DEPARTMENT OF VETERANS AFFAIRS
Washington DC 20420

September 30, 2020

In Reply Refer To: 001B
FOIA Request: 20-06067-F

Austin R. Evers & Maureen Rasheed
Executive Director
American Oversight
foia@americanoversight.org

Dear Austin Evers and Maureen Rasheed,

This is the Second Partial Initial Agency Decision (IAD) to your Freedom of Information Act (FOIA) request to the Office of the Secretary, U.S. Dept. of Veterans Affairs (OSVA) dated April 14, 2020, and assigned FOIA tracking number **20-06067-F.** You requested, as you phrase it:

1. "All email communications (including email messages, calendar invitations, and attachments thereto) sent by former Deputy Secretary James Byrne. In an effort to accommodate your agency and reduce the number of responsive records to be processed and produced, American Oversight has limited its request to emails sent by Mr. Byrne. To be clear, however, American Oversight still requests that complete email chains be produced, displaying both the sent messages and the prior received messages in each email chain. This means, for example, that Mr. Byrne's response to an email, the initial received message, and any subsequent messages within the same email chain are responsive to this request and should be produced.
   Please provide all responsive records from January 27, 2020, through February 3, 2020.
2. All email communications (including emails, email attachments, calendar invitations, and attachments thereto) between former Deputy Secretary James Byrne and (1) Andrey Kukushkin or (2) any employee or representative of Oasis LLC or Oasis Venture, LLC.
   Please provide all responsive records from August 28, 2018, through February 3, 2019.
3. All email communications (including emails, email attachments, calendar invitations, and attachments thereto) sent by Secretary Robert Wilkie containing any of the following terms:

Search Terms:

1. "Deputy Secretary"
2. "Dep Sec"
3. DEPSECVA
4. S2
5. Jim
6. Byrne
7. Goldstein
8. Kukushkin
9. Oasis
10. "Cooperative Research and Development Agreement"
11. CRADA
12. Fire
13. Fired
14. Firing
15. Dismiss
16. Dismissed
17. Dismissing
18. Dismissal
19. Remove
20. Removed
21. Removal

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22. Resign
23. Resignation
24. “Loss of confidence”
25. Assault.”

4/29/20 Clarification & Narrowing Request, & 4/28/20 Reasonable Search
On April 28, 2020, an OSVA FOIA Officer conducted the following four (4) searches.

Search 1
From: Byrne
Date: 1/27/20 to 2/3/20
Results: fifty-five (55) emails.

Search 2
From: Byrne
To: Kukushkin or Oasis or Venture
Date: 8/28/18 to 2/3/19
Results: zero (0) emails

Search 3
To: Byrne
From: Kukushkin or Oasis or Venture
Date: 8/28/18 to 2/3/19
Results: zero (0) emails

Search 4
From: Wilkie or RLW
Key terms: (“Deputy Secretary”) or (“Dep Sec”) or DEPSECVA or S2 or Jim or Byrne or Kukushkin or Oasis or (“Cooperative Research and Development Agreement”) or CRADA or Fire or Fired or Firing or Dismiss or Dismissed or Dismissing or Dismissal or Remove or Removed or Removal or Resign or Resignation or (“Loss of confidence”) or assault
Date: 1/20/20 to 2/21/20
Results: one thousand four hundred twenty-seven (1,427) emails.

The aforementioned four (4) searches yielded one thousand four hundred eighty-two (1,482) emails totaling approximately seven thousand four hundred (7,400) pages. On April 29, 2020, we notified you of our search results and requested that you narrow or clarify your FOIA request.

4/30/20 Clarified/Narrowed FOIA Request
On April 30, 2020, you replied, “we are willing to narrow the parameters of Part #3 of the request as follows:

- Narrowed and Revised Key Terms:
  - (“Deputy Secretary” OR “Dep Sec” OR DEPSECVA OR S2 OR Byrne) AND (fire* OR dismiss* OR remov* OR Kukushkin OR Oasis OR cannabis OR Goldstein)
  - “sexual assault”
    Please note that the asterisk (*) indicates ‘stemmed’ or ‘wildcard’ search terms, so for example, “remov*” would return terms including: remove, removal, removed, etc.
- Narrowed Date Range:
  - Please provide all responsive records from January 20, 2020, through February 7, 2020.

