

**STATEMENT OF
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SUPERINTENDENT
UNITED STATE MERCHANT MARINE ACADEMY**

**BEFORE THE
COMMITTEE ON APPROPRIATIONS
SUBCOMMITTEE ON TRANSPORTATION, HOUSING AND URBAN
DEVELOPMENT, AND RELATED AGENCIES**

UNITED STATES SENATE

**HEARING ON PREVENTING SEXUAL ASSAULT AND SEXUAL HARASSMENT
AT THE UNITED STATES MERCHANT MARINE ACADEMY**

April 5, 2017

Good morning, Chairman Collins, Ranking Member Reed and members of the Subcommittee. Thank you for the invitation to testify on the state of the United States Merchant Marine Academy (USMMA or Academy).

The mission of the Academy is to educate and graduate licensed merchant mariners and leaders of exemplary character who will serve America's marine transportation and defense needs in peace and war. Each year the Academy graduates highly-qualified U.S Coast Guard (USCG) credentialed mariners committed to serving the Nation as officers in the Armed Forces and the Merchant Marine.

The Academy provides a comprehensive four-year leadership development experience. All graduating Midshipmen will receive a Bachelor of Science degree, a USCG-issued Merchant Marine officer's license, and a commission in an Active or Reserve Component of one of the Armed Forces. They can meet their service obligation in one of two ways: twenty to twenty-five percent will choose to serve five years on Active Duty as an officer in any branch of the Armed Forces, while the remaining majority of the class will sail for five years as a Merchant Marine officer on US-flagged commercial ships or with a Federal agency, which can include the Military Sealift Command or the National Oceanographic and Atmospheric Administration.

The Academy's mission begins with the men and women who pass through its gates in late June to begin their four-year journey. The Academy has a highly competitive and selective admissions process. Candidates must have a strong academic record and demonstrate superior character and leadership potential through their participation in co-curricular activities, athletics, and community service. They must meet rigorous medical and physical fitness qualifications for military service. And they must receive a nomination from a Member of Congress or qualify for one of fifty direct appointments by the Secretary of Transportation by demonstrating qualities

deemed to be of special value to the Academy.

I believe that enhancing the diversity of the Regiment of Midshipmen will strengthen our efforts to improving the campus culture, which in turn is critical to eliminating sexual assault, sexual harassment, and other coercive and unacceptable behaviors. Over the past six years the quality and diversity of the incoming classes has improved considerably. Comparing the classes of 2014 and 2020, the most recently admitted, we saw the mean score on the Scholastic Aptitude Test (SAT) improve from 1215 to 1280. The percentage of women admitted rose from 12.9 percent to 19.7 percent. Admission of individuals who represent racial minorities similarly rose from 15.2 percent to 24 percent. Other indicators of the quality of our incoming candidates include class rank and grade point average, as well as candidates who have held key leadership positions in student government, athletics, and co-curricular and community activities. We are pleased with the progress we are making and expect to see continued improvements in the quality and diversity of future classes.

My top strategic priorities for the Academy are preventing sexual assault and sexual harassment and other coercive behaviors, reaccreditation by the Middle States Commission on Higher Education (MSCHE), continuing our work to modernize and renovate campus infrastructure and facilities, and strengthening Midshipmen leadership development. I will focus my testimony today on sexual assault and harassment prevention and reaccreditation.

Sexual assault and sexual harassment are unacceptable behaviors that have no place at any institution of higher education, especially one committed to developing our Nation's future leaders. I am committed to the elimination of sexual assault and harassment on our campus and, until we reach that goal, improving the environment at the Academy so that victims are comfortable reporting all incidents and confident that Academy personnel will respond appropriately to reported incidents. The steps we have taken since 2012 to address sexual assault and harassment are included in our annual reports to Congress. We welcomed an evaluation of our programs by the Department of Transportation's (DOT) Inspector General in FY 2013 and FY 2014, which provided another set of eyes on our programs and useful recommendations which we have implemented. In addition, the National Defense Authorization Act for Fiscal Year 2017, P.L. 114-328, requires the DOT Inspector General to report, by March 31, 2018, on the effectiveness of the sexual assault and sexual harassment prevention and response program (SAPR) at the Academy. The Defense Manpower Data Center (DMDC) continues to administer the Service Academy Gender Relations (SAGR) Survey in even numbered years, and conducts focus groups with Midshipmen, staff and faculty in odd-numbered years as they do for the other four Federal Service Academies. Additionally, the results of the study commissioned by the Department of Transportation in 2016 on the Academy culture have been reviewed, and we are incorporating the suggestions across campus.

