those who deny the problem, who glorify a culture not of honor, duty, and respect but a culture imbued with misogyny and reticence to change.

And this is my warning. Sexual harassment, sexual assault, retaliation are never acceptable. Find solutions, fix problems, get out of the way, because, as John Lewis would call us to do, then get in the way.

We will not continue to lose soldiers, sailors, airmen, and Marines because of the sexual harassment is one of the "most pervasive and degrading facts of military life," unquote.

Now, this is a quote from a female service member in a story in the Washington Post in 1980. That was 40 years ago. Little has changed in those 40 years except we have thrown a lot of money at this problem. I estimate it is close to billion dollars now, and what do we have to show for it?

Well, we are going to explore that today. I have spent 10 years on this issue. I don't take any pride in the numbers going down or going up because, frankly, not much has changed. For all that we have done, not much has changed. We haven't fixed it, and until we get very serious about this, nothing is going to change.

I want to thank the panels that are here today and we will be hearing from you shortly. Before we introduce the first panel, let me introduce Ranking Member Kelly for his opening remarks.

[The prepared statement of Ms. Speier can be found in the Appendix on page 47.]

STATEMENT OF HON. TRENT KELLY, A REPRESENTATIVE FROM MISSISSIPPI, RANKING MEMBER, SUBCOMMITTEE ON MILITARY PERSONNEL

Mr. KELLY. Thank you, Chairwoman Speier, and thank you for holding this important hearing on this important topic today.

Thank you to our panelists today for coming in and sharing your findings. I think it is vitally important that we understand completely any positive or negative trends across DOD [Department of Defense] and down at Fort Hood and I think both panels today will help us get perspective on that.

Sexual harassment is a scourge across society, rooted in ignorance and disrespect that has no place in our military. When young women put up their hand and swear the oath to protect our Con-

stitution and country, they do it with the understanding, belief that they protect us and that we will protect them.

We will protect their dignity, honor their sacrifice, recognize and defend their professionalism. Sexual harassment, like any exploitation or maltreatment, undermines that commitment and dishonors the sacrifices they make for each and every one of us in this Nation.

When I was a company battalion brigade commander in the Army, I dealt with sexual harassment in my formations and it pained me to see all too often young female soldiers disrespected and sometimes exploited just because of their gender.

I learned that the only way to counter this insidious threat was quick and decisive action at every level in the chain of command and fighting to establish a culture of intolerance for sexual harassment.

Sexual harassment demeans the service of these victims who are more professional, capable, and committed than those who seek to victimize them. And while true that sexual harassment is a societal problem, that doesn't mean we can accept any lesser levels of harassment in the military and call it a victory.

The military is better than that, grounded in common values that have no place for harassment, disrespect, or exploitation of other service members or anyone outside of the service, for that matter.

Any level of sexual harassment is unacceptable. Reporting may be trending favorably and that is vitally important so leaders can illuminate and eradicate problems, and prevention and response may be improving.

But any level of harassment is too much. We need to find creative ways for educating and empowering leaders at all levels and our most valuable—vulnerable populations of service members to shape culture of intolerance and set conditions for effective prevention and response at all levels.

I am particularly interested in hearing from our panelists any ideas for how we can make that happen, how we can make institutional change across DOD because our service members deserve our full attention and every effort we can muster to counter the corrosive impact of any level of sexual harassment.

I think it has to be personal. It has to be not in my Army, not in my Navy, not in my Coast Guard, which we don't have but it is still—not in my Air Force, not in my Marine Corps.

That has got to permeate through every senior leader, every senior noncommissioned officer from the sergeant major of each of those services on down, and we have to make sure that we won't tolerate it from anyone. Not in my Army. Not in my DOD.

Thank you again to our panelists. I look forward to a productive discussion today.

Thanks again, Chairwoman Speier, for calling this hearing, and with that, I yield back.

Ms. SPEIER. Thank you, Mr. Kelly.

Each witness will have the opportunity to present his or her testimony and each member will have an opportunity to question the witnesses for 5 minutes.

We respectfully ask the witnesses to summarize their testimony in 5 minutes or less. Your written comments and statements will be made part of the hearing record.

I ask unanimous consent that non-subcommittee members be allowed to participate and ask questions after the subcommittee members have had the opportunity to ask questions.

Without objection, so ordered.

There are also Members of the House who are here who are not members of the Armed Services Committee. I would ask that they too have the opportunity to ask questions after the subcommittee members.

Without objection, so ordered.

Let me now welcome our first panel. Dr. Nate Galbreath, the Deputy Director of Sexual Assault Prevention and Response Office, SAPRO, at the U.S. Department of Defense.

And we will then hear from Colonel Patrick Wempe—excuse me, Wempe—Command Inspector General, U.S. Armed Forces Command, FORSCOM.

Thank you very much. You may begin.

STATEMENT OF DR. NATHAN W. GALBREATH, DEPUTY DIRECTOR, SEXUAL ASSAULT PREVENTION AND RESPONSE OFFICE, U.S. DEPARTMENT OF DEFENSE

Dr. GALBREATH. Madam Chair Speier, Ranking Member Kelly, members of the subcommittee and other Members, good morning. I appreciate the opportunity to appear before you today.

For the last three decades, I have committed my life to supporting and caring for child victims and adult victims of violent crime. Since 2007, my efforts have focused on prevention and response to sexual assault.

I wish that circumstances were different and that we were not here to discuss the loss of a service member, a soldier, a daughter.

Even with my 30 years investigating violent crime, supporting victims, and counseling the wounded, nothing prepares one for situations like this. The murder of Specialist Vanessa Guillen has touched us all in some way.

But no one feels the loss more than her family. I can only hope that the groundswell of support and love and compassion and even inspiration that has come from—about in the last few weeks in Vanessa's name can bring some comfort for those that loved and knew her.

Nadie debería sufrir lo que esta familia ha sufrido.

Which, for the record, means that no one should suffer what this family has suffered.

My organization, the Department of Defense Sexual Assault Prevention and Response Office, or SAPRO, establishes policy and conducts oversight on efforts to assist victims of sexual assault, encourage greater reporting, empower survivors to recover, and prevent the crime.

While harassment policy, criminal investigation, and the military justice system fall outside my portfolio, we are keenly aware of how these issues play a critical role in our work to prevent and respond to sexual assault and to allow those who choose to make a report to do so without fear of retaliation.

Although more work remains, many of our efforts have resulted in certain progress. As many of you know, the Department has two key metrics in the sexual assault program.

First, estimated prevalence, or how often the crime occurs, is a number we want to go down. And second, the number of reports we want to go up, which means that more victims are coming forward to connect with care and support services as well as aid our efforts to hold offenders appropriately accountable.

The data tells us that the estimated prevalence rates of sexual assault in the Department of Defense have decreased by over a third in the past 14 years and reporting of sexual assault is 4 times what it was in 2006.

However, in our most recent Active Duty survey in 2018 we saw an increase in the prevalence of sexual assault for women. In addition, in that year, about 24 percent of women and 6 percent of men on Active Duty indicated experiencing behavior consistent with sexual harassment in the year before being surveyed.

We know we must do more. Fear of retaliation complicates and degrades our efforts to encourage greater reporting of misconduct and connects service members with restorative care.

While not all behaviors perceived to be retaliatory by someone constitute retaliation that is actionable, all behaviors, actionable or not, gravely undermine our efforts in this space and are incongruent with our expectations for dignity and respect.

To be blunt, such behaviors are absolutely unacceptable and have no place in a military that is striving for greater dignity, respect, and inclusion for all.

In sum, achieving and sustaining progress requires continuous institutional examination, reflection, and evolution. We acknowledge the gap between where we are now and where the Department desires to be.

We are committed to working towards lasting impactful cultural change. Again, thank you for your commitment and support to the men and women who serve our Nation and I look forward to your questions.

[The prepared statement of Dr. Galbreath can be found in the Appendix on page 50.]

Ms. SPEIER. Colonel Wempe.

STATEMENT OF COL PATRICK J. WEMPE, USA, COMMAND INSPECTOR GENERAL, UNITED STATES ARMY FORCES COMMAND

Colonel WEMPE. Madam Chair, Ranking Member Kelly, and distinguished members of the subcommittee, good morning.

As the Inspector General for Army Forces Command, or FORSCOM, I appreciate the invitation to share information and insights from our inspection of the SHARP program and command climate conducted at Fort Hood, Texas, from June 29th to July 3rd, 2020.

Let me begin by expressing my sincerest condolences to the Guillen family. As a soldier and as a father, I cannot fathom the acute sorrow and grief that they are feeling over the loss of their daughter and their sister.

What happened to Vanessa is tragic and should never happen to a daughter, a sister, or to a soldier. You have my profound sympathy.

Our IG [inspector general] team serves as the eyes and ears of our commanding general, General Michael Garrett. To meet these expectations, we interact with members of the FORSCOM community in a variety of ways, at all levels, and on myriad topics.

In our role as inspectors, we look at our organizations and programs to assess them against existing guidance. We also assess organizational climate to identify trends and systemic factors affecting our units and our people.

Our assessments inform FORSCOM leader actions and decision making. On June 27th, 2020, General Garrett directed me to lead an inspection of the SHARP program and command climate at Fort Hood.

General Garrett's intent was consistent with this type of short notice inspection to as quickly and accurately as possible identify any critical issues, to help Fort Hood leaders understand the strengths and weaknesses of their SHARP program and the institutional environment—excuse me, installation environment—and to recommend specific actions to make improvements.

Six personnel from the FORSCOM IG conducted the inspection, augmented by a SHARP trainer and a special victim counsel from 18th Airborne Corps at Fort Bragg.

Our inspection methodology included a written survey of over 225 soldiers from 12 battalions and 6 brigades. We conducted 14 small group sensing sessions and command team interviews with 4 battalions in 2 brigades, gathering inputs from nearly 200 soldiers and leaders.

Additionally, we conducted 16 sessions with our program personnel from company to corps level. In all, we had touch points with nearly 450 personnel from across Fort Hood.

Our inspection was not able to fully incorporate Specialist Guillen's unit, the 3rd Cavalry Regiment [3CR]. We were scheduled to complete the inspection of the unit on July 1st. However, the tragic developments in the Specialist Guillen case the evening prior and very early that morning caused us to reconsider our plan.

I advised, and General Garrett concurred, that due to those developments' impacts on the soldiers of the 3CR, we should not complete the inspection of the unit at that time.

Though we believe our findings reflect the SHARP program and command climate across Fort Hood, we acknowledge that conditions within the 3CR could differ somewhat from those observed for the rest of the post.

Therefore, General Garrett directed that our team return to Fort Hood on July 27th and 28th to complete our inspection of the 3CR. Our team, led this time by my deputy and our IG sergeant major, is returning from Fort Hood today and will continue the analysis of the collected data upon their return.

At Fort Hood, we observed the SHARP program needing to improve in certain areas but one which units generally execute the standard.

We observed consistent demonstration of program knowledge and awareness of reporting procedures. Importantly, most soldiers said

they would report if sexually harassed. Most would report if sexually assaulted and nearly all said that leaders take reports of sexual harassment and assaults seriously.

Our team did identify areas needing improvement. A few soldiers indicated a hesitancy to report SHARP incidents for several disparate reasons.

Some soldiers expressed the junior leaders in particular lacked the practical experience to respond to a sexual harassment or assault incident. Extended hiring timelines for new SHARP program personnel can result in episodically unfilled positions.

Finally, some soldiers indicated that the SHARP training they receive is repetitious and unimaginative. Our team made several recommendations to improve the SHARP program and reinforce soldiers' trust in the process and in the chain of command. Fort Hood leaders were receptive and committed to making the necessary changes to address identified shortfalls.

In conclusion, no single inspection can be definitive. We believe our inspection results provide an accurate assessment of the SHARP program and climate at Fort Hood.

While differences may exist in individual units, Fort Hood, overall, is meeting the standards prescribed by Army regulations and policies, and the FORSCOM team is committed to improvements.

Again, I appreciate the subcommittee's invitation to appear today and I look forward to your questions.

[The prepared statement of Colonel Wempe can be found in the Appendix on page 59.]

Ms. SPEIER. Thank you, Colonel.

I yield myself 5 minutes.

Dr. Galbreath, we have spent many, many hours together over the last 8 or 10 years. I have a great deal of respect for you. I am deeply troubled, however, by the statement you made in your prepared remarks in which you said estimated prevalence rates of sexual assault in the Department of Defense have decreased by over one-third in the past 14 years.

So I pulled the figures. In fiscal year 2002, for service women the prevalence rate was 24 percent. In 2006, the year you quoted it was 34 percent. In 2010, it was 21 percent. In 2014, it was 21.4 percent. In 2016, it was 21.4 percent. In 2018, it was 24.2 percent.

So if you look at the data, it hasn't gotten better. You, I fear, plucked this high-water mark to make the case that somehow we are doing better when, in fact, we aren't doing any better.

Would you like to comment on that?

Dr. GALBREATH. Yes, ma'am.

I would agree with you that the rates that you quoted for sexual harassment have not changed. The data that I was citing in my prepared statement were for rates of sexual assault over the past 14 years and we have seen decreases in the prevalence of those.

But you are absolutely right, there is no decrease in the prevalence of sexual harassment that we have seen sustained over time.

Ms. SPEIER. And you are saying if I went back to look at the sexual assault data, we are going to see—we are not going to see a similar listing of data that it has dramatically decreased?

Dr. GALBREATH. It has decreased, ma'am. Yes.

Ms. SPEIER. All right. I am going to look that up and we will—

Dr. GALBREATH. Yes, please.

Ms. SPEIER [continuing]. Before the hearing is over we will get back to it.

So the inspection at Fort Hood found that survey respondents did not trust their immediate supervisors to handle a sexual harassment or sexual assault incident.

Junior supervisors also reported that they themselves did not feel equipped to handle an incident, despite training. Your report also indicates that we need to create a focus on this. What do we need to do?

Dr. GALBREATH. Everyone has to understand the message that sexual assault, sexual harassment aren't tolerated. But it's more than that.

We are not born with the skills to necessarily understand what is acceptable and what is not acceptable when we deal with people on an everyday basis. Leaders aren't necessarily born with these skills and followers aren't necessarily born with these skills to be able to confront people productively but yet have rational discussions about what is offensive to them. We bring people in from the service from a wide variety of backgrounds.

So for that purpose, leaders absolutely need the tools to be able to detect what problems that they have in their units, and through that we have been revising our climate surveys to help them really identify those topics that are challenging for leaders and to move the needle.

In addition to that, our junior supervisors, our newest people who see our folks at greatest risk for sexual assault and sexual harassment every day, they also need those skills to be able to understand what sexual harassment looks like, how to shut it down, and how to encourage everyone to participate in a unit that is at—then grow respect and dignity and inclusion.

In addition to that, we have to—

Ms. SPEIER. Actually, Doctor, I am going to have to—

Dr. GALBREATH. Yes, ma'am.

Ms. SPEIER [continuing]. Leave it there because I would like to ask a question of Colonel Wempe.

Colonel, we talked last night and you indicated to me that you had these listening sessions and talked to over 223 service members. Is that correct?

Colonel WEMPE. Yes, ma'am.

Ms. SPEIER. And the service members were mixed in terms of gender, correct?

Colonel WEMPE. That is correct, Madam Chair.

Ms. SPEIER. So as we said last night, to get a real fulsome evaluation would require separating out the women so they could talk with a sense of ability to talk freely without having it create retaliatory actions.

So you recognize that that might have been a better purpose, a better way of handling it?

Colonel WEMPE. Madam Chair, I certainly acknowledge the point. What gave us confidence that we were getting good inputs from all soldiers in those sensing sessions was the very good alignment with the results we got from the anonymous surveys, which were entirely anonymous.

And so the results were consistent on trusting the chain of command and willingness to report between the anonymous surveys and the information that we were hearing soldiers in sensing sessions.

And so I absolutely acknowledge the point of the value of the gender-specific sensing sessions. In this case, there was good correlation between the subjective information we got and the survey information.

Ms. SPEIER. Well, you also said that 18 of the 52 women surveyed—more than a third—reported being sexually harassed. But why doesn't your data report include the data on any gender-specific way so that we can look at how female soldiers feel as compared to male soldiers?

Colonel WEMPE. The inspection report that we provided was actually provided to General Garrett, which is our norm. We provide it to our commander, who directs us to do the inspections.

And in this case, the inspection was really focused on the broader climate at Fort Hood and their execution of the SHARP program at Fort Hood, and we needed to provide him some answers fairly quickly so he would know if there was an immediate problem that needed to be addressed immediately at Fort Hood.

And so our inspection report really focused on the major points that we thought were important—the level of trust in their leadership, which was high—94 percent, based on the survey—willingness to report, which, although still not 100 percent and we still have challenges there, the willingness to report both assault and harassment incidents was also high, 86 percent and 87 percent, respectively.

And so based on the survey we did and the subjective information and anecdotal information that we got from soldiers that we talked to them, we felt that that, for the purposes of this inspection, that immediate initial look at Fort Hood and their program, we felt that that answered the immediate questions that needed to be answered. We don't necessarily promote our inspection report as the definitive answer at Fort Hood—

Ms. SPEIER. All right. Thank you, Colonel. My time has expired. Ranking Member Kelly.

Mr. KELLY. Thank you again, Chairwoman Speier.

I want to talk just a little bit—it sounds like that there is a lot of confidence at Fort Hood in leaders who are at the company and higher level and that the—any amount of dissatisfaction is with those at the lieutenant platoon level or at squad level or at some lower level—the junior leader.

I think it's important for people to understand that in perspective. A second lieutenant probably has 6 months of experience in the Army or in the Navy—an ensign, in that case.

But they are coming from a culture, and we like to always focus on our service academies but I would say that probably 80 percent of our officers are commissioned from services outside of the academy, if not a greater number, and most of them come from colleges and universities and ROTC [Reserve Officers' Training Corps]. There are exceptions. You have some coming from OCS [Officer Candidate School].

I would also state that most of the issues are with soldiers who have been in for less than 2 years. So they have brought a culture with them.

I see our senior leadership—that is General McConville, General Garrett, who I know and is a superb leader—I see a much greater focus across DOD from the senior level leadership where they are no longer giving lip service.

Do you see that, Colonel Wempe or Dr. Galbreath, where our senior leadership—our senior enlisted leaders—are pushing down we will not tolerate? Do you see that in application?

Dr. GALBREATH. As a matter of fact, I do. I regularly train individuals in the ranks of O-5 to O-6, E-7 to E-9, and also senior GS [General Schedule] civilians ranks 13—GS-13 to -15. And the changes that I have seen over the past 10 years are substantive, that the fluency, their understanding of the problem of sexual assault has increased substantially.

They could probably use a little bit more help with sexual harassment, understanding what to do there. But yes, I have seen a great change.

Mr. KELLY. Which brings me to my next point. We need to do a better job of the PMSes—the primary military specialists—or the colonel who is in charge of our ROTC programs.

We need to do a better job in our selection of drill instructors or people who are responsible for these young men and women who come into our service.

I am telling you, we have got to teach it from day one. We have got to let them know that it will not be tolerated in our Army. So I just ask that you refocus your efforts because our problems have changed over time.

I am not saying that they have gone away. They have changed. They went from the senior leadership endorsing Tailhook, other examples, to now it's at the junior—the people coming in bringing their culture with them.

And I will say the only way to eradicate that problem is to send PMSes to our colleges and universities, which most people come, is to at basic training our drill instructors who teach from day one.

That means more women. That means more minorities. That means in those positions. That used to be looked at if you got a PMS that was not a good assignment. It may be the end of your career.

We need to change that dynamic so that when you get a PMS job it means the senior leadership of the Army trusts you the most to bring in our most crucial asset, our individuals.

Tell me what you think about that, Colonel Wempe.

Colonel WEMPE. Congressman, I will speak to what we saw in terms of awareness and the focus on the issue. I will speak to what we saw at Fort Hood during the inspection.

As I mentioned, the trust as expressed to us both through survey and through the actual discussions, the trust in the leaders was high.

The awareness and the emphasis on the challenge of SHARP and the problems that presented, that awareness was very high. Soldiers were very conversant, very aware of the SHARP program

that processes their opportunities to report and their mechanisms to report.

So what we took away from that was that there was a priority on SHARP at Fort Hood. The concern as expressed to us by soldiers with those junior level leaders as they expressed it to us was not one of trust per se.

It was that they trusted their leaders to take it seriously but those junior leaders may not have either the life experience or the military experience to deal with the situation as it was presented to them.

And so our recommendation to get at that issue as expressed to us was really to focus some training on that first line supervisor or that junior leader, and the DOD initiative sounds like it is addressing that challenge.

Mr. KELLY. And Colonel Wempe, just very quickly with the few seconds that I have left, what that means is we have the greatest NCO [noncommissioned officer] corps in the world.

We are the greatest military in the world because of our non-commissioned officers, and I can tell you an E6 has adequate experience and life experiences.

So maybe we need to shift the focus and we need to train sergeants. We need to train first sergeants, platoon sergeants, or the equivalent in the Navy. Those guys have the life experience and they are at the levels where they can impact that.

They have got to trust their squad leaders, platoon leaders, and platoon sergeants and on up.

And with that, Madam Chair, I yield back.

Ms. SPEIER. Thank you, Mr. Kelly.

Mrs. Davis, you are recognized for 5 minutes.

Mrs. DAVIS. Thank you, Madam Chair, and I express as well as my colleagues condolences to the family of Specialist Guillen, and others.

You know, I have been working with this as well for many, many years, and I remember some of the initial work that we did and especially trying to create what became the special victims counsel and advocate, and that seemed to be something that, if nothing else, gave the victims the confidence that there was somebody there for them, because I think what we heard was they felt extremely alone. Nobody would listen and they really didn't believe that anybody cared.