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- Additionally, please exclude the initial mailing of news clips or other mass distribution emails that are sent/forwarded without additional commentary or message."

5/6/20 Follow-Up Reasonable Search
On May 6, 2020, an OSVA FOIA Officer conducted the below, follow-up stemmed search:

Revised Search 4
From: Wilkie
Dates: 1/20/20 to 2/7/20
Key Terms: (("Deputy Secretary" or "Dep Sec" or DEPSECVA or S2 or Byrne) and (fire or dismiss or remove or Kukushkin or oasis or cannabis or Goldstein)) or ("sexual assault")

Second Partial Initial Agency Decision
Revised Search 4 yielded twelve (12) responsive pages. After twelve (12) responsive pages, OSVA redacts some information with FOIA Exemption 6. 5 U.S.C. § 552(b)(6) exempts from required disclosure "personnel and medical files and similar files the disclosure of which would constitute a clearly unwarranted invasion of personal privacy." FOIA Exemption 6 permits VA to withhold a document or information within a document if disclosure of the information, either by itself or in conjunction with other information available to either the public or the FOIA requester, would result in an unwarranted invasion of an individual's personal privacy without contributing significantly to the public's understanding of the activities of the federal government. Specifically, the information being withheld, as indicated on the enclosed documents, under FOIA Exemption 6, consists of names, identities, email addresses, phone numbers, cellular numbers, and facsimile numbers of: federal employees, Congressional employees, veterans, and private citizens. Federal employees, Congressional employees, veterans, and private citizens retain a significant privacy interest under certain circumstances, such as in instances where the release of their information could represent a threat to their well-being, harassment, or their ability to function within their sphere of employment. However, VA releases the names of VA Senior Executives. The federal employees, veterans, and private citizens whose information is at issue have a substantial privacy interest in their personal information. In weighing the private versus the public interest, we find that there is no public interest in knowing of names, identities, email addresses, phone numbers, cellular numbers, and facsimile numbers of: federal employees, Congressional employees, veterans, and private citizens. The coverage of FOIA Exemption 6 is absolute unless the FOIA requester can demonstrate a countervailing public interest in the requested information by demonstrating that the FOIA requester is in a position to provide the requested information to members of the general public and that the information requested contributes significantly to the public's understanding of the activities of the Federal government. Additionally, the requester must demonstrate how the public's need to understand the information significantly outweighs the privacy interest of the person to whom the information pertains. Upon consideration of the records, I have not been able to identify a countervailing public interest of sufficient magnitude to outweigh the privacy interest of the individuals whose names are redacted. The protected information has been redacted and (b)(6) inserted. "Withholding a telephone number or e-mail address, alone, is not sufficient to protect that [privacy] interest; alternate means of contacting and harassing these employees would be readily discoverable on the Internet if this court ordered their names disclosed." Long v. Immigration & Customs Enf't, 2017 U.S. Dist. LEXIS 160719 (D.C. Cir. 2017).

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4/27/20 Partial Initial Agency Decision

On April 27, 2020, OSVA released to you three hundred twenty-seven (327) pages with the key term "Goldstein." After reviewing the three hundred twenty-seven (327) pages, OSVA redacted some information with FOIA Exemptions 5, 6, and 7(A).

5 U.S.C. § 552(b)(5) exempts from required disclosure "inter-agency or intra-agency memorandums or letters which would not be available by law to a party other than an agency in litigation with the agency." Under the attorney-client and work product privileges, the VA redacts portions of records, emails, and communications between VA employees and VA/DOJ attorneys relating to legal issues on implemented smoking bans and their ongoing lawsuits, alleged criminal violations, pending civil and criminal investigations, and legal reviews of draft letters and draft responses to media or Congressional inquiries. The release of this information would impede the ability of VA employees and VA/DOJ attorneys to speak openly and frankly about legal issues concerning smoking bans and their ongoing lawsuits, alleged criminal violations, criminal/civil investigations, draft letters, and draft responses to media or Congressional inquiries. The release of this information would also compromise the VA's legal positions for any ongoing or potential lawsuits.