I am personally committed to solving this problem. My experience in assisting victims of sexual assault dates back to the 1990s when I served in the Army as a battalion commander. I know from working firsthand with victims the immeasurable, lifelong harm these crimes inflict, and how they undermine unit readiness and cohesion. Sexual assault and harassment are fundamentally at odds with our values as a Nation—values that we are obligated as leaders to live by, model, and expand on. They undermine our ability to accomplish our mission. The USMMA, a Federal service academy, should be setting the example for the Nation in eliminating sexual assault and sexual harassment. Anything less is a failure on our part.

At the Academy, we established a multi-disciplinary Sexual Assault Review Board (SARB), which meets monthly, to provide executive oversight and procedural guidance for the SAPR program by reviewing ways to improve processes, system accountability and victim access to quality services. The SARB has implemented standard operating procedures for Investigating an Unrestricted Report of Sexual Assault and Processing a Restricted (confidential) Report of Sexual Assault, and Maintenance of Restricted and Unrestricted Reports.

In FY 2012, USMMA hired its first Sexual Assault Response Coordinator (SARC). The SARC resides at the Academy, and is available to Midshipmen 24/7 through a victim hotline. Victims are provided with information and referrals, and assistance in obtaining any necessary medical or mental health treatment at the Academy or at an appropriate facility in the local community and/or victim advocacy agency. Victims have access to confidential (restricted) reporting through the SARC, Health Clinic counseling staff, the Chaplain and a small number of specially trained staff and faculty victim advocates. The Academy works closely with the local victim advocacy agency to provide an additional confidential reporting option. A victim may also make an unrestricted report, which will result in the initiation of a criminal and administrative investigation.

The SARC, working with the Superintendent, Commandant and Dean of Academics, has significantly improved training across the Academy aimed at the prevention of sexual assault and sexual harassment. Faculty and staff receive mandatory training annually. Incoming Midshipmen receive mandatory training in the first three weeks in small group settings (20-25 midshipmen per training) covering the topics of sexual assault, sexual harassment, dating violence, stalking, and bystander intervention. Beginning with the Class of 2019, we increased training to three hours from the one hour that previous classes received. The SARC and Commandant continue to provide quarterly training throughout each Midshipman's academic career in both small and large group settings. The SARC and the Department of Professional Development and Career Services provide special training sessions prior to departure for Sea Year (sophomores spend four months at sea and juniors spend eight months at sea). Training focuses on where to seek help or assistance (captain, designated person ashore, SARC's 24/7 hotline), situational awareness, risk reduction, and bystander intervention. In 2016, the Academy

adopted the Green Dot Bystander Intervention Program, which teaches students to identify volatile situations in which there could be the possibility of sexual violence and to defuse those situations through diversion or distraction. In addition, the SARB recently decided to increase our training on sexual assault and proper conduct for Midshipmen prior to their departure for sea training this summer.

Our survey results since 2012 indicate that Midshipmen have much better awareness and understanding of sexual assault and sexual harassment, and appreciate the commitment of everyone from the Secretary of Transportation through MARAD, the Academy's senior leadership, and Midshipmen Regimental officers to eliminate this scourge from the Academy. We are extremely disappointed that we are not seeing a decrease in incidents in the survey results. In 2016, we redoubled our efforts to address this problem.

As a first step, we began drilling down into the available data and feedback from the Advisory Board and our own conversations with Midshipmen. It became clear to me that we needed to more closely examine the Sea Year and its potential effects, as that is the component of our program that sets USMMA apart from the other federal service academies. MSCHE affirmed this concern in their report last year, highlighting a need for the USMMA to address the issues of sexual assault and harassment at sea and on campus. After further analysis and discussion among the senior leadership at USMMA, MARAD, and DOT, as MARAD Executive Director Joel Szabat discussed in his testimony, former Secretary Foxx decided to stand down sea year training until procedures were in place to better assure a safe climate for our Midshipmen. The combined efforts of USMMA, MARAD, DOT, and industry and labor resulted in the certification process described by Mr. Szabat, which we have now implemented.