So that made some difference. But we are still struggling, aren't we? And we were often told, you know, you changed 9, you know, major laws in regard to this, or 12. Whatever the number was people told us, you know, wait, sit back. You know, let us—let this change things. And we are still—we are still at this.

You know, I remember—and I checked the date again because it was June 14th of 2013 when General Morrison in Australia told people, if you have got some sexist problems or issues, get out and get out now.

And that resonated with us here too because we believed that maybe the messages are not strong enough from our leaders and, quite honestly, we didn't hear that, although I have to say that I had great respect for many of the generals that we were working with at that time.

But you are citing the junior level folks. So that means we have got to look at the promotions. You know, what is the climate under which they were working that they created in their units.

And I know we have looked at this. We have talked about it. But somehow or other, that is not getting through. But I also checked back to see, okay, so what is happening with Australia today.

Are they doing a lot better than we are? And if you want to check that article, they are not, actually, and they are suggesting that the media is still acting on the belief that, quote, "boys will be boys" and that the system is not going to change very much.

I hope we are better than that. But I worry that as we continue to come back that is not always the case. I am pleased that you cited the fact that women are saying that they have more trust in some of their leaders and leaders that have gone further in the services, and I have heard that as well, especially in the Navy, because I have asked it a lot.

But I have always been concerned that somehow when it comes to promotions that we are not looking at the right things. We have got to do that. That is very important.

So I wanted to go back and just, very quickly, because I know my time is running out. Colonel Wempe, are you planning to go back to Fort Hood and conduct an inspection of Specialist Guillen's unit, the 3rd Cavalry Regiment, as well? Do we need to know more about that?

Colonel WEMPE. Congresswoman, we actually did send a team back this week and in the last 2 days they have been inspecting the 3CR unit—Specialist Guillen's unit—because we weren't able to inspect it when we were down there the first time in late June, early July.

I think you can appreciate in this forum, in particular, IGs operate by fairly strict regulations regarding the confidentiality that we receive, and we do that to protect soldiers and protect units because we need them to talk to us and we have to protect them when they do.

So it wouldn't be appropriate to talk details about 3CR specifically today, or at least great details. But we did return and do the inspection the last 2 days.

The initial feedback that I got from our inspection team led by my deputy, who is a very experienced IG, is that what they saw within 3CR was very well aligned with what we saw with the remainder of the post when we were down there the first time.

Some slight variations in specific—in the way they answered it, but no significant variances from what we saw, and just as importantly, they felt like they had very transparent and honest input from the soldiers in the sensing sessions they did with them.

Mrs. DAVIS. Okay. Thank you.

My time is almost up. I was going to ask, and I am sure others will, about the AWOL [absent without leave] process and some specifics around that because we had concerns about that at the last hearing.

Thank you very much.

Ms. SPEIER. Mr. Bergman, you are recognized for 5 minutes.

Mr. BERGMAN. Thank you, Madam Chair, and thanks for the hearing. Thanks for the subject, because the youth of our country is our future, period.

I would like you to just take this question for the record, unless you know it right off the top of your head. What percentage of the age-eligible youth, young people, enlist or seek to enlist in the military today? What percentage? And if you don't have it, that is fine. Take it for the record.

Dr. GALBREATH. I am sorry, sir. I don't have that.

Mr. BERGMAN. Good. Take it for the record, and with that, I yield the rest of my time to Mr. Turner.

[The information referred to can be found in the Appendix on page 101.]

Mr. TURNER. Thank you. Thank you, Madam Chairman.

When the story of Vanessa Guillen broke, my heart sank because, in my community 13 years ago, the story was very similar. Maria Lauterbach came up missing.

Stories began to circulate of the sexual assault that she had reported. The accused became the primary suspect and her body was, ultimately, found in his back yard where he had murdered her and burned her body.

In this instance, with Vanessa, my heart sank because, once again, the question arises has the military done anything wrong. In this instance with Maria Lauterbach, there were things that really went wrong that we knew needed to be addressed, and I think our oversight—and Colonel Wempe, it is so important in this investigation—that we need to look what has DOD done, what did we know, what were we not doing, and what did we not do correctly.

It has been my honor to work with Congresswoman Susan Davis on this issue. As a result of Maria Lauterbach's death I got involved in this, worked with Susan Davis and others. We gave victims the ability to do an expedited transfer.

We gave, as Congresswoman Davis was saying, victims their own counsel and even standing in court so the victims can have their own legal representation to guide them through this.

We divided up our whole task into three categories.

Prevention—how do we make certain that we lessen sexual assault and sexual harassment.

Protection—how do we ensure that victims themselves have the tools that they need.

And then prosecution—ensuring that those who perpetrate these crimes are held accountable.

Now, surely, we can tell that we are falling short.

Dr. Galbreath, I have one question for you to start, and that is I fear that when we make it a gender issue that we actually lessen the overall impact of sexual assault on men in the military.

Now, you gave the percentages and it is my understanding, Dr. Galbreath, that actually more men are assaulted than women.

Dr. GALBREATH. Sir, that is—that was the case up through 2016. 2018 was the first year that we saw fewer men sexually assaulted, as far as numbers go, than women.

Mr. TURNER. What I find interesting about the percentages and the extent is that when we talk about afraid to report, there is afraid to report in the system and retaliation.

Then there is also cultural. And so what are we doing to address this issue of assuring that people will be—feel that they can come forward? When Congresswoman Davis and I were at the Marine Commandant's residence, he was telling us what he was doing on sexual assault.

But there was an officer—female—at the table who, during the discussion, said she herself would feel afraid to report. And that, of course, means that everybody is a victim, right.

Even if you are not a victim of sexual assault but if you believe that if you are assaulted that you—that it is not worth it to come forward, that you are still a victim of the system.

Dr. Galbreath, tell me what you are doing in this regard?

Dr. GALBREATH. Absolutely. We are making it very clear from the very highest levels of leadership on down that encouraging people to come forward and report is much more than just saying, make a report.

We have to have systems that protect the confidentiality of people and with restricted reporting that is something that we did that actually brings in many, many more people than we ever—than we ever recognized would come in to make a report just by offering them that confidential ability.

In addition to that, we have to have highly trained people that when people do walk in the door, they are heard, they are respected, and they are assisted in the way that they want to.

And then we have to have services that appeal to people, that really do make a difference in their lives.

Mr. TURNER. With respect to harassment and the increase in reporting, as we try to shift our culture, wouldn't we want more reporting?

Wouldn't we want people to be more critical of the environment that they are working in so that we have the ability for intervention because harassment can so easily translate into encouraging an environment that permits sexual assault?

Dr. GALBREATH. Yes, sir. The policies that we put in place for sexual assault in 2006 quadrupled the number of service members that make a report every year now.

That being said, we could do the same for sexual harassment.

Mr. TURNER. Thank you, Madam Chair.

Ms. SPEIER. I thank the gentleman.

I really think that being accurate is really important on this issue. So I have had the staff give me the stats on sexual assault in the military since 2006.

In 2006, it was 6.8 percent for women. In 2010, it was 4.4 percent. In 2012, it was 6.1 percent. In 2014, it was 4.9 percent. In 2016, it was 4.3 percent. In 2018, it was 6.2 percent.

So it was 6.8 percent in 2006. It was 6.2 percent in 2018. That is not a third less. If what you are doing is combining women and men in the military to get that reduction of one-third, I don't think that is fair.

Now, for men it went from 1.8 percent to .7 of a percent from 2006 to 2018. I think it is really important to be accurate and fair and not let the stats twist the truth.

With that, Mr. Cisneros, you are next.

Mr. CISNEROS. Thank you, Madam Chair, and I thank our panel for being here today.

I, too, was very disturbed by Vanessa Guillen's death, having lost a sister at a young age as well. It is something that is devastating for a family, and with that, I will get right to my questions.

Reportedly, for sexual assault and sexual harassment, the number of court martials and NJPs [non-judicial punishments] stayed about steady for 2018 and 2019 while the numbers of administrative actions rose, indicating, in some instances, commanders were choosing to either slap perpetrators on the wrist or unload them from the service rather than take appropriate disciplinary action.

What can we do to ensure that commanders are properly investigating and responding to sexual assault and sexual harassment allegations?

Dr. GALBREATH. Sir, for sexual assault, no commanders are allowed to investigate that crime. All allegations of sexual assault are required to be provided to the military criminal investigative organizations—OSI [Office of Special Investigations], CID [Army Criminal Investigation Command], and NCIS [Naval Criminal Investigative Service]—and that has been the Department's policy since about 2006.

For sexual harassment, when formal reports are made you are correct that investigations are conducted at the command level.

I think the best thing that has happened with that, though, is to get—to ensure that the general court martial convening authority over that individual command is notified of that formal harassment complaint, which means that it is in the light of day and other people's eyes are on it than just the command.

Mr. CISNEROS. So reports that are restricted where survivors confidentially disclose an assault without stating—without starting an official investigation saw a 17 percent increase from last year with 2,126 reports.

Do you feel that the increase in restricted reports demonstrates a lack of faith in the chain of command?

Dr. GALBREATH. Actually, sir, I believe it's the exact opposite. Our restricted reporters come forward because they see it as a viable way to protect their confidentiality, and as a matter of fact, we believe that any report is a good report from the standpoint of allowing our service members to get the care and the help that they need.

Mr. CISNEROS. So if they had faith in the chain of command, why wouldn't they make an official report?

Dr. GALBREATH. Sir, our policy recognizes that reporting a sexual assault is a deeply personal decision, and so we empower everyone to make the decision that is right for them.

We have got to respect that some—for some people making a report will never be right. But for others, we give them every opportunity to come forward and, in addition to that, as a restricted reporter you have the opportunity to convert your report to unre-

stricted and participate. About a quarter of people do that every year.

In addition to that, we have also employed the Catch a Serial Offender Program for restricted reporters, which allows them to submit the name of their offender into a system and if there is a match then we contact them back and see if they would like to participate in the justice system.

Mr. CISNEROS. So sexual assault appears to be more prevalent among junior service members relatively new to the military.

So what preventive efforts are in place to prepare leaders at all levels to better reach our youngest service members who are most at risk? And I believe that is part of what Colonel Wempe was talking about. But how are we reaching our young junior personnel who are new to the military and to let them know that this is not acceptable?

Dr. GALBREATH. Absolutely.

Sir, we have a variety of ways that we go after this issue. At first—first of all, within 14 days of you joining the military, you are informed about the sexual assault prevention response program. That is at basic training.

Then when you go to your advanced school you get additional information about what is acceptable and what is not as far as behavior goes.

In addition to that, we have taken a number of different efforts since May of 2019 to ensure that our junior leaders and our first-line supervisors will have the skill to be able to address this behavior when they see it and shut it down.

In addition to that, we are also providing commanders with new revised climate surveys that allow them to detect and then take action on challenges within their unit to protect those folks that are junior.

Mr. CISNEROS. So is this training provided on an annual basis while they are at the commands?

Dr. GALBREATH. There is annual training, yes. Basic training is not annual. It is when you first come in.

Mr. CISNEROS. Well, I know. But it is why I am asking is there a refresher training done every year?

Dr. GALBREATH. Yes, sir.

Mr. CISNEROS. All right.

So, look, we heard from Vanessa Guillen's family. We hear from so many other individuals that she came forward and told her family members, who she trusted, that she was being sexually assaulted and didn't feel comfortable reporting that to her chain of command, and that is not uncommon and we have heard that so many times here. We need to do something to change that.

And with that, I yield back.

Ms. SPEIER. I thank the gentleman.

I, too, share your reluctance in embracing restricted reporting. I think it sends a message to the soldiers: don't rock the boat.

Let us just give you the health care you need and let us move forward. Let us just put this behind us. So I really am not a fan of it, but it is in the system today.

I now yield 5 minutes to Ms. Escobar.

Ms. ESCOBAR. Thank you, Madam Chairwoman, for another hearing about this issue. Thank you for your continued leadership and your partnership. I am very, very grateful for it.

To our witnesses in our panel, thank you for being here. All of us have been shocked and horrified about the news of Vanessa Guillen and, once again, my sincerest condolences to her family.

Briefly, Madam Chair, I ask unanimous consent to enter into the record two letters from the Texas legislature calling on the U.S. Congress to investigate Specialist Vanessa Guillen's tragic disappearance and produce findings with utmost transparency: the first from the Texas House Women's Health Caucus, the second from the Texas Senate Hispanic Caucus.

Ms. SPEIER. Without objection, so ordered.

[The information can be found in the Appendix beginning on page 93.]

Ms. ESCOBAR. Thank you, Madam Chair. I, too, have called on Congress for an investigation, along with our chairwoman.

Gentleman, right after—as the chairwoman mentioned, right after the discovery of Vanessa Guillen's murder and as the brutal details became public, you saw women all over the country talking about their experiences on social media and on Zoom conversations.

I had my own conversations at home, and one of—really, there is an alarming component of the conversation that I had with one soldier. She talked about the incredible frustration that she and her colleagues have in knowing that sexual assaults are not either fully investigated or there is not—they feel that there is not justice attached to those investigations.

And so she said, why bother reporting sexual harassment if the results with regard to sexual assault are so terrible, and she said, in fact that—she has been deployed and she said that she knew that there was, basically, a war outside the wire that she was prepared for but there was one inside the wire she was not prepared for, just for context.

So, Colonel Wempe, I want to ask you specifically, the FORSCOM IG report indicates that most soldiers responded that they would report assaults, that 86 percent would report assaults.

However, the same investigation shows that just 50 percent of those who were assaulted in the last year actually reported it.

I didn't see that your recommendation addressed this issue. Why not? And also, how should DOD and SHARP address this disparity?

Colonel WEMPE. Congresswoman, if I could just make a point to clarify. What we did was an inspection rather than an investigation, which in the IG realm are two distinctly different things.

So for the inspection that we did, it did indicate that only 50 percent of those that had been assaulted reported but, yet, 86 percent indicated that if they were reported—if they were assaulted they would report.

And the—I think the statistic is a little bit misleading because it was such a small sample size for those that had been assaulted. There were four of that survey group that had been assaulted and two of those had reported.

So it was a very small sample size, and because it was an anonymous survey we weren't able to dig into those cases specifically as to why or why not they didn't report.

More broadly, and I think it is a very important that even though 86 percent in the case of sexual assault indicated that they would report and 87 percent indicated that they had reported if they had been a victim, and so we make some assessments based on that.

That in no way discredits the story for the experience of an individual soldier because we know the incidents occur and we know that not everybody reports.

So even though our assessments indicate the propensity to report is very high, that in no way detracts from those that choose not to report for whatever reason.

In terms of that difference between a very high level of trust in command but a still high but lesser level of those willing to report, either harassment or assault, in the sensing sessions we really tried to understand why that was, why there would be that disparity between the trust level and willingness to report.

And what we found—what soldiers told us, it broke down into a number of different reasons. Deeply personal decision that is being made by somebody who has experienced a significant event, and there wasn't any one reason of those that stood out to us as to why they would not report that they had experienced an incident.

Ms. ESCOBAR. Colonel, just super quickly, have any of the recommendations you made been adopted?

Colonel WEMPE. We had, Congresswoman. They are doing planning down there already in terms of how to implement particularly some of the training recommendations that we made.

Additionally, some of the other programmatic recommendations that we made about the processing of new SHARP program personnel.

Our team actually looked into that earlier this week while they were down there for the revisit, and it appears that they—they didn't see—our team did not see a specific reason for a backlog in the processing. It was just a process that is very deliberate and very, very careful about who ultimately goes into those SHARP program positions.

Ms. ESCOBAR. Colonel, I am out of time. Thank you so much.

I yield back.

Ms. SPEIER. Thank you, Ms. Escobar.

Ms. Luria, you are recognized for 5 minutes.

Mrs. LURIA. Well, thank you, Madam Chair, and I would just like to start by saying that, you know, I entered the military in July 1st, 1993, and I feel like in all those years since then and in the 20 years I served very little has actually changed in what is happening.

You talk over and over again about the programs you have implemented. I lived through that. I lived through those changes, the implementation, all of them.

But I truly feel like we actually have to do something differently, and I applaud Chairwoman Speier for an effort that she put into this year's NDAA [National Defense Authorization Act] that Ms. Sherrill and I, also a Naval Academy graduate, supported and we

would like to look at how that type of change of an independent prosecutor or something in addition to supplement, to help with this problem with the chain of command, can help with this situation in the future and people's ability to report.

And I would like to yield the remainder of my time to Ms. Sherrill.

Ms. SHERRILL. Thank you so much, Congresswoman Luria. I couldn't agree more. It feels like many of the issues that I heard about in 1990 when I was 18 years old and entered the Academy we are still talking about today, and I would like to mention some things.

I am going to have to head down to the floor after this so I do want to quickly say thank you so much to Ms. Del Gaudio for coming today. She is a member—she is from my State of New Jersey.

She has stood up for women throughout New Jersey for many years now, and now I am proud that she has come to stand for women throughout the Nation. So thank you so much for coming today.

Something that Chairwoman Speier said that has me very concerned is in your finding about 18 of the, roughly, 50 women reported being sexually harassed. Is that correct?

Colonel WEMPE. Yes, that is correct, Congresswoman.

Ms. SHERRILL. And you said that the majority of women in your survey would report this. They self—they told you they would report sexual harassment. Is that correct?

Colonel WEMPE. Yes, that is also correct.

Ms. SHERRILL. And so have there been reports from over one-third of the women on the base that they have been sexually harassed? Is that what the reporting has told us?

Colonel WEMPE. Congresswoman, I would have to take that for the record. We did not look at the overall reporting percentages or prevalence at Fort Hood as part of our inspection. So I would have to take that for the record.

[The information referred to can be found in the Appendix on page 101.]

Ms. SHERRILL. Could you please take that for the record? Because it occurs to me that that would be a good way to check your survey to determine if, in fact, that women are really feeling free to come forward and I would suggest that if over a third of the women on Fort Hood are reporting being sexually harassed that that is certainly a real concern of mine and something that really has to have further looking into.

I also want to focus on the finding that the SHARP program at Fort Hood is operating to standard. Was that your finding?

Colonel WEMPE. Yes, it was.

Ms. SHERRILL. If that is true, it really leads to serious questions about the usefulness of the Army's standard itself.

Given that if a SHARP program is operating at standard missed the sexual assault and eventual murder of a soldier at Fort Hood, the standard is flawed. So what steps are being taken by the Army to assess that standard itself and what changes would you recommend?

Colonel WEMPE. Congresswoman, our inspection did not look at the actual policies or regulations themselves. We strictly looked at

the unit's ability and their level of execution against those standards.

I would have to defer to others in terms of any initiatives or movements within the Army to change the standard itself.

I do think, however, having said that, that we didn't look at the specific standards. If the intent of the policies and regulations is to maintain focus on the topic of SHARP and the prevention of incidents and the reporting of incidents, what we saw was a—in the units that we talked to we did see a lot of awareness of the topic, a lot of engagement and investment in that topic at all levels of the soldiers that we talked to, and of an absolute appreciation of the priority that needs to be placed on it.

We did see that. So, in that respect, I think the intent of the standards as they pertain to soldiers and how they do SHARP I think what we saw at Fort Hood indicates that it was having a very good effect, notwithstanding the effect or the point that—the broader point that it may not be having the entire effect that we are looking for.

Ms. SHERRILL. I think maybe our measurements of good effect need to be adjusted, simply, you know, if we are seeing reporting of over a third of the women being sexually harassed, if we have a murder that took place on Fort Hood, I have grave, grave concerns about how we are measuring success in this instance and I think we are failing, quite frankly.

So my time is up and I yield back. But thank you so much for your testimony today.

Ms. SPEIER. I thank the gentlelady.

Colonel, it is true that there is a SHARP program, that people know about the SHARP program. So you were able to check those boxes. But you also, I think, in your report indicated that the—is it the SHARP 360 program? Are you familiar with that? The one where they have an actual facility there. They create a bar, a motor pool, and act out.

But that wasn't well known to any of the people that—or very few of the people that you actually interviewed. Is that correct?

Colonel WEMPE. Yes, that is correct, and we were not aware of it before we got down there. One of the SHARP program people that we interviewed on the first day mentioned it. Our team went and took a look and our team was very impressed with the platform for SHARP training that that facility provides.

And the few soldiers that had gone through small group training at that facility spoke very, very well about the facility. But it is absolutely true it was not well known. Even the existence at the facility was not well known.

Ms. SPEIER. All right. And the SHARP program is online, for the most part?

Colonel WEMPE. In terms of the regulations and the policies, what that requires of the units, yes. Yes, Madam Chair, it was online from what we saw.

Ms. SPEIER. Thank you.

Ms. Haaland, you are recognized for 5 minutes.

Ms. HAALAND. Madam Chair, thank you for convening today's hearing. As a mother, as an indigenous woman, and as a proud member of this committee, I am deeply saddened and disturbed to

hear about the loss of Specialist Vanessa Guillen, and I understand I am not alone in feeling this way. I send my heartfelt condolences to Gloria and Mayra, Vanessa's mother and sister, to the men and women in our military communities, and our witnesses here today who are also grieving and searching for answers.

I, too, wish that circumstances were different and that Congress could have done more sooner to address the pervasive climate of sexual harassment and assault in our military. I hope today's hearing will lead us down a relentless path toward swift military justice reforms, from my colleagues saying they have waited a long time for these things, and protections for all of our men and women who serve.

Colonel Wempe, I understand the Inspector General's inspection at Fort Hood concluded the SHARP program is executed as prescribed and meets Army standards. Yet many military women have come forward to share their own personal stories of sexual harassment and of sexual assault. These women have shared they've been overlooked and silenced.

How do you rectify your findings with the real, lived experiences of these women? And is there something that's being overlooked?