Exemption 5 permits an agency to withhold material reflecting the thoughts, opinions, and recommendations of federal officials reviewing an issue. Under the deliberative process privilege and FOIA Exemption 5, OSVA redacts VA's deliberations and discussions on at-the-time pending civil and criminal investigations, alleged criminal or civil infractions, investigation statuses and updates, details, witnesses, and investigation subjects; on proposed, preliminary responses to media and Congressional inquiries; on draft press releases and draft changes; and on drafts of the VA Secretary's letters and on their changes. The redacted information is both predecisional and deliberative because it reflects preliminary opinions and recommendations, which do not reflect VA's final decision. Exposure of premature discussions before a final decision is made could create undue public confusion. The release of the redacted information would negatively impact the ability of federal employees to openly and frankly consider issues amongst themselves when deliberating, discussing, reviewing, and making recommendations on pending criminal and civil investigations; on preliminary VA responses to media and Congressional inquiries and Congressional requests; on draft press releases and their changes; and on drafts of the VA Secretary's letters and their changes. The information reveals the thoughts, deliberations, and opinions that, if released, would have a chilling effect on the ability of federal officials to discuss, opine, recommend or be forthcoming about the agency's issues which require full and frank assessment. Here, the disclosure of the withheld information is likely to compromise the integrity of this deliberative or decision-making process. Moreover, the predecisional character of a document is not altered by the passage of time. Bruscino v. BOP, No. 94-1955, 1995 WL 444406 at *5 (D.D. C. May 15, 1995), aff'd in part, No. 95-5212, 1996 WL 393101 (D.C. Cir. June 24, 1996); Judicial Watch, Inc. v. U.S. Dep't of Commerce, 337 F. Supp. 2d 146, 174 (D.D.C. 2004) (protecting recommendations on how to answer questions); St. Louis Sewer Dist., No. 10-2103, at *18 (E.D. Mo. Mar. 2, 2012) (protecting e-mail communications, "press releases, talking points and 'Q & A,'"); Citizens for Responsibility & Ethics in Wash. v. DHS, 514 F. Supp. 2d 36, 44 (D.D.C. 2007) (protecting potential Hurricane Katrina responses including proposed "solutions and approaches"); Klunzinger v. IRS, 27 F. Supp. 2d 1015, 1026 (W.D. 1998) (protecting paper to brief commissioner for meeting); Thompson v. Dep't of the Navy, No. 95-347, 1997 WL 527344, at *4 (D.D.C. Aug. 18, 1997) (protecting potential media inquiries, as "disclosure of materials reflecting the process by which the Navy formulates its policy concerning statements to and interactions with the press" could stifle frank communication within the agency), aff'd, No. 97-

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5292, 1998 WL 202253, at *1 (D.C. Cir. Mar. 11, 1998) (per curiam); Williams v. DOJ, 556 F. Supp. 63, 65 (D.D.C. 1982) (protecting "briefing papers prepared for the Attorney General prior to an appearance before a congressional committee").

5 U.S.C. § 552(b)(7)(A) exempts from required disclosure "records or information compiled for law enforcement purposes, but only to the extent that production of such law enforcement records or information . . . could reasonably be expected to interfere with enforcement proceedings." Redacted information includes discussions and deliberations amongst VA employees and between VA and DOJ employees on pending criminal investigations relating to two VA Medical Centers located in a U.S. Southeast state, alleged criminal infractions, investigation statuses and updates, details, witnesses, and investigation subjects. OSVA does **not** take any (b)(7)(A) redactions on any references to an alleged sexual assault victim at the DC VAMC.