In addition to the sea year stand down, Secretary Foxx directed a deep dive into USMMA culture to identify other factors that could be contributing to our challenges with sexual assault and harassment and other unacceptable behaviors. The study has provided useful analysis that will inform our way forward.

While we have implemented policies and programs based on best practices adopted in the military and higher education, we have not seen the results we desire or expect. The core issue we must address—that we are now addressing—is the very culture of USMMA. We must take actions to transform the USMMA culture such that every Midshipman is respected, valued, and can develop to her or his fullest potential to serve the Nation as a leader of exemplary character. The entire USMMA community must have zero tolerance for sexual assault and sexual harassment, retaliation, bullying, hazing, coercion, victim blaming, and alcohol misuse/abuse. Leadership, staff, faculty, and Midshipmen must all unite to eliminate this behavior and support victims, and hold those who violate Academy core values and standards accountable for their actions, when incidents take place.

In the fall of 2016, we determined that the work related to managing USMMA's sexual assault prevention and response program had become more than one individual could reasonably handle. Accordingly, we created a Sexual Assault Prevention and Response Office (SAPRO) and are converting the SARC position, which became vacant in December 2016, to a SAPRO director. We are hiring two Victim Advocate-Educators who will assist the SAPRO director in planning and executing training and providing victim services. We have also added a sea year coordinator to the SAPRO.

Additional steps we have taken over the past six months include a reintegration program for Midshipmen when they return from sea and the addition of mandatory online interactive sexual assault and alcohol abuse prevention training. A special team made up of staff, faculty, and Midshipmen participated in a cultural change conference at the US Air Force Academy in February 2017 and are now drafting a comprehensive campaign plan to transform USMMA culture. The Deputy Superintendent led an effort which has produced a comprehensive and integrated Sexual Assault Prevention and Response Framework. A committee also has begun work to overhaul sea year policies and all training in preparation for sea year.

In addition to the efforts to improve the Sea Year training experience, the USMMA has developed a comprehensive plan to reduce sexual assault and sexual harassment on campus. The USMMA Sexual Assault Prevention and Response (SAPR) Program has significantly improved training across the Academy aimed at the prevention of sexual assault and sexual harassment, including online prevention training, case studies, videos, social media, professional speakers and small groups. Actions taken by the USMMA have included installation of new emergency call boxes and security cameras, improvement of the security guard force, implementation of a 24/7 hotline for reporting inappropriate behaviors, and victim assistance in obtaining medical or mental health treatment. Efforts will continue to improve upon the SAPR Program as the USMMA implements recommendations from the cultural audit and responds to feedback from Midshipmen.

The Academy's work to improve sexual assault and sexual harassment prevention and response addresses one of the recommendations made by MSCHE, which accredits the Academy's academic degrees. In June 2016, MSCHE placed USMMA in a warning status because USMMA was not meeting five of MSCHE's fourteen standards of accreditation. We are presently taking action to meet the requirements identified by MSCHE to be granted full accreditation. Actions taken over the past year include MARAD's establishment of the Maritime Education and Training Executive Review Board (METERB), which serves as a formal governing and oversight body for USMMA; requesting and receiving relief from Congressional legislation constraining the Academy's budget during the interim Continuing Resolution period; developing templates for budget development and tools for linking resources with the Strategic

Plan; filling key job positions and requesting that MARAD return direct reporting authority for human resources, financial management, and procurement back to the Academy; ensuring the safety of Midshipmen from sexual assault and sexual harassment by initiating a culture change campaign; and ensuring Midshipmen safety at sea by vetting maritime companies through MARAD's Shipboard Climate Compliance Team to determine if they have adequate policies and procedures in place to prevent sexual assault and harassment from happening, and are ready to respond if an incident does occur.

We submitted our required monitoring report to MSCHE on time on March 1, 2017. MSCHE is in the process of reviewing our report. A visiting accreditation team has been appointed by MSCHE and is composed of educators and experts who ensure the Academy is meeting the standards of excellence established by MSCHE. The team, led by the Naval Academy's Academic Dean and Provost, Dr. Andrew Phillips, visited the Academy March 29-31, 2017 to conduct their on-site assessment and provide us their initial findings on our progress towards correcting the shortfalls identified in 2016. We anticipate MSCHE issuing its report on USMMA's progress and status of addressing their concerns in June 2017.

Thank you for inviting me to testify today. I appreciate your interest and continued support for the Academy and will be happy to answer any questions you may have.