Colonel WEMPE. Congresswoman, the execution of the program to standard, sort of the programmatic of the SHARP program, that was one of the objectives that we looked at. And that was really focused on: are they doing the training, are they doing the training consistently, what is the level of awareness of soldiers of the SHARP program itself? And all of that was very strong from what we saw with the units that we inspected.

Probably more critical for the question, may be the objective of our inspection that also looked at climate, because so much of the climate affects not just whether or not the incidents happened, but what happens after an incident happens. And so we put a lot of focus on that objective, the one of climate. And although it is true that both from the survey information and the subjective information we got from talking to soldiers, trust in the leaders to take it seriously was very high, trust in the willingness to report was also high, that doesn't preclude the experience of individual soldiers. And we know that incidents are still occurring. I mean, common sense says that, our survey indicated that, and certainly the DOD statistics indicate that.

So we know that incidents are still occurring. We know that there is work to do, really focusing, I think, on that 16 or 17 percent and why they are not reporting and how we can make it more comfortable or easier for them to report. I think that's very important so that we really understand the problem and its scope better than we do now.

Ms. HAALAND. I'm just curious, have you personally read any of the #MeToo military stories that are out there?

Colonel WEMPE. I am not on social media. I have not read them directly. I certainly read a lot of the press reporting about those stories that have been on social media.

Ms. HAALAND. #MeToo stories are very personal. They are from the women themselves. And I would encourage you to take a look at some of those because I think they would be very informative.

Madam Chair, I yield.

Ms. SPEIER. Thank you, Ms. Haaland.

Mr. Crow, you are recognized for 5 minutes.

Mr. CROW. Thank you, Chairwoman, for holding this really important hearing on a critical issue for our military and our young men and women.

The military goes to great lengths to instill esprit de corps, to instill culture among its ranks. When I was a young enlisted soldier, my career started when I was in the enlisted ranks as a private, I remember going to basic training. And the amount of time that was spent learning knowledge; you were given this book and you are told to memorize the Army song, Army history, the great battles in American history. You memorize the ranks, the command structure. You know, it's a reflection of the priorities of the force where you spend your time—and instruction was broken down by the hour; you know, X number of hours on marksmanship, X number of hours on physical fitness—and where we spend our resources.

So, with that in mind, I am concerned that our time and resources still do not adequately reflect the priority and the urgency of this issue.

Dr. Galbreath, you said that within 14 days new recruits are informed about the program. And then when they go to their advanced training they are provided, quote, "additional information" about the program. So can you shed some additional light for me as to how many hours of instruction and how much time is spent for these new recruits, who get their first exposure to military culture and the priorities of our force, to instill in them how critical this issue is?

Dr. GALBREATH. I don't have that number on me, because this is a service equity that they all execute just a bit differently. But it is—once again, there is a substantial amount of time spent. I just don't know what it is per service.

Mr. CROW. I would think you would want to know that. I mean, you are one of the top leaders in the program that's designed to instill accountability into our force. And I understand that there is some disparities, but this starts from day one. And, you know, I am dismayed, to say the least, that you don't know how much time and effort is spent instilling culture and priorities on our recruits from the first day they step off that bus, right? Because when you get yelled at by the drill sergeant, it's a reflection of the priorities of the force. But we are clearly not doing that with an issue of critical importance that goes to the esprit de corps, the values, the culture, and the morality of our military. So I want, for the record, to get that information from you, and I want to know that this will remain a priority.

[The information referred to can be found in the Appendix on page 101.]

Mr. CROW. Dr. Galbreath, can you tell me how many of the SHARP representatives throughout the force—I believe, at the GS level they start at the brigade level—how many of those are women?

Dr. GALBREATH. The vast majority of them are women. I don't have the exact percentage of what the gender breakdown is. But—

Mr. CROW. So it's over 50 percent?

Dr. GALBREATH. That is my understanding.

Mr. CROW. Okay. "Vast majority" is all that you know?

Dr. GALBREATH. Mm-hmm.

Mr. CROW. Okay. Again, that is a number I would expect you to know, because that's important, because that is also a reflection of the priorities of our force and how we are allocating our resources. And I would expect, as a leader of this organization, that you would have that information, that you would know how many women are out there within our units actually addressing this issue.

The last question I would like to make is actually dovetailing on the Ranking Member General Kelly's comments about the impact of NCOs, because we've talked a lot about the officer corps and, certainly, you know, the buck stops with the officers. But the NCOs are critical. I could not agree more with General Kelly's comment that if you want to know what is going on in the barracks, if you want to know what is going on during off-hours on the weekend, it's our sergeants, our NCOs that know what is going on within the units. And I don't believe that we are adequately training and equipping the NCO corps, through the NCO development system and education system, to lead on this issue.

So, my last statement would actually be a request that we figure out a way to better equip the NCO corps and use them as kind of our eyes and ears and tools on the front line to address this crisis.

So, thank you, Madam Chair. I yield back.

Ms. SPEIER. I thank the gentleman.

Ms. Garcia is recognized for 5 minutes.

Ms. GARCIA. Thank you, Madam Chair, and thank you so much for your leadership on this issue and for agreeing to let me waive in since I do not serve on this committee. And with that said, gentlemen, if I get some of the acronyms wrong, please bear with me, because I am not a member of this committee.

But, Madam Chair, your leadership on this issue has been consistent, and your support. As the Member who represents the Guillen family in Houston, I can tell you that they know that you're there with them and that this committee is supportive, because not only does the family grieve, Houston grieves, the Nation grieves. You know, when we see a march in Houston of 3,000 people in the middle of the heat, but we also see marches across America, about 40 or 50 on one Saturday, this is a topic that is very, very, very concerning to many, many people.

I am going to pick up where my colleague Representative Sherrill left off. When were these standards of standard or criteria for reviews or inspections, when were those developed, just quickly? The year.

Colonel WEMPE. Congresswoman, I believe the DOD level standard was last updated in May of 2017, I believe.

Ms. GARCIA. 2017. So is there a below standard? Above standard? Or is that the only option?

Colonel WEMPE. The policy, both DOD and Army, prescribes what the requirements are for training and the programmatic things. That becomes the standard.

Ms. GARCIA. I know, but for you to decide whether the programs are working, is the only option that they meet standard or not standard? Like, I'm used to performance reviews. There's above standard, there's below standard, or needs improvement. I mean, they're either standard or not standard.

Colonel WEMPE. In our methodology, as IGs, because we deal with so much subjective information as we receive it from soldiers, our assessment that we make about whether or not it is meeting the standard is—it includes some empirical information, but it also includes a lot of subjective information from the soldiers. And so we just make our assessment—

Ms. GARCIA. So that is the only option?

Colonel WEMPE. That is correct, Congresswoman.

Ms. GARCIA. Well, because it is disappointing, as Representative Sherrill said, that if it is standard, that there would still be about one-third or more that are not reporting. And then if you look at—especially, I looked at the—I also don't understand the difference between a formal complaint and informal complaint on sexual harassment.

Colonel WEMPE. In dealing with sexual harassment specifically, the formal complaint would be one that they would make to the chain of command or to the—to a—eventually to a VA [victim advocate], and it would go through the formalized process of an investigation and then whatever—

Ms. GARCIA. Well, tell me about informal.

Colonel WEMPE. Informal would be the soldier—for timeliness purposes, the ideal is the soldier deals with it immediately and the issue gets remedied immediately.

Ms. GARCIA. It wouldn't be that she told her parents? It wouldn't be that she told her sisters? It wouldn't be that she told friends on the base? That's informal, in my view.

Colonel WEMPE. Informal, in this context from the Army, would be reaching out to somebody within the unit or within—at that—

Ms. GARCIA. So if she told a member of her unit—and her unit was not in this survey, correct?

Colonel WEMPE. That survey was just completed with her unit the previous 2 days and the team has returned—

Ms. GARCIA. Right. But if she told someone in her unit, that would be informal?

Colonel WEMPE. A victim would have the option of—regardless of who they told, they would have the option of making it formal or informal.

Ms. GARCIA. Well, sir, it's a very direct question. If she did share her story with friends in her unit, is that an informal complaint?

Colonel WEMPE. It could be, unless she intended it to be a formal complaint. She had that option.

Ms. GARCIA. Well, we certainly don't know her intent. She cannot tell us her intent. If she could tell her story, we probably wouldn't have to have this hearing. But, unfortunately, she's not with us. So if she told her friends at the unit, or someone there on the base, is that an informal complaint?

Colonel WEMPE. If she did not express the intent to make it a formal complaint, then that would fall into the category—

Ms. GARCIA. So you are saying that someone would have to go and say, "Sheila, you know what, I was sexually assaulted yesterday but I don't want to make that an informal complaint"? Someone has to consciously say that they want to make it an informal complaint? It seems a little——

Colonel WEMPE. The victim has the option of either making it formal or informal. That's their decision.

Ms. GARCIA. Right. Well, it's really disturbing to me that the numbers still don't look good. And when I looked at your—I guess it is Appendix F of the report, what did catch my eye is this formal/informal complaint and how it intermixes with your numbers. Because then you also have anonymous complaints. So I won't ask you about those, because I'm sure then I'll hear that the victim had to have some conscious level of saying it was anonymous.

But I, like Representative Sherrill, think that you all need to rethink your assessments, something other than just standard, because, obviously, you know, that doesn't quite meet today's demands. You know, I don't know what the history is of how those were developed. But I think, if we are going to look at making change, that is maybe one of the institutional changes that we need to make.

Then I want to quickly ask Mr. Galbreath, you mentioned that, in response to my colleague, that there was a very great number of women that were SHARP officers or program managers.

Dr. GALBREATH. Sexual assault victim advocates.

Ms. GARCIA. Right. Are any of those women women of color?

Dr. GALBREATH. Yes, they are.

Ms. GARCIA. Do we know how many?

Dr. GALBREATH. I have 22,000 sexual assault victim advocates. About 2,500 are full-time members and some of them are people of color. Yes, ma'am.

Ms. GARCIA. Okay. Then I want to go back to you, Colonel. You said that you did an inspection, but it's not an investigation because you wanted to make sure that we quickly went in there and saw what's going on at Fort Hood. And you started July—no, June 23rd? No, July 27th?

Colonel WEMPE. We arrived and began work June 29th at Fort Hood.

Ms. GARCIA. June 29th. Now, that's not really in a hurry, is it? Because she went missing April 22nd. I sent a letter of inquiry May 23rd. I visited Fort Hood June 23rd. But yet, 4 months later is when you started your inquiry.

Does it usually take that long? Because new reports from the very, very beginning mentioned sexual harassment. Her family shared that story from the very, very start. Why did it take so long for you all to try to go in and look at this snapshot to see what's going on in case you needed to do something?

Ms. SPEIER. All right. Mr. Garcia, we're going to have to ask for a very short answer because——

Ms. GARCIA. Okay. Great. Thank you.

Colonel WEMPE. The investigative efforts began immediately. And we were not part of the investigation by CID, so I can't really speak to their timeline or their details.

Ms. GARCIA. No, sir. I was asking about your response on sexual harassment.

Colonel WEMPE. Our inspection was really to look at the climate at Ford Hood and some of the concerns that had been raised.

Ms. SPEIER. But it was General Garrett that assigned you that task, correct?

Colonel WEMPE. That's correct, Madam Chair.

Ms. SPEIER. All right. Thank you.

Ms. Sheila Jackson Lee, you are recognized for 5 minutes.

Ms. JACKSON LEE. Madam Chair, thank you so very much for your stupendous leadership and, certainly, the opportunity that has been given to women members and men members of the United States Congress to work with you on this extremely important work.

Thank you to Congresswoman Davis, who has led this effort. And we have had the opportunity to work with Susan, as well.

I join my neighbor and dear friend, Congresswoman Sylvia Garcia, who has given stupendous leadership, tragically, to this issue, and my fellow colleague, Congresswoman Escobar. I, too, have come on this committee because of the enormous pain that the whole community, the whole State of Texas, and, of course, now the Nation, feels about Vanessa.

So, my colleague has pointed and focused on some questions that I would like to follow up on. But at the same time, I wanted to make sure that we all saw what kind of vibrant young soldier that the Nation lost.

This represents a youngster who, in high school, was the best athlete. There were men who said, "I can't believe how athletic, how strong she was." Who, the minute she graduated from high school, on June 9th, she shortly shipped off for basic training. A true patriot. And a family who came to America and did all they could for their children. True contributors to the infrastructure of this Nation.

I think what pains me is that she was missing for 70 days. And, of course, the gruesome brutality of her murder. And so I want to focus my deepest sympathy to her family and my continued partnership, collaboration with Congresswoman Garcia, and to join on legislation that I think is absolutely imperative.

So I want to—though you were—I understand Congresswoman Speier mentioned another general that was engaged, but I just want to read this sentence into the record, or this paragraph: "Army officials say Guillen never reported sexual harassment through official channels. She told her mother near the end that a sergeant had been harassing her. She told her best friend that a soldier had walked in on her in the shower."

That is well known throughout Houston. It is very painful.

"But she wasn't going to file a complaint, she told her mother. Her superiors would laugh or brush it off if she said something. She bristled at the idea of quitting the Army. She would not violate her oath."

And so we have a real problem. My colleague pursued informal. This is not a complete system. If you have young soldiers, male or females, but in this instance saying her superiors would laugh or brush it off, then did your study pierce into, as Congressman Crow

said, I think he called them the sergeants or NCOs, did you pierce into, did you try to understand, to break that culture, did you interview? And out of that report, did you develop policies that do not go to the umbrella, the base commander, but get to the individual NCOs? Because we lost a life because some young soldier so athletic thought that they would bristle or that they would laugh it off.

That's the number one question. I want to get this other one in. I think there was a number that you were able to get everyone or you thought you reached everyone except 16 or 17 percent. I just need to get that explained. Leaving that number of people still impacted by sexual harassment means that you've got thousands of soldiers, because we have millions of soldiers that may be impacted by the failure of real policies of dealing with ending sexual harassment.

Then the last question will be, you know, it's trending upwards, as I understand. What are we doing to get it to stop trending? But the first question is really how did you assess or pierce where Vanessa was for her to have relief?

Ms. SPEIER. All right. Ms. Jackson Lee has 11 seconds. See if you can fill those.

Colonel WEMPE. In the case of our inspection, Congresswoman, we did ask those questions. Again, trust in the leadership indicated to us by soldiers was very high. And then in the sensing sessions and interviews with them we tried to really bore into why they would not report. And, again, a variety of reasons, very personal decisions as to why they wouldn't report. Certainly, concern about how they would be perceived by others was one of those various reasons that they indicated they would not report.

Ms. JACKSON LEE. Thank you, Madam Chair. I just want to join with Congressman Crow to say that we need to deal with these sergeants and NCOs. There has got to be a better culture for young people in the enlisted men and women.

I thank you. I yield back.

Ms. SPEIER. Thank you. I want to thank our two witnesses for your testimony today. I think it is very important, as we study this issue, to recognize that Colonel Wempe's investigation was not scientifically based. And you cannot extract from that that it is relevant to the entire force. I think you would agree with that, Dr. Galbreath, correct?

Okay. Thank you very much.

We will now have our second panel come forward.

[Pause.]

Ms. SPEIER. The hearing will come back to order. I now welcome our second panel.

Ms. Melissa Bryant, Grass Roots Movement, U.S. Army veteran. And Ms. Lucy Del Gaudio, who is Grass Roots Movement, U.S. Army veteran. Thank you both for being here today.

Ms. Bryant, would you like to begin?

**STATEMENT OF MELISSA A. BRYANT, GRASS ROOTS
MOVEMENT: JUSTICE FOR VANESSA, U.S. ARMY VETERAN**

Ms. BRYANT. July 29th, 2000, I was a 20-year-old cadet stationed at Fort Hood for a few weeks for Cadet Troop Leader Training as

a part of ROTC. At first I was intimidated by the sheer expanse that was Fort Hood, amazed that you could drive for miles and miles and still be on post.

I was assigned to a military police unit where there was no platoon for me to shadow to learn how to be an officer. So I shadowed the platoon sergeant. I spent time with him and the other soldiers in the platoon in the arms room, on the range, in the motor pool, in the post exchange, joking around, ignoring the occasional overt sexual comments.

I just wanted to fit in. Here I was with a silver disc on my cap, a clear sign that I was a cadet and even lower than a private, laughing off comments made about my physique with junior enlisted soldiers, all because I didn't want to make a scene. It's not like you can pull rank when you're a cadet.

There were no women officers in the unit and the men, while nice guys, were either indifferent or oblivious to the nature of the banter. I imagine this is how Vanessa Guillen felt when she was sexually harassed by someone who outranked her, even when he was also lower enlisted and not in her direct chain of command.

Chairwoman Speier, Ranking Member Kelly, distinguished members of the subcommittee, on behalf of the service women-led Grass Roots Movement comprised of over 4,000 women and gender-diverse veterans and over 6,500 allies and supporters, we thank you for the opportunity to address the critical issue of sexual harassment and retaliation in the military following the tragic murder of U.S. Army Specialist Guillen.

Sexual harassment in the military is not only an epidemic of fear, it is a national security risk, systemically degrading the integrity of unit cohesion, thus reducing personnel readiness. It compromises mission and personnel readiness by taking service members out of our combat-ready ranks emotionally, physically, and, in Specialist Guillen's case, violently and permanently.

It is an issue of power and dominance and has nothing to do with sexual gratification. To add insult to injury, those of us who are lucky enough to survive military sexual trauma, or MST, stemming from permissive and pervasive hostile environments while in the military, face uphill battles with the Department of Veterans Affairs once we take off the uniform and attempt to claim VA compensation and other benefits for post-traumatic stress disorder relating to MST.

One in five women who experience sexual harassment were also sexually assaulted, giving credence to the hypothesis that a permissive environment for harassment can foster perceived permission for assault by an offender. It was concluded by DOD that sexual harassment is the leading factor affecting the unit climate on sexual assault. The data also show the majority of victims were harassed by someone in their chain of command. And perhaps most stunning, 1,021 formal sexual harassment complaints were investigated in fiscal year 2019, a 10 percent increase from fiscal year 2018.

It is a common belief that the rates of reporting in recent years are resultant of ramped-up military education efforts to destigmatize reporting sexual assault in the ranks. However, this rising sta-

tistic also begs the question of whether DOD ever had a fully accounted grasp of the broad scope of its harassment problem.

Fear of retaliation, as expressed by Specialist Guillen to her family regarding her own sexual harassment, remains a driver for a majority of MST survivors to remain silent. The latest data show 64 percent of women who report a sexual assault face retaliation, that 66 percent of retaliation reports alleged that retaliators were in the reporters' chain of command. Approximately one-third of victims are discharged after reporting, separated under other than honorable conditions, thus impacting their service-connected benefit claims as veterans.

In FY [fiscal year] 2018, over one in four victims who did not report harassment or assault feared retaliation from their command or coworkers. Many survivors have internalized that the investigation process would be unfair, result in no outcome, or, worse, adversely impact their career.

And the trauma doesn't end there. One in five women veterans accessing VA have reported being the victim of MST and 25 percent of the women veteran population report inappropriate or unwanted comments or behavior by their male veteran counterparts while receiving care at VA facilities.

I hope this testimony eliminates the persistent challenges in seeking justice which MST survivors endure, to include the threat of violence and potential loss of life to either suicide or homicide, and also how survivors are often condemned to a never-ending, hellish cycle of victim-blaming, revictimization when recalling their traumatic experiences later in their veteran life, severe depression, PTSD [post-traumatic stress disorder], and other correlated ailments resulting from a military justice system that has repeatedly failed them.

It does not always get better with time and we cannot lose another Specialist Guillen. In the words of many who have posted their stories under #IAmVanessaGuillen: not one more.

Chairwoman Speier and Ranking Member Kelly, distinguished members of the subcommittee, again, on behalf of the thousands of service members, veterans, and allies of all stripes who have mobilized in the last few weeks to demand justice for Specialist Guillen, and the thousands of MST victims who came before her, we thank you for the opportunity to share our views on this critical mis-carriage of justice, to advocate for swift passage of military justice reforms, such as those underlined in Chairwoman Speier's amendments to the FY 2021 NDAA.

Ms. SPEIER. Can you please wrap up, Ms. Bryant?

Ms. BRYANT. Yes, ma'am. I agree with Ranking Member Kelly in that MST is a scourge on our Armed Forces, diminishing the public trust in the institution that is the U.S. military, and leading service women, veterans, and advocates in this Grass Roots Movement to not only call for the shutdown of Fort Hood in response to Specialist Guillen's murder, but to call for no future enlistments until a thorough congressional investigation by an on-the-ground CODEL [congressional delegation] is conducted.

Thank you.

[The prepared statement of Ms. Bryant can be found in the Appendix on page 65.]

Ms. SPEIER. Thank you, Ms. Bryant.
 Ms. Del Gaudio, you are recognized for 5 minutes.

**STATEMENT OF LUCY DEL GAUDIO, GRASS ROOTS
 MOVEMENT: JUSTICE FOR VANESSA, U.S. ARMY VETERAN**

Ms. DEL GAUDIO. Good morning, Chairwoman Speier, Ranking Member Kelly, distinguished members of the committee. My name is Lucy Del Gaudio. I am a United States Army veteran and veteran advocate, and I am a member of a coalition of thousands of women and gender-diverse veterans seeking justice for Vanessa Guillen and systemic change for survivors.

I served from 1990 to 1998, Active and as a reservist. My veteran advocacy work focuses on survivors of military sexual crimes, predominantly women who experience sexual harassment and assault during their military service.

I was born and raised in Union City, New Jersey, to Cuban-Puerto Rican parents. After my father passed away in 1989, my mother could not afford two daughters in college and I followed my brother's footsteps. I am just one of many minority veterans in the community to follow this path. We seek to create legacy, to create equity, and to serve our country as patriots that we are.