FOIA Mediation

As part of the 2007 FOIA amendments, the Office of Government Information Services (OGIS) was created to offer mediation services to resolve disputes between FOIA requesters and Federal agencies as a non-exclusive alternative to litigation. Using OGIS services does not affect your right to pursue litigation. Under the provisions of the FOIA Improvement Act of 2016, the following contact information is provided to assist FOIA requesters in resolving disputes:

VA Central Office FOIA Public Liaison:
Name: Doloras Johnson
Email Address: vacofoiaservice@va.gov

Office of Government Information Services (OGIS)
Email Address: ogis@nara.gov
Fax: 202-741-5769
Mailing address:
National Archives and Records Administration
8601 Adelphi Road
College Park, MD 20740-6001

FOIA Appeal

This concludes OSVA's Second Partial IAD to request **20-06067-F**. Please be advised that should you desire to do so, you may appeal the determination made in this response to:

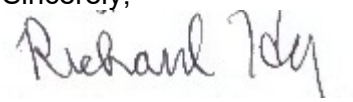
Office of General Counsel (024)
Department of Veterans Affairs
810 Vermont Avenue, NW
Washington, DC 20420

If you should choose to file an appeal, please include a copy of this letter with your written appeal and clearly indicate the basis for your disagreement with the determination set forth in this response. Please be advised that in accordance with VA's implementing FOIA regulations at 38 C.F.R. § 1.559, your appeal must be postmarked no later than ninety (90) days of the date

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of this letter.

Sincerely,



Richard Ha, JD, CIPP/G
OSVA FOIA Officer

Attachments – Redacted twelve (12) pages

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From: Wilkie, Robert L., Jr.
Sent: Mon, 3 Feb 2020 22:49:08 +0000
To: Hutton, James;Cashour, Curtis
Subject: Fw: Letter to SecVA
Attachments: 2019.9.19 Letter to VA Sec Wilkie from CH re investigation of sexual assault at DC VA.pdf, Harassment_xml.pdf

From: Wilkie, Robert L., Jr. on behalf of RLW
Sent: Monday, September 23, 2019 12:42 PM
To: Missal, Michael J. (OIG) <(b)(6)@va.gov>
Cc: Byrne, Jim <(b)(6)@va.gov>; Powers, Pamela <(b)(6)@va.gov>; j(b)(6)@usdoj.gov (b)(6)8@usdoj.gov>
Subject: Letter to SecVA

Mike:

I am presuming that you received this letter from the House Veterans Affairs Committee regarding an incident at the DA VAMC on Friday . Regardless, I am asking that you investigate this very serious matter and make it an immediate priority for your team. I have taken the liberty of cc'ing the Deputy Attorney General should you need to call on his offices.

The VA Police and VAMC leadership began looking into this immediately on Friday and should have more information for you.

I have attached the original email from the Committee for your consideration.

Respectfully,

Robert Wilkie
Secretary

From: (b)(6)@mail.house.gov>
Date: Friday, Sep 20, 2019, 5:12 PM
To: Tucker, Brooks <(b)(6)r@va.gov>
Subject: [EXTERNAL] Letter to SecVA

Brooks –

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Once you get a chance to read this, please give me a call at your earliest convenience. 765-914-(b)(6)

(b)(6)

(b)(6)

Staff Director
House Veterans Affairs Committee
Chairman Mark Takano (CA-41)



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STAFF DIRECTOR

U.S. House of Representatives
COMMITTEE ON VETERANS' AFFAIRS
ONE HUNDRED SIXTEENTH CONGRESS
B-234 LONGWORTH HOUSE OFFICE BUILDING
WASHINGTON, DC 20515
http://veterans.house.gov

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JON TOWERS
REPUBLICAN STAFF DIRECTOR

September 20, 2019

The Honorable Robert Wilkie
Secretary
Department of Veterans Affairs
810 Vermont Avenue, N.W.
Washington, D.C. 20420

Dear Mr. Secretary:

On September 20, 2019, at approximately 11 a.m., Ms. (b)(6) a Professional Staff Member of the Committee on Veterans' Affairs, was sexually assaulted in the atrium of the Washington, D.C. VA Medical Center (DC VAMC) while waiting for her medical appointment.

The atrium café workers and employees at the Information Desk witnessed the assault. Instead of taking immediate action to intervene or assist her, they interacted with the assailant after the assault and took no action. The staff at the Information Desk only referred her to the DC VAMC Patient Advocate. The Patient Advocate also failed to act or render any assistance when she reported the assault and made her wait to make her report. The first employee at the Medical Center to act and immediately call the police, was the doctor she was scheduled to see— the fourth individual notified after the incident. While the VA police officer was working on Ms. Goldstein's complaint, the police officer stated that she too had been sexually harassed by individuals at the DC VAMC while in uniform and on duty, and that she was aware of individuals being sexually harassed and assaulted in various locations on the DC VAMC campus.

