

TO ESTABLISH POLICIES AND PROCEDURES IN THE PEACE
CORPS TO PROVIDE FOR THE SAFETY AND SECURITY OF
VOLUNTEERS FROM RAPE AND SEXUAL ASSAULT, AND FOR
OTHER PURPOSES; AND TO AMEND THE PEACE CORPS ACT
TO REQUIRE SEXUAL ASSAULT RISK-REDUCTION AND RE-
SPONSE TRAINING, THE DEVELOPMENT OF SEXUAL ASSAULT
PROTOCOL AND GUIDELINES, THE ESTABLISHMENT OF VIC-
TIMS ADVOCATES, THE ESTABLISHMENT OF A SEXUAL AS-
SAULT ADVISORY COUNCIL, AND FOR OTHER PURPOSES

MARKUP

BEFORE THE

COMMITTEE ON FOREIGN AFFAIRS HOUSE OF REPRESENTATIVES

ONE HUNDRED TWELFTH CONGRESS

FIRST SESSION

ON

H.R. 2699 and H.R. 2337

SEPTEMBER 21, 2011

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TO ESTABLISH POLICIES AND PROCEDURES IN THE PEACE CORPS TO PROVIDE FOR THE SAFETY AND SECURITY OF VOLUNTEERS FROM RAPE AND SEXUAL ASSAULT, AND FOR OTHER PURPOSES; AND TO AMEND THE PEACE CORPS ACT TO REQUIRE SEXUAL ASSAULT RISK-REDUCTION AND RESPONSE TRAINING, THE DEVELOPMENT OF SEXUAL ASSAULT PROTOCOL AND GUIDELINES, THE ESTABLISHMENT OF VICTIMS ADVOCATES, THE ESTABLISHMENT OF A SEXUAL ASSAULT ADVISORY COUNCIL, AND FOR OTHER PURPOSES

WEDNESDAY, SEPTEMBER 21, 2011

HOUSE OF REPRESENTATIVES,
COMMITTEE ON FOREIGN AFFAIRS,
Washington, DC.

The committee met, pursuant to notice, at 10 o'clock a.m., in room 2172 Rayburn House Office Building, Hon. Ileana Ros-Lehtinen (chairman of the committee) presiding.

Chairman ROS-LEHTINEN. The committee will come to order.

Pursuant to notice, the committee meets this morning to mark up H.R. 2699, the Peace Corps Volunteer Service Improvement Act, and H.R. 2337, the Kate Puzey Peace Corps Volunteer Protection Act.

As our members are aware, these reform measures enjoy strong bipartisan support and there are competing markups taking place in other committees this morning. Thus, as your offices were notified earlier this week, it is the intent of the Chair to consider these bills en bloc and by unanimous consent, including the substitute amendments sent to you on Monday and the five brief amendments sent to you yesterday.

All members have copies of those documents before them. Then after we have concluded our expedited consideration, I will be glad to recognize myself, the ranking member, Judge Poe, and any other member who wishes to make statements on these measures. All members are given leave to insert written remarks into the record should they choose to do so.

And seeing that a reporting quorum is present, without objection the following measures are considered as read and the Chairman is authorized to seek consideration of the following bills under suspension of the rules, and the following amendments to those bills which the members have before them shall be deemed adopted: H.R. 2699, the Peace Corps Volunteer Service Improvement Act, Ros-Lehtinen; and amendment 87 to H.R. 2699 which is the amendment in the nature of a substitute provided to your offices on Monday; and amendment 35 to that amendment offered by Ms. Wilson of Florida—and it's been a delight to have been working

with you, Ms. Wilson—thank you for your good suggestions on the bills; H.R. 2337, the Kate Puzey Peace Corps Volunteer Protection Act, the Poe amendment 178 to H.R. 2337 which is the amendment in the nature of a substitute sent to your offices on Monday and the following amendments to that amendment 178, amendment 179 offered by Judge Poe and amendments 30, 33, and 34 offered by Ms. Wilson of Florida.

Hearing no objection it is so ordered. The amendments and the amended bills are adopted. Without objection the staff is directed to make technical and conforming changes.

[The information referred to follows:]

112TH CONGRESS
1ST SESSION

H. R. 2699

To establish policies and procedures in the Peace Corps to provide for the safety and security of volunteers from rape and sexual assault, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JULY 29, 2011

Ms. ROS-LEHTINEN (for herself, Mrs. SCHMIDT, Mr. POE of Texas, and Ms. BUERKLE) introduced the following bill; which was referred to the Committee on Foreign Affairs

A BILL

To establish policies and procedures in the Peace Corps to provide for the safety and security of volunteers from rape and sexual assault, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled.*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Peace Corps Volunteer
5 Service Improvement Act of 2011”.

6 **SEC. 2. CONFIDENTIALITY OF REPORTS OF RAPE OR SEX-**
7 **UAL ASSAULT.**

8 (a) IN GENERAL.—The Director of the Peace Corps
9 shall establish and maintain policies and procedures that

1 clearly establish a process for volunteers to make confiden-
2 tial reports of rape or sexual assault.

3 (b) PENALTY.—Any Peace Corps volunteer or staff
4 member who is responsible for maintaining confidentiality
5 under subsection (a) and who breaches such duty shall be
6 subject to disciplinary action, including termination, and
7 in the case of a staff member, ineligibility for re-employ-
8 ment with the Peace Corps.

9 (c) INCLUSION.—In this Act, Peace Corps volunteers
10 includes trainees and Peace Corps staff members include
11 any employee, contractor, expert, consultant, or Foreign
12 Service national employed or contracted by the Peace
13 Corps, whether in the United States or in a foreign coun-
14 try.

15 **SEC. 3. SAFETY AND SECURITY AGREEMENT REGARDING**
16 **PEACE CORPS VOLUNTEERS SERVING IN**
17 **FOREIGN COUNTRIES.**

18 (a) IN GENERAL.—Not later than six months after
19 the date of the enactment of this Act, the Director of the
20 Peace Corps shall consult with the Assistant Secretary of
21 State for Diplomatic Security and enter into a memo-
22 randum of understanding that specifies the duties and ob-
23 ligations of the Peace Corps and the Bureau of Diplomatic
24 Security of the Department of State with respect to the
25 protection of Peace Corps volunteers and staff members

1 serving in foreign countries, including with respect to in-
2 vestigations of safety and security incidents and crimes
3 committed against such volunteers and staff members.

4 (b) INSPECTOR GENERAL REVIEW.—

5 (1) REVIEW.—The Inspector General of the
6 Peace Corps shall review the memorandum of under-
7 standing described in subsection (a) and be afforded
8 the opportunity to recommend changes that advance
9 the safety and security of Peace Corps volunteers be-
10 fore its entry into force.

11 (2) REPORT.—The Director of the Peace Corps
12 shall consider the recommendations of the Inspector
13 General of the Peace Corps regarding the memo-
14 randum of understanding described in subsection
15 (a). If the Director enters into such memorandum
16 without implementing a recommendation of the In-
17 spector General, the Director shall submit to the In-
18 spector General a written explanation relating there-
19 to.

20 (3) FAILURE TO MEET DEADLINE.—

21 (A) REQUIREMENT TO SUBMIT REPORT.—
22 If, by the date that is 6 months after the date
23 of the enactment of this section, the Director of
24 the Peace Corps is unable to obtain agreement
25 with the Assistant Secretary of State for Diplo-

1 matic Security and certification by the Inspec-
2 tor General of the Peace Corps, the Director
3 shall submit to the committees of Congress
4 specified in subparagraph (C) a report explain-
5 ing the reasons for such failure.

6 (B) LIMITATION ON FUNDS.—If, by the
7 date that is 9 months after the date of the en-
8 actment of this section, the memorandum of
9 understanding described in subsection (a) has
10 not entered into force, no funds available to the
11 Peace Corps may be obligated or expended to
12 extend to Peace Corps volunteers invitations for
13 service or to deploy Peace Corps trainees over-
14 seas unless the Director of the Peace Corps cer-
15 tifies to the committees of Congress specified in
16 subparagraph (C) that—

17 (i) significant progress is being made
18 toward finalizing such memorandum; and

19 (ii) the Peace Corps is using best ef-
20 forts to provide volunteers with the train-
21 ing, support, and information they need to
22 stay safe and secure.

23 (C) COMMITTEES OF CONGRESS SPECI-
24 FIED.—The committees of Congress specified in
25 this subparagraph are the Committee on For-

1 eign Affairs of the House of Representatives
2 and the Committee on Foreign Relations of the
3 Senate.

4 **SEC. 4. INDEPENDENCE OF THE INSPECTOR GENERAL OF**
5 **THE PEACE CORPS.**

6 The limitations specified in section 7(a)(2)(A) of the
7 Peace Corps Act (22 U.S.C. 2506(a)(2)(A)) on the length
8 of appointment or assignment under section 7(a)(2) of
9 such Act, section 7(a)(2)(B) of such Act on reappointment
10 or reassignment of an individual whose appointment or as-
11 signment under section 7(a)(2) of such Act has been ter-
12 minated, and section 7(a)(5) of such Act on the cir-
13 cumstances under which an appointment or assignment
14 under section 7(a)(2) of such Act may exceed five years
15 shall not apply to—

- 16 (1) the Inspector General of the Peace Corps;
17 and
18 (2) officers and employees of the Office of the
19 Inspector General of the Peace Corps.

20 **SEC. 5. SAFETY AND SECURITY REPORTS.**

21 (a) IN GENERAL.—The Director of the Peace Corps
22 shall annually submit to the Committee on Foreign Affairs
23 of the House of Representatives and the Committee on
24 Foreign Relations of the Senate a report on the safety

1 of Peace Corps volunteers. Each such report shall at a
2 minimum include the following information:

3 (1) The incidence of crimes, together with the
4 number of arrests, prosecutions, and incarcerations
5 for every country in which volunteers serve for the
6 preceding year.

7 (2) A three year trend analysis of the types and
8 frequency of crimes committed against volunteers for
9 every country in which the Peace Corps has operated
10 for at least the three preceding years.

11 (b) INSPECTOR GENERAL AUDIT.—Not later than
12 two years after the date of the enactment of this section
13 and at least once every five years thereafter (or more fre-
14 quently as appropriate), the Inspector General of the
15 Peace Corps shall perform an audit of Peace Corps imple-
16 mentation of safety and security protocols, including the
17 status of any Inspector General findings and recommenda-
18 tions from previous audits that have not been adequately
19 remediated or implemented.

20 **SEC. 6. PORTFOLIO REVIEWS.**

21 (a) IN GENERAL.—The Director of the Peace Corps
22 shall, at least once every three years (or more frequently
23 as appropriate), perform a review to evaluate the alloca-
24 tion and delivery of resources across the countries the
25 Peace Corps serves or is considering for service. Such

1 portfolio reviews shall at a minimum include the following
2 with respect to each such country:

3 (1) An evaluation of the country's commitment
4 to the Peace Corps program.

5 (2) An analysis of the safety and security of
6 volunteers.