If I had to use one word to describe my military service, it's "tarnished." In 1990, I experienced firsthand how racial slurs and sexual innuendos were fundamental training tools used by both male and female drill sergeants. Even trusted mentors would affirm to me that it's just part of military culture.

I was sexually assaulted overseas in 1992 by a senior NCO. Reporting through my chain of command was my only option, and nothing was done. I was told that any pursuit for justice and accountability would ruin his career. Despite being a highly motivated soldier who was good at her job, retaliation still impacted my career. I did not speak openly about my military service or assault until 2015.

These stories we bring to you are like broken records. In 1992, the same year I was assaulted, my mentor, Diane Dennis, testified before the Senate Armed Services Committee about the same very topic. She and others made it clear that Tailhook was the tip of the iceberg.

Today, I testify before you 27 years later, working tirelessly with a powerful grassroots movement that has converged in the fight for justice for Specialist Vanessa Guillen, a 20-year-old soldier whose whole life was ahead of her and should have never died.

Women do not report because we fear for our safety, we fear for our future, we fear for retaliation, and I have come to see this too many times amongst my own story.

Nearly every year the same reports have pointed to the rise in numbers of cases. Yet we don't know how many have gone unreported. Who are the people not reporting? They are the privates to the lieutenants, the sergeants to the commanders. They are the ones who do not feel safe reporting. They are the Vanessa Guillens. They are unaccounted for, because if only a small number report sexual assault and rape, who is going to take the risk to report harassment?

There is no safe reporting mechanism. There's no protection for victims. There's no accountability for predators. The murder of Vanessa Guillen is one of long line of issues going on in Fort Hood. The base is a hot spot. This year, 23 soldiers in Fort Hood have died or have been found dead. It begs to question, what is happening at Fort Hood?

Each new story that I received from women at Fort Hood are heartbreaking. My mom and aunt pressured me to say something but I didn't. CID closed my case without notifying me. He got off with just an assault charge and later promoted. I was pushed out for not getting over what happened to me. The triggers never really go away. They just lessen with time.

These are the steps I ask for Congress today. Open a congressional investigation into the death of Specialist Vanessa Guillen, including a visit to Fort Hood so you could review the facilities yourself firsthand and see what is taking place there. Remove reporting of sexual assault and harassment from command jurisdiction and create an outside investigation entity. Commands have proven that they are incapable of investigating themselves and bringing accusers to justice.

Require all future DOD annual reports to include data separated by installation to identify the problem posts for readiness and compliance issues.

The culture of power and control creates and molds toxic leadership. This system is so static it is Gorilla Glued to the floor of the basement. We can't even see the glass ceiling when it comes to elimination of harassment and sexual assault in the military. If this is going to change, the DOD must take this issue seriously. Zero tolerance means zero tolerance. Military justice must be swift and it must be just.

Thank you, and I look forward to your questions.

[The prepared statement of Ms. Del Gaudio can be found in the Appendix on page 76.]

Ms. SPEIER. Thank you for your powerful statements.

Ms. Del Gaudio, you referenced that there were 23 soldiers at Fort Hood who have died or have been found dead. I'm deeply troubled by the homicides that have taken place that are still unsolved. You mentioned four homicides, seven suicides, and one combat-related death. But there are 11 more. Do you have an understanding of the other 11?

Ms. DEL GAUDIO. Ma'am, I don't at this time. We've gotten reports from several different avenues. But I will give you further—I will further—Melissa, if you want to address that.

Ms. BRYANT. No, I don't have it, either. I was saying that that is something that we do recognize, the permissive environment of sexual harassment has seemed to have an impact in a portion of those 23 deaths, those homicides that have taken place. But we would have to get that back to you for the record, ma'am.

Ms. SPEIER. So where did you get the data?

Ms. DEL GAUDIO. All over the news media, different reports that we have seen from different individuals that did not want to disclose who they are within the Fort Hood community.

Ms. SPEIER. All right. Ms. Bryant, you referenced that a third of those who are harassed are separated, which was an astonishing

number that I hadn't heard before. Where did you come up with that figure?

Ms. BRYANT. Yes, Chairwoman. That is—excuse me. Pulling my sources here.

I believe that that was pulled from one of the VA reports that I have from the Veterans Benefits Administration. The one-third that were separated under other than honorable conditions has also been noted. Sorry, I am just looking for my exact quote here.

Ms. SPEIER. Well, maybe you can just provide it to the committee. It is certainly something that we have to look into with greater detail.

Ms. BRYANT. Absolutely.

Ms. SPEIER. I'm going to allow you each a minute of time to talk to us without the benefit of notes or scripts. Tell us what we should do.

Ms. BRYANT. First and foremost, the amendments that are currently within the FY 2021 NDAA that relate to changing the reporting chain, that relate to allowing a removal of bias in the chain of command, taking it to a special prosecutor to be able to have impartiality in investigations and in prosecutions of sex crimes in the military, it absolutely must pass within the NDAA this year. This is the time where we must remove that implicit bias.

I can speak as a former captain, a former commander, when I was just 25, 26 years old and I had an NCO who came and spoke to me and told me about her sexual harassment and assault, and I didn't know what to do at the time.

This is in 2005, 2006 timeframe, and I didn't know what I should have been doing at that point. I asked her repeatedly I want to make this a public record and see if we can assist you in any way we can, and she declined. And this has been repeated over time; 15 years, 20 years. Nothing has changed. Since Tailhook, nothing has changed. So we need that bias to be removed. We need for reporting chains to be permissible for soldiers and other service members to be able to speak with comfort and without fear of retaliation.

Ms. SPEIER. Thank you. Ms. Del Gaudio.

Ms. DEL GAUDIO. I have to say that, listening to the panel before me, I felt that they were doing a lot of blame on the SHARP program, and I don't think that's fair. I think we have to look at NCOs, the toxic creation of their leadership, because that's where it stems from. It's just a continual cycle of toxic leadership that is the gratification of degrading women, degrading men, degrading, you know, our LGBTQ [lesbian, gay, bisexual, transgender, queer or questioning] community. It is just the way the military works.

And, sir, when you said about "it's not my Army," that really affected me, because when I went into the Army I followed my brother's footsteps. He was my recruiter, and he assured me that his Army was going to take care of his little sister, and it didn't. It didn't take care of me. We have to do better by our women. We have to do better by our women minorities, our black and browns, our Latinas. We're really being affected. That E-1 to E-4 pool in the Army are targets. We have to do better by them, because 9 out of 10 of those women want to stay and their experience doesn't let them stay, and retention is blown away.

I wanted to stay in the military. I wanted to make it a career. My brother served in the Marines for 22 years. My brother served in the Army for 32 years. I wanted that, and it was taken away from me because I didn't feel safe.

Ms. SPEIER. Thank you very much.

Ranking Member Kelly, you are recognized.

Mr. KELLY. Thank you, Chairwoman Speier. And, first of all, I thank each of you for your service to this great Nation. Thank you. It means something. Even if it was a bad experience, I still thank you for choosing to serve our country. That is very admirable.

I do want to talk about—it bothers me that we talk about 23 deaths and we relate all of those to sexual harassment but we don't even know who the 23 are. That bothers me. That is a statement that—I don't need numbers thrown out. I need actual facts that have a basis. So, that bothers me.

And then I want to touch a little bit on Specialist Guillen. An amazing human being and that should never have happened. An amazing soldier. That should never have happened. I don't think there's anybody on this panel, I don't think there's anybody at Fort Hood, I don't think there's anybody in the Department of Defense who in any way can justify her unlawful and awful killing. My heart and soul goes out to that family. When you serve your Nation you expect to be protected.

That being said, the sexual harassment and the murder are two separate things. They are not connected in any way, and to suggest otherwise is just not true. That is not what the facts—now, there may be other facts later that reveal that. But I can tell you, from my knowledge, and I've had people testify on this—and I've been to Fort Hood. I spent over a year of my life at Fort Hood and it is a large, sprawling complex.

I thank each of you, but we have to be real careful, because words have meaning and there are consequences to tying things together that are unrelated, and I think they have a negative impact on what we're trying to achieve. Because I want to tell you what I am trying to achieve. I want a Department of Defense that no sexual harassment or no sexual assault ever occurs, that no racism, no extremism is ever allowed.

Now, I know that's a rainbow and cherry tree approach, because there are bad people in this world and there always will be, and some of those will become soldiers or sailors or airmen and Marines. But that is my goal.

And so what can we do? What can we do to our NCO corps? Because I think that's the key. I think that is the key. What can we do to train or instill or inspire our service members at the proper level to let people know, when you do this the entire Army, the entire Navy is going to out you. We are going to put you out there to shame you for doing these dastardly deeds that you have done.

What can we do to train our NCOs, Ms. Bryant?

Ms. BRYANT. In training our NCOs, I agree with you in that that is key to this. But it's at all levels. It's at the service academies. It's at the boot camp. It's at AIT [Advanced Individual Training]. It needs to be continuous and it needs to be iterative. That is what needs to happen. We need to inculcate within our ranks that this

will not be tolerated and there will be consequences and repercussions for your actions.

I will not—I will simply say this: I do disagree, in that the permissive environment that I have experienced, that Lucy has experienced, that Vanessa Guillen experienced, if it's okay to laugh and joke about how we look in our uniform, to grope us, to say things, and then we laugh it off and then we're shamed into being able to speak out loud—

Mr. KELLY. I understand, and you get to say that.

Ms. BRYANT [continuing]. That is what creates—that creates a hostile environment.

Mr. KELLY. I'm reclaiming my time. Reclaiming my time. I absolutely agree with what you just said. But that's not—what I am trying to do is, what can we do for our NCOs, our junior officers, our senior officers? What can we do to make sure that this doesn't continue to happen? That's what I want to do.

Ms. BRYANT. Public shaming.

Mr. KELLY. I agree there is a problem. So I'm not disagreeing.

Ms. DEL GAUDIO. It's not a yearly discussion. It's a continuous discussion. We just do, you know, a few hours in basic training, a few hours in AIT. Maybe when they go to BNOC [Basic Non-commissioned Officer Course]. Maybe when they go to others.

It has to be continuous. It's a conversation. It's happening all the time. We have to have the candid discussions. We have to create a culture that if I say to Melissa, "I'm being harassed," it's—it has to be a courageous conversation. We do not create a courageous conversation. We have to instill that in our military. If a woman, a man, wants to go into the military, we have to say okay, X, Y, and Z could possibly happen and you could be courageous enough and we are going to protect you. But we—

Mr. KELLY. I agree, and let me reclaim just a second, because I agree and I think one of the keys is we've got to teach them early. It has got to measure—like Mr. Crow said, it's got to be in time. We've got to give hours and blocks of instruction and it's got to continue, not online, but in person, throughout a career.

And with that, Madam Chairwoman, thank you again, and I yield back.

Ms. SPEIER. Thank you, Ranking Member Kelly.

I think the key is we've got to change the whole program, because online is not cutting it. And I agree with you. I think the NCOs need to have specialized training, as well.

Ms. Davis, you are recognized for 5 minutes.

Mrs. DAVIS. Thank you, Madam Chair, and thank you, Ms. Bryant, Del Gaudio. I'm very pleased that you're here, thank you, and for all that you have done to, certainly, highlight and bring the attention to Specialist Vanessa Guillen.

I wanted to ask you a little bit about your look at what happened regarding AWOL for Ms. Guillen. What did you see that was done correctly, but what was wrong?

Ms. DEL GAUDIO. Thank you, ma'am. What blew me away is that if a weapon went missing, nobody would have been allowed to go home. Her property was still in her unit. That should have indicated something. We were more accountable for the weapons in that unit than for our own soldier. Right there, that blew me away.

And I still repeat it over and over in my head that a weapon had more accountability than a young woman soldier.

So that, to me, was heart-wrenching. We have to do better by us. If you had evidence that something possibly happened—her stuff was there. Vanessa's stuff was there, and nobody had any indication of, like, this is not AWOL. It's just not.

Mrs. DAVIS. And if I may, Ms. Bryant, too—I mean, what comes to—why do you think that happened? And I understand, as well, Private Gregory Morales, also under the same circumstances. But is it because they just decided that there was something about her?

Ms. BRYANT. Ma'am, I think the issue that is the elephant in the room in the military is addressing race. It is addressing the intersectionality that impacts our service. Those of us who are women of color who serve, we know that double burden all too well.

And I would like to point out that I'm sure this committee has heard many times over the 5 years that Bowe Bergdahl walked off a fire base and went missing, and how much blood and treasure the Army, the military, spent looking for him. But she was missing, her stuff was there, and no one went looking for her, because black and brown women go missing all the time and no one cares.

Mrs. DAVIS. And there did seem to be a sense that they believe that she had walked off, walked away. And that was striking. Truly striking.

We are trying to get at some of the ways in which, as people are recruited, come into the service, serve, whether it's as a non-commissioned officer or even, you know, through the ranks of officers, is there something in the way that we conduct surveys, climate surveys, that doesn't allow people to come forward and truly say what they know, as if you see something do something. What can be done about that as individuals, as you've experienced that. Some of our colleagues have experienced that, as well.

Ms. DEL GAUDIO. I think having listening sessions with your command is not acceptable. I think you have to have that gender-specific conversation, because I know that if I am in the room with my male counterparts I'm not going to be as honest and open as possible to what happened to me.

I think there should be an independent party practice when it comes to survey initiation. I think we have to also do better what type of data we are aggregating; you know, age, rank, and gender is just not enough. We need to know what type of ethnic background you are. We need to know your sexuality. We need to know all those factors. And I think that will do a great justice when it comes to being more honest and open.

Mrs. DAVIS. Should there be a greater hand, when someone is being considered for a promotion, that the members of the unit, that the family, has an opportunity to weigh in in a way that's different from what happens today?

Ms. DEL GAUDIO. I was plagued by promotion, of not getting promoted because of my weight. The Army weight requirements I never met. So the burden in 1992 of getting constantly tape-measured was, A, horrible, but, B, was part of the harassment that I endured, because when an NCO is tape-measuring you and touching you in places that you don't want to be touched, it's horrifying.

So, that alone, I missed two promotions because I was 2 pounds overweight and my BMI [body mass index] did not match. That's absolutely absurd. I was a highly motivated soldier. It shouldn't have meant that my 2 pounds were going to deny my promotion.

Mrs. DAVIS. Thank you. Thank you for that.

Ms. SPEIER. My understanding is now NCOs do not take those kind of measurements, thank God.

Ms. DEL GAUDIO. Thank God for the BMI machines, because those tape measures were just absolutely awful. Excuse me for that comment.

Ms. SPEIER. Ms. Escobar, you are recognized for 5 minutes.

Ms. ESCOBAR. Thank you, Madam Chair, and thank you both to our panelists for being here and for sharing your stories with us.

We know that Vanessa Guillen told her family that she was afraid of reporting sexual harassment. And you both have been subjected to harassment and assault. I think it's very important for this committee, as we continue to try to change things that have been going on since women entered the military ranks—and actually before that because men also are victims of sexual assault and sexual harassment. Help us understand; when you do report it, can you tell us what happens? What are the actual moments, and what happens in the moments and the weeks afterwards that creates an environment of fear and retaliation?

Ms. BRYANT. I would say that what happens versus what should happen is the problem, and that is that there are formal reporting requirements. I understand that Colonel Wempe, you know, explained that. It's articulated in a pretty detailed way within SAPRO guidelines.

However, that is not what actually occurs, and that is what we have experienced ourselves. And, over time, it's what we've heard repeated by thousands of women, and male survivors, as well, who say that they did speak to a command, they did speak to someone, and it just didn't go any further. Or they were told, well, why don't you think about this. Think twice.

Again, we constantly hear the refrain of think of so and so's career. Sometimes, think of your own career. And that is what happens where that fear of retaliation comes. It's a hopelessness where you feel as though what's the point?

I also want to, very quickly, answer back to Congresswoman Speier's question. The data on the third of victims who are discharged after reporting came from an aggregate of Protect Our Defenders. It's derived from the DOD SAPRO report from 2016.

Ms. DEL GAUDIO. For me, it was, "Are you sure?" "Are you sure that happened?" And that shouldn't be a question asked: "Are you sure it happened?" I heard that statement for a whole week: "Are you sure it happened?" And from multiple members of my chain of command. And that's what's disheartening is that they just don't believe us, or they're just protecting the person who is higher ranking than you. I was an E-3. Shouldn't have ever happened to me.

Ms. ESCOBAR. And once you did—because both of you reported and even after—clearly, the first step, you are discouraged. You are told to think of your career, think of the person who assaulted you or harassed you, think of their career. So that's the first point where we need reform.

What happened after you reported, when you decided, regardless of the consequences, it's important for me to report? What happened then?

Ms. BRYANT. In my case, unfortunately, I shrugged it off. I was gaslit to believe that, as an officer, that that was the price of admission to being in the Army. I was often the only woman officer around. I also felt very much of a mama bear protective mode for my fellow soldiers, and so I would try to protect them when they would come to me and then further on report. But in my own case, I wasn't strong enough to do the same.

Ms. DEL GAUDIO. Mine was just completely swept under the rug. I don't have anything. No justice. Being here today is somewhat justice for me. Speaking to you all is justice for me. Being able to speak about it honestly and openly is justice. And a lot of us feel this way because nothing gets done.

Ms. ESCOBAR. Thank you both. Madam Chair, this is very similar to what I have heard in my own district from victims: an inability to get information about why something was dismissed, an accusation was dismissed, why there was no further investigation, leaving victims even more confused, leaving victims even more distraught, feeling like there is no justice. And this is for assault, much less for harassment. This is why I do support our efforts to look at innovative ways to reform the system, which includes taking it outside of the chain of command.

Thank you both very much. I yield back.

Ms. SPEIER. Thank you. Ms. Del Gaudio, what happened to your assailant?

Ms. DEL GAUDIO. Ma'am, I don't know. He just went going on.

Ms. SPEIER. He stayed within the military—

Ms. DEL GAUDIO. He stayed within the military. Again, when I left, I left. I completely disconnected.

Ms. SPEIER. Thank you.

Ms. Garcia, you are recognized for 5 minutes.

Ms. GARCIA. Thank you, Madam Chair. It's good to see you all again. And, you know, just hearing your stories just really tears at my heart because, again, it just brings so many memories of the Vanessa Guillen case and, of course, hearing from her family members, her sister, her mother, about what she shared with them.

And I can assure you that we shared this with her command as soon as I was able to communicate with them. And I can also tell you that it was disappointing, when I visited Fort Hood in June 23rd, which already was 2 months after she had been missing, that they admitted that they had not pursued investigating the sexual harassment allegations because they were doing a criminal investigation. And I still recall the meeting because I pointed out that sometimes the sexual harassment can be the motive, the motive, for a murder. But yet, they said, well, we are only doing criminal.

So I think that there may have been a disconnect, because it's possible that it could have been connected. They just didn't pursue that line of investigation.

Now they have, but they continue to say that there's no credible evidence. So, apparently, so far they have found anything from the parents or friends not credible. But we are still working on it.

So, thank you for being here and sharing. And, you know, it is just so hard to even crystallize a question. You have heard the previous testimony from the panel and the colonel saying that he was looking at it quickly to get a snapshot of what was going on. But we know she went missing the 22nd and they didn't start until July 27th, 4 months later. Is that quick? I mean, is that indicative of the inaction and response to these kinds of allegations?

And that is a question for both of you.

Ms. BRYANT. It's absolutely indicative of the lack of caring for a soldier's life.

To also answer that question, I want to note back to the 23 others that have died, because this is a report from the Army to CNN. Seven were off-duty accidents, seven were suicide, one was combat, four were homicide, two natural causes, and one undetermined.

Ms. GARCIA. Does that include the—I mean, I think there now is five soldiers from Fort Hood that have died within a year. Of course, that also includes the alleged perpetrator of this case.

Ms. BRYANT. It does. And I think that when you talk about especially suicide, when I talked about, in my opening remarks, of what we experience even as veterans, as a veteran advocate I deal with women and men who are survivors who have PTSD from MST who have suicidal ideation, who often, sadly, succumb to the sadness that haunts them.

And so there is correlation between that command climate, that permissive environment for hostility, and then what ultimately happens to our bodies when we can't take it anymore.

Ms. GARCIA. Ms. Del Gaudio, your response to my question?

Ms. DEL GAUDIO. I will speak personally. The minute it happened, for me, I became a different soldier, and my command treated me differently and my behavior changed. And that's the problem. They started looking at me as a behavioral problem, not as an assault victim. And that's something that needs to be addressed in this culture, because the minute we claim our sexual harassment, the minute we claim our assault, then we start the—it's PTSD right away. You become angry. You become bitter. You become very responsive to things that are taking place. You become defensive, and then you are the issue.

Ms. GARCIA. Right. So, let me ask you the question I tried to ask the colonel. What about this business between informal and formal? You all are shaking your heads. What does that mean?

Ms. DEL GAUDIO. You know, the formal is going through your chain of command. They do all the paperwork, blah, blah, blah. The informal is when I—when it happened to me is 1992. You know, we didn't have social media. We didn't have mechanisms to, you know, record something.

So, again, I would take that message that the parents have received, the calls that she made to Lupe and Mayra, the calls she made to his friends. To me, that's informal.

Ms. GARCIA. But, apparently, it has been concluded it is not credible, at least so far.

Ms. DEL GAUDIO. Yeah, it's not credible. But, honestly, if she told her parents and she's not here right now to testify, that should say something and speak volumes.

Ms. SPEIER. All right. Your time has expired.

Ms. GARCIA. Yield back. Thank you.

Ms. SPEIER. Ms. Jackson Lee, you are recognized for 5 minutes.