This letter serves as a notice that the Committee is opening a Congressional investigation into the allegations outlined above, and other incidents of sexual harassment and assault at the DC VAMC. I will also be requesting an investigation by the VA Inspector General into the nature and frequency of instances of sexual harassment and assault, sex and gender-based harassment, and verbal and physical assault occurring at VA facilities throughout the country, and whether VA employees take appropriate actions when these incidents are reported. My staff have received reports that patients, especially women veterans, frequently experience sexual harassment and have been victims of sexual assault at VA medical facilities. These victims also report that actions taken by VA employees to appropriately address these incidents are inconsistent and often unsatisfactory.

Additionally, I request that you immediately take the following actions:

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1. Arrest, or refer to local law enforcement for arrest, the individual accused of sexually assaulting Ms. (b)(6) and investigate her allegations of sexual assault;
2. Remove this individual from DC VA Medical Center property, and prohibit this individual from accessing VA property until conclusion of the criminal investigation and disposition of the case;
3. Request an investigation by the VA Office of Inspector General and other federal law enforcement authorities into incidents of sexual assault and harassment at the DC VA Medical Center;
4. Conduct and mandate bystander intervention training for all employees at the DC VA Medical Center, and mandate reporting of all incidents of sexual harassment and assault;
5. Provide video footage, access to witnesses and other parties involved, police reports, documents, and other materials requested by the Committee on Veterans' Affairs that will aid in the Committee's investigation of incidents of sexual harassment and assault at the DC VAMC.

I also request the following additional actions:

1. Establish a Department-wide anti-harassment and anti-sexual assault policy including elements outlined in the enclosed draft legislation and provide technical assistance to the Committee on the enclosed draft legislation.

No veteran, family member, caregiver, or VA employee should be the victim of sexual assault or harassment at a VA facility. Further, every VA employee should be trained to take immediate action, including intervening to prevent further assault or harassment, contacting law enforcement, and providing aid and assistance to individuals reporting sexual harassment and assault.

Should you have any questions about this request, please contact (b)(6), Committee General Counsel, at (202) 225-(b)(6) or at (b)(6)@mail.house.gov. Thank you for your prompt attention to this request.

Sincerely,

Mark Takano

Mark Takano
Chairman

Enclosures: Discussion Draft, to amend title 38 United States Code, to direct the Secretary of Veterans Affairs to establish and implement a comprehensive anti-harassment and anti-sexual assault policy of the Department of Veterans Affairs.

cc: The Honorable Michael J. Missal
Inspector General
Department of Veterans Affairs

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[DISCUSSION DRAFT]

116TH CONGRESS
1ST SESSION

H. R. _____

To amend title 38, United States Code, to direct the Secretary of Veterans Affairs to establish and implement a comprehensive anti-harassment and anti-sexual assault policy of the Department of Veterans Affairs.

IN THE HOUSE OF REPRESENTATIVES

Ms. BROWNLEY of California introduced the following bill; which was referred to the Committee on _____

A BILL

To amend title 38, United States Code, to direct the Secretary of Veterans Affairs to establish and implement a comprehensive anti-harassment and anti-sexual assault policy of the Department of Veterans Affairs.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

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SECTION 1. ANTI-HARASSMENT AND ANTI-SEXUAL ASSAULT POLICY OF THE DEPARTMENT OF VETERANS AFFAIRS.

(a) IN GENERAL.—Subchapter II of chapter 5 of title 38, United States Code, is amended by adding at the end the following new section:

"§ 533. Anti-harassment and anti-sexual assault policy

"(a) ESTABLISHMENT.—The Secretary of Veterans Affairs shall establish a comprehensive policy to end harassment and sexual assault, including sexual and gender-based harassment, at all facilities of the Department of Veterans Affairs. This policy shall include the following:

"(1) Responses to incidents of harassment and sexual assault committed by any veteran or other public visitor within a facility of the Department.

"(2) Responses to incidents of harassment and sexual assault of any veteran or other public visitor within a facility of the Department.