7 (3) An evaluation of the country's need for as-
8 sistance.

9 (4) An analysis of country program costs.

10 (5) An evaluation of the effectiveness of man-
11 agement of each post within a country.

12 (6) An evaluation of the country's congruence
13 with the Peace Corps' mission and strategic prior-
14 ities.

15 (b) REPORT.—The Director of the Peace Corps shall
16 prepare a report on each portfolio review required under
17 subsection (a). Each such report shall discuss performance
18 measures and sources of data used (such as project status
19 reports, volunteer surveys, impact studies, reports of In-
20 spector General of the Peace Corps, and any relevant ex-
21 ternal sources) in making such review's findings and con-
22 clusions. The Director shall make each such report avail-
23 able upon request to the Chairman and Ranking Member
24 of the Committee on Foreign Affairs of the House of Rep-
25 resentatives and the Committee on Foreign Relations of

10

8

- 1 the Senate in a manner consistent with the protection of
- 2 classified information if determined necessary to protect
- 3 sensitive information.

○

**AMENDMENT IN THE NATURE OF A SUBSTITUTE
TO H.R. 2699
OFFERED BY MS. ROS-LEHTINEN OF FLORIDA**

Strike all after the enacting clause and insert the following:

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Peace Corps Volunteer
3 Service Improvement Act of 2011”.

4 **SEC. 2. CONFIDENTIALITY OF REPORTS OF RAPE OR SEX-
5 UAL ASSAULT.**

6 (a) IN GENERAL.—The Director of the Peace Corps
7 shall establish and maintain policies and procedures that
8 clearly establish a process for volunteers to make confiden-
9 tial reports of rape or sexual assault.

10 (b) PENALTY.—Any Peace Corps volunteer or staff
11 member who is responsible for maintaining confidentiality
12 under subsection (a) and who breaches such duty shall be
13 subject to disciplinary action, including termination, and
14 in the case of a staff member, ineligibility for re-employ-
15 ment with the Peace Corps.

16 (c) INCLUSION.—In this Act, Peace Corps volunteers
17 includes trainees and Peace Corps staff members include
18 any employee, contractor, expert, consultant, or Foreign

1 Service national employed or contracted by the Peace
2 Corps, whether in the United States or in a foreign coun-
3 try.

4 **SEC. 3. SAFETY AND SECURITY AGREEMENT REGARDING**
5 **PEACE CORPS VOLUNTEERS SERVING IN**
6 **FOREIGN COUNTRIES.**

7 (a) IN GENERAL.—Not later than six months after
8 the date of the enactment of this Act, the Director of the
9 Peace Corps shall consult with the Assistant Secretary of
10 State for Diplomatic Security and enter into a memo-
11 randum of understanding that specifies the duties and ob-
12 ligations of the Peace Corps and the Bureau of Diplomatic
13 Security of the Department of State with respect to the
14 protection of Peace Corps volunteers and staff members
15 serving in foreign countries, including with respect to in-
16 vestigations of safety and security incidents and crimes
17 committed against such volunteers and staff members.

18 (b) INSPECTOR GENERAL REVIEW.—

19 (1) REVIEW.—The Inspector General of the
20 Peace Corps shall review the memorandum of under-
21 standing described in subsection (a) and be afforded
22 the opportunity to recommend changes that advance
23 the safety and security of Peace Corps volunteers be-
24 fore its entry into force.

1 (2) REPORT.—The Director of the Peace Corps
2 shall consider the recommendations of the Inspector
3 General of the Peace Corps regarding the memo-
4 randum of understanding described in subsection
5 (a). If the Director enters into such memorandum
6 without implementing a recommendation of the In-
7 spector General, the Director shall submit to the In-
8 spector General a written explanation relating there-
9 to.

10 (c) FAILURE TO MEET DEADLINE.—If, by the date
11 that is six months after the date of the enactment of this
12 Act, the Director of the Peace Corps is unable to obtain
13 agreement with the Assistant Secretary of State for Diplo-
14 matic Security and certification by the Inspector General
15 of the Peace Corps, the Director shall submit to the Com-
16 mittee on Foreign Affairs of the House of Representatives
17 and the Committee on Foreign Relations of the Senate
18 a report explaining the reasons for such failure and a cer-
19 tification that substantial steps are being taken towards
20 concluding an agreement, together with a description of
21 those steps.

22 **SEC. 4. INDEPENDENCE OF THE INSPECTOR GENERAL OF**
23 **THE PEACE CORPS.**

24 The limitations specified in section 7(a)(2)(A) of the
25 Peace Corps Act (22 U.S.C. 2506(a)(2)(A)) on the length

1 of appointment or assignment under section 7(a)(2) of
2 such Act, section 7(a)(2)(B) of such Act on reappointment
3 or reassignment of an individual whose appointment or as-
4 signment under section 7(a)(2) of such Act has been ter-
5 minated, and section 7(a)(5) of such Act on the cir-
6 cumstances under which an appointment or assignment
7 under section 7(a)(2) of such Act may exceed five years
8 shall not apply to—

9 (1) the Inspector General of the Peace Corps;
10 and

11 (2) officers and employees of the Office of the
12 Inspector General of the Peace Corps.

13 **SEC. 5. SAFETY AND SECURITY REPORTS.**

14 (a) IN GENERAL.—Not later than one year after the
15 date of the enactment of this Act and annually thereafter
16 for the next six years, the Director of the Peace Corps
17 shall submit to the Committee on Foreign Affairs of the
18 House of Representatives and the Committee on Foreign
19 Relations of the Senate a report on the safety of Peace
20 Corps volunteers. Each such report shall at a minimum
21 include the following information:

22 (1) The incidence of crimes, together with the
23 number of arrests, prosecutions, and incarcerations
24 for every country in which volunteers serve for the
25 preceding year.

1 (2) A three year trend analysis of the types and
2 frequency of crimes committed against volunteers for
3 every country in which the Peace Corps has operated
4 for at least the three preceding years.

5 (b) INSPECTOR GENERAL AUDIT.—Not later than
6 two years after the date of the enactment of this section
7 and at least once every five years thereafter (or more fre-
8 quently as appropriate), the Inspector General of the
9 Peace Corps shall perform an audit of Peace Corps imple-
10 mentation of safety and security protocols, including the
11 status of any Inspector General findings and recommenda-
12 tions from previous audits that have not been adequately
13 remediated or implemented.

14 (c) CONGRESSIONAL HEARINGS ON ANNUAL RE-
15 PORTS.—The Committee on Foreign Affairs of the House
16 of Representatives shall, not later than 60 days after re-
17 ceipt of the report referred to in subsection (a), hold a
18 hearing on the contents of the report.

19 **SEC. 6. PORTFOLIO REVIEWS.**

20 (a) IN GENERAL.—At least four times during the
21 first seven years after the date of the enactment of this
22 Act, the Director of the Peace Corps shall perform port-
23 folio reviews to evaluate the allocation and delivery of re-
24 sources across the countries the Peace Corps serves or is
25 considering for service. Such portfolio reviews shall, at a

1 minimum, include the following with respect to each such
2 country:

3 (1) An evaluation of the country's commitment
4 to the Peace Corps program.

5 (2) An analysis of the safety and security of
6 volunteers.

7 (3) An evaluation of the country's need for as-
8 sistance.

9 (4) An analysis of country program costs.

10 (5) An evaluation of the effectiveness of man-
11 agement of each post within a country.

12 (6) An evaluation of the country's congruence
13 with the Peace Corps' mission and strategic prior-
14 ities.

15 (b) REPORT.—The Director of the Peace Corps shall
16 prepare a report on each portfolio review required under
17 subsection (a). Each such report shall discuss performance
18 measures and sources of data used (such as project status
19 reports, volunteer surveys, impact studies, reports of In-
20 spector General of the Peace Corps, and any relevant ex-
21 ternal sources) in making such review's findings and con-
22 clusions. The Director shall make each such report avail-
23 able upon request to the Chairman and Ranking Member
24 of the Committee on Foreign Affairs of the House of Rep-
25 resentatives and the Committee on Foreign Relations of

1 the Senate in a manner consistent with the protection of
2 classified information if determined necessary to protect
3 sensitive information.

4 **SEC. 7 COST OFFSETS AND REPORTING REFORM.**

5 The following provisions of law are repealed:

- 6 (1) Section 807 of Public Law 98-164 .
- 7 (2) Section 560(g) of Public Law 103-87.
- 8 (3) Section 104 of Public Law 102-511.
- 9 (4) Section 704(e) of Public Law 101-179.



**AMENDMENT TO THE AMENDMENT IN THE
NATURE OF A SUBSTITUTE TO HR 2699
OFFERED BY MS. WILSON OF FLORIDA TO THE
AMENDMENT OFFERED BY MS. ROS-LEHTINEN**

In section 5(a)(1), insert before the period at the end the following: “, as well as any other country in which volunteers formerly served or may foreseeably return”.



112TH CONGRESS
1ST SESSION

H. R. 2337

To amend the Peace Corps Act to require sexual assault risk-reduction and response training, the development of sexual assault protocol and guidelines, the establishment of victims advocates, the establishment of a Sexual Assault Advisory Council, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JUNE 23, 2011

Mr. POE of Texas (for himself, Mr. BERMAN, Ms. ROS-LEHTINEN, Mr. COSTA, Mr. FARR, Ms. TSONGAS, Mr. ROHRBACHER, Mr. CONNOLLY of Virginia, Mr. FALBOMAVAEGA, Ms. BUERKLE, Ms. WILSON of Florida, Mr. DOGGETT, Mr. CAPUANO, and Ms. SPEIER) introduced the following bill; which was referred to the Committee on Foreign Affairs

A BILL

To amend the Peace Corps Act to require sexual assault risk-reduction and response training, the development of sexual assault protocol and guidelines, the establishment of victims advocates, the establishment of a Sexual Assault Advisory Council, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Kate Puzey Peace
5 Corps Volunteer Protection Act of 2011”.

1 **SEC. 2. PEACE CORPS VOLUNTEER PROTECTION.**

2 The Peace Corps Act is amended by inserting after
3 section 8 (22 U.S.C. 2507) the following new sections:

4 “SEXUAL ASSAULT RISK-REDUCTION AND RESPONSE
5 TRAINING

6 “SEC. 8A. (a) IN GENERAL.—As part of the training
7 provided to all volunteers under section 8(a), the Director
8 of the Peace Corps shall develop and implement com-
9 prehensive sexual assault risk-reduction and response
10 training that conforms to best practices in the sexual as-
11 sault field as appropriate for first responders and other
12 staff.

13 “(b) DEVELOPMENT AND CONSULTATION WITH EX-
14 PERTS.—In developing the sexual assault risk-reduction
15 and response training under subsection (a), the Director
16 of the Peace Corps shall consult with and incorporate, as
17 appropriate, the recommendations and views of experts in
18 the sexual assault field.