Ms. JACKSON LEE. Thank you, Madam Chair.

Ms. SPEIER. Is her microphone on? Is there a microphone?

Ms. JACKSON LEE. I, certainly, thank the previous panel, as well, for their service.

Would you kindly, both of you, just give me—Ms. Bryant, I want to call you Captain. What was your time of service? What years were you in?

Ms. BRYANT. I served on Active Duty from 2001 through 2009, ma'am.

Ms. JACKSON LEE. And Ms. Del Gaudio?

Ms. DEL GAUDIO. Ma'am, from 1990 to 1998, Active and Reserves.

Ms. JACKSON LEE. So in the course of both of you, there were conflicts, wars that this Nation was involved in, and I would imagine every single soldier was valuable and should have been considered as such.

As I understand Ms. Guillen's last days, she came in on a day off or extended herself as any good soldier. Wasn't at a picnic. Was there counting arsenal weapons, if you will, and she was doing her job.

So I want to pose this line of questions. I understand her family came up. As close as they are, not getting that regular call the very day that she was missing, and arrived about 2:30 a.m. in the morning but did not get seen until 9:00 a.m.

So my question is—I understand discipline. I'm a civilian. What does that culture do? To me, that looks offensive. It's time lost in the investigation.

Obviously, 70 days, or however long it was that my colleague indicated, that, too, seems to diminish human life when all the movies that we see, military movies, says don't leave one soldier behind.

Captain, and then I didn't get Ms. Del Gaudio's rank, I'll call you that, as well.

Captain.

Ms. BRYANT. It's absolutely a miscarriage of justice to not have that investigation move forward. I raised about Bowe Bergdahl earlier, and I can't help but think when he walked off his fire base in 2009 I was in the Pentagon at the time. I was a GS-14 by then. And we had meeting after meeting, battle update brief after battle update brief, looking for this man who walked off of a fire base and was captured by the Taliban. Or the Haqqani Network, I should say. And no one cared where Vanessa Guillen was for hours and she is right there in garrison with the resources of both the Killeen Police Department as well as the military police in Fort Hood? Ma'am, that's UNSAT [unsatisfactory].

Ms. JACKSON LEE. Thank you. Ms. Del Gaudio. And I have other questions, so any comment on that point?

Ms. DEL GAUDIO. For me, again, I think it's disrespectful. Her family went there to look for her. You should have worked with urgency and immediacy, because I know my family would have been really looking for an answer, and for them not to give it to them is just disrespectful.

Ms. JACKSON LEE. Discipline and war readiness shouldn't have nothing to do with human decency, and I think one of the issues in the culture of the United States military, overall, is that they equate discipline and the toughness of the military with dealing differently with human needs. I believe Vanessa Guillen in terms of sexual harassment. I believe it in terms of her parents. I believe it.

So, let me just get this question in. You mentioned that CID, this is an internal process, closes cases. I think someone mentioned they closed their case. I know there's been great progress with Congresswoman Speier on the process. But I, too, believe of an independent investigation and process. But explain what that means, close it. And then someone said—I don't know if it was you, Del Gaudio—what was your rank? I'm sorry.

Ms. DEL GAUDIO. E-4, ma'am.

Ms. JACKSON LEE. E-4. That they went on in their career. They went on and got promotions. Someone said they went on and got promotions. I think it's important for the military to hear what that means when there's an investigation and then someone went on. I know innocent until proven guilty, but then went on and got promoted.

Captain, do you want to start with that, please? My final question.

Ms. BRYANT. It absolutely speaks to the culture within the military, the very essence of what needs to change. It's something where, when their career, when the offender's career is more favored upon, when the preponderance of evidence is not considered, oftentimes, you will hear that statements are inconclusive. Sworn statements are inconclusive. We took an oath to support and defend the Constitution. No one's going to lie about their assault or their harassment.

And so that statement on its surface needs to be accepted. We need to believe women. We need to believe survivors. And that needs to be a zero tolerance of closing investigations until you have turned over every stone.

Ms. DEL GAUDIO. So, the young lady that provided the statement for me, when she found out I was testifying she had someone contact me. And, again, she didn't know that CID closed her case until—she was unnotified until she, you know, asked what's going on. That's when they told her, oh, your case is closed. And that just—it's like a common theme. When you talk to survivors, all these statements that I made are common themes. You know, CID closed the case without notifying me. He got off—you know, he just had assault charge and then promoted. And then you're the—we're just—we're made to be the bad guy and—

Ms. SPEIER. Thank you, Ms. Del Gaudio.

Ms. DEL GAUDIO. I am sorry.

Ms. SPEIER. Her time has expired.

Thank you all for being here. Your testimony was extraordinarily powerful. And I think for all of the members who have participated in the panel it has been a very sobering one and a very important one.

I want to say to the Guillen family that we are not going to let Vanessa to have died in vain. And every step will be pursued to

find justice. There is legislation that will be introduced. But, beyond that, I intend to lead a CODEL to Fort Hood within the next month, and I invite all my colleagues to join me. We are going to continue to investigate this.

Thank you again for being here. We stand adjourned.

[Whereupon, at 12:19 p.m., the committee was adjourned.]

A P P E N D I X

JULY 29, 2020

PREPARED STATEMENTS SUBMITTED FOR THE RECORD

JULY 29, 2020

Statement of
Representative Jackie Speier
Military Personnel Subcommittee
The Military's #MeToo Moment: An examination of sexual harassment and
perceived retaliation in the Department of Defense and at Fort Hood.
July 29, 2020

The hearing will now come to order. I want to welcome everyone to this hearing of The Military's #MeToo Moment: An examination of sexual harassment and perceived retaliation in the Department of Defense and at Fort Hood.

We are here to discuss a pernicious military culture that breeds an environment ripe for sexual harassment, where women are afraid to report their harassers because of stigma, fear of retaliation, ostracism, or worse – fear that they won't be believed, and their harasser won't be held accountable.

The rates of sexual harassment have continuously increased; the problem is only getting worse. In 2018, an estimated 24.2 percent of active duty women and an 6.3 percent of active duty men indicated experiencing sexual harassment. NEARLY 25 percent of all active duty women WERE SEXUALLY HARASSED IN 2018.

But by declaring #IAmVanessaGuillen, hundreds of servicemembers and veterans have taken to the streets and social media demanding safety and respect. Demanding that the rules of the “old boys club” and the “locker room talk” are no longer the price of admission. Demanding that the sexually explicit language in the motor pool, in the field, or in the office STOP. Demanding that the unwelcome stares in the Dining Facility and the unyielding sexual propositions – or worse – STOP.

These servicemembers and veterans, spurred by the horrendous circumstances surrounding SPC Vanessa Guillen's disappearance and murder, raised their voices and laid bare their stories of sexual harassment and assault in the military. For too long they have lived and suffered in silence—silenced by a culture that doesn't trust women, that questions their competence, that is suspicious of their motives, that perceives them as weak and unreliable.

But their voices will never again be silenced. When our servicemembers pledge their lives to defend our nation, when their parents, brothers, sisters, loved ones, entrust their child, their sister, their friend, to the military, it should be with the comfort that they WILL NOT be sexually harassed, demeaned, raped, or brutally murdered by one of their own.

Specialist Guillen's death will not be in vain.

By now you know the story. SPC Guillen disappeared from her company arms room on Fort Hood on April 22, 2020; she left behind all of her personal items except her phone. She left behind for her family and loved ones only the memory of an outstanding young Soldier and the terrible belief that she had been

sexually harassed by someone in her chain of command. She was never seen or heard from again.

After SPC Guillen's sister reported that SPC Guillen was sexually harassed but afraid to report for fear of retaliation, hundreds of current and former military members—women and men—shared their stories of sexual harassment, assault, and fears of retaliation under the social media hashtags #Iamvanessaguillen and #Iamvanessa.

Stories like Trista's who was in her first week of tech school when she went to a birthday party for a fellow Airman where she was drugged and sexually assaulted. Trista—and her assailants—all received the same punishment: a letter of reprimand for underage drinking.

Stories like Crystals who joined the Navy at age 19. On her first deployment, she was repeatedly catcalled. When Crystal reported the sexual harassment to a SHARP official, she asked that it be kept confidential, but her request was not honored. After the SHARP told one of her supervisors, the harassment got worse, and her commander told Crystal that she needed to grow up.

But the abuse didn't stop and instead turned physical. The SHARP official discouraged her from reporting it, saying that she should ask herself, "Is it worth it?" Crystal reported the assault anyway, but her assailants were given a slap on the wrist, and one was promoted.

And stories like Tyler's who was an ordnance Marine and newly open about his sexuality. A respected Staff Sergeant would tease him about it in front of other Marines but also offered to serve as a mentor. This "mentorship" continued until the Staff Sergeant sexually assaulted Tyler.

Tyler confided in a fellow Marine, who suggested that Tyler keep his mouth shut about the incident because he thought the leadership would defend the Staff Sergeant while Tyler's career would be cut short. Tyler took the advice, kept silent, and ultimately switched to the Army.

These stories and the thousands more provided the catalyst for Grassroots movements combatting sexual harassment and assault in the military to spring up across social media. Rallies and vigils were held in SPC Guillen's name to promote awareness and demand reform.

These service men and women have bravely raised their voices to demand accountability, to call out their perpetrators and demand change NOW.

Their voices are a warning to those who deny the problem, who glorify a culture not of honor, duty, and respect—but a culture imbued with misogyny and reticence to change.

And this is my warning: Sexual Harassment, Sexual Assault, and Retaliation ARE NEVER ACCEPTABLE. Find solutions; fix the problem; or get out of the way. We will not continue to lose Soldiers, Sailors, Airmen, and Marines because

of the same reasons they left in 1980: because “sexual harassment is one of the most pervasive and degrading facts of [Military] life.”¹

I would like to hear from the first panel from the Department of Defense’s perspective what problems have you identified? How do we fix them? And specifically, Dr. Galbraith, what are the effects on our women servicemembers exposed daily to a culture that questions their ability to serve in all occupational specialties?

For COL Wempe I want to hear what you identify as problem areas at Fort Hood and your recommendations on how to fix them.

From the second panel I would like to hear how women servicemembers have been affected by the long history of a military culture that condones sexual harassment? I would like to know how that affects women. I would like to hear their voices.

¹ Sandra G. Boodman, “*Women GIs Cite Sexual Harassment at Army Bases*,” THE WASHINGTON POST, January 29, 1980, <https://www.washingtonpost.com/archive/politics/1980/01/29/women-gis-cite-sexual-harassment-at-army-bases/1142830a-93f7-45da-a69b-14fedc03ff92/>.

NOT FOR PUBLICATION UNTIL RELEASED BY THE COMMITTEE

Prepared Statement
Of
Dr. Nathan W. Galbreath
Acting Director
Sexual Assault Prevention and Response Office
Office of the Under Secretary of Defense (Personnel & Readiness)

Before the

Military Personnel Subcommittee
of the
House Armed Services Committee

"An Epidemic of Fear: Sexual Harassment and Retaliation in the Military. Is it a crisis at Fort Hood?"

29 July 2020

NOT FOR PUBLICATION UNTIL RELEASED BY THE COMMITTEE

Chairwoman Speier, Ranking Member Kelly, and Members of the Subcommittee:

Good morning. I appreciate the opportunity to appear before you today. I wish that circumstances were different and that we were not here to discuss the loss of a Service member. The murder of Specialist Vanessa Guillen has touched us all in some way, but no one feels her loss more than her family. I want to acknowledge personally how sorry I am that Vanessa will not have the opportunity to fulfill her personal and professional dreams. I can only hope that the groundswell of support, love, compassion, and even inspiration that has come about in the last few weeks in Vanessa's name can bring some comfort to those that loved and knew her. Many took to social media to voice their concerns and share, with great detail, their experiences of sexual harassment and assault -- experiences that they kept to themselves.

My organization, the Department of Defense Sexual Assault Prevention and Response Office -- or SAPRO - establishes policy and conducts oversight on efforts to assist victims of sexual assault, encourage greater reporting, empower survivors to recover, and prevent the crime. While harassment policy, criminal investigation, and military justice fall outside my portfolio, we are keenly aware of how these issues, as well as concerns of retaliation, play a critical role in our work to prevent and respond to sexual assault.

To understand the scope of these issues, we conduct scientific surveys of the active duty population every two years to estimate the annual prevalence of sexual assault and sexual harassment. The Office of People Analytics constructs the surveys to represent the experiences of the full military population. Estimated prevalence rates of sexual assault in the Department of Defense have decreased by over a third in the

past 14 years, and reporting of sexual assault is four times what it was in 2006.

However, in our most recent active duty survey in 2018, about 24 percent of women and six percent of men indicated experiencing behavior consistent with sexual harassment in the year before being surveyed. We know we must do more.

By DoD definition, sexual harassment involves severe and persistent behaviors wherever we work, train or live that most commonly involve unwanted sexual attention, sexual jokes, unwanted disclosure of another's sexual interests or unwanted inquiries into one's own sexual activities, and undesired touching that makes one feel uncomfortable and creates a hostile work environment. It may also involve quid pro quo situations, where someone requests sexual favors in exchange for some kind of benefit. According to survey respondents, those quid pro quo situations account for less than one percent of sexual harassment experiences in the military. The other defining feature of sexual harassment is that it often occurs after the person, who is the target of the behavior, has asked the offending person to stop, and a reasonable person would find the conduct to be offensive. DoD surveys also indicate that alleged perpetrators of sexually harassing behavior are most often someone who is a peer or near peer to the victim in terms of grade. While situations do occur when people of more senior grade sexually harass those much more junior to them, these are relatively rare. As with sexual assault, most sexual harassment in the military occurs to individuals between 17 and 24 years of age, in grades E1 to E4.

Nearly half of female Service members and a third of male Service members who indicated on the 2018 survey that they experienced sexual harassment also indicated they had told someone about their experience. Most men and women indicated they

had told someone in their chain of command or in the alleged offender's chain of command. A minority of male and female respondents indicated they had reported the harassment to someone in an Inspector General's Office or in a Military Equal Opportunity role. DoD policy encourages, but does not require, members to resolve issues of sexual harassment at the lowest level. All Service members who experience sexual harassment are encouraged to seek assistance from their supervisors and leaders, or military equal opportunity professionals. Members may report sexual harassment allegations anonymously, or by a formal or informal report of the incident, if they desire.

For the half of women and two thirds of men who do not tell anyone about an incident of sexual harassment, the most common reason for not reporting is that they want to forget about the incident and move on, followed by concerns that it was not serious enough to report. As we know, both sexual assault and harassment are often unreported behaviors; ensuring members feel comfortable coming forward is of the utmost importance.

This brings me to the other topic I was asked to discuss today, and that is retaliation associated with reporting of sexual assault. Fear of retaliation complicates and degrades our efforts to encourage greater reporting of misconduct and connect Service members with restorative care. We know from our surveys that some members who report these behaviors also experience behaviors that may be considered consistent with reprisal, ostracism, or maltreatment. While not all behaviors perceived to be retaliatory by the reporter constitute retaliation that is actionable, all behaviors actionable or not are incongruent with our expectations for dignity and respect, and

gravely undermine all of our efforts in this space. To be blunt, such retaliatory behaviors are absolutely unacceptable and have no place in a military that is striving for greater dignity, respect, and inclusivity for all.

We all must do more to reduce the occurrence of sexual harassment, sexual assault, and retaliatory behaviors which are perceived to be associated with reporting. These unacceptable behaviors tarnish the reputation of the U.S. military, distract from the mission, and negatively impact our ability to execute the National Defense Strategy. After a decade of research into these problems, we know that sexual assault occurs more often in workplace climates that have higher rates of sexual harassment, workplace incivility, gender discrimination, and other problems. Consequently, we must improve the daily interaction and experiences of our people, empower and equip leaders at all levels to address and eliminate unacceptable behaviors, and encourage those who experience misconduct to seek help and report the incident.

In recent years, we have taken action to improve. The Department published the "Harassment Prevention and Response in the Armed Forces," Instruction in February 2018. That policy covers all forms of harassment, including sexual harassment, and strengthens oversight and accountability.

Following the release of the Annual Report to Congress in May 2019, then-Acting Secretary Shanahan directed a number of actions to better address these problems. One of those actions involved implementing the recommendations of the Sexual Assault Accountability and Investigations Task Force. This group, jointly led by the Executive Director for Force Resiliency, the Judge Advocates General of the Military Departments, and the Staff Judge Advocate to the Commandant of the Marine Corps, developed 22

recommendations to improve accountability of alleged offenders, improve support to victims, and improve the military justice process. Congress included nearly all of these recommendations in last year's National Defense Authorization Act. The hallmark recommendation of the DoD's Sexual Assault Accountability and Investigations Task Force was to create a named offense for sexual harassment within the Uniform Code of Military Justice. The Department has published a proposed Manual for Courts-Martial provision creating a stand-alone sexual harassment offense in the Federal Register for public comment.

Furthermore, we recognize all of these behaviors we are discussing today – sexual assault, harassment, retaliation, and other forms of misconduct – are part of a greater challenge to ensure a culture of dignity and respect from the highest levels of leadership, down to our newest recruits. To this end, we are revising climate assessment tools to provide leaders at all levels with increased ability to identify and address conditions that increase risk for sexual harassment, assault, and retaliation. In addition, because sexual assault and harassment, as well as other disrespectful behaviors, occur between peers and near peers, we have developed specific training for those leaders who work with our youngest personnel daily – our first line supervisors and new leaders. These personnel, mostly in grades E5 and E6, must have the knowledge and tools to identify, stop, and correct disrespectful behaviors if we are to see progress. Training objectives to improve the knowledge, skill, and abilities of these newest leaders are currently being incorporated into professional military education throughout the force.

Stopping and reducing sexual assault and harassment before they occur is critical. However, prevention is much more than a training session, a lecture, or a poster. In fact, our experience underscores the limitations of a top-down, one-size-fits-all approach to prevention. Measurable change across the Defense Department is achievable only if measurable change is occurring in each Service. Therefore, we are empowering leaders and a prevention workforce by equipping them with effective prevention planning, assessment, and evaluation tools. We are also making rigorous evaluation a key component of our prevention efforts to ensure our activities yield the desired impact. These are the approaches captured in the Prevention Plan of Action directed by Acting Secretary Shanahan in May 2019 and currently being implemented by leadership throughout the Department.

As Dr. Van Winkle, Executive Director, Office of Force Resiliency, noted in prior testimony to this Subcommittee, the path we are on together is not an easy one. We all recognize true progress against harassment and sexual assault is more akin to a marathon than a sprint. We have made the commitment to being in this battle for the long run. To be frank, any progress we have realized has come from fully engaged leaders who have emphasized how important it is to ensure the workplace is free of sexual harassment, sexual assault, and retaliation, expedient programmatic and procedural changes, as well as your continued engagement on these issues. Progress with prevention is not quite as intuitive or expedient. Some argue that greater deterrence is required. Others suggest that better training and awareness of the problem is the solution. Yet others press for greater employment of inspirational speakers to win hearts and minds. All of these may be beneficial, but none of them in

isolation will take us to where we need to be. In sum, there is no single solution to the problems of sexual assault and harassment. We must all be resolved to learn how to lead and perform different evidence-based activities that help prevent sexual harassment and assault, and change behaviors that lead to sexual harassment and assault. It is through these combined efforts that we have the best chances for progress.

In policy and practice, the Department strives to foster a culture of dignity, inclusion, and respect, where all Service members feel protected and can reach their fullest potential. Achieving and sustaining that ideal is an effort that requires continuous institutional examination, reflection, and evolution. We acknowledge the gap between where we are now and where the Department desires to be; we are committed to working towards lasting, impactful, cultural change. We are doing these things because we know the Department needs to do more; that the men and women who join the military, seeking to serve our nation, deserve nothing less.

Again, thank you for the opportunity to be here this morning. I look forward to your questions.

NATHAN W. GALBREATH, PH.D., M.F.S.*ACTING DIRECTOR*

DoD SEXUAL ASSAULT PREVENTION AND RESPONSE OFFICE

Dr. Nate Galbreath is the Acting Director for the Sexual Assault Prevention and Response Office (SAPRO) in the Department of Defense. He is also the Department's expert for prevention and response programs as they relate to behavioral health, forensic science, criminal investigation, and sex offender assessment and treatment.

He has been affiliated with SAPRO since May 2007, when he served as SAPRO's first military deputy director before retiring from the Air Force in 2009. Dr. Galbreath previously served as the Department's Highly Qualified Expert on Sexual Assault Prevention and Response from May 2012 until he was selected as the SAPRO Deputy in December 2016. Dr. Galbreath acted as Director of SAPRO from May 2019 to May 2020. Dr. Galbreath resumed the acting director role in July 2020.

Dr. Galbreath's professional education includes a Master of Forensic Science from the George Washington University and a Ph.D. in Clinical Psychology, from the Uniformed Services University of the Health Sciences (USUHS), Bethesda, MD. He serves as a Professorial Lecturer in the Forensic Sciences at the George Washington University, where he created one of the nation's first graduate level courses on child abuse investigations. He is also an adjunct associate professor in the Department of Medical and Clinical Psychology at USUHS.

His clinical experience focused on treating and researching sexual dysfunction and sexual disorders. He also evaluated and treated sex offenders with Dr. Fred S. Berlin at the National Institute for the Study, Prevention and Treatment of Sexual Trauma, which is affiliated with the Johns Hopkins Medical School in Baltimore, MD. He also served as the Behavioral Health Clinic director at Minot Air Force Base in North Dakota, where he supervised mental health, family advocacy, and alcohol/drug treatment programs from 2004 to 2007. He is currently a licensed psychologist in the state of Maryland.