"(3) A process for reporting and responding to harassment and sexual assault described in paragraph (1).

"(4) A process for reporting and responding to harassment and sexual assault described in paragraph (2).

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"(5) Mandatory annual training for employees and contractors of the Department regarding how to report and address harassment and sexual assault described in paragraphs (1) and (2).

"(6) Annual distribution of anti-harassment and anti-sexual assault educational materials by mail or email to each individual entitled to a benefit under a law administered by the Secretary.

"(7) The prominent display of anti-harassment and anti-sexual assault messages in each facility of the Department, including how to report harassment and sexual assault at such facility.

"(8) The posting of anti-harassment and anti-sexual assault banners on websites of the Department, including eBenefits.va.gov and myHealthEVet.va.gov.

"(b) POINTS OF CONTACT.—The Secretary shall designate, as a point of contact to receive reports of harassment and sexual assault—

"(1) at least one individual at each facility of the Department, with regards to that facility;

"(2) at least one individual employed in each Veterans Integrated Service Network ('VISN'), with regards to facilities in that VISN; and

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"(3) at least one individual employed at the Central Office of the Department to track reports of harassment across the Department, disaggregated by facility.

"(c) REPORTING.—The Secretary of Veterans Affairs shall submit to the Committees on Veterans' Affairs of the Senate and the House of Representatives an annual report on harassment and sexual assault in facilities of the Department. Each such report shall include the following:

"(1) Results of harassment and sexual assault programming, including the End Harassment program.

"(2) Results of studies from the Women's Health Practice Based Research Network related to harassment and sexual assault.

"(3) Data collected on incidents of sexual harassment and sexual assault.

"(4) A description of any actions taken by the Secretary during the year preceding the date of the report to stop harassment and sexual assault at facilities of the Department.

"(5) An assessment of the implementation of the training required in subsection (a)(5).

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"(6) A list of resources the Secretary determines necessary to prevent harassment and sexual assault at facilities of the Department.".

(b) TECHNICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by adding after the item relating to section 532 the following new item:

"533. Anti-harassment and anti-sexual assault policy.".

(c) DEADLINE.—The Secretary shall carry out section 533 of such title, as added by subsection (a), not later than 180 days after the date of enactment of this Act.

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VA-20-0903-B-000009

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<subsection id="H1D28EA828D934F68A75E8FE7FAE472AE"><enum>(a)</enum><header>Establishment</header><text display-inline="yes-display-inline">The Secretary of Veterans Affairs shall establish a comprehensive policy to end harassment and sexual assault, including sexual and gender-based harassment, at all facilities of the Department of Veterans Affairs. This policy shall include the following:</text>
<paragraph id="H19108BCE075E49D2B947CD0924EBFA97"><enum>(1)</enum><text>Responses to incidents