19 “(c) SUBSEQUENT TRAINING.—Once a trainee has
20 arrived in such trainee’s country of service, the Director
21 of the Peace Corps shall provide such trainee with training
22 tailored to such country, including cultural training relat-
23 ing to gender relations, risk-reduction strategies, a safety
24 plan in the event of an assault, treatment available in such
25 country (such as forensic rape exams, PEP for HIV expo-
26 sure, STD screening, and pregnancy testing), MedEvac

1 procedures, and information regarding the legal process
2 for pressing charges against an attacker.

3 “(d) HISTORICAL ANALYSIS.—The Director of the
4 Peace Corps shall provide each applicant for enrollment
5 with a historical analysis of crimes and risks against vol-
6 unteers in the country in which the applicant has been
7 invited to serve.

8 “(e) CONTACT INFORMATION.—The Director of the
9 Peace Corps shall provide each trainee, before each such
10 trainee enrolls as a volunteer, with—

11 “(1) the contact information of the Inspector
12 General of the Peace Corps for purposes of reporting
13 violations of the sexual assault protocol under sec-
14 tion 8B or any other criminal or administrative
15 wrongdoing by volunteers, personnel (including ex-
16 perts and consultants), or other individuals (includ-
17 ing contractors) who do business with the Peace
18 Corps; and

19 “(2) clear, written guidelines regarding whom
20 to contact, including the direct telephone number for
21 a victim advocate and what steps to take in the
22 event of a sexual assault.

23 “(f) DEFINITIONS.—In this section and sections 8B
24 through 8G:

25 “(1) ASSAULT.—

1 “(A) IN GENERAL.—The term ‘assault’
2 means an act that—

3 “(i) creates an apprehension in an in-
4 dividual of an imminent, harmful, or offen-
5 sive contact; or

6 “(ii) is a harmful or offensive touch-
7 ing.

8 “(B) INCLUSION.—The term ‘assault’ in-
9 cludes stalking and sexual assault.

10 “(2) SEXUAL ASSAULT.—The term ‘sexual as-
11 sault’ means any conduct described in chapter 109A
12 of title 18, United States Code, relating to aggra-
13 vated sexual abuse, sexual abuse, and sexual contact,
14 whether or not the conduct occurs in the special
15 maritime and territorial jurisdiction of the United
16 States, and includes both assaults committed by of-
17 fenders who are strangers to the victim and assaults
18 committed by offenders who are known or related by
19 blood or marriage to the victim.

20 “(3) STALKING.—The term ‘stalking’ means
21 engaging in a course of conduct directed at a spe-
22 cific person that would cause a reasonable person
23 to—

24 “(A) fear for his or her safety or the safety
25 of others; or

1 “(B) suffer substantial emotional distress.

2 “(4) INCLUSION OF TRAINEES.—The term ‘vol-
3 unteers’ includes trainees.

4 “SEXUAL ASSAULT PROTOCOL AND GUIDELINES

5 “SEC. 8B. (a) IN GENERAL.—The Director of the
6 Peace Corps shall develop and implement comprehensive
7 sexual assault protocol and guidelines that—

8 “(1) conform to best practices in the sexual assault
9 field; and

10 “(2) are applicable to all posts at which volunteers
11 serve.

12 “(b) DEVELOPMENT AND CONSULTATION WITH EX-
13 PERTS.—In developing the sexual assault policy under
14 subsection (a), the Director of the Peace Corps shall con-
15 sult with and incorporate, as appropriate, the rec-
16 ommendations and views of experts in the sexual assault
17 field.

18 “(c) ELEMENTS.—The sexual assault protocol and
19 guidelines developed under subsection (a) shall include, at
20 a minimum, the following services with respect to a volun-
21 teer who has been a victim of sexual assault:

22 “(1) Protection of such volunteer’s confidentiality.

23 “(2) Provision of a victim’s advocate to such volun-
24 teer.

25 “(3) Provision of a sexual assault forensic evidence
26 kit to such volunteer upon request.

1 “(4) Provision of emergency health care to such vol-
2 unteer, including, to the greatest extent practicable, a
3 choice of medical providers and a mechanism for such vol-
4 unteer to evaluate such provider.

5 “(5) Provision of counseling and psychiatric medica-
6 tion.

7 “(6) Completion of a safety and treatment plan with
8 such volunteer.

9 “(7) Evacuation of such volunteer, accompanied by
10 a Peace Corps staffer at the request of such volunteer.

11 “(8) An explanation to such volunteer of available law
12 enforcement, prosecutorial options, and legal representa-
13 tion.

14 “(d) DISTRIBUTION AND TRAINING.—The Director
15 of the Peace Corps shall distribute to and train all in-
16 country staff regarding the sexual assault protocol and
17 guidelines developed under subsection (a).

18 “(e) REMOVAL AND ASSESSMENT AND EVALUA-
19 TION.—

20 “(1) IN GENERAL.—If a volunteer feels at risk of im-
21 minent bodily harm and requests removal from the site
22 in which such volunteer is serving, the Director of the
23 Peace Corps shall, as expeditiously as practical after re-
24 ceiving such request, remove such volunteer from such
25 site. If the Director of the Peace Corps receives such a

1 request, the Director of the Peace Corps shall assess and
2 evaluate the safety of such site and may not assign an-
3 other volunteer to such site until such time as such assess-
4 ment and evaluation is complete and such site has been
5 determined to be safe.

6 “(2) DETERMINATION OF SITE AS UNSAFE.—Volun-
7 teers may remain at a site during an assessment and eval-
8 uation under paragraph (1). If the Director the Peace
9 Corps determines that a site is unsafe, the Director of the
10 Peace Corps shall, as expeditiously as practical, remove
11 all volunteers from such site.

12 “(f) SEXUAL ASSAULT RESPONSE TEAMS.—The Di-
13 rector of the Peace Corps shall establish sexual assault
14 response teams, including Safety and Security Officers,
15 medical staff, and a victim advocate, that can respond to
16 reports of sexual assault against a volunteer.

17 “(g) CASE REVIEW.—The Director of the Peace
18 Corps shall conduct case reviews of a statistically signifi-
19 cant number of cases on a quarterly basis to determine
20 if proper procedures were followed in accordance with the
21 sexual assault protocols and guidelines developed under
22 subsection (a) and including the elements specified in sub-
23 section (e).

24 “(h) TRACKING AND RECORDING.—The Director of
25 the Peace Corps shall establish a global tracking and re-

1 cording system to track and record incidents of assault
2 against volunteers.

3 “(i) PROHIBITION ON COMBINING INCIDENTS.—The
4 Director of the Peace Corps may not combine into one
5 incident for purposes of tracking and recording under sub-
6 section (h) reports by different volunteers of assault
7 against such volunteers even if such assaults were com-
8 mitted by one individual against such volunteers at any
9 one time.

10 “(j) ALTERNATIVE SYSTEMS.—The Director of the
11 Peace Corps shall establish an alternative reporting sys-
12 tem and hotline access system through which volunteers
13 who are victims of assault can report and receive support
14 on an anonymous basis. Such alternative systems shall be
15 published in the Volunteer Handbook.

16 “VICTIMS ADVOCATES

17 “SEC. 8C. (a) VICTIMS ADVOCATES.—

18 “(1) IN GENERAL.—The Director of the Peace Corps
19 shall assign a certified victims advocate in Peace Corps
20 headquarters who shall report directly to the Director. The
21 Director of the Peace Corps shall assign not fewer than
22 three additional certified victims advocates to assist such
23 victims advocate. Such additional victims advocates shall
24 have regional expertise and may be posted abroad if such
25 victims advocate determines that such is necessary.

1 “(2) PROHIBITION.—Peace Corps Medical Officers,
2 Safety and Security Officers, and program staff may not
3 serve as victims advocates. The victims advocate and addi-
4 tional victims advocates may not have any other duties
5 in the Peace Corps.

6 “(3) EXEMPTION.—The victims advocate and addi-
7 tional victims advocates shall be exempt from the five year
8 rule on appointments and assignments under section 7.

9 “(b) RESPONSIBILITIES.—The victims advocate and
10 additional victims advocates shall help develop and imple-
11 ment the sexual assault risk-reduction and response train-
12 ing described in section 8A and the sexual assault protocol
13 and guidelines described in section 8B and ensure such
14 training and such protocol and guidelines are being prop-
15 erly updated and followed. The victims advocate and addi-
16 tional victims advocates shall assist volunteers who are vic-
17 tims of assault by making such victims aware of the serv-
18 ices specified in section 8B(e) available to them and facili-
19 tating their access to such services.

20 “(c) STATUS UPDATES.—The victims advocate and
21 additional victims advocates shall provide to volunteers
22 who are victims of assault regular updates on the status
23 of their cases if such volunteers have opted to pursue pros-
24 ecutioin.

1 “(d) TRANSITION.—A victims advocate who is work-
2 ing with a volunteer who is a victim of assault and who
3 relocates back to the United States shall assist such volun-
4 teer to receive the services specified in section 8B(e) re-
5 quired by such volunteer, including through the duration
6 of the claim with the Department of Labor, even after
7 such volunteer is medically separated.

8 “ESTABLISHMENT OF SEXUAL ASSAULT ADVISORY
9 COUNCIL

10 “SEC. 8D. (a) ESTABLISHMENT.—There is estab-
11 lished in the Peace Corps a Sexual Assault Advisory Coun-
12 cil (in this section referred to as the ‘Council’).

13 “(b) MEMBERSHIP.—The Council shall be composed
14 of individuals selected by the Director of the Peace Corps
15 who are returned volunteers (including volunteers who
16 were victims of sexual assault and volunteers who were
17 not victims of sexual assault) and governmental and non-
18 governmental experts and professionals in the sexual as-
19 sault field.

20 “(c) FUNCTIONS; MEETINGS.—The Council shall
21 meet not less often than annually to review the sexual as-
22 sault risk-reduction and response training developed under
23 section 8A, sexual assault policy developed under section
24 8B, and the confidentiality policy developed under section
25 8F to ensure that such training and policies conform to
26 best practices in the sexual assault field.

1 “(d) REPORTS.—The Council shall annually submit
2 to the Director of the Peace Corps and the Committee
3 on Foreign Affairs and the Committee on Appropriations
4 of the House of Representatives and Committee on For-
5 eign Relations and the Committee on Appropriations of
6 the Senate a report on its findings based on the reviews
7 conducted pursuant to subsection (c).

8 “(e) FEDERAL EMPLOYEES.—Members of the Coun-
9 cil shall not be considered Federal employees for any pur-
10 pose and shall not receive compensation other than reim-
11 bursement of travel expenses and per diem allowance.

12 “(f) NONAPPLICABILITY OF FACA.—The Federal
13 Advisory Committee Act (5 U.S.C. App.) shall not apply
14 to the Council.

15 “VOLUNTEER FEEDBACK AND PEACE CORPS REVIEW

16 “SEC. 8E. (a) MONITORING AND EVALUATION.—Not
17 later than one year after the date of the enactment of this
18 section, the Director of the Peace Corps shall establish
19 goals, metrics, and monitoring and evaluation plans for
20 all Peace Corps programs and Country Directors. Moni-
21 toring and evaluation plans shall incorporate best prac-
22 tices from monitoring and evaluation studies and analyses.