He initially entered the Air Force as a Special Agent for the Air Force Office of Special Investigations (AFOSI). He served a total of 11 years with AFOSI as an agent, a forensic science specialist, and a Detachment Commander (Special Agent in Charge) at Air Force base offices in New Mexico, Colorado, and Utah.

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RECORD VERSION

STATEMENT BY

COLONEL PATRICK J. WEMPE
U.S. ARMY FORCES COMMAND INSPECTOR GENERAL

BEFORE THE

SUBCOMMITTEE ON MILITARY PERSONNEL
COMMITTEE ON ARMED SERVICES
UNITED STATES HOUSE OF REPRESENTATIVES

SECOND SESSION, 116TH CONGRESS

HEARING TITLE

“THE MILITARY’S ME TOO MOVEMENT: AN EXAMINATION OF SEXUAL
HARASSMENT AND PERCEIVED RETALIATION IN THE DOD AND AT FORT
HOOD”

JULY 29, 2020

NOT FOR PUBLICATION UNTIL RELEASED BY THE
COMMITTEE ON ARMED SERVICES

Madame Chairwoman, Ranking Member Kelly and distinguished members of the Subcommittee. Thank you for inviting me here today. I appreciate the opportunity to share information and insights from our IG inspection of the Fort Hood Sexual Harassment/Assault Response and Prevention (SHARP) program conducted between June 29th to July 3rd, 2020.

As the Inspector General team for FORSCOM, we serve as the “Eyes and Ears” of the FORSCOM Commanding General, General Michael X. Garrett. To meet these expectations, we interact with the 750,000 Soldiers as well as the Civilians and family members of the FORSCOM community in a variety of ways, at all levels, and on myriad topics. One component of our role, as Inspectors, is to look at Army organizations and programs and to assess them against existing policies and regulations. We also assess organizational climates by gathering and analyzing information to identify trends and systemic factors affecting units, Soldiers, our Department of the Army Civilians, and our Families. We provide our assessments to General Garrett and other FORSCOM leaders to inform leader actions, priorities, resources, and decision making.

On June 27, 2020, General Garrett directed me to lead an inspection of the SHARP program and command climate at Fort Hood. General Garrett’s guidance to me was consistent with these types of short-notice inspections. The guidance was to, as quickly and accurately as possible, identify any critical problems or issues, help the Fort Hood leadership understand the strengths and weaknesses of their SHARP program and the installation environment, and to identify and recommend any immediate actions that could be taken to quickly effect improvements.

Six personnel from the FORSCOM IG Directorate, augmented by a senior trainer and SHARP subject-matter expert from XVIII Airborne Corps at Fort Bragg and an experienced Special Victim Counsel from the XVIII Airborne Corps Office of the Staff Judge Advocate, conducted the inspection of the SHARP program and climate at Fort Hood. The inspection objectives were: (1) Assess SHARP program execution; (2) Assess whether the command climate is supportive of Soldiers reporting sexual

harassment and assault incidents; and (3) Identify systemic SHARP program issues and/or resource shortfalls.

The scope and methodology for our inspection included administering a confidential written survey to over 225 randomly-selected Soldiers from across twelve battalions in six brigades at Fort Hood, representing ranks from Private to Major. We also conducted fourteen small group sensing sessions and command team interviews with four battalions in two brigades, gathering inputs and feedback from nearly 200 Soldiers and leaders from the rank of Private through Colonel. Additionally, we conducted sixteen small group sensing sessions and interviews with SHARP program personnel from company to Corps level. In all, our inspection had touch points with approximately 450 Soldiers and civilians from across Fort Hood, representing more than twice the inputs of a typical FORSCOM IG installation inspection.

I want to note that our inspection was not able to fully incorporate Specialist (SPC) Vanessa Guillen's unit, the 3rd Cavalry Regiment (3CR). We did conduct sensing sessions and interviews with the unit's SHARP program personnel on Tuesday, June 30th. We were scheduled to conduct surveys, sensing sessions, and command team interviews with 3CR Soldiers and leaders on Wednesday, July 1st. However, developments in the case the evening prior and very early that morning, with local media reporting both the discovery of SPC Guillen's remains, as well as the suicide of an individual believed to be connected to the case, caused us to reconsider our plan. Sensitive to the 3CR Soldiers learning of the loss of two of their unit members, and my concerns about our ability to effectively execute the 3CR inspection, I advised the command, and the command concurred, that we should not complete the inspection of the 3CR as planned.

Though we believe our observations and findings reflect the SHARP program and command climate across Fort Hood, we acknowledge that the SHARP climate and program within the 3CR could differ somewhat from those observed for the remainder of the post. Therefore, the FORSCOM Commander directed that my team return to Fort Hood on July 27th-28th to complete our inspection of the 3CR SHARP program and

command climate. We will include those results in the final Fort Hood inspection report as soon as we are able to complete our analysis.

As Inspectors General, we assess against an established standard and make recommendations to commanders based on regulatory guidance and identified best practices. After analyzing the statistical survey data, as well as the subjective and anecdotal information gathered during our direct engagements with Fort Hood Soldiers, our team determined that, although certainly not perfect and needing to improve in some areas, the inspected units at Fort Hood execute the SHARP program to standard.

At Fort Hood, we observed consistent demonstration of SHARP program knowledge, reporting procedures, and other aspects of program execution. Critically, most Soldiers indicated willingness to report if sexually harassed; most would report if sexually assaulted; and nearly all said that leaders take reports of sexual harassment and assault seriously.

Our team did identify a number of areas in need of improvement in both SHARP program execution and command climate at Fort Hood. A few Soldiers indicated a hesitancy to report Sexual Harassment or Sexual Assault incidents, for a number of disparate reasons. Some Soldiers expressed that junior leaders in particular, though trained in required SHARP subjects, lack practical experience to respond to a sexual harassment or assault incident. Additionally, local background check backlogs and extended vetting and processing timelines for Victim Advocate (VA) and Sexual Assault Response Coordinator (SARC) personnel result in some episodically unfilled SHARP personnel positions. Finally, some Soldiers indicated that SHARP training provided to them is repetitious and unimaginative, which risks training effectiveness.

Based on these findings and observations, we developed several recommendations for Fort Hood leaders. We recommended that units should emphasize scenario-based, small-group SHARP training events, led by unit commanders and supervisors and facilitated by SHARP program personnel. Fort Hood leaders should assess and address specific shortfalls in quality leader training to ensure leaders at all levels, and in particular junior leaders who lack both leadership experience and life experience, have the knowledge and skills to prevent and respond to SHARP incidents. These

enhancements to Soldier and leader training should improve both prevention and response capabilities. To remove impediments to incident reporting, whenever possible, and while maintaining appropriate confidentiality, the chain-of command should communicate SHARP incident adjudication and corrective actions to reinforce Soldiers' trust in the process and in the chain-of-command. Finally, challenges or systemic shortfalls at Fort Hood in the vetting and training processes for Victim Advocates should be identified and addressed, including better unit projection of Soldier vetting and training requirements to eliminate gaps.

In conclusion, while no single inspection can be definitive, we believe our assessment accurately captured the SHARP climate at Fort Hood. While differences may exist in individual units, Fort Hood as a whole is meeting the standards prescribed by Army regulations and policies. The deficiencies we noted were provided to the Fort Hood leadership for appropriate action. Those leaders were receptive and committed to making the necessary changes to address any identified shortfalls.

As an additional effort, you may already be aware that Secretary McCarthy has directed that an independent panel conduct an assessment of the Fort Hood command climate and culture, and the impact of that climate, if any, on the safety, welfare, and readiness of our Soldiers and units. This panel will provide recommendations to the Secretary to address any issues identified at Fort Hood and will likely become a model for similar assessments for the Army.

In closing, the FORSCOM Commander and the Inspector General take Sexual Harassment and Sexual Assault very seriously. We are committed to ensuring units in the Command have the right systems and processes in place to effectively prevent and respond to Sexual Harassment and Sexual Assault complaints.

Again, I appreciate the Subcommittee's invitation to appear today, and I look forward to your questions.

Colonel Patrick J. Wempe

Colonel (COL) Patrick J. Wempe is a native of Little River, Kansas. He joined the Army in 1991 and received his commission through the U.S. Army Officer Candidate School, Fort Benning, Georgia, in 1992.

COL Wempe's first assignment was as the Battalion Chemical Officer for 2-27 Infantry Battalion, 7th Infantry Division (Light) at Fort Ord, CA. After the inactivation of 7th ID, COL Wempe joined the 9th Infantry Regiment (Light) at Fort Lewis, WA, serving in 2-9 Infantry as the Battalion Chemical Officer, Rifle Platoon Leader, Rifle Company Executive Officer, Battalion Support Platoon Leader, and Battalion S-4.

Following the Military Intelligence (MI) Officer Transition and Advanced Courses, COL Wempe was assigned to the 7th Special Forces Group (Airborne), Fort Bragg, NC. There he served in 1st Battalion as the Battalion S-2 and as the Battalion MI Detachment Commander, and at Group level as the 7th Special Forces Group MI Company Commander.

After departing Fort Bragg, COL Wempe assumed command of the U.S. Army Fort Worth Recruiting Company. After completing command, he was assigned as a Nuclear Operations Officer with the Defense Threat Reduction Agency (DTRA) in Alexandria, VA, departing DTRA to attend the U.S. Army Command and General Staff College (CGSC) at Fort Leavenworth, KS. Following CGSC graduation in 2004, COL Wempe was assigned to the U.S. Army Special Operations Command at Fort Bragg, NC, where he served as an Intelligence Officer.

COL Wempe assumed command of the 741st MI Battalion at Fort Meade, MD, in 2009. Following command, he served as the Director of Intelligence/J2 for the Joint Interagency Task Force – National Capital Region, in Arlington, Virginia, from 2011-2013. Prior to brigade command, he completed an Army War College Fellowship at the Naval Postgraduate School in Monterey, CA. COL Wempe commanded the 500th Military Intelligence Brigade (Theater), Schofield Barracks, HI, from 2014-2016. He assumed duties as the DCS, G2, U.S. Army Special Operations Command at Fort Bragg, NC, in 2016, serving at USASOC until September 2019. He assumed duties as the FORSCOM Command Inspector General in October 2019.

COL Wempe is a graduate of the U.S. Army Officer Candidate School; Chemical Officer Basic Course; Ranger School; Airborne School; Military Intelligence Officer Transition and Advanced Courses; Combined Arms and Services Staff School; Recruiting Company Commander's Course; U.S. Army Command and General Staff College; United States Army War College Fellowship Program; Joint Planner Course; Joint Combined Warfighting School; CSA Senior Leader Seminar; Inspector General Basic Course; and both Army and Air Force Survive, Evade, Resist, Escape (SERE) courses. He has a Bachelor of Arts degree in Biology/Chemistry from Bethany College, Lindsborg, Kansas, and a Master of Science degree in Administration from Central Michigan University.

COL Wempe and his wife Julie have three daughters, Chloe (20), Hayden (18), and Sophie (12).

STATEMENT OF
MELISSA A. BRYANT
TO THE
COMMITTEE ON ARMED SERVICES
SUBCOMMITTEE ON MILITARY PERSONNEL
UNITED STATES HOUSE OF REPRESENTATIVES
ON

“The Military’s MeToo Moment: An examination of sexual harassment and perceived retaliation in DoD and at Fort Hood.”

July 29th, 2020

Chairwoman Speier, Ranking Member Kelly, and distinguished members of the Subcommittee, on behalf of a servicewomen-led, grassroots movement comprised of over 4,000 women and gender diverse veterans and 6,500 allies and supporters, we thank you for the opportunity to address the critical issue of sexual harassment and retaliation in the military following the tragic murder of U.S. Army Specialist (SPC) Vanessa Guillen.¹ Sexual harassment in the military is not only an epidemic of fear, it is a national security risk; it systemically degrades the integrity of unit cohesion thus reducing personnel readiness. It compromises mission and personnel readiness by taking servicemembers out of our combat-ready ranks emotionally, physically, and in SPC Guillen’s case—violently and permanently. To add insult to injury, those of us who are lucky enough to survive Military Sexual Trauma (MST) stemming from permissive and pervasive hostile environments while in the military face uphill battles with the Department of Veterans Affairs (VA) once we take off the uniform and attempt to claim VA compensation and benefits for Post Traumatic Stress Disorder (PTSD) relating to MST.

I am speaking today as a former U.S. Army Military Intelligence officer and military and veterans’ advocate, with 20 years of combined experience on active duty, in civil service as a senior Department of Defense (DoD) supervisor and manager, and policy executive having served in two major veteran service organizations. I have borne witness to how MST can absolutely cripple a survivor’s life and career in multiple ways, often following them from the originating incident of sexual harassment or assault, well into transition to civilian and veteran life.

Earlier this year—15 years after-the-fact—I wrote a statement in support of a VA claim for service-connection for PTSD secondary to personal assault for a former non-commissioned officer (NCO) I worked with closely while deployed to Iraq. It broke my heart to read the excruciating details of this NCO’s sexual assault that occurred while we were deployed; to recall the changes I noted in the NCO’s behavior following the assault by a fellow NCO in the ranks; and to learn of the devastating impact the assault had on their life after, including severe depression and suicidal ideation. I feel ashamed for not being as savvy or informed as I am today when I was that young Captain, where I should’ve recognized the symptoms of MST and encouraged reporting of the incident. However, this NCO states today they did not feel comfortable reporting at the time out

¹ Howe, E. (2020, July 6) Women veterans and troops are demanding justice for Spc. Vanessa Guillen. Retrieved 2020, from <https://connectingvets.radio.com/articles/women-veterans-demand-justice-for-vanessa-guillen>

of fear for retaliation by the offending NCO, and being labeled as “problem soldier” or worse by others in the unit.

The MST endured by servicemembers is a scourge on our armed forces, diminishing the public trust in the institution that is the U.S. military, and leading servicewomen, veterans, and advocates in this grassroots movement to not only call for the shutdown of Fort Hood in response to SPC Guillen’s murder, but to call for no future enlistments until a thorough Congressional investigation by an on-the-ground Congressional delegation (CODEL) is conducted. Enough is enough; the incremental progress of military justice reform in the past few years has been value-added, but the time is now to overhaul how victims can report harassment and how they will be investigated and prosecuted—including removing sexual harassment and assault prosecutions from the chain of command and making sexual harassment punishable as a specific offense within the Uniform Code of Military Justice. We applaud Chairwoman Speier for introducing amendments in the Fiscal Year (FY) 2021 National Defense Authorization Act (NDAA) which will accomplish that outcome.

The Statistics Hold Steady despite Gradual Reform

According to data aggregated from the DoD Sexual Assault and Prevention and Response Office (SAPRO) by the organization Protect Our Defenders, 6.3 percent of active duty men and 24.2 percent of active duty women were sexually harassed in FY2018. One in five women who experienced sexual harassment were also sexually assaulted, giving credence to the hypothesis that a permissive environment for harassment can foster perceived permission for assault by an offender. It was concluded by DoD that, “sexual harassment is a leading factor affecting the unit climate on sexual assault.”² The data also show the majority of victims were harassed by someone in their chain of command. And perhaps most stunning, 1,021 formal sexual harassment complaints were investigated in FY19, **a 10 percent increase from FY2018.**³ It is a common belief that increased rates of reporting in recent years are resultant of ramped-up military education efforts to destigmatize reporting sexual harassment in the ranks; however, this rising statistic also begs the question of whether DoD ever had a fully accounted grasp of the broad scope of its harassment problem.

Fear of retaliation, as expressed by SPC Guillen to her family regarding her own sexual harassment, remains a driver for a majority of MST survivors to remain silent. The latest data show 64 percent of women who reported a sexual assault face retaliation and that 66 percent of retaliation reports alleged that retaliators were in the reporter’s chain of command.⁴ Approximately one-third of victims are discharged after reporting, separated under other than honorable conditions, thus impacting their service-connected benefits claims as veterans. This vicious cycle, known all too well by MST survivors, leads to a fundamental distrust in the military and its investigations, and undermines justice for survivors. In FY2018, over one in four victims who did not report harassment or assault feared retaliation from their command or coworkers, the same as my former NCO and countless servicemembers.⁵ Many survivors have

² <https://www.protectourdefenders.com/wp-content/uploads/2020/05/MSA-Fact-Sheet-2020-1.pdf>

³ Ibid.

⁴ Ibid.

⁵ Ibid.

internalized that the investigation process would be unfair, result in no outcome, or worse, adversely affect their career. This is due to military command climates that have been unsupportive of survivors at best, and actively destructive and detrimental to the survivor at worst.

Servicewomen's Transition to Veteran Life

Women have made significant contributions to United States' military campaigns dating back to the American Revolutionary War. Today, women are the fastest-growing demographic in the armed services.⁶ According to DoD, women currently make up 20 percent of the Air Force, 19 percent of the Navy, 15 percent of the Army, 13.7 percent of the Coast Guard, and nearly nine percent of the Marine Corps.⁷ At some point in the near future, these women will transition to veteran status and join the 2 million women veterans who already use VA for healthcare services.⁸ According to VA's 2017 Women Veterans Report, the women veteran population is expected to increase by 18,000 each year for the next 10 years, thus creating a significant portion of the veteran population with gender-specific needs to be served. While the Women Veteran Projection Model suggests steady increases until 2045, it also shows that the male veteran population will decline at a rate just over two percent.⁹ With this in mind, the image of an American veteran will continue to evolve, as will their needs, and the requirements of VA to support a population unlike those who have previously borne the battle.

Many published academic studies have noted that one out of five women veterans accessing the Veterans Health Administration (VHA) have reported being the victim of MST, and 25 percent of the women veteran population reported inappropriate/unwanted comments or behavior by their male veteran counterparts while receiving care at VA facilities.¹⁰ Again, the trauma we face as servicemembers follows us through the doors of VA facilities.

Inside MST Claims: The Bias Servicemembers Still Face as Veterans

In 2011, the Veterans Benefits Administration (VBA) began special training for employees who are involved in the MST-related claims process, including mental health clinicians and office personnel.¹¹ A VA Office of Inspector General (OIG) report released in August 2018

⁶ Barroso, A. (2019, September 10). The changing profile of the U.S. military: Smaller in size, more diverse, more women in leadership. Retrieved 2020, from <https://www.pewresearch.org/fact-tank/2019/09/10/the-changing-profile-of-the-u-s-military/>

⁷ Reynolds, G. M., & Schendruck, A. (2018, April 24). Demographics of the U.S. Military. Retrieved 2020, from <https://www.cfr.org/article/demographics-us-military>

⁸ The Past, Present and Future of Women Veterans. (2017, February). Retrieved 2020, from https://www.va.gov/vetdata/docs/SpecialReports/Women_Veterans_2015_Final.pdf

⁹ Demographic Profile of the Active Duty Enlisted Force. (2010, March). Retrieved 2020, from The Past, Present and Future of Women Veterans. (2017, February). Retrieved 2020, from https://www.va.gov/vetdata/docs/SpecialReports/Women_Veterans_2015_Final.pdf

¹⁰ Grogan, N., More, E., Peabody, B., Seymour, M., & Williams, K. (2020, February). New York State Minority Veteran Needs Assessment. Retrieved 2020, from <https://s3.amazonaws.com/files.cnas.org/documents/CNAS-Report-MVS-NY-Assessment-final.pdf?mtime=20200211135342>

¹¹ <https://www.benefits.va.gov/BENEFITS/factsheets/serviceconnected/MST.pdf>

recommended the Under Secretary of Veterans Affairs for Benefits update the current training for processing MST-related claims, monitor the effectiveness of the training, and take additional action as necessary.¹² VBA's response to the OIG report at that time was to update the four lessons in the "PTSD Due to MST" training course, and mandate training be completed by March 2019. This is one positive step by VA, and investing in the training of Veteran Service Representatives (VSR) and Rating Veteran Service Representatives (RVSR) should correct errors in claims before they occur.

Since sexual assault or sexual harassment is not always reported during service, part of VSR and RVSR training now includes how to identify markers in a veteran's medical record and personnel record.¹³ Markers such as a sudden decrease in work performance, substance abuse, pregnancy tests, tests for sexually transmitted disease, panic attacks, and a request for transfer to another military duty assignment, are used to build the disability claim evidence of the MST claims.

The rating scale for PTSD ranges from 0 to 100 in increments of ten.¹⁴ Therefore, a PTSD claim from MST can vary widely depending on the rater. Coordinators have reported repeated instances of the violation of 38 CFR 4.23, "the attitude of the rater," which states:

"It is to be remembered that the majority of applicants are disabled persons who are seeking benefits of law to which they believe themselves entitled. In the exercise of his or her functions, rating officers must not allow their personal feelings to intrude; an antagonistic, critical, or even abusive attitude on the part of a claimant should not in any instance influence the officers in the handling of the case. Fairness and courtesy must at all times be shown to applicants by all employees whose duties bring them in contact, directly or indirectly, with the Department's claimants."

VBA processes and raters can cause harm with implicit biases if they lack sufficient knowledge regarding PTSD and MST. The scope of this issue encompasses discrediting the claim, victim-blaming, and not accepting that men could also be victimized.

Conclusion

I hope this testimony illuminates the persistent challenges in seeking justice which MST survivors endure—to include the threat of violence and potential loss of life to either suicide or homicide—but also how survivors are often condemned to a never ending, hellish cycle of victim-blaming, re-victimization when recalling their traumatic experiences later in their veteran life, severe depression, PTSD, and other correlated ailments resulting from a military justice system that has repeatedly failed them. It doesn't always get better with time, and we cannot lose another SPC Guillen. In the words of many who have posted their stories under the hashtag #IAmVanessaGuillen: Not one more.

