

(ii) take such action as is necessary to protect the privacy and safety of the volunteer.

(3) Sexual assault

The term “sexual assault” means any conduct prescribed by chapter 109A of title 18, whether or not the conduct occurs in the special maritime and territorial jurisdiction of the United States, and includes both assaults committed by offenders who are strangers to the victim and assaults committed by offenders who are known or related by blood or marriage to the victim.

(4) Stalking

The term “stalking” means engaging in a course of conduct directed at a specific person that would cause a reasonable person to—

- (A) fear for his or her safety or the safety of others; or
- (B) suffer substantial emotional distress.

(Pub. L. 87-293, title I, §8A, as added Pub. L. 112-57, §2, Nov. 21, 2011, 125 Stat. 736.)

OFFSET OF COSTS AND PERSONNEL

Pub. L. 112-57, §9, Nov. 21, 2011, 125 Stat. 745, provided that: “Notwithstanding any other provision of law, the Direct [probably should be “Director”] of the Peace Corps shall—

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

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

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

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

§ 2507b. Sexual assault policy

(a) In general

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

- (1) includes a system for restricted and unrestricted reporting of sexual assault;
- (2) mandates, for each Peace Corps country program, the designation of a Sexual Assault Response Liaison (SARL), who shall receive comprehensive training on procedures to respond to reports of sexual assault, with duties including ensuring that volunteers who are victims of sexual assault are moved to a safe environment and accompanying victims through the in-country response at the request of the victim;
- (3) requires SARLs to immediately contact a Victim Advocate upon receiving a report of

sexual assault in accordance with the restricted and unrestricted reporting guidelines promulgated by the Peace Corps;

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

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

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

(b) Development and consultation with experts

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

(c) Elements

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

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

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

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

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

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

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

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

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

(d) Training

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

(Pub. L. 87-293, title I, §8B, as added Pub. L. 112-57, §2, Nov. 21, 2011, 125 Stat. 738.)

§ 2507c. Office of Victim Advocacy

(a) Establishment of Office of Victims¹ Advocacy

(1) In general

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

(2) Prohibition

Peace Corps Medical Officers, Safety and Security Officers, and program staff may not

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

serve as victim advocates. The victim advocate referred to in paragraph (1) may not have any other duties in the Peace Corps that are not reasonably connected to victim advocacy.

(3) Exemption

The victim advocate and any additional victim advocates shall be exempt from the limitations specified in subparagraphs (A) and (B) of paragraph (2) and paragraph (5) under section 2506(a) of this title.

(b) Responsibilities

(1) Victims of sexual assault

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

(2) Other crimes

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

(3) Priority

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

(c) Status updates

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

(d) Transition

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

(e) Sunset

This section shall cease to be effective on October 1, 2018.

(Pub. L. 87-293, title I, §8C, as added Pub. L. 112-57, §2, Nov. 21, 2011, 125 Stat. 739.)

§ 2507d. Establishment of Sexual Assault Advisory Council

(a) Establishment

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

(b) Membership

The Council shall be composed of not less than 8 individuals selected by the President, not later than 180 days after November 21, 2011, who are returned volunteers (including volunteers who were victims of sexual assault and volunteers who were not victims of sexual assault) and governmental and nongovernmental experts and professionals in the sexual assault field. No

Peace Corps employee shall be a member of the Council. The number of governmental experts appointed to the Council shall not exceed the number of nongovernmental experts.

(c) Functions; meetings

The Council shall meet not less often than annually to review the sexual assault risk-reduction and response training developed under section 2507a of this title, the sexual assault policy developed under section 2507b of this title, and such other matters related to sexual assault the Council views as appropriate, to ensure that such training and policy conform to the extent practicable to best practices in the sexual assault field.

(d) Reports

On an annual basis for 5 years after November 21, 2011, and at the discretion of the Council thereafter, the Council shall submit to the President and the Committee on Foreign Relations and the Committee on Appropriations of the Senate and the Committee on Foreign Affairs and the Committee on Appropriations of the House of Representatives a report on its findings based on the reviews conducted pursuant to subsection (c).

(e) Employee status

Members of the Council shall not be considered employees of the United States Government for any purpose and shall not receive compensation other than reimbursement of travel expenses and per diem allowance in accordance with section 5703 of title 5.

(f) Nonapplicability of FACA

The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the Council.

(g) Sunset

This section shall cease to be effective on October 1, 2018.

(Pub. L. 87-293, title I, §8D, as added Pub. L. 112-57, §2, Nov. 21, 2011, 125 Stat. 740.)

REFERENCES IN TEXT

The Federal Advisory Committee Act, referred to in subsec. (f), is Pub. L. 92-463, Oct. 6, 1972, 86 Stat. 770, which is set out in the Appendix to Title 5, Government Organization and Employees.

§ 2507e. Volunteer feedback and Peace Corps review

(a) Monitoring and evaluation

Not later than 1 year after November 21, 2011, the President shall establish goals, metrics, and monitoring and evaluation plans for all Peace Corps programs. Monitoring and evaluation plans shall incorporate best practices from monitoring and evaluation studies and analyses.

(b) Performance plans and elements

The President shall establish performance plans with performance elements and standards for Peace Corps representatives and shall review the performance of Peace Corps representatives not less than annually to determine whether they have met these performance elements and standards. Nothing in this subsection shall be construed as limiting the discretion of the