23 “(b) ANNUAL VOLUNTEER SURVEYS.—The Director
24 of the Peace Corps shall annually conduct a confidential
25 survey of volunteers regarding the effectiveness of Peace
26 Corps programs and staff and the safety of volunteers.

1 “(c) PEACE CORPS INSPECTOR GENERAL.—The In-
2 spector General of the Peace Corps shall submit to the
3 Committee on Foreign Affairs and the Committee on Ap-
4 propriations of the House of Representatives and Com-
5 mittee on Foreign Relations and the Committee on Appro-
6 priations of the Senate the following:

7 “(1) A biennial report on reports received from
8 volunteers relating to misconduct, mismanagement,
9 or policy violations of Peace Corps staff, any
10 breaches of the confidentiality of volunteers, and any
11 actions taken to assure the safety of volunteers who
12 provide such reports.

13 “(2) A report, not later than two years after
14 the date of the enactment of this section and every
15 five years thereafter, evaluating the effectiveness and
16 implementation of the assault risk-reduction and re-
17 sponse training developed under section 8A and the
18 sexual assault protocol and guidelines developed
19 under section 8B.

20 “(3) A trend analysis every three years of the
21 annual volunteer surveys, including actions taken in
22 response to such surveys.

23 “(4) A report, not later than two years after
24 the date of the enactment of this section, describing
25 how Country Directors are hired, how Country Di-

1 “(e) NONDISCLOSURE.—

2 “(1) IN GENERAL.—Except as provided in para-
3 graphs (1) and (2), the Director of the Peace Corps
4 may not—

5 “(A) disclose any personally identifying in-
6 formation or personal information of a volun-
7 teer who is a victim of assault collected in con-
8 nection with services requested, utilized, or de-
9 nied through Peace Corps programs; or

10 “(B) reveal such information without the
11 informed, purpose-limited, and reasonably time-
12 limited consent of such volunteer about whom
13 such information is sought.

14 “(2) RELEASE.—If the release of information
15 described in paragraph (1) is authorized by statute
16 or compelled by court order, the Director of the
17 Peace Corps shall—

18 “(A) make reasonable attempts to provide
19 notice to the volunteer with respect to whom
20 such information is being released; and

21 “(B) take such action as is necessary to
22 protect the privacy and safety of such volunteer.

23 “(3) INFORMATION SHARING.—The Director of
24 the Peace Corps may share—

1 “(A) nonpersonally identifying information
2 in the aggregate regarding services to volun-
3 teers and nonpersonally identifying demo-
4 graphic information in order to comply with re-
5 porting, evaluation, or data collection require-
6 ments;

7 “(B) nonpersonally indentifying informa-
8 tion that would protect the safety of volunteers;

9 “(C) court-generated information and law-
10 enforcement generated information contained in
11 secure, governmental registries for protection
12 order enforcement purposes; and

13 “(D) law enforcement- and prosecution-
14 generated information necessary for law en-
15 forcement and prosecution purposes.

16 “(d) DEFINITION.—In this section, the terms ‘per-
17 sonally identifying information’ and ‘personal information’
18 mean information for or about a volunteer who is a victim
19 of assault, including information likely to disclose the loca-
20 tion of such victim, including the following:

21 “(1) A first and last name.

22 “(2) A home or other physical address.

23 “(3) Contact information (including a postal,
24 email, or Internet protocol address, or telephone or
25 facsimile number).

1 “(4) A social security number.

2 “(5) Any other information, including date of
3 birth, racial or ethnic background, or religious affili-
4 ation, that, in combination with paragraphs (1)
5 through (4), would serve to identify such victim.

6 “REPORTING REQUIREMENTS

7 “SEC. 8G. (a) IN GENERAL.—The Director of the
8 Peace Corps shall annually submit to the Committee on
9 Foreign Affairs and the Committee on Appropriations of
10 the House of Representatives and the Committee on For-
11 eign Relations and the Committee on Appropriations of
12 the Senate a report summarizing information on—

13 “(1) sexual assault against volunteers;

14 “(2) assault against volunteers; and

15 “(3) the annual rate of early termination of volun-
16 teers, including, to the maximum extent practicable, demo-
17 graphic data associated with such early termination.

18 “(b) GAO.—Not later than one year after the date
19 of the enactment of this section, the Comptroller General
20 of the United States shall submit to the Committee on
21 Foreign Affairs and the Committee on Appropriations of
22 the House of Representatives and the Committee on For-
23 eign Relations and the Committee on Appropriations of
24 the Senate a report evaluating the quality and accessibility
25 of health care provided through the Department of Labor

1 to returned volunteers upon their separation from the
2 Peace Corps.

3 “(c) ACCESS TO COMMUNICATIONS.—

4 “(1) IN GENERAL.—The Director of the Peace
5 Corps, in coordination with all Country Directors, shall
6 determine the level of access to communication, including
7 cellular and Internet access, of each volunteer.

8 “(2) REPORT.—Not later than six months after the
9 date of the enactment of this section, the Director of the
10 Peace Corps shall submit to the Committee on Foreign
11 Affairs and the Committee on Appropriations of the
12 House of Representatives and the Committee on Foreign
13 Relations and the Committee on Appropriations of the
14 Senate a report on the costs of providing all volunteers
15 with access to adequate communication, including cellular
16 service and Internet access.

17 “(d) REPORT ON MONITORING AND EVALUATION.—

18 Not later than one year after the date of the enactment
19 of this section and annually thereafter, the Director of the
20 Peace Corps shall submit to the Committee on Foreign
21 Affairs and the Committee on Appropriations of the
22 House of Representatives and the Committee on Foreign
23 Relations and the Committee on Appropriations of the
24 Senate a report on the monitoring and evaluation of Peace

1 Corps programs and Country Directors, including infor-
2 mation on the following:

3 “(1) A description of the monitoring and evaluation
4 activities conducted in the preceding year.

5 “(2) A forecast of the monitoring and evaluation ac-
6 tivities planned for the subsequent year.

7 “(3) A description of the ways in which the results
8 of the monitoring and evaluation activities have informed
9 the design and operation of development policies and pro-
10 grams during the preceding year.”.

11 **SEC. 3. CONFORMING AMENDMENTS.**

12 (a) **INCLUSION OF SEXUAL ASSAULT RISK-REDUC-**
13 **TION AND RESPONSE TRAINING.**—The Peace Corps Act
14 is amended—

15 (1) in section 5(a) (22 U.S.C. 2504(a)), in the
16 second sentence, by inserting “(including training
17 under section 8A)” after “training”; and

18 (2) in section 8(a) (22 U.S.C. 2507(a)), in the
19 first sentence, by inserting “, including training
20 under section 8A,” after “training”.

21 (b) **CERTAIN SERVICES.**—Section 5(e) of the Peace
22 Corps Act (22 U.S.C. 2504(e)) is amended, in the first
23 sentence—

1 (1) by inserting “(including, if necessary, for
2 such volunteers and for trainees, services under sec-
3 tion 8C)” after “health care”; and

4 (2) by inserting “including services provided in
5 accordance with section 8C (except that the six-
6 month limitation shall not apply in the case of such
7 services)” before “as the President”.

○

**AMENDMENT IN THE NATURE OF A SUBSTITUTE
TO H.R. 2337
OFFERED BY MR. POE OF TEXAS**

Strike all after the enacting clause and insert the following:

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Kate Puzey Peace
3 Corps Volunteer Protection Act of 2011”.

4 **SEC. 2. PEACE CORPS VOLUNTEER PROTECTION.**

5 The Peace Corps Act is amended by inserting after
6 section 8 (22 U.S.C. 2507) the following new sections:

7 “SEXUAL ASSAULT RISK-REDUCTION AND RESPONSE
8 TRAINING

9 “SEC. 8A. (a) IN GENERAL.—As part of the training
10 provided to all volunteers under section 8(a), the President
11 shall develop and implement comprehensive sexual assault
12 risk-reduction and response training that, to the extent
13 practicable, conforms to best practices in the sexual as-
14 sault field. It is the sense of Congress that such training
15 be credentialed by a national victim assistance body.

16 “(b) DEVELOPMENT AND CONSULTATION WITH EX-
17 PERTS.—In developing the sexual assault risk-reduction
18 and response training under subsection (a), the President

1 shall consult with and incorporate, as appropriate, the rec-
2 ommendations and views of experts in the sexual assault
3 field.

4 “(e) CONTENT OF TRAINING.—Once a trainee has ar-
5 rived in his or her country of service, the President shall
6 provide the trainee with training tailored to the country
7 of service that includes cultural training relating to gender
8 relations, risk-reduction strategies, a safety plan in the
9 event of an assault, treatment available in such country
10 (including sexual assault forensic exams, post-exposure
11 prophylaxis (PEP) for HIV exposure, screening for sexu-
12 ally transmitted diseases, and pregnancy testing),
13 MedEvac procedures, and information regarding a victim’s
14 right to pursue legal action against a perpetrator.

15 “(d) INFORMATION REGARDING CRIMES AND
16 RISKS.—Each applicant for enrollment as a volunteer
17 shall be provided with information regarding crimes and
18 risks, including sexual assault, to volunteers in the country
19 in which the applicant has been invited to serve, including
20 an overview of past crimes and risks against volunteers
21 in the country.

22 “(e) CONTACT INFORMATION.—The President shall
23 provide each applicant, before each applicant enrolls as a
24 volunteer, with—

1 “(1) the contact information of the Inspector
2 General of the Peace Corps for purposes of reporting
3 sexual assault mismanagement or any other mis-
4 management, misconduct, wrongdoing, or violations
5 of law or policy whenever it involves a Peace Corps
6 employee, volunteer, contractor, or outside party
7 that receives funds from the Peace Corps;

8 “(2) clear, written guidelines regarding whom
9 to contact, including the direct telephone number for
10 the designated Sexual Assault Response Liaison
11 (SARL) and the Office of Victims Advocacy and
12 what steps to take in the event of a sexual assault
13 or other crime; and

14 “(3) contact information for a 24-hour sexual
15 assault hotline to be established for the purpose of
16 providing volunteers a mechanism to anonymously—

17 “(A) report sexual assault;

18 “(B) receive counseling in the event of a
19 sexual assault; and

20 “(C) seek information about Peace Corps
21 sexual assault reporting and response proce-
22 dures.

23 “(f) DEFINITIONS.—In this section and sections 5(l)
24 and 8B through 8I:

1 “(1) CRIME.—The term ‘crime’ includes any ac-
2 tivity that is punishable under the criminal laws of
3 the Federal Government or of any State of the
4 United States, including the District of Columbia,
5 regardless of whether or not such activity is carried
6 out in a foreign country.

7 “(2) PERSONALLY IDENTIFYING INFORMA-
8 TION.—The term ‘personally identifying information’
9 means information for or about a volunteer who is
10 a victim of sexual assault, including information
11 likely to disclose the location of such victim, includ-
12 ing the following:

13 “(A) A first and last name.