¹² <https://www.va.gov/oig/pubs/VAOIG-17-05248-241.pdf>

¹³ Morral, A. R., Gore, K. L., & Schell, T. L. (2015). Sexual assault and sexual harassment in the US military. Volume 2. Estimates for department of defense service members from the 2014 RAND military workplace study. RAND NATIONAL DEFENSE RESEARCH INST SANTA MONICA CA.

¹⁴ United States Department of Veterans Affairs. Veterans Benefits Administration References: 38 CFR - Book C, Schedule for Rating Disabilities. <http://www.benefits.va.gov/warms/bookc.asp>

Chairwoman Speier, Ranking Member Kelly, and distinguished members of the Subcommittee, on behalf of the thousands of servicemembers, veterans, and allies of all stripes who have mobilized in the last few weeks to demand justice for SPC Vanessa Guillen and the thousands of MST victims who came before her, we thank you for the opportunity to share our views on this critical miscarriage of justice and to advocate for swift passage of military justice reforms such as those underlined in Chairwomen Speier's amendments to the FY2021 NDAA. We look forward to working with this subcommittee in the future to develop further recommendations beyond pending legislation. The work to heal our sisters and brothers in arms must begin with fostering safe, hostility-free environments during our service.

Melissa A. Bryant
Advocate / Consultant

Melissa Bryant is a veterans' advocate and licensed consultant with nearly 20 years of combined experience in federal government management, nonprofit advocacy, and nonprofit executive leadership.

Melissa is currently the National Legislative Director for The American Legion. She previously served as the Chief Policy Officer for Iraq and Afghanistan Veterans of America (IAVA). As the head of IAVA's policy division and all its Washington, DC operations, she oversaw the legislative, research, and government affairs departments

A former Army Captain and Operation Iraqi Freedom combat veteran, Melissa's extensive record of public service includes critical roles in both military and civil service as a senior intelligence officer prior to joining IAVA. As a Department of Defense and Intelligence Community plans, policy, and operations managing expert, she served in key leadership positions with the Defense Intelligence Agency, the Joint Staff, the United States Military Academy, and Army Intelligence. She was successful in building "coalitions of the willing" to advance operational and strategic objectives while developing and implementing plans and policy for the defense and intelligence communities.

Considered a community thought leader, she is widely recognized for championing causes impacting women and minority servicemembers and veterans, highlighting the distinct challenges this growing population faces and pushing for smart policy solutions.

Melissa has provided remarks in dozens of press conferences, participated as both a panelist and moderator in a variety of venues, delivered numerous oral and written testimonies before Congressional and Administration hearings, as well as conducted live and taped interviews on CNN, NPR, CBS Radio, PBS NewsHour, C-SPAN Washington Journal, MSNBC, HLN, local television segments, web-based and print articles, and much more.

Melissa is an ROTC Distinguished Military Graduate and holds a Bachelor of Arts degree in Political Science cum laude from Hampton University, is an alumna of Howard University School of Law, and also holds a Master of Arts in Policy Management from Georgetown University. She was named an Aspen Institute Ideas Festival Scholar in 2018, and her civil and military service awards include the Joint Civilian Service Commendation Medal, the Meritorious Service Medal, plus dozens more accolades and honors.

**DISCLOSURE FORM FOR WITNESSES
COMMITTEE ON ARMED SERVICES
U.S. HOUSE OF REPRESENTATIVES**

INSTRUCTION TO WITNESSES: Rule 11, clause 2(g)(5), of the Rules of the U.S. House of Representatives for the 116th Congress requires nongovernmental witnesses appearing before House committees to include in their written statements a curriculum vitae and a disclosure of the amount and source of any federal contracts or grants (including subcontracts and subgrants), or contracts or payments originating with a foreign government, received during the current and two previous calendar years either by the witness or by an entity represented by the witness and related to the subject matter of the hearing. As a matter of committee policy, the House Committee on Armed Services further requires nongovernmental witnesses to disclose whether they are a fiduciary (including, but not limited to, directors, officers, advisors, or resident agents) of any organization or entity that may have an interest in the subject matter of the hearing. Committee policy also requires nongovernmental witnesses to disclose the amount and source of any contracts or grants (including subcontracts and subgrants), or payments originating with any organization or entity, whether public or private, that has a material interest in the subject matter of the hearing, received during the current and two previous calendar years either by the witness or by an entity represented by the witness.

Please note that a copy of these statements, with appropriate redactions to protect the witness's personal privacy (including home address and phone number), will be made publicly available in electronic form not later than one day after the witness's appearance before the committee. Witnesses may list additional grants, contracts, or payments on additional sheets, if necessary. Please complete this form electronically.

Hearing Date: 29 July 2020

Hearing Subject:

The Military's MeToo Moment: An examination of sexual harassment and perceived retaliation in DoD and Fort Hood

Witness name: Melissa A. Bryant

Position/Title: U.S. Army Veteran, Military and Veteran Advocate

Capacity in which appearing: (check one)



Individual



Representative

If appearing in a representative capacity, name of the organization or entity represented:

The grassroots movement demanding justice for SPC Vanessa Guillen

Federal Contract or Grant Information: If you or the entity you represent before the Committee on Armed Services has contracts (including subcontracts) or grants (including subgrants) with the federal government, received during the current and two previous calendar years and related to the subject matter of the hearing, please provide the following information:

2020

Federal grant/ contract	Federal agency	Dollar value	Subject of contract or grant

2019

Federal grant/ contract	Federal agency	Dollar value	Subject of contract or grant

2018

Federal grant/ contract	Federal agency	Dollar value	Subject of contract or grant

Foreign Government Contract or Payment Information: If you or the entity you represent before the Committee on Armed Services has contracts (including subcontracts or subgrants) or payments originating from a foreign government, received during the current and two previous calendar years and related to the subject matter of the hearing, please provide the following information:

2020

Foreign contract/ payment	Foreign government	Dollar value	Subject of contract or payment

2019

Foreign contract/ payment	Foreign government	Dollar value	Subject of contract or payment

2018

Foreign contract/ payment	Foreign government	Dollar value	Subject of contract or payment

Fiduciary Relationships: If you are a fiduciary of any organization or entity that may have an interest in the subject matter of the hearing, please provide the following information:

Organization or entity	Brief description of the fiduciary relationship

Organization or Entity Contract, Grant or Payment Information: If you or the entity you represent before the Committee on Armed Services has contracts or grants (including subcontracts or subgrants) or payments originating from an organization or entity, whether public or private, that has a material interest in the subject matter of the hearing, received during the current and two previous calendar years, please provide the following information:

2020

Contract/grant/ payment	Entity	Dollar value	Subject of contract, grant or payment

2019

Contract/grant/ payment	Entity	Dollar value	Subject of contract, grant or payment

2018

Contract/grant/ payment	Entity	Dollar value	Subject of contract, grant or payment

Subcommittee on Military Personnel Hearing:

"The Military's MeToo Movement: An examination of sexual harassment
and perceived retaliation in the DoD and at Fort Hood.?"

Testimony Submitted to:

House Armed Services Committee
United States House of Representatives
116th Congress

Testimony Submitted by:

Lucy Del Gaudio, US Army Veteran

Good morning Chairwoman Speier, Ranking Member Kelly, and Distinguished Members of the Committee,

My name is Lucy Del Gaudio, I am an United States Army Veteran, and Veteran Advocate, and a member of a coalition of thousands of women and gender diverse veterans seeking justice for Vanessa Guillén and systemic change for survivors. I served from 1990 - 1998 on active duty and as a reservist. My veteran advocacy work focuses on survivors of military sex crimes, predominantly women who have experienced sexual harassment and assault during their military service or when attempting to receive care at the VA, primarily in the State of New Jersey. Thank you for allowing me to contribute to the work you are doing to address the crucial issues raised in the epidemic of sexual harassment, assault and retaliation.

I was born and raised in Union City, New Jersey to Cuban/Puerto Rican parents. After my father passed away in 1989, my mother could not afford two daughters in college; therefore, I followed in my brother's footsteps and enlisted in the Army so I could attain college funding and to possibly pursue a full military career. I am just one of many in the minority veteran community to follow this path. We seek to create a legacy, to create equity, and to serve our country as the patriots that we are. For many of us, this was also the only way to break the cycle of poverty. My eldest brother was my recruiter and I left for basic training in August of 1990.

If I had one word to describe my military service it would be : TARNISHED. The rose-colored glasses my bright-eyed 18 year old self wore to basic training quickly dimmed. I experienced first hand how racial slurs and sexual innuendos were fundamental training tools by both male and female drill sergeants. Even trusted mentors would affirm to me that this was "just part of military culture", it was the cost of entry.

In 1992, at my first overseas duty station, I was sexually assaulted by a higher ranking NCO. I reported my assault to my Chain of Command, as this was my only option for reporting, and nothing was done. I was told that any pursuit for justice and accountability would ruin his career; additionally, who would believe that I didn't consent to having a sexual engagement with him. Despite the fact that I was a highly motivated soldier who was good at my job, retaliation still impacted my career. I did not speak openly about my military service or my assault until 2015.

What's so incredibly disheartening is that the system has made little tangible change since my own assault.

It's like a broken record. 27 years ago, the same year I was assaulted, my mentor, Diana Danis, testified before the Senate Armed Services Committee about this very same topic. The disbelief over the issues of rampant sexual assaults throughout the military is similarly shared during my testimony today. She and others made it clear that Tailhook was just the tip of the iceberg. Today, I testify before you, 27 years later, working tirelessly with a powerful grassroots movement that has coalesced in the fight for justice for Specialist Vanessa Guillén, a 20 year-old soldier with her whole life ahead of her that should not have died. Through my advocacy work, I have heard some of the most heart wrenching stories. Stories of harassment and assaults, from 1976, 1992, 2020, and everything in between. They all have common themes, no matter what the year - these rapes and assaults were about dominance and control and survivors did not feel safe to report. Over the years, I've come to understand that women don't report because they fear for their safety, they fear what the future looks like for them, and they fear retaliation - I've come to see my own story among them.

We've seen report after report that all point to the pervasive nature of sexual assault and harassment. Nearly every year, these same reports have pointed to a rise in the number of cases, yet, what we don't see are just how many cases go unreported.

Who are the people not in the reports? They are Privates, Specialists, Sergeants, Chiefs, Lieutenants, Captains, Commanders. They are the ones who do not feel safe to report. They are Vanessa Guillén. They are unaccounted for because it is too dangerous to report sexual assault and rape. They are unaccounted for because reporting sexual assault with no safe reporting mechanism, no protection for victims, and no accountability for perpetrators is dangerous, sometimes deadly.

The recent murder of Vanessa Guillén was just one recent case in a long line of issues emerging out of Fort Hood. The base has become a hot spot because it is one of the biggest military installations in the world, it is remote and spread out, and because it is being recklessly run with no regards to personnel. It doesn't help that the laws only help criminals remain in power and in service. This year, 23 soldiers stationed at Fort Hood have died or been found dead, of which four were homicides, seven suicides, and just one in combat. It has to leave us all with the question, what's happening at Fort Hood?

As I've been preparing this testimony, I have received several stories from survivors who experienced sexual assault and harassment at Fort Hood but did not feel safe to report. These stories are contained in the appendix of this document and have been redacted to maintain anonymity of survivors. With each story, I find myself more heartbroken than I was to continue to read these words that have become all too familiar-

"My mom & aunt pressured me to say something but I didn't." "CID closed my case without notifying me. He got off with just an assault charge and later was promoted. I was pushed out for not getting over what happened to me. The triggers never really go away, they just lessen with time."

The reality of the issue is that the culture of our military has created this problem. Victims are expected to provide examples of the events so the accuser and their supporters can prove that harassment and assault was not that "bad". Victims that come forward must defend their reputation and their own dignity while a system that is designed to protect predators tears them apart for sport.

The culture of power and control creates and molds toxic leadership. This system is so static, it is a gorilla glued to the floor of the basement. We can't even see the glass ceiling when it comes to the eradication of sexual harassment and sexual assault in the military. If this is going to change, the Department of Defense must take this issue seriously. Zero tolerance must mean zero tolerance for everyone, no matter your rank or title, no matter who you are friends with or who you know. Military justice must be swift and it must be just. Commands can no longer hide behind aggregated data in order to avoid disciplinary action.

As a coalition of thousands of women and gender diverse veterans, we believe Congress should take the following first steps to address components of the issue of military sexual trauma:

1. Open a Congressional investigation into the death of SPC Vanessa Guillén. As a matter of security as well as of retention and recruitment. Send a Congressional contingency to Fort Hood to review the facilities for yourselves. You can no longer take their word that they are able to carry out justice.
2. Enact the Military Justice Improvement Act, (MJIA) and implement Congressional oversight. There is growing consensus that we cannot in good conscious encourage young women to enlist in a military that treats sex crimes and harassment as an occupational hazard. Commands have proved time and time again that they are not capable

of investigating themselves and bringing abusers to justice. Congress must intervene and continue to monitor progress on this issue.

3. Eliminate grey areas - and Amend Title 10, Article 134 to include sexual harassment and include technological abuse in definitions of MST.
4. Hold offenders accountable via creation of a military sex offender registry, transfer all convicted offenders to the the national civilian sex offender registry once discharged, and require DNA of all convicted offenders to be integrated with the FBI's Combined DNA Index System (CODIS). The DoD's CATCH Program is built on the faulty assumption that someone must already have been sexually assaulted for it to be an effective tool. It does nothing to preempt or deter.
5. Reinvestigate all cases of servicewomen murdered or who disappeared, to ensure families gain the full benefits to which they are entitled from wrongful deaths.
6. Require all future DoD annual reports to include data disaggregated by post to identify problem posts for readiness and compliance issues. Commands like Fort Hood should not be able to hide behind aggregate data in order to skirt discipline and remain operational. Our soldiers are our greatest assets and soldiers like Vanessa are not expendable. Keeping bases like Fort Hood open is a danger to our service members and, ultimately, to our national security.

I thank you for the opportunity to appear before this committee.

Respectfully Submitted,

/s/

Lucy Del Gaudio

US Army Veterans

Appendix

The following are stories collected from service members, veterans, military partners, and more stationed at Fort Hood. These stories have been redacted to protect the individuals who have shared.

Statement 1

Hello,

My name is H.R.. I live right outside of Ft Hood, Texas. I have supported the US Army for over 20 years as the wife of an enlisted soldier, then retired veteran.

While patronizing the VFW 9191 in Killeen Texas, I received my 1st drink directly from the bar and soon afterwards started having symptoms of being drugged. I reported this incident to the Killeen police department. I was instantly labeled a troublemaker. I was severely retaliated against by both, the high ranking military officials at the VFW, and the detectives from the police department that investigated the case. Shortly afterward I was targeted, lured away, from home by an ex soldier who I came to find out, has close ties with this establishment. His name is J.E. Sr.

In May of 2016, during the Memorial day weekend, J. E. repeatedly drugged me over a 3 day period. During this time, he both sexually, and physically assaulted me. After keeping me high for 3 days, he then returned me to my vehicle and released me onto the Texas highways to drive the 3 hours back home. I was really suppose to have died that evening and been counted as another stupid holiday fatality.

My story ends like thousands of other victims of rape and re-victimization.

This movement is to bring awareness to Vanessa Guillén and the many murdered and sexually assaulted active military. So I dare not fraudulently occupy the space of our heroes.

My intention is to expose and supply the blueprint that is used to facilitate and cover these murders, rapes, and assaults. I have spent years gathering and secretly recording this evidence. This is a local operation that is being practised by these people who are in power. Both civilian (police) and military, conspiring and covering these assaults and murders as the need arises.

I am offering to supply authorities with secretly recorded audio, video, emails, text messages and investigative reports etc. to prove all of these facts. Evidence will undeniably show the history of high level participation. To include the chief of police, and the commander of the criminal investigation division, as well as the military involvement in these criminal and corrupt cover ups.

It is IMPOSSIBLE to gain truth, honesty, and transparency, if you're expecting it from the very people who are working together to distort it.

Thank you.

Statement 2

"My first & last duty station. Fort Hood. 163rd MI BN. 20 years old. November 2, 2010. He was someone I thought I could "trust". Acquaintance Rape is a thing...but I guess because I "knew" him NO didn't mean no in his eyes. I tried to take care of it without the unit knowing. Went to R&R for having panic attacks when I would see him..he worked next door from my unit..& I'd see him at the DFAC. My close friends knew something was wrong with me, but I didn't want to create any trouble, you know..just wanted to suck it up and drive on. My mom & aunt pressured me to say something but I didn't. Just wanted to be the soldier I signed up to be. I began to drink heavily to numb what I was feeling..which led to suicide attempt #1..on my 21st birthday.

Finally I was able to get appointments to handle my mental health..but my supervisor told me I had to cancel them because going to field took priority over my medical appointments. Panic attacks. Psych ward visit #1. NCOs came to "visit" and then went back to the unit and talked shit to everyone about me being there. Even spoke about my sexuality to the only senior Female NCO who wanted to help me in an effort to deter her. My story goes on and on with 2 more hospital stays, meetings with IG, EO, calls to III Corps Command Sergeant Major at that time, and to whomever would listen. CID hearing him on the phone saying he remembers the night I said no to him & also him falsifying an official statement. Upper leadership at 504th BFSB unlawfully viewing sworn statements in the JAG office. The Battalion Sergeant Major telling me, "I'm sorry you were raped BUT you're needed down range" with my unit that would have happened to be attached to this mans unit. CID closed my case without notifying me. He got off with just an assault charge and later was promoted. I was pushed out for not getting over what happened to me in the Army's time. The triggers never really go away, they just lessen with time. I pray that Vanessa is brought home and all the Women who are silently suffering find peace. #IAMVANESSAGUILLÉN " - J.L.

Lucy Del Gaudio
Belleville, New Jersey

Professional Work Experience:

Prudential
Manager – Culture and Engagement
Inclusive Solutions
May 2020 – Present

Program Manager – Prudential Advisors Onsite
January 2019 – May 2020

Prudential
IT Infrastructure Specialist – Videoconference, GBTS
June 2015 – December 2019

Prudential
Process Management Specialist – Annuities Actuarial
June 2012 – June 2015

Union City Board of Education
Technology Specialist
December 1999 – August 2010
Videoconference/Electronic Field Trips – District Coordinator

United States Army – Administrative Specialist
Specialist E4
August 1990 – August 1992 (Active Army)
August 1992 – June 1998 (Army Reserves)

- Honorable Discharge (Active Army/Army Reserves), Top Secret Clearance
- Good Conduct Medal, Army Achievement Medal, National Defense Service Medal

Education:
Union Hill High School – Graduated June 1989
US Army Military Intelligence School – Fort Devens, MA
US Army Administration School – Fort Jackson, SC

Team Red, White and Blue

Chapter Captain, Northern New Jersey March 2015 – May 2017

Volunteer/Member (NYC Chapter) September 2014 – Present

- Founding Chapter Captain – Team RWB Northern NJ
- Overall responsibility for chapter conducts and mission accomplishment
- Recruits and manages other staff members
- Assist Outreach Directors in establishing and growing key relationships
- Maintains consistent communication with Regional and National headquarters

Affiliations and Awards:

- Ambassador and Mentor – Oscar Mike Foundation
 - Developed and program managed Women Veteran Compound Week – September 2019
- Co-Chair, SOS Veterans Women's Subcommittee – New Jersey SOS Veteran Stakeholders
- Committee Chair – NJ Women Veteran Appreciate Day – June 12th
- 2019 Women Veteran of the Year – New Jersey SOS Veterans Stakeholders
- Board Member, Community Hope
- Former, VP, Fundraising and Meetups – New Jersey Veterans Chamber of Commerce
- Former 2nd Commander – American Legion Post 18 Weehawken, NJ
- Member, Council for Veteran Advisors – Intrepid Museum NYC
- 2018 Weehawken Memorial Day Parade Grand Marshall – First Women in the 87 years history of the Parade
- 2016 Prudential Employee Volunteer of the Year
- 2017 Points of Lights President's Volunteer Service Award Winner – Gold
- 2016 Points of Lights President's Volunteer Service Award Winner – Gold
- 2015 Points of Lights President's Volunteer Service Award Winner - Bronze
- 2016 Bergen County (New Jersey) Women's History Month Honoree
- 2016 Teaneck's Memorial Day – Veteran of the Year
- Advisor/Volunteer, Veteran Initiatives – YWCA Northern New Jersey
- Interviewer – 2020 Service Academies for NJ Senator Cory Booker and NJ Senator Bob Menendez
- Chief of Staff – Prudential VETNET Business Resource Group
- Former Site Lead – Prudential VetNet, Roseland Campus
- Member of Prudential Business Resource Groups – JUNTOS, PRIDE and ADAPT

Lucy Del Gaudio is a veteran of the United States Army. During her Active service, Lucy served in the 39th Finance Support Unit in Hanau, Germany and supported 5th Corp – Frankfurt, Germany during Operation Desert Shield/Desert Storm. During her Reserve service, she served in the USAR Control Group, Fort Totten, Queens.

Lucy is a strong advocate for veterans in the State of New Jersey. She serves as Co-Chair for the NJ SOS Veterans Stakeholders Women Sub Committee. The Sub Committee was instrumental in New Jersey establishing June 12th as Women Veteran Appreciation Day (<http://news.prudential.com/a-new-day-for-new-jerseys-women-veterans.htm>). She is the received the 2019 Women Veteran of the Year – New Jersey SOS Veterans Stakeholders Annual Breakfast. She is the former 2nd Vice Commander of American Legion Post 18 (Weehawken, NJ). The Township of Weehawken named Lucy the first female Grand Marshall (in the 87th year history) of their 2018 Memorial Day Parade. Lucy is an Ambassador and Mentor for the Oscar Mike Foundation – a non-for profit formed to support the mission of keeping disabled veterans “On the Move”, where she is the Program Manager for OM's Women's Week, which host women's veterans with a week of OM programming. Lucy has recently been appointment to the Board of Community Hope. She recently served on leadership of the NJ Veterans Chamber of Commerce. She currently sits on the Council of Veteran Advisors for the Intrepid Museum – NYC and the YWCA North New Jersey as their Veteran Liaison and Volunteer and a Service Academy Interviewer for Senator Bob Menendez and Senator Cory Booker. She is the founding/former Chapter Captain Team Red, White and Blue Northern New Jersey.