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of harassment and sexual assault committed by any veteran or other public visitor within a facility of the Department.</text></paragraph>
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<paragraph id="H24F811DB70774B22B9BB8198CBAB1AF9"><enum>(3)</enum><text>A process for reporting and responding to harassment and sexual assault described in paragraph (1).</text></paragraph>
<paragraph id="H1A092882C79E4AC0A85B7D726A7665A9"><enum>(4)</enum><text display-inline="yes-display-inline">A process for reporting and responding to harassment and sexual assault described in paragraph (2).</text></paragraph>
<paragraph id="H4D99FC2362FB471A8052F376F5A88571"><enum>(5)</enum><text display-inline="yes-display-inline">Mandatory annual training for employees and contractors of the Department regarding how to report and address harassment and sexual assault described in paragraphs (1) and (2).</text></paragraph>
<paragraph id="H3ABAE5D003DC428C9BFB5415B5C7F078"><enum>(6)</enum><text display-inline="yes-display-inline">Annual distribution of anti-harassment and anti-sexual assault educational materials by mail or email to each individual entitled to a benefit under a law administered by the Secretary.</text></paragraph>
<paragraph id="HA4D0AB81C8784BF9B689EAE5BC831D21"><enum>(7)</enum><text>The prominent display of anti-harassment and anti-sexual assault messages in each facility of the Department, including how to report harassment and sexual assault at such facility.</text></paragraph>
<paragraph id="HC36011445DAB4A7AB7809539D05CEAA2"><enum>(8)</enum><text display-inline="yes-display-inline">The posting of anti-harassment and anti-sexual assault banners on websites of the Department, including eBenefits.va.gov and myHealthEVet.va.gov.</text></paragraph> </subsection>
<subsection id="H6D3899C7D4604A648F7A716EFCEF6569"><enum>(b)</enum><header>Points of contact</header><text>The Secretary shall designate, as a point of contact to receive reports of harassment and sexual assaultâ€”</text>
<paragraph id="H9525CF0AEA024B4798787C87C63AA09F"><enum>(1)</enum><text>at least one individual at each facility of the Department, with regards to that facility;</text></paragraph>
<paragraph id="H2342787E7C144CAEB2DAAC57424480A9"><enum>(2)</enum><text>at least one individual employed in each Veterans Integrated Service Network (<quote>VISN</quote>), with regards to facilities in that VISN; and</text></paragraph>
<paragraph id="HA59BA43B404E4E7FA3AFA7B3B276076B"><enum>(3)</enum><text display-inline="yes-display-inline">at least one individual employed at the Central Office of the Department to track reports of harassment across the Department, disaggregated by facility.</text></paragraph></subsection>
<subsection id="H9A0017620EFF4C3B96EE7B4AE3E6DE89"><enum>(c)</enum><header>Reporting</header><text display-inline="yes-display-inline">The Secretary of Veterans Affairs shall submit to the Committees on Veteransâ€™ Affairs of the Senate and the House of Representatives an annual report on harassment and sexual assault in facilities of the Department. Each such report shall include the following:</text>
<paragraph id="H599642D0479E4A959C9964D47900AE08"><enum>(1)</enum><text display-inline="yes-display-inline">Results of harassment and sexual assault programming, including the End Harassment program.</text></paragraph>
<paragraph id="H7B9CB375180042298A568C1A529A4A41"><enum>(2)</enum><text display-inline="yes-display-inline">Results of studies from the Womenâ€™s Health Practice Based Research Network related to harassment and sexual assault.</text></paragraph>
<paragraph id="HCA9A2C16819B4AA0A129A8E9046915D7" commented="no"><enum>(3)</enum><text display-inline="yes-display-inline">Data collected on incidents of sexual harassment and sexual assault.</text></paragraph>
<paragraph id="H311C5BBD752B401C8F2658BAC2C1C0FF"><enum>(4)</enum><text display-inline="yes-display-inline">A description of any actions taken by the Secretary during the year preceding the date of the report to stop harassment and sexual assault at facilities of the Department.</text></paragraph>
<paragraph id="H0EDAA98637524BB19CE0CFDEE11D2A31"><enum>(5)</enum><text display-inline="yes-display-inline">An assessment of the implementation of the training required in subsection (a)(5).</text></paragraph>
<paragraph id="HCC43CE1A2E344486A279C208190CF418"><enum>(6)</enum><text display-inline="yes-display-inline">A list of resources the Secretary determines necessary to prevent harassment and sexual assault at facilities of the Department.</text></paragraph></subsection></section><after-quoted-block>.</after-quoted-

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block></quoted-block></subsection>
<subsection id="H63221474A569484AA8FBA14BA8DAA9B6"><enum>(b)</enum><header>Technical amendment</header><text display-inline="yes-display-inline">The table of sections at the beginning of such chapter is amended by adding after the item relating to section 532 the following new item:</text>
<quoted-block style="USC" id="H16208322BD6F40119AB61ECD225AB4F2" display-inline="no-display-inline">
<toc regeneration="no-regeneration">
<toc-entry level="section">533. Anti-harassment and anti-sexual assault policy.</toc-entry></toc><after-quoted-block>.</after-quoted-block></quoted-block></subsection>
<subsection id="H4CC7CF3430B34D25863CF57F067E10EC"><enum>(c)</enum><header>Deadline</header><text display-inline="yes-display-inline">The Secretary shall carry out section 533 of such title, as added by subsection (a), not later than 180 days after the date of enactment of this Act.</text></subsection></section>
</legis-body>
</bill>

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