14 “(B) A home or other physical address.

15 “(C) Contact information (including a
16 postal, email, or Internet protocol address, or
17 telephone or facsimile number).

18 “(D) A social security number.

19 “(E) Any other information, including date
20 of birth, racial or ethnic background, or reli-
21 gious affiliation, that, in combination with in-
22 formation described in subparagraphs (A)
23 through (D), would serve to identify the victim.

24 “(3) RESTRICTED REPORTING.—

1 “(A) IN GENERAL.—Except as provided in
2 subparagraph (B), the term ‘restricted report-
3 ing’ means a system of reporting that allows a
4 volunteer who is a victim of sexual assault to
5 confidentially disclose the details of his or her
6 assault to specified individuals and receive the
7 services specified in section 8B(c) without the
8 dissemination of his or her personally identi-
9 fying information except as necessary for the
10 provision of such services, and without auto-
11 matically triggering the official investigative
12 process.

13 “(B) EXCEPTIONS.—In cases in which vol-
14 unteers elect restricted reporting, disclosure of
15 covered communications is authorized to the
16 following persons or organizations when disclo-
17 sure would be for the following reasons:

18 “(i) Peace Corps staff or law enforce-
19 ment when authorized by the victim in
20 writing.

21 “(ii) Peace Corps staff or law enforce-
22 ment to prevent or lessen a serious and im-
23 minent threat to the health or safety of the
24 victim or another person.

1 “(iii) SARLs, Victims Advocates, or
2 healthcare providers when required for the
3 direct supervision of victim services.

4 “(iv) State and Federal courts when
5 ordered, or if disclosure is required by
6 Federal or State statute. In such cases, the
7 President shall—

8 “(I) make reasonable attempts to
9 provide notice to the volunteer with
10 respect to whom such information is
11 being released; and

12 “(II) take such action as is nec-
13 essary to protect the privacy and safe-
14 ty of the volunteer.

15 “(4) SEXUAL ASSAULT.—The term ‘sexual as-
16 sault’ means any conduct proscribed by chapter
17 109A of title 18, United States Code, whether or not
18 the conduct occurs in the special maritime and terri-
19 torial jurisdiction of the United States, and includes
20 both assaults committed by offenders who are
21 strangers to the victim and assaults committed by
22 offenders who are known or related by blood or mar-
23 riage to the victim.

24 “(5) STALKING.—The term ‘stalking’ means
25 engaging in a course of conduct directed at a spe-

1 cific person that would cause a reasonable person
2 to—

3 “(A) fear for his or her safety or the safety
4 of others; or

5 “(B) suffer substantial emotional distress.

6 “SEXUAL ASSAULT POLICY

7 “SEC. 8B. (a) IN GENERAL.—The President shall de-
8 velop and implement a comprehensive sexual assault policy
9 that—

10 “(1) includes a system for restricted and unre-
11 stricted reporting of sexual assault;

12 “(2) mandates, for each Peace Corps country
13 program, the designation of a Sexual Assault Re-
14 sponse Liaison (SARL), who shall receive com-
15 prehensive training on procedures to respond to re-
16 ports of sexual assault, with duties including ensur-
17 ing that volunteers who are victims of sexual assault
18 are moved to a safe environment and receive prompt
19 access to services specified in subsection (c);

20 “(3) require SARLs to immediately contact a
21 Victims Advocate upon receiving a report of sexual
22 assault in accordance with the restricted and unre-
23 stricted reporting guidelines;

24 “(4) to the extent practicable conforms to best
25 practices in the sexual assault field; and

1 “(5) is applicable to all posts at which volun-
2 teers serve.

3 “(b) DEVELOPMENT AND CONSULTATION WITH EX-
4 PERTS.—In developing the sexual assault policy under
5 subsection (a), the President shall consult with and incor-
6 porate, as appropriate, the recommendations and views of
7 experts in the sexual assault field, including experts with
8 international experience.

9 “(c) ELEMENTS.—The sexual assault policy devel-
10 oped under subsection (a) shall include, at a minimum,
11 the following services with respect to a volunteer who has
12 been a victim of sexual assault:

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

15 “(2) Provision of a SARL and Victim’s Advo-
16 cate to the volunteer.

17 “(3) At a volunteer’s discretion, provision of a
18 sexual assault forensic exam in accordance with ap-
19 plicable host country law.

20 “(4) At a volunteer’s discretion, provision of
21 emergency health care, including, to the greatest ex-
22 tent practicable, a choice of medical providers and a
23 mechanism for such volunteer to evaluate such pro-
24 vider.

1 “(5) At a volunteer’s discretion, provision of
2 counseling and psychiatric medication.

3 “(6) Completion of a safety and treatment plan
4 with such volunteer.

5 “(7) Evacuation of such volunteer for medical
6 treatment, accompanied by a Peace Corps staffer at
7 the request of such volunteer.

8 “(8) An explanation to such volunteer of avail-
9 able law enforcement and prosecutorial options, and
10 legal representation.

11 “(d) TRAINING.—The President shall train all staff
12 outside the United States regarding the sexual assault pol-
13 icy developed under subsection (a).

14 “OFFICE OF VICTIMS ADVOCACY

15 “SEC. 8C. (a) ESTABLISHMENT OF OFFICE OF VIC-
16 TIMS ADVOCACY.—

17 “(1) IN GENERAL.—The President shall estab-
18 lish an Office of Victims Advocacy in Peace Corps
19 headquarters headed by a full-time Victims Advocate
20 who shall report directly to the Director of the Peace
21 Corps. The Office of Victim Advocacy may deploy
22 personnel abroad when necessary to help assist vol-
23 unteers who are victims of sexual assault. It is the
24 sense of Congress that such full-time Victims Advo-
25 cate and any additional victims advocates are
26 credentialed by a national victims assistance body.

1 “(2) PROHIBITION.—Peace Corps Medical Offi-
2 cers, Safety and Security Officers, and program
3 staff may not serve as a Victims Advocate or as vic-
4 tims advocates. The Victims Advocate referred to in
5 paragraph (1) may not have any other duties in the
6 Peace Corps.

7 “(3) EXEMPTION.—The Victims Advocate and
8 any additional victims advocates shall be exempt
9 from the limitations specified in subparagraphs (A)
10 and (B) of paragraph (2) and paragraph (5) of sec-
11 tion 7(a).

12 “(b) RESPONSIBILITIES.—

13 “(1) VICTIMS OF SEXUAL ASSAULT.—The Of-
14 fice of Victims Advocacy shall help develop and up-
15 date the sexual assault risk-reduction and response
16 training described in section 8A and the sexual as-
17 sault policy described in section 8B, and ensure that
18 volunteers who are victims of sexual assault are
19 aware of the services specified in section 8B(c) and
20 facilitate their access to such services.

21 “(2) OTHER CRIMES.— In addition to assisting
22 victims of sexual assault in accordance with para-
23 graph (1), the Office of Victims Advocacy shall as-
24 sist volunteers who are victims of other crimes by
25 making such victims aware of the services specified

1 in section 8B(e) available to them and facilitating
2 their access to such services.

3 “(3) PRIORITY.—The Office of Victim Advocacy
4 shall give priority to cases involving sexual assault,
5 stalking, and other crimes of a similarly serious na-
6 ture.

7 “(e) STATUS UPDATES.—The Office of Victims Advo-
8 cacy shall provide to volunteers who are victims of sexual
9 assault regular updates on the status of their cases if such
10 volunteers have opted to pursue prosecution.

11 “(d) TRANSITION.—The Office of Victims Advocacy
12 shall assist volunteers who are victims of crime, including
13 sexual assault, and whose service has terminated to receive
14 the services specified in section 8B(e) requested by such
15 volunteer.

16 “(e) SENSE OF CONGRESS.—It is the sense of Con-
17 gress that the Office of Victims Advocacy should provide
18 an adequate number of victims advocates so that each vic-
19 tim of crime, including sexual assault receives critical in-
20 formation and support.

21 “ESTABLISHMENT OF SEXUAL ASSAULT ADVISORY
22 COUNCIL

23 “SEC. 8D. (a) ESTABLISHMENT.—There is estab-
24 lished in the Peace Corps a Sexual Assault Advisory Coun-
25 cil (in this section referred to as the ‘Council’).

1 “(b) MEMBERSHIP.—The Council shall be composed
2 of not fewer than eight individuals selected by the Presi-
3 dent who are returned volunteers (including volunteers
4 who were victims of sexual assault and volunteers who
5 were not victims of sexual assault) and governmental and
6 nongovernmental experts and professionals in the sexual
7 assault field. No Peace Corps employee may be a member
8 of the Council. The number of governmental experts ap-
9 pointed to the Council may not exceed the number of non-
10 governmental experts.

11 “(c) FUNCTIONS; MEETINGS.—The Council shall
12 meet not less often than annually to review the sexual as-
13 sault risk-reduction and response training developed under
14 section 8A, sexual assault policy developed under section
15 8B, and such other matters related to sexual assault the
16 Council views as appropriate, to ensure that such training
17 and policy conform to the extent feasible to best practices
18 in the sexual assault field.

19 “(d) REPORTS.—On an annual basis for five years
20 after the date of the enactment of this section and at the
21 discretion of the Council thereafter, the Council shall sub-
22 mit to the President and the Committee on Foreign Af-
23 fairs and the Committee on Appropriations of the House
24 of Representatives and Committee on Foreign Relations
25 and the Committee on Appropriations of the Senate a re-

1 port on its findings based on the reviews conducted pursu-
2 ant to subsection (c).

3 “(e) FEDERAL EMPLOYEES.—Members of the Coun-
4 cil shall not be considered employees of the United States
5 Government for any purpose and shall not receive com-
6 pensation other than reimbursement of travel expenses
7 and per diem allowance in accordance with section 5703
8 of title 5, United States Code.

9 “(f) NONAPPLICABILITY OF FACAs.—The Federal
10 Advisory Committee Act (5 U.S.C. App.) shall not apply
11 to the Council.

12 “VOLUNTEER FEEDBACK AND PEACE CORPS REVIEW

13 “SEC. 8E. (a) MONITORING AND EVALUATION.—Not
14 later than one year after the date of the enactment of this
15 section, the President shall establish goals, metrics, and
16 monitoring and evaluation plans for all Peace Corps pro-
17 grams. Monitoring and evaluation plans shall incorporate
18 best practices from monitoring and evaluation studies and
19 analyses.

20 “(b) PERFORMANCE PLANS AND ELEMENTS.—The
21 President shall establish performance plans with perform-
22 ance elements and standards for Peace Corps representa-
23 tives and shall review the performance of Peace Corps rep-
24 resentatives not less than annually to determine whether
25 such representatives have met such performance elements
26 and standards. Nothing in this subsection shall be con-

1 strued as limiting the discretion of the President to re-
2 move a Peace Corps representative.

