

“(1) eliminate such initiatives, positions, and programs within the Peace Corps (other than within the Office of Inspector General) as the Director deems necessary to ensure any and all costs incurred to carry out the provisions of this Act [see Short Title of 2011 Amendment note set out under section 2501 of this title], and the amendments made by this Act, are entirely offset;

“(2) ensure no net increase in personnel are added to carry out the provisions of this Act, with any new full or part time employees or equivalents offset by eliminating an equivalent number of existing staff (other than within the Office of Inspector General);

“(3) report to Congress not later than 60 days after the date of the enactment of this Act [Nov. 21, 2011] the actions taken to ensure compliance with paragraphs (1) and (2), including the specific initiatives, positions, and programs within the Peace Corps that have been eliminated to ensure that the costs of carrying out this Act will be offset; and

“(4) not implement any other provision of this Act (other than paragraphs (1), (2), and (3)) or any amendment made by this Act until the Director has certified that the actions specified in paragraphs (1), (2), and (3) have been completed.”

§ 2507b. Sexual assault policy

(a) In general

The President shall develop and implement a comprehensive sexual assault policy that—

(1) includes a system for restricted and unrestricted reporting of sexual assault;

(2) mandates, for each Peace Corps country program, the designation of a Sexual Assault Response Liaison (SARL), who shall receive comprehensive training on procedures to respond to reports of sexual assault, with duties including ensuring that volunteers who are victims of sexual assault are moved to a safe environment and accompanying victims through the in-country response at the request of the victim;

(3) requires any employee of the Peace Corps to immediately contact a Victim's Advocate upon receiving a report of sexual assault in accordance with the restricted and unrestricted reporting guidelines promulgated by the Peace Corps and require the Peace Corps to designate the staff at each post who shall be responsible for providing the services described in subsection (c);

(4) to the extent practicable, conforms to best practices in the sexual assault field;

(5) is applicable to all posts at which volunteers serve;

(6) includes a guarantee that volunteers will not suffer loss of living allowances for reporting a sexual assault;

(7) maintains a record documenting the resignation of any employee or volunteer of the Peace Corps who resigns before a determination has been made regarding an alleged violation of the sexual misconduct policy or other serious policy violations;

(8) takes into account the record maintained under paragraph (7) before such employee or volunteer is hired, enrolled, or otherwise invited to work with the Peace Corps;

(9) provides orientation or information regarding the awareness and prevention of sexual assault and sexual harassment to—

(A) Peace Corps-selected host families; and

(B) a designated person of authority at the volunteer's initial workplace; and

(10) ensures, to the extent practicable and appropriate, that any assault on, or any harm or injury to, a volunteer that is committed by any member of a host family or any national of a host country that was assigned by the Peace Corps to facilitate volunteer work is—

(A) documented in an appropriate site history file and in the global tracking and recording system established pursuant to section 2507h(c) of this title; and

(B) taken into account with respect to determinations regarding placements of future volunteers at such post and the provision of any funds or other benefit by the Peace Corps.

(b) Development and consultation with experts

In developing the sexual assault policy under subsection (a), the President shall consult with and incorporate, as appropriate, the recommendations and views of experts in the sexual assault field, including experts with international experience.

(c) Elements

The sexual assault policy developed under subsection (a) shall include, at a minimum, the following services with respect to a volunteer who has been a victim of sexual assault:

(1) The option of pursuing either restricted or unrestricted reporting of an assault.

(2) Provision of a SARL and Victim's Advocate to the volunteer.

(3) At a volunteer's discretion, provision of a sexual assault forensic exam in accordance with applicable host country law.

(4) If necessary, the provision of emergency health care, including a mechanism for such volunteer to evaluate such provider.

(5) If necessary, the provision of counseling and psychiatric medication.

(6) Completion of a safety and treatment plan with the volunteer, if necessary.

(7) Evacuation of such volunteer for medical treatment, accompanied by a Peace Corps staffer at the request of such volunteer. When evacuated to the United States, such volunteer shall be provided, to the extent practicable, a choice of medical providers including a mechanism for such volunteers to evaluate the provider.

(8) An explanation to the volunteer of available law enforcement and prosecutorial options, and legal representation.

(d) Training

The President shall train all staff outside the United States regarding the sexual assault policy developed under subsection (a).

(Pub. L. 87-293, title I, §8B, as added Pub. L. 112-57, §2, Nov. 21, 2011, 125 Stat. 738; amended Pub. L. 115-256, title III, §303, Oct. 9, 2018, 132 Stat. 3657.)