Lucy resides in Belleville, New Jersey with her husband, David, their four children and dog, Major.

**DISCLOSURE FORM FOR WITNESSES
COMMITTEE ON ARMED SERVICES
U.S. HOUSE OF REPRESENTATIVES**

INSTRUCTION TO WITNESSES: Rule 11, clause 2(g)(5), of the Rules of the U.S. House of Representatives for the 116th Congress requires nongovernmental witnesses appearing before House committees to include in their written statements a curriculum vitae and a disclosure of the amount and source of any federal contracts or grants (including subcontracts and subgrants), or contracts or payments originating with a foreign government, received during the current and two previous calendar years either by the witness or by an entity represented by the witness and related to the subject matter of the hearing. As a matter of committee policy, the House Committee on Armed Services further requires nongovernmental witnesses to disclose whether they are a fiduciary (including, but not limited to, directors, officers, advisors, or resident agents) of any organization or entity that may have an interest in the subject matter of the hearing. Committee policy also requires nongovernmental witnesses to disclose the amount and source of any contracts or grants (including subcontracts and subgrants), or payments originating with any organization or entity, whether public or private, that has a material interest in the subject matter of the hearing, received during the current and two previous calendar years either by the witness or by an entity represented by the witness.

Please note that a copy of these statements, with appropriate redactions to protect the witness's personal privacy (including home address and phone number), will be made publicly available in electronic form not later than one day after the witness's appearance before the committee. Witnesses may list additional grants, contracts, or payments on additional sheets, if necessary. Please complete this form electronically.

Hearing Date: Wednesday July 29, 2020

Hearing Subject:

An Epidemic of Fear- Sexual Harassment & Retaliation in the Military.

Witness name: Lucy Del Gaudio

Position/Title: Advocate

Capacity in which appearing: (check one)

☐ Individual

☒ Representative

If appearing in a representative capacity, name of the organization or entity represented:

Minority Veterans of America

Federal Contract or Grant Information: If you or the entity you represent before the Committee on Armed Services has contracts (including subcontracts) or grants (including subgrants) with the federal government, received during the current and two previous calendar years and related to the subject matter of the hearing, please provide the following information:

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Organization or entity	Brief description of the fiduciary relationship

Organization or Entity Contract, Grant or Payment Information: If you or the entity you represent before the Committee on Armed Services has contracts or grants (including subcontracts or subgrants) or payments originating from an organization or entity, whether public or private, that has a material interest in the subject matter of the hearing, received during the current and two previous calendar years, please provide the following information:

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2018

Contract/grant/ payment	Entity	Dollar value	Subject of contract, grant or payment

DOCUMENTS SUBMITTED FOR THE RECORD

JULY 29, 2020



July 10, 2020

[Delivered Electronically]

**RE: INDEPENDENT CONGRESSIONAL INVESTIGATION AND TRANSPARENCY
REQUEST INTO THE SEXUAL HARASSMENT AND DISAPPEARANCE OF PFC.
VANESSA GUILLEN, 3RD CALVARY REGIMENT**

Dear Members of the Texas Congressional Delegation:

It is with immense sadness and frustration that the undersigned members of the Texas House Women's Health Caucus (WHC) write in regards to Spc. Vanessa Guillen, 3rd Cavalry Regiment, urgently requesting that each of you seek an independent congressional investigation into her disappearance and Fort Hood's handling of the matter at all levels of oversight.


The WHC members have fought, and continue to fight, for victims of sexual assault, harassment, and abuse. In fact, it is one of our guiding principles. We are deeply concerned that Spc. Vanessa Guillen was one of countless victims in the military, many of whom remain unidentified in fear of retaliation, who lacked internal support, ultimately leading to the tragic and senseless loss of her life. As elected members of the great State of Texas, we absolutely must seek transparency and accountability on behalf of Spc. Vanessa Guillen and her family.

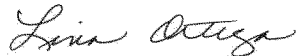
In no circumstance should a soldier of the United States of America feel the need to remain silent about abusive behavior from senior military personnel. We must establish firm oversight of the processes in which we encourage members of the military to report abuse and sexual misconduct.

Spc. Vanessa Guillen enlisted to serve her country. Now we must stand up to protect and serve her and her family. We as a caucus respectfully request transparency from the U.S. Army and a full congressional investigation surrounding her disappearance, sexual harassment claims, and protocol of military personnel's ability to report and justly act upon abuse. We must continue to fight for all victims, including those we have sadly lost to abuse, and those who continue to live in silence.


Sincerely,


Rep. Donna Howard, Chair

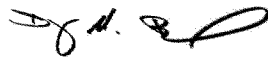

Rep. Julie Johnson, Vice-Chair

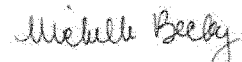

Rep. Lina Ortega, Secretary


Rep. Jon Rosenthal, Treasurer

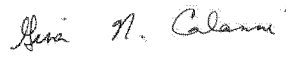

Rep. Alma Allen



Rep. Rafael Anchía


Rep. Diego Bernal


Rep. Michelle Beckley

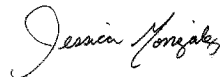

Rep. César Blanco

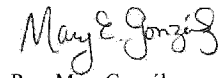

Rep. Gina Calanni

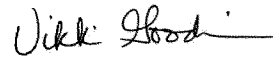

Rep. Sarah Davis


Rep. Alex Dominguez

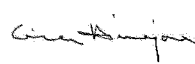

Rep. Barbara Gervin-Hawkins

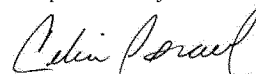

Rep. Jessica González



Rep. Mary González


Rep. Vikki Goodwin

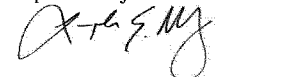

Rep. Abel Herrero


Rep. Gina Hinojosa



Rep. Celia Israel


Rep. Armando Martínez


Rep. Ina Minjarez



Speaker Pro Tempore Joe Moody


Rep. Christina Morales

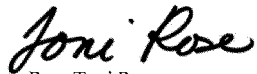

Rep. Victoria Neave



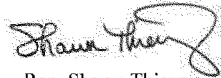
Rep. Ana-Maria Ramos



Rep. Eddie Rodriguez



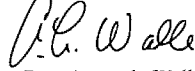
Rep. Toni Rose



Rep. Shawn Thierry



Rep. Chris Turner



Rep. Armando Walle



Rep. Erin Zwiener

cc:

U.S. Senator James Inhofe, Chairman of the U.S. Senate Armed Services Committee

U.S. Representative Adam Smith, Chairman of the U.S. House Armed Services Committee

Colonel Ralph Overland, 3rd Cavalry Regiment Commander of the U.S. Army

The Honorable Ryan D. McCarthy, Secretary of the Army



Senate Hispanic Caucus

July 2, 2020

Dear U.S. Senators and Texas Congressional Delegation,

We are writing to you today on behalf of the family of PFC. Vanessa Guillen. We stand alongside the Texas House of Representatives in urgently requesting an independent congressional investigation into PFC. Guillen's death and the United States Army's handling of the matters in the aftermath of her disappearance. Additionally, we request that this independent congressional investigation be expanded to ensure other individuals, who have similar claims, are able to have these claims investigated without fear of retaliation.

As many reports have been issued regarding PFC. Guillen's disappearance, we have witnessed the anguish of her friends and family. As members of the Texas Senate, we too share in their pain. PFC. Guillen was last seen on April 22 in a Fort Hood parking lot in Killeen, Texas. PFC. Guillen's family has spent months pleading with military officials to assist them in locating PFC. Guillen. While her remains were found, the circumstances surrounding her disappearance have not been thoroughly reviewed.

Moreover, we are both extremely concerned and dismayed that PFC. Guillen had expressed to her mother that she felt unsafe at Fort Hood and that a sergeant had been sexually harassing her. We have learned from Congresswoman Sylvia Garcia's press conference on Tuesday June 23, 2020, that the Army is convinced there was "foul play" involved in PFC. Guillen's disappearance.

PFC. Guillen was willing to make the ultimate sacrifice for her country. PFC. Guillen and her family deserve the respect and dignity that the United States of America promises their soldiers. We are joining PFC. Guillen's family in requesting transparency from the U.S. Army surrounding her disappearance, sexual harassment claims, the ongoing investigation, and the investigation for other individuals who have similar claims. PFC. Guillen and her family deserve full transparency and justice. We appreciate your attention to this matter, and are available to discuss any items mentioned above.

Sincerely,

José Menéndez
Chair, Senate Hispanic Caucus
Texas Senate District 26

Carol Alvarado
Texas Senate District 6

Juan "Chuy" Hinojosa
Texas Senate District 20



Nathan Johnson
Texas Senate District 16



Eddie Lucio, Jr.
Texas Senate District 27



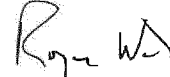
Borris Miles
Texas Senate District 13



Beverly Powell
Texas Senate District 10



José Rodríguez
Texas Senate District 29



Royce West
Texas Senate District 23



John Whitmire
Texas Senate District 15



Judith Zaffirini
Texas Senate District 21

**WITNESS RESPONSES TO QUESTIONS ASKED DURING
THE HEARING**

JULY 29, 2020

RESPONSE TO QUESTION SUBMITTED BY MR. BERGMAN

Dr. GALBREATH. Each year, an estimated 0.3% of individuals aged 17 to 35 in the U.S. population become applicants for military service, either enlisting or formally processing for enlistment. [See page 14.]

RESPONSE TO QUESTION SUBMITTED BY MS. SHERRILL

Colonel WEMPE. Our inspection identified that approximately 36% of the 53 female Soldiers we anonymously surveyed reported having been sexually harassed in their current unit during the past year. Of those Soldiers who reported experiencing Sexual Harassment, 74% stated that they had reported the harassment. Our survey did not differentiate between the three different methods of reporting sexual harassment under Army Regulation 600-20: formal, informal, and anonymous complaints. Our focus was on the unit climate with respect to reporting. Data for the entire installation that is comparable to our survey data is not currently available. The way the inspection collected the survey data does not allow for accurate extrapolation to determine sexual harassment incidence and reporting for all of Fort Hood. Of the units surveyed in the inspection, we determined the climate was conducive to reporting allegations of sexual assault or sexual harassment. [See page 20.]

RESPONSE TO QUESTION SUBMITTED BY MR. CROW

Dr. GALBREATH. Enclosure 10 to Department of Defense Instruction 6495.02 delineates the SAPR training requirements for all DOD personnel. The instruction includes a requirement to ensure all new accessions are trained and that training data is annotated. Specifically, initial SAPR training is required within 14 days of initial entrance to active duty or duty status with a Reserve Component. Training topics include: DOD Sexual Assault Policy, interactive scenarios to explain reporting options, and the resources available. Accessions training shall occur upon initial entry and annual training shall occur once a year and is mandatory for all Service members regardless of rank or occupation or specialty. The Secretaries and the Chief, NGB, are responsible for developing dedicated SAPR training to ensure comprehensive knowledge of the training requirements. The Undersecretary of Defense for Personnel and Readiness through DOD SAPRO evaluates service training programs to ensure compliance with those requirements (6945.05, enc 10,2.a.).

ARMY Initial Entry Trainees receive Sexual Harassment/Assault Response & Prevention (SHARP) training within the first 48 hours of arrival at reception with follow on training at Basic Combat Training (BCT)/One Station Unit Training (OSUT), and Advanced Individual Training (AIT). A total of 6.5 hours is dedicated to formal SHARP instruction (Reception—1.5 Hours; BCT/OSUT—3 Hours; and AIT—2 Hours).

NAVY Enlisted Recruit Training Command (RTC) provides two lessons of Sexual Assault Prevention and Response (SAPR) during the first three weeks of Basic Military Training (BMT). The first lesson, Sexual Assault Prevention and Response, is scheduled for 90 minutes during the first week of training and is taught by one instructor holding the 805A (Recruit Tactics Instructor) Navy Enlisted Classification (NEC). The second lesson is from the Department of the Navy (DON) Sexual Assault Prevention and Response Office (SAPRO) and is entitled, "Not On My Watch: SAPR Curriculum for RTC" (Initial SAPR Follow-Up). This lesson is scheduled in the third week of training for three hours and is facilitated by a junior officer (O-3) and a senior enlisted (E-7/8) staff member. There is a page within the recruit trainee guide that recruits can reference during the RTC SAPR training. This training also includes information on sexual harassment prevention. LifeSkills is a 32-hour training curriculum provided during A school and taught by Lifeskills training instructors. The course curriculum covers a wide variety of basic life skills topics such as smoking, drug and alcohol use, healthy relationships, sexual harassment, sexual assault, budgeting, using credits cards, buying a car, getting insurance, healthy eating, weight management and using Tricare. The sexual assault portion

of the curriculum is scenario-based interactive training containing approximately 2 hours of sexual assault specific training and 3 Bystander Intervention scenarios, approximately 15–25 minutes each. Naval Officers are assessed from three sources: the United States Naval Academy (USNA), Naval Reserve Officer Training Corps (NROTC), and Officer Candidate School (OCS). On USNA Induction-Day (I-Day), all Plebes (incoming freshmen) receive a brief overview and brochure of SAPR definitions and resources. During the next 14 days, Plebes receive approximately 2 hours of training while broken down into small groups of 20–40 personnel. Plebes also have the opportunity to complete a SAPR Survey during Plebe Summer. During NROTC New Student Indoctrination (NSI), Midshipmen in NROTC units receive approximately 30 minutes of SAPR Initial Training, which is provided by the local Sexual Assault Response Coordinator (SARC) or SAPR Victim Advocate (VA). NROTC Midshipmen also receive training entitled, “Above Board,” at the beginning of their NROTC program. This training lasts approximately two hours and is taught by the SAPR Point of Contact (POC) or another staff member in the unit. Lastly, Midshipmen receive training on Title IX and university-specific sexual assault and harassment policies from university personnel. Prior to graduation/commissioning, units across the country facilitate the DON SAPRO Pre-Commissioning training, “Make a Difference; Be the Solution,” for approximately one hour. OCS candidates receive SAPR Initial Training for one hour in the first week of training, which is taught by the SARC or SAPR VA in a max class size of 50. They also obtain two hours of the DON SAPRO Pre-Commissioning Training, “Make a Difference; Be the Solution,” which is facilitated by the Learning Standards Officer (LSO) or SAPR POC in week 12.

MARINE CORPS Training and Education Command facilitates the Military Occupational Specialty and PME courses. Sexual assault is discussed during PME. At recruit training (boot camp) and Marine Combat Training/MOS schools, Marines receive SAPR Annual Training. At Officer Candidate School (OCS), The Basic School (TBS), and Expeditionary Warfare School, Officers receive SAPR Annual Training. At First Sergeants Course and Commandant’s Combined Cornerstone for slated commanders and their Sergeants Major, these leaders each receive a 120-minute training led by HQMC SAPR. The annual trainings offered to Marines are as follows:

- “Step Up” Bystander Intervention Training for Junior Marines. SAPR VAs lead this 90-minute annual training for Marines ranked E1–E3.
- “Take a Stand” Bystander Intervention Training for Non-Commissioned Officers. SAPR VAs lead this 90-minute annual training for Marines ranked E4–E5.
- SAPR Annual Training for Staff Non-Commissioned Officers and Officers. SARCs or SAPR VAs led this 60-minute annual training.

AIR FORCE The Department of the Air Force (DAF) has four accession gateways. All officers enter through the United States Air Force Academy (USAFA), Officer Training School (OTS), or DAF Reserves Officer Training Course (AFROTC). Enlisted personnel enter through Basic Military Training (BMT). At USAFA: Cadets receive virtual Sexual Assault training prior to arrival. Following this, within fourteen days of arrival, all new Basic Training Cadets receive initial sexual assault prevention and response (SAPR) training. Additionally, during the first year, all Cadets receive Initial Cadet Bystander Intervention Training (CBIT). New cadets receive a total of two hours and forty-five minutes of SAPR training in their first year. Cadets also receive virtual Sexual Harassment training prior to arrival. All cadets then receive Equal Opportunity (EO) training within thirty days of arrival on station. New cadets receive a total of two hours and forty-five minutes of EO training in their first year. Due to the impact of COVID, that is currently reduced to one hour and forty-five minutes.

OTS: Officer candidates receive SAPR training within fourteen days of arrival on station and then within the first five weeks of training. It is instructed by the installation SAPR office (SARC and SAPR VA). Officer candidates receive three hours and thirty minutes of SAPR content. Officer candidates receive Sexual Harassment/EO training prior to arrival and within the first five weeks of training. This content is taught prior to arrival, and over the course of two sessions within the first five weeks of training. Over the course of their education, AFROTC officer candidates receive a total of five and a half hours of SAPR training. SAPR content is spread out over five different courses/terms. Officer candidates receive Sexual Harassment training during multiple courses. Over the course of their education, officer candidates receive a total of one hour of training on Sexual Harassment. Sexual Harassment content is spread out over two different courses/terms.

During BMT: Trainees receive SAPR training within fourteen days of arrival and two other times while at BMT. Training is provided in four sessions throughout

BMT. Trainees receive Sexual Harassment training during their initial arrival briefing, and during six other briefings while at BMT. Trainees receive a total of fourteen and half hours of Sexual Harassment related content over the time of their training. [See page 23.]

QUESTIONS SUBMITTED BY MEMBERS POST HEARING

JULY 29, 2020

QUESTIONS SUBMITTED BY MS. SPEIER

Ms. SPEIER. In the case of Vanessa Guillen, she told her family, her friends, and fellow soldiers about the harassment. Does this meet the standard of reporting for an informal complaint? If not, shouldn't it? And if it does meet the standards of an informal complaint, Vanessa was right, as her claims were found not credible by CID.

Colonel WEMPE. The manner in which sexual harassment complaints are documented, received, and resolved is established by DOD and Army policy. There are several ways in which a Soldier can make an informal complaint and trigger the sexual harassment complaint resolution process under Army Regulation 600-20. This includes reporting to the chain of command, a sexual assault response coordinator, a victim advocate, a local Inspector General, a member of the Staff Judge Advocate's office, the military police, a local Criminal Investigation Division office, or a health care provider. If a Soldier reports sexual harassment to family, friends, or peers it would not ordinarily trigger the sexual harassment complaint resolution process. However, SPC Guillen's unit has initiated an administrative investigation specifically looking into the allegations of sexual harassment that were reported by her family. The administrative investigation remains open and has not been approved by the command at this point in time. Of note, the FORSCOM Inspector General Inspection of Fort Hood's Sexual Harassment Assault Response Prevention (SHARP) Program looked for systemic problems within the program at Fort Hood, but did not examine specific allegations involving any individual Soldiers.

Ms. SPEIER. If Vanessa shared her concerns with others, who were supposedly interviewed, how could the investigation have found no credible evidence of harassment by Vanessa?

Colonel WEMPE. The command has initiated an administrative investigation which is specifically looking into the allegations, as reported by her family, that Vanessa Guillen was sexually harassed. The administrative investigation remains open and has not been approved by the command at this point in time.

Ms. SPEIER. Why were the statements made by her family, her sisters and fellow soldiers found "not credible"?

Colonel WEMPE. The administrative investigation, which is specifically looking into the allegations of sexual harassment, as reported by her family, remains open and has not been approved by the command at this point in time.

Ms. SPEIER. What standard is being used by investigators and SHARP in determining "credible" evidence?

Colonel WEMPE. A complaint investigated by the Command would be conducted as an administrative investigation in accordance with Army Regulation 15-6, which applies a "preponderance of the evidence" standard. This means that the findings must be supported by "a greater weight of evidence than supports a contrary conclusion." Findings should be based on evidence, which, after considering all of the evidence obtained, points to a particular conclusion as being more credible and probable than any other conclusion.

For criminal investigations, CID uses, the "credible information" standard as defined in DOD Instruction 5505.07, "[i]nformation disclosed or obtained by a criminal investigator that considering the source and nature of the information and the totality of the circumstances, is sufficiently believable to lead a trained criminal investigator to presume the fact or facts in question are true." Once a criminal investigation uncovers "credible information" that a suspect has been involved in the commission of a crime, that individual is then recorded as a "subject" who has committed a criminal offense.

Ms. SPEIER. Understanding that NCOs are many times the individuals preying on the young service members, are soldiers empowered to report outside their chain of command, in order to not involve their harasser in the reporting? If not, that means there is no way for a soldier to report harassment by an NCO, without that NCO being involved in the reporting process, is that correct?

Colonel WEMPE. Yes, a Soldier can file a sexual harassment complaint without the alleged harasser being involved in the reporting process, even if the harasser is in the chain of command. Individuals who are victims of sexual harassment can file

an informal, formal, or even an anonymous complaint to a range of official reporting agencies or individuals that include a local Inspector General, a member of the Staff Judge Advocate's office, the military police, a local Criminal Investigation Division office, a health care provider, or a sexual assault response coordinator or victim advocate. Additionally, the sexual harassment complainant, or another person familiar with the incident, may call the SHARP Hotline, 24 hours a day, seven days a week and request assistance with the matter. A Soldier who has experienced sexual assault can file a restricted or unrestricted report through their sexual assault response coordinator or victim advocate. If they desire to participate in the military justice process, victims may also go directly to the Criminal Investigations Division office on their installation. There is also a Department of Defense "Safe Helpline" available to help victims of sexual assault identify their reporting options as well as military and civilian support services in their local area.