3 “(c) ANNUAL VOLUNTEER SURVEYS.—The President
4 shall annually conduct a confidential survey of volunteers
5 regarding the effectiveness of Peace Corps programs and
6 staff and the safety of volunteers. The results shall be pro-
7 vided, in aggregate form without identifying information,
8 to the Committee on Foreign Relations and the Committee
9 on Appropriations of the Senate and the Committee on
10 Foreign Affairs and the Committee on Appropriations of
11 the House of Representatives. Results from the annual
12 volunteer surveys shall be considered in reviewing the per-
13 formance of Peace Corps representatives under subsection
14 (b).

15 “(d) PEACE CORPS INSPECTOR GENERAL.—The In-
16 spector General of the Peace Corps shall—

17 “(1) submit to the Committee on Foreign Af-
18 fairs and the Committee on Appropriations of the
19 House of Representatives and the Committee on
20 Foreign Relations and the Committee on Appropria-
21 tions of the Senate—

22 “(A) a biennial report on reports received
23 from volunteers relating to misconduct, mis-
24 management, or policy violations of Peace
25 Corps staff, any breaches of the confidentiality

1 of volunteers, and any actions taken to assure
2 the safety of volunteers who provide such re-
3 ports;

4 “(B) a report, not later than two years
5 after the date of the enactment of this section
6 and every five years thereafter, evaluating the
7 effectiveness and implementation of the sexual
8 assault risk-reduction and response training de-
9 veloped under section 8A and the sexual assault
10 policy developed under section 8B, including a
11 case review of a statistically significant number
12 of cases;

13 “(C) a report, not later than two years
14 after the date of the enactment of this section,
15 describing how Peace Corps representatives are
16 hired, how Peace Corps representatives are ter-
17 minated, and how Peace Corps representatives
18 hire staff, including an assessment of the imple-
19 mentation of the performance plans described
20 in subsection (b); and

21 “(2) when conducting audits or evaluations of
22 Peace Corps programs overseas, notify the Director
23 of the Peace Corps about the results of such evalua-
24 tions, including concerns the Inspector General has

1 noted, if any, about the performance of Peace Corps
2 representatives, for appropriate action.

3 “ESTABLISHMENT OF A POLICY ON STALKING

4 “SEC. 8F. (a) IN GENERAL.—The President shall de-
5 velop and implement a comprehensive policy on stalking
6 that—

7 “(1) requires an immediate, sustained, and
8 thorough response from the Peace Corps upon re-
9 ceipt of a report of stalking;

10 “(2) provides, during training, all Peace Corps
11 volunteers with a point of contact for the reporting
12 of stalking; and

13 “(3) protects, to the maximum extent prae-
14 ticable, the confidentiality of volunteers who report
15 stalking.

16 “(b) DEVELOPMENT AND CONSULTATION WITH EX-
17 PERTS.—In developing the stalking policy under sub-
18 section (a), the President shall consult with and incor-
19 porate, as appropriate, the recommendations and views of
20 individuals with expertise regarding the crime of stalking.

21 “(c) TRAINING.—The President shall provide for the
22 training of all in-country staff and volunteers regarding
23 the stalking policy developed under subsection (a).

1 “ESTABLISHMENT OF CONFIDENTIALITY PROTECTION
2 POLICY

3 “SEC. 8G. (a) IN GENERAL.—The President shall es-
4 tablish and maintain a process to allow volunteers to re-
5 port incidents of misconduct or mismanagement, or viola-
6 tions of any policy, of the Peace Corps in order to protect
7 the confidentiality and safety of such volunteers and of
8 the information reported, and to ensure that such infor-
9 mation is acted on appropriately. This process shall con-
10 form to existing best practices regarding confidentiality.
11 The President shall train all volunteers and staff about
12 this process.

13 “(b) GUIDANCE.—The President shall provide addi-
14 tional training to officers and employees of the Peace
15 Corps who have access to information reported by volun-
16 teers under subsection (a) in order to protect against the
17 inappropriate disclosures of such information and ensure
18 the safety of such volunteers.

19 “REMOVAL AND ASSESSMENT AND EVALUATION

20 “SEC. 8H. (a) IN GENERAL.—If a volunteer feels at
21 risk of imminent bodily harm and requests removal from
22 the site in which such volunteer is serving, the President
23 shall, as expeditiously as practical after receiving such re-
24 quest, remove such volunteer from such site. If the Presi-
25 dent receives such a request, the President shall assess
26 and evaluate the safety of such site and may not assign

1 another volunteer to such site until such time as such as-
2 sessment and evaluation is complete and such site has
3 been determined to be safe.

4 “(b) DETERMINATION OF SITE AS UNSAFE.—Volun-
5 teers may remain at a site during an assessment and eval-
6 uation under subsection (a). If the President determines
7 that a site is unsafe for any remaining volunteers at the
8 site, the President shall, as expeditiously as practical, re-
9 move all volunteers from such site.

10 “(c) TRACKING AND RECORDING.—The President
11 shall establish a global tracking and recording system to
12 track and record incidents of assault, including sexual as-
13 sault, against volunteers.

14 “REPORTING REQUIREMENTS

15 “SEC. 81.

16 “(a) IN GENERAL.—The President shall annually
17 submit to the Committee on Foreign Affairs and the Com-
18 mittee on Appropriations of the House of Representatives
19 and the Committee on Foreign Relations and the Com-
20 mittee on Appropriations of the Senate a report summa-
21 rizing information on—

22 “(1) sexual assault of volunteers;

23 “(2) other crimes against volunteers; and

24 “(3) the annual rate of early termination of vol-
25 unteers, including, to the maximum extent prac-

1 ticable, demographic data associated with such early
2 termination.

3 “(b) GAO.—Not later than one year after the date
4 of the enactment of this section, the Comptroller General
5 of the United States shall submit to the Committee on
6 Foreign Affairs and the Committee on Appropriations of
7 the House of Representatives and the Committee on For-
8 eign Relations and the Committee on Appropriations of
9 the Senate a report evaluating the quality and accessibility
10 of health care provided through the Department of Labor
11 to returned volunteers upon their separation from the
12 Peace Corps.

13 “(c) ACCESS TO COMMUNICATIONS.—

14 “(1) IN GENERAL.—The President, in coordina-
15 tion with all Country Directors, shall determine the
16 level of access to communication, including cellular
17 and Internet access, of each volunteer.

18 “(2) REPORT.—Not later than six months after
19 the date of the enactment of this section, the Presi-
20 dent shall submit to the Committee on Foreign Af-
21 fairs and the Committee on Appropriations of the
22 House of Representatives and the Committee on
23 Foreign Relations and the Committee on Appropria-
24 tions of the Senate a report on the costs of providing

1 all volunteers with access to adequate communica-
2 tion, including cellular service and Internet access.”.

3 **SEC. 3. RETENTION OF COUNSEL FOR CRIME VICTIMS.**

4 Section 5(l) of the Peace Corps Act (22 U.S.C.
5 2504(l)) is amended by inserting before the period at the
6 end the following: “, and counsel may be employed and
7 counsel fees, court costs, and other expenses may be paid
8 in the support of volunteers who are parties, complaining
9 witnesses, or otherwise participating in the prosecution of
10 crimes committed against such volunteers”.

11 **SEC. 4. PERSONAL SERVICE CONTRACTS.**

12 The Peace Corps Act is amended—

13 (1) in section 7(a)(3) (22 U.S.C. 2506(a)(3)),
14 by inserting “, or contracted with for personal serv-
15 ices under section 10(a)(5),” after “employed, ap-
16 pointed, or assigned under this subsection”; and

17 (2) in section 10(a)(5) (22 U.S.C. 2509(a)(5)),
18 by striking “any purpose” and inserting “the pur-
19 poses of any law administered by the Office of Per-
20 sonnel Management (except that the President may
21 determine the applicability to such individuals of the
22 provisions of the Foreign Service Act of 1980 (22
23 U.S.C. 3901 et seq.))”.

1 **SEC. 5. CONFORMING AMENDMENTS.**

2 (a) INCLUSION OF SEXUAL ASSAULT RISK-REDUC-
3 TION AND RESPONSE TRAINING.—The Peace Corps Act
4 is amended—

5 (1) in section 5(a) (22 U.S.C. 2504(a)), in the
6 second sentence, by inserting “(including training
7 under section 8A)” after “training”; and

8 (2) in section 8(a) (22 U.S.C. 2507(a)), in the
9 first sentence, by inserting “, including training
10 under section 8A,” after “training”.

11 (b) CERTAIN SERVICES.—Section 5(e) of the Peace
12 Corps Act (22 U.S.C. 2504(e)) is amended, in the first
13 sentence—

14 (1) by inserting “(including, if necessary, for
15 volunteers and trainees, services under section 8B)”
16 after “health care”; and

17 (2) by inserting “including services provided in
18 accordance with section 8B (except that the six-
19 month limitation shall not apply in the case of such
20 services),” before “as the President”.

21 **SEC. 6. FUNDING.**

22 To offset the costs to be incurred by the President
23 for the conduct of investigations and reports to carry out
24 the provisions of this Act and the amendments made by
25 this Act, the Director of the Peace Corps shall eliminate
26 such positions and programs within the Peace Corps, un-

1 less otherwise authorized or required by law, as the Direc-
2 tor determines to be necessary to fully offset such costs.

3 **SEC. 7. SUNSET.**

4 This Act and the amendments made by this Act shall
5 cease to be effective seven years from the enactment of
6 this Act.



**AMENDMENT TO THE AMENDMENT IN THE
NATURE OF A SUBSTITUTE TO HR 2337
OFFERED BY MR. POE OF TEXAS TO THE
AMENDMENT OFFERED BY MR. POE**

In the proposed section 8A(c) to be added to the Peace Corps Act, amend the subsection heading to read as follows: “SUBSEQUENT TRAINING”.

In the proposed section 8A(c) to be added to the Peace Corps Act, strike “trainee” and insert “volunteer”.

In the proposed section 8A(d) to be added to the Peace Corps Act, strike “and risks”.

In the proposed section 8A(e)(3)(B) to be added to the Peace Corps Act, insert “crisis” before “counseling”.

In the proposed section 8A(f)(3)(B) to be added to the Peace Corps Act, strike “covered communications” and insert “personally identifying information”.

In the proposed section 8A(f)(3)(B)(ii) to be added to the Peace Corps Act, strike “serious and imminent” and insert “serious or imminent”.

In the proposed section 8A(f)(3)(B)(iv) to be added to the Peace Corps Act, in the matter preceding sub-

clause (I), strike “ordered, or if disclosure is required” and insert “ordered, or other entity, when authorized or required”.

In the proposed section 8B(a)(2) to be added to the Peace Corps Act, strike “including ensuring that volunteers who are victims of sexual assault are moved to a safe environment and receive prompt access to services specified in subsection (e);” and insert “including accompanying the victim throughout the in-country response and serving as the continuous point of contact while in-country;”.

In the proposed section 8B(a)(3) to be added to the Peace Corps Act, insert before the semicolon at the end the following: “promulgated by the Peace Corps”.

In the proposed section 8B(c) to be added to the Peace Corps Act, amend paragraph (4) to read as follows:

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

In the proposed section 8B(c)(5) to be added to the Peace Corps Act, strike “At a volunteer’s discretion,” and insert “If necessary,”.