Editorial Notes

AMENDMENTS

2018—Subsec. (a)(3). Pub. L. 115-256, §303(1), substituted “any employee of the Peace Corps” for “SARLs” and “Victim's Advocate” for “Victim Advocate” and inserted “and require the Peace Corps to designate the staff at each post who shall be responsible

for providing the services described in subsection (c)’ before semicolon at end.

Subsec. (a)(7) to (10). Pub. L. 115-256, §303(2)-(4), added pars. (7) to (10).

§ 2507c. Office of Victim Advocacy

(a) Establishment of Office of Victims¹ Advocacy

(1) In general

The President shall establish an Office of Victim Advocacy in Peace Corps headquarters headed by a full-time Victim’s Advocate who shall report directly to the Director. The Office of Victim Advocacy may deploy personnel abroad when necessary to help assist victims.

(2) Prohibition

Peace Corps Medical Officers, Safety and Security Officers, and program staff may not serve as Victim’s Advocates. The Victim’s Advocate referred to in paragraph (1) may not have any other duties in the Peace Corps that are not reasonably connected to victim advocacy.

(3) Exemption

The Victim’s Advocate and any additional Victim’s Advocates shall be exempt from the limitations specified in subparagraphs (A) and (B) of paragraph (2) and paragraph (5) under section 2506(a) of this title.

(b) Responsibilities

(1) Victims of sexual assault

The Office of Victim Advocacy shall help develop and update the sexual assault risk-reduction and response training described in section 2507a of this title and the sexual assault policy described in section 2507b of this title, ensure that volunteers who are victims of sexual assault receive services specified in section 2507b(c) of this title, and facilitate their access to such services.

(2) Other crimes

In addition to assisting victims of sexual assault in accordance with paragraph (1), the Office of Victim Advocacy shall assist volunteers who are victims of crime by making such victims aware of the services available to them and facilitating their access to such services.

(3) Priority

The Office of Victim Advocacy shall give priority to cases involving serious crimes, including sexual assault and stalking.

(c) Status updates

The Office of Victim Advocacy shall provide to volunteers who are victims regular updates on the status of their cases if such volunteers have opted to pursue prosecution.

(d) Transition

The Office of Victim Advocacy shall assist volunteers who are victims of crime and whose service has terminated in receiving the services specified in section 2507b(c) of this title requested by such volunteer.

(e) Policymaking

The Director of the Peace Corps shall include the head of the Office of Victim Advocacy in

agency-wide policymaking processes in the same manner and to the same extent as the directors or associate directors of other offices within the Peace Corps.

(Pub. L. 87-293, title I, §8C, as added Pub. L. 112-57, §2, Nov. 21, 2011, 125 Stat. 739; amended Pub. L. 115-256, title III, §304, Oct. 9, 2018, 132 Stat. 3658.)

Editorial Notes

AMENDMENTS

2018—Subsec. (a). Pub. L. 115-256, §304(1), (2), substituted “Victim’s Advocate” for “victim advocate” and “Victim’s Advocates” for “victim advocates” wherever appearing.

Subsec. (e). Pub. L. 115-256, §304(3), amended subsec. (e) generally. Prior to amendment, text read as follows: “This section shall cease to be effective on October 1, 2018.”

§ 2507d. Establishment of Sexual Assault Advisory Council

(a) Establishment

There is established a Sexual Assault Advisory Council (in this section referred to as the “Council”).

(b) Membership

The Council shall be composed of not fewer than 8 and not more than 14 individuals selected by the President who are returned volunteers (including volunteers who were victims of sexual assault and volunteers who were not victims of sexual assault) and governmental and non-governmental experts and professionals in the sexual assault field. At least one member should be licensed in the field of mental health and have prior experience working as a counselor or therapist providing mental health care to survivors of sexual assault in a victim services agency or organization. No Peace Corps employee shall be a member of the Council. The number of governmental experts appointed to the Council shall not exceed the number of non-governmental experts.

(c) Functions; meetings

The Council shall meet not less often than annually to review the sexual assault risk-reduction and response training developed under section 2507a of this title, the sexual assault policy developed and implemented under section 2507b of this title, and such other matters related to sexual assault the Council views as appropriate, to ensure that such training and policy conform to the extent practicable to best practices in the sexual assault field. To carry out this subsection, the Council may conduct case reviews and is authorized to have access, including through interviews, to current and former volunteers (to the extent that such volunteers provide the Peace Corps express consent to be interviewed by the Council), to volunteer surveys under section 2507e of this title, to all data collected from restricted reporting, and to any other information necessary to conduct case reviews, except that the Council may not have access to any personally identifying information associated with such surveys, data, or information.

¹ So in original. Probably should be “Victim”.