In the proposed section 8B(c)(7) to be added to the Peace Corps Act, add at the end the following: “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 volunteer to evaluate such provider.”.

In the proposed section 8C(a)(1) to be added to the Peace Corps Act, strike “Victims” each place it appears and insert “Victim”.

In the proposed section 8C(a)(1) to be added to the Peace Corps Act, strike “victims advocates” and insert “victim advocates”.

In the proposed section 8C(a)(2) to be added to the Peace Corps Act, strike “Victims” each place it appears and insert “Victim”.

In the proposed section 8C(a)(2) to be added to the Peace Corps Act, strike “victims” and insert “victim”.

In the proposed section 8C(a)(2) to be added to the Peace Corps Act, in the second sentence, insert before the period at the end the following: “that cannot be reasonably connected to victim advocacy”.

In the proposed section 8C(a)(3) to be added to the Peace Corps Act, strike “Victims” and insert “Victim”.

In the proposed section 8C(a)(3) to be added to the Peace Corps Act, strike “victim” and insert “victim”.

In the proposed section 8C(b)(1) to be added to the Peace Corps Act, strike “Victims” and insert “Victim”.

In the proposed section 8C(b)(2) to be added to the Peace Corps Act, strike “Victims” and insert “Victim”.

In the proposed section 8C(b)(2) to be added to the Peace Corps Act, strike “specified in section 8B(e)”.

In the proposed section 8C(b)(3) to be added to the Peace Corps Act, strike the text and insert the following: “The Office of Victim Advocacy shall give priority to cases involving serious crimes, including sexual assault and stalking”.

In the proposed section 8C(e) to be added to the Peace Corps Act, strike “Victims” and insert “Victim”.

In the proposed section 8C(d) to be added to the Peace Corps Act, strike “Victims” and insert “Victim”.

In the proposed section 8C(e) to be added to the Peace Corps Act, strike “Victims” and insert “Victim”.

In the proposed section 8D(a) to be added to the Peace Corps Act, strike “in the Peace Corps”.

In the proposed section 8D(c) to be added to the Peace Corps Act, strike “feasible” and insert “practicable”.

In the proposed section 8D(e) to be added to the Peace Corps Act, amend the subsection heading to read as follows: “EMPLOYEE STATUS”.

In the proposed section 8F(a)(1) to be added to the Peace Corps Act, strike “sustained” and insert “effective”.

In the proposed section 8G(a) to be added to the Peace Corps Act, strike “The President shall train all volunteers and staff about this process.”.

In the proposed section 8I(a)(3) to be added to the Peace Corps Act, strike “, to the maximum extent practicable,”.

In the proposed section 8I(c)(1) to be added to the Peace Corps Act, strike “, in coordination with all country directors,”.



**AMENDMENT TO THE AMENDMENT IN THE
NATURE OF A SUBSTITUTE TO HR 2337
OFFERED BY MS. WILSON OF FLORIDA TO THE
AMENDMENT OFFERED BY MR. POE**

In the proposed section 8D(b) to be added to the Peace Corps Act, insert “, not later than six months after the date of the enactment of this section,” after “President”.



**AMENDMENT TO THE AMENDMENT IN THE
NATURE OF A SUBSTITUTE TO HR 2337
OFFERED BY MS. WILSON OF FLORIDA TO THE
AMENDMENT OFFERED BY MR. POE**

In the proposed section 8I(c)(2) to be added to the Peace Corps Act, strike “costs” and insert “costs, feasibility, and benefits”.



**AMENDMENT TO THE AMENDMENT IN THE
NATURE OF A SUBSTITUTE TO HR 2337
OFFERED BY MS. WILSON OF FLORIDA TO THE
AMENDMENT OFFERED BY MR. POE**

In the proposed section 8B(a)(4) to be added to the Peace Corps Act, strike “and” at the end.

In the proposed section 8B(a)(5) to be added to the Peace Corps Act, strike the period at the end and insert “; and”.

In the proposed section 8B(a) to be added to the Peace Corps Act, add at the end the following:

- 1 (6) includes a guarantee that volunteers will not
- 2 suffer loss of living allowances for reporting a sexual
- 3 assault.



Chairman ROS-LEHTINEN. Now that we have completed formal consideration of these measures, I will recognize members for remarks. I have some remarks, but let me just turn first to the ranking member and Judge Poe and any others who seek recognition. My good friend from California, Mr. Berman, is recognized.

Mr. BERMAN. Well, thank you very much, Madam Chairman. Thank you for a number of things in terms of dealing with this legislation. I think this marks an important step toward improving the safety and security of volunteers that serve in the Peace Corps. We took up the issue of volunteer safety earlier this year after the broadcast of an extremely disturbing report on the ABC news program 20/20. The segment detailed the experiences of a number of young volunteers who were sexually assaulted while serving overseas, but didn't receive the care and support they needed from the Peace Corps. The show also examined the circumstances surrounding the death of Kate Puzey, a volunteer in the West African country of Benin who was murdered after reporting that a fellow teacher was sexually abusing some of his students.

In May, we held a very useful hearing on these issues under your leadership with witnesses that included return volunteers who were survivors of sexual assault, the Inspector General of the Peace Corps, and the Peace Corps Director.

The testimony we received from the survivors and the Inspector General provided very concrete suggestions on ways to improve the Peace Corps which we have done our best to incorporate into these bills. These include requiring the Peace Corps to have comprehensive policies and training for volunteers and staff on risk reduction and response; the establishment of a victim support office to focus exclusively on supporting victims of sexual assault and other crimes; and completing a Memorandum of Understanding between the Peace Corps and the State Department clarifying security-related responsibilities.

To his credit, the Peace Corps Director, Aaron Williams, detailed the steps the Agency has already taken to improve support for victims of sexual assault and other crimes. And what he told us was very encouraging. The Peace Corps has already hired a victims advocate, established a confidentiality policy, and started the process of rewriting and updating their sexual assault risk reduction and response policies and training. These bills codify some of the important measures that Director Williams has put in place to ensure they are retained by future directors.

At the hearing, I suggested that what we needed to do was some good old-fashioned oversight: Gathering facts, asking the tough questions, developing a responsible bipartisan approach to fix any problems we find. And that's what you've done with this work on the Peace Corps bills. We've gotten valuable input from the NGOs, advocacy groups, our partners in the Senate and the Peace Corps. The result is a comprehensive balanced bill that will make the Peace Corps a better organization for all of its volunteers and its partner countries.

Madam Chairman, this is a model for how the legislative process is supposed to work and I'd truly like to thank both you and Mr. Poe and your staffs for involving us with you in developing these important issues.

On its 50th anniversary, Peace Corps continues to perform a vital role in promoting community-based development in some of the world's poorest countries, sharing American values, enriching our own Nation by bringing knowledge of other countries and cultures back to the United States. No agency with such a modest budget has done more than the Peace Corps to extend America's presence in every part of the world. None has enjoyed such bipartisan support. These bills will strengthen the Peace Corps and help ensure the Agency can continue to do its important work well into the future. And I urge my colleagues to support these pieces of legislation.

Chairman ROS-LEHTINEN. Thank you so much, Mr. Berman. The Chair recognizes herself for her statement.

I'd like to thank the ranking member, Mr. Berman, for his support and his cooperation in a bipartisan manner on this timely issue. Versions of both of these bills were adopted by our committee as Title 10 of H.R. 2583, the Foreign Relations Authorization Act, and not a single one of the 84 amendments offered to the authorization bill altered the Peace Corps provisions. So it's important that Congress act now to put in place the protections contained in the two bills before us.

I'd like to thank Ms. Lois Puzey, the mother of Kate Puzey. I'd like to thank Dr. Karestan Koenen, Jessica Smocheck, and Carol Clark who were so brave in their testimony before our committee. They were deeply inspiring, and our committee is committed to making sure that their voices are heard loud and clear.

And now it's my pleasure to recognize the author of H.R. 2337, Judge Poe, for his remarks on these measures. And my complete statement—as well as everyone's complete statement, as I said in the beginning—will be inserted in the record.

Judge Poe is recognized.

Mr. POE. I want to thank the chairman for her great work on this legislation and the ranking member and the chairman for holding this mark up today.

I first became aware of this tragic mistreatment of some volunteers in the Peace Corps when I met with victims last Fall. They talked about how the Peace Corps, in some areas, had a culture of blaming the victim when a crime was committed against the victim. Let me be clear. When a victim or person is raped, they are the victim of the crime and it's never their fault. The crime is always the fault of the perpetrator, never the victim.

And, over the next few months after these first meetings, the media confirmed what victims had been telling me, that these were not just one or two isolated cases. The cases were representative of a problem that the Peace Corps was having. So, suddenly, I started hearing from Peace Corps volunteers previously and present who were mistreated by Peace Corps, those that had been with the Peace Corps and had left the Peace Corps, and those that were currently in the Peace Corps.

One thing I want to make perfectly clear. I'm a big supporter of the Peace Corps. It does a great service for this nation. It's one of the best things that we have ever invented, but we need to fix some of the problems that are in the Peace Corps.

After meeting with numerous victims, I met with the Peace Corps Director, Aaron Williams, in February. And I have a meeting with him again tomorrow. It appeared to me that he understood this issue and he was open to suggestions on how it could be solved and how Peace Corps victims could be protected overseas. He has taken some important steps toward reform. He's hired a Peace Corps first victim advocate in May to help support volunteers who were sexually assault or physically assaulted. But it's important for Congress to stand behind Director Williams and give him the power to change the culture in the Peace Corps beyond his tenure. That's what the Kate Puzey Peace Corps Volunteer Protection Act 2011 does.

It has four main parts. It requires number one, the Peace Corps to follow best practices in the area of sexual assault, in the sexual assault field. Two, it sets up an Office of Victim Advocacy to help victims receive services. Three, it puts an advisory council in place to review the Peace Corps' sexual assault policy and implementation. And four, it establishes new confidentiality requirements including a system of restricted and unrestricted reporting for victims.

My amendment to the bill has some minor changes that do not change the substance of the bill. For example, we clarify the guidelines of the restricted and unrestricted reporting system and they are to be drawn up by the Peace Corps. The bill has strong support of the former Peace Corps victims and as the chairman has testified or has mentioned, several of them have testified before this committee.

So, being supported by victims and survivors including the brave advocacy groups, First Response Action, also RAINN, supports this legislation. RAINN is the nation's largest anti-sexual violence organization. And the National Peace Corps Association supports this legislation.

We do have one of the victims who came and talked to me and others on this committee about her encounters in the Peace Corps with us today. Jess Smochek is in the audience and I want to thank her for being here and being supportive, and being, of course, at the Senate when the Senate was marking up this legislation. And I thank her, and all the other victims, who have testified and brought information to this committee.

I also want to thank the 15 of my colleagues on the committee that co-sponsored the bill, the chairman, the ranking member, Ms. Bass, Ms. Buerkle, Mr. Burton, Mr. Chabot, Mr. Connolly, Mr. Deutch, Mr. Faleomavaega, Mr. Payne, Mr. Rivera, Mr. Rohrabacher, Ms. Schmidt, Mr. Sires, and Ms. Wilson.

I'd also like to call the Peace Corps volunteers and thank them for what they do abroad. I have used the phrase that they are the American angels abroad. They actually are doing that. They are the best ambassadors we have for this nation. And they go off to remote corners of the world, far away from their families, and the conveniences of the United States and they go to help other people. And what a great service they do to protect the reputation of the United States and they are the best ambassadors we have for this country.

And so for many years, it appears to me, that in this area of supporting them when they are assaulted, we have failed them and now it's time for Congress to act and make sure that we right this wrong and protect our Peace Corps victims no matter where they are.

Thank you, Madam Chairman, I yield back.

Chairman ROS-LEHTINEN. Thank you for your leadership on this issue, Judge Poe.

Do other members seek recognition? Ms. Wilson is recognized.

Ms. WILSON OF FLORIDA. Thank you so much, Madam Chair, for this legislation and thank you, Judge Poe, and thank you, Ranking Member Berman. I sincerely appreciate your acceptance and support of the four amendments I submitted today.

I think it is of the utmost importance that we do everything in our power to ensure the safety of Peace Corps volunteers, particularly when we are discussing crimes as serious as sexual assault. An infringement on one's personhood is unforgivable and irreversible. An attack of that nature is accompanied by silent ghost victims. These victims will carry that with them for the rest of their lives. Unfortunately, many prospective volunteers do not fully realize the potential dangers that await them in their new service areas.

Let me say this, I love the Peace Corps. It is essential. It is effective. And it should be expanded. And as an example of all that is right with American foreign policy. Let me also say that the bills passed here today will go a long way toward ensuring the safety of our nation's youth who volunteer the best years of their lives. But we could go further.

I wish to offer another amendment today that I could not garner sufficient support for its passage, but that's okay. My amendment simply would have closed nations to the placement of Peace Corps members if they are repeatedly the largest perpetrators of sexual assault on our young men and women. Further, failing to prosecute reported assaults would lead to the barring of Peace Corps members as well. I'm not naive. I realize the message this would send to those nations affected. And that message needs to be sent. I refuse to stand by and do nothing. I refuse to watch as bad actors continue on in the very manner we are trying to address. But I promise it is an issue around which I will continue to fight.

Thank you for allowing me to make this statement. And thank you, to the committee, for all of the wonderful work you have done. Let us stay vigilant. Let us stay strong. And let us stay secure.

I yield back the balance of my time.

Chairman ROS-LEHTINEN. Thank you so much and I thank the gentlelady from Florida for her valuable contributions in her amendments to this bill. It has made it stronger, provided greater safeguards for our Peace Corps volunteers. Every one of her amendments improved the bill. And don't give up on us yet. We're still working on the other issues that remain unresolved.

Do any other members seek recognition to make a statement on the bill? Seeing no additional hands up nor hearing additional requests to speak, I would like to thank all of our members for their cooperation. Just so arriving members are clear, the committee had already adopted the bills and bipartisan amendments sent to your

offices earlier this week and concluded our formal consideration. So at this point I was just recognizing members who would like to make a statement, but feel free to put in your statement as part of the record. And thank all of you for your cooperation and with that, the committee stands adjourned. Thank you.

[Whereupon, at 10:20 a.m., the committee was adjourned.]

A P P E N D I X



MATERIAL SUBMITTED FOR THE HEARING RECORD

**FULL COMMITTEE MARKUP NOTICE
COMMITTEE ON FOREIGN AFFAIRS**

U.S. HOUSE OF REPRESENTATIVES
WASHINGTON, D.C. 20515-0128

Heana Ros-Lehtinen (R-FL), Chairman

September 14, 2011

You are respectfully requested to attend an OPEN meeting of the Committee on Foreign Affairs, to be held in **Room 2172 of the Rayburn House Office Building (and available live, via the WEBCAST link on the Committee website at <http://www.hfca.house.gov>)**:

DATE: Wednesday, September 21, 2011

TIME: 10:00 a.m.

MARKUP OF: H.R. 2699, To establish policies and procedures in the Peace Corps to provide for the safety and security of volunteers from rape and sexual assault, and for other purposes; and

H.R. 2337, To amend the Peace Corps Act to require sexual assault risk-reduction and response training, the development of sexual assault protocol and guidelines, the establishment of victims advocates, the establishment of a Sexual Assault Advisory Council, and for other purposes.

By Direction of the Chairman

The Committee on Foreign Affairs seeks to make its facilities accessible to persons with disabilities. If you are in need of special accommodations, please call 202/225-5021 at least four business days in advance of the event, whenever practicable. Questions with regard to special accommodations in general (including availability of Committee materials in alternative formats and assistive listening devices) may be directed to the Committee.



COMMITTEE ON FOREIGN AFFAIRS
MINUTES OF FULL COMMITTEE MARKUP

Day Wednesday Date 9/21/11 Room 2172 RHOB

Starting Time 10:04 A.M. Ending Time 10:20 A.M.

Recesses (___ to ___) (___ to ___) (___ to ___) (___ to ___) (___ to ___) (___ to ___)

Presiding Member(s)

Rep. Illeana Ros-Lehtinen

Check all of the following that apply:

Open Session

Electronically Recorded (taped)

Executive (closed) Session

Stenographic Record

Televised

BILLS FOR MARKUP: *(Include bill number(s) and title(s) of legislation.)*

H.R. 2699, To establish policies and procedures in the Peace Corps to provide for the safety and security of volunteers from rape and sexual assault and for other purposes

H.R. 2337, To amend the Peace Corps act to require sexual assault risk-reduction and response training, the development of sexual assault protocol and guidelines, the establishment of victims advocates, the establishment of a sexual assault advisory council, and for other purposes

COMMITTEE MEMBERS PRESENT:

Attendance attached

NON-COMMITTEE MEMBERS PRESENT:

STATEMENTS FOR THE RECORD: *(List any statements submitted for the record.)*

Rep. Connolly

ACTIONS TAKEN DURING THE MARKUP: *(Attach copies of legislation and amendments.)*

H.R. 2337 - Rep. Wilson 30, 33, and 34.

H.R. 2699 - Rep. Ros-Lehtinen 87.

H.R. 2337 - Rep. Poe 178 and 179.

H.R. 2699 - Rep. Wilson 35.

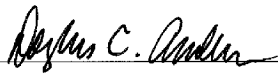
RECORDED VOTES TAKEN (FOR MARKUP): *(Attach final vote tally sheet listing each member.)*

| <u>Subject</u> | <u>Yeas</u> | <u>Nays</u> | <u>Present</u> | <u>Not Voting</u> |
|----------------|-------------|-------------|----------------|-------------------|
|----------------|-------------|-------------|----------------|-------------------|

TIME SCHEDULED TO RECONVENE _____

or

TIME ADJOURNED 10:20 A.M.


Doug Anderson, General Counsel

Hearing/Briefing Title: Mark-up H.R. 2699 & H.R. 2337Date: 9/21/11

| Present | Member |
|---------|-------------------------|
| X | Ileana Ros-Lehtinen, FL |
| X | Christopher Smith, NJ |
| | Dan Burton, IN |
| | Elton Gallegly, CA |
| X | Dana Rohrabacher, CA |
| | Donald Manzullo, IL |
| | Edward R. Royce, CA |
| X | Steve Chabot, OH |
| | Ron Paul, TX |
| | Mike Pence, IN |
| X | Joe Wilson, SC |
| | Connie Mack, FL |
| | Jeff Fortenberry, NE |
| | Michael McCaul, TX |
| X | Ted Poe, TX |
| | Gus M. Bilirakis, FL |
| X | Jean Schmidt, OH |
| X | Bill Johnson, OH |
| X | David Rivera, FL |
| | Mike Kelly, PA |
| | Tim Griffin, AK |
| | Tom Marino, PA |
| X | Jeff Duncan, SC |
| | Ann Marie Buerkle, NY |
| | Renee Ellmers, NC |
| | Robert Turner, NY |

| Present | Member |
|---------|---------------------------|
| X | Howard L. Berman, CA |
| | Gary L. Ackerman, NY |
| | Eni F.H. Faleomavaega, AS |
| | Donald M. Payne, NJ |
| X | Brad Sherman, CA |
| | Eliot Engel, NY |
| | Gregory Meeks, NY |
| | Russ Carnahan, MO |
| | Albio Sires, NJ |
| | Gerry Connolly, VA |
| | Ted Deutch, FL |
| | Dennis Cardoza, CA |
| X | Ben Chandler, KY |
| | Brian Higgins, NY |
| | Allyson Schwartz, PA |
| | Chris Murphy, CT |
| X | Frederica Wilson, FL |
| X | Karen Bass, CA |
| | William Keating, MA |
| X | David Cicilline, RI |

The Honorable Gerald E. Connolly (VA-11)

**HCFA Markup
Wednesday, September 21st 2011
10am**

Earlier this year, this Committee received harrowing testimony from women who had direct experience with the Peace Corps and its sexual assault policy. I commend Ms. Smochek, Ms. Clark, Dr. Koenen, and Ms. Puzey (mother of Kate Puzey) for testifying before the Committee and contributing to the process that allowed these two bills, H.R. 2699 and H.R. 2337, to come to fruition. I also wanted to acknowledge in the audience two of my constituents, Bo and Peggy Tumas, whose daughter Julie is currently serving as a Peace Corps volunteer in Macedonia.

All of us would argue that an organization that attracts such positive, talented, compassionate people must redouble its efforts to reduce risk and provide compassionate care and service to victims and their families. We know that given the far-flung and challenging nature of the Peace Corps mission, we can reduce but not eliminate all risk for volunteers.

The bills before us today aim to codify safety procedures so we can minimize risk to the Peace Corps most valuable asset—its volunteers. H.R. 2699, the Peace Corps Volunteer Service Improvement Act, requires the Peace Corps to establish and maintain policies and procedures for volunteers to make confidential reports of rape or sexual assault and provides for disciplinary action, including termination, for breach of confidentiality. The bill eliminates outdated and duplicative reporting requirements and requires the Peace Corps to submit annual reports to Congress on the safety and security of Peace Corps volunteers. Lastly, among other things, the bill exempts the Inspector General (IG) of the Peace Corps and officers and employees from the Office of the Inspector General from the five year employment limitation rule, ensuring that institutional knowledge and experience can contribute to the IG's work.

The second bill, H.R. 2337, is the Kate Puzey Peace Corps Volunteer Protection Act. I am a cosponsor of this bill and commend my colleague, Rep. Poe of Texas, for working with several stakeholders when drafting the bill. The bill codifies mechanisms to support victims of sexual assault and other crimes.

The text of (the Amendments in the Nature of a Substitute for) both bills reflect bipartisan, bicameral agreement. I look forward to supporting both of these bills to ensure that the Peace Corps protect its invaluable volunteers. Thank you, Madam Chairman.

