

DELEGATION OF FUNCTIONS

Functions of President under this section delegated to Director of Peace Corps by section 1-103 of Ex. Ord. No. 12137, May 16, 1979, 44 F.R. 29023, eff. May 16, 1979, set out as a note under section 2501 of this title.

§ 2507a. Sexual assault risk-reduction and response training

(a) In general

As part of the training provided to all volunteers under section 2507(a) of this title, the President shall develop and implement comprehensive sexual assault risk-reduction and response training that, to the extent practicable, conforms to best practices in the sexual assault field.

(b) Development and consultation with experts

In developing the sexual assault risk-reduction and response training under subsection (a), the President shall consult with and incorporate, as appropriate, the recommendations and views of experts in the sexual assault field.

(c) Subsequent training

Once a volunteer has arrived in his or her country of service, the President shall provide the volunteer with training tailored to the country of service that includes cultural training relating to gender relations, risk-reduction strategies, treatment available in such country (including sexual assault forensic exams, post-exposure prophylaxis (PEP) for HIV exposure, screening for sexually transmitted diseases, and pregnancy testing), MedEvac procedures, and information regarding a victim's right to pursue legal action against a perpetrator.

(d) Information regarding crimes and risks

Each applicant for enrollment as a volunteer shall be provided with information regarding crimes against and risks to volunteers in the country in which the applicant has been invited to serve, including an overview of past crimes against volunteers in the country.

(e) Contact information

The President shall provide each applicant, before the applicant enrolls as a volunteer, with—

- (1) the contact information of the Inspector General of the Peace Corps for purposes of reporting sexual assault mismanagement or any other mismanagement, misconduct, wrongdoing, or violations of law or policy whenever it involves a Peace Corps employee, volunteer, contractor, or outside party that receives funds from the Peace Corps;
- (2) clear, written guidelines regarding whom to contact, including the direct telephone number for the designated Sexual Assault Response Liaison (SARL) and the Office of Victim Advocacy and what steps to take in the event of a sexual assault or other crime; and
- (3) contact information for a 24-hour sexual assault hotline to be established for the purpose of providing volunteers a mechanism to anonymously—
 - (A) report sexual assault;
 - (B) receive crisis counseling in the event of a sexual assault; and
 - (C) seek information about Peace Corps sexual assault reporting and response procedures.

(f) Definitions

In this section and sections 2507b through 2507g of this title:

(1) Personally identifying information

The term “personally identifying information” means individually identifying information for or about a volunteer who is a victim of sexual assault, including information likely to disclose the location of such victim, including the following:

- (A) A first and last name.
- (B) A home or other physical address.
- (C) Contact information (including a postal, email, or Internet protocol address, or telephone or facsimile number).
- (D) A social security number.
- (E) Any other information, including date of birth, racial or ethnic background, or religious affiliation, that, in combination with information described in subparagraphs (A) through (D), would serve to identify the victim.

(2) Restricted reporting

(A) In general

The term “restricted reporting” means a system of reporting that allows a volunteer who is sexually assaulted to confidentially disclose the details of his or her assault to specified individuals and receive the services outlined in section 2507b(c) of this title without the dissemination of his or her personally identifying information except as necessary for the provision of such services, and without automatically triggering an official investigative process.

(B) Exceptions

In cases in which volunteers elect restricted reporting, disclosure of their personally identifying information is authorized to the following persons or organizations when disclosure would be for the following reasons:

- (i) Peace Corps staff or law enforcement when authorized by the victim in writing.
- (ii) Peace Corps staff or law enforcement to prevent or lessen a serious or imminent threat to the health or safety of the victim or another person.
- (iii) SARLs, victim advocates or health-care providers when required for the provision of victim services.
- (iv) State and Federal courts when ordered, or if disclosure is required by Federal or State statute.

(C) Notice of disclosure and privacy protection

In cases in which information is disclosed pursuant to subparagraph (B), the President shall—

- (i) make reasonable attempts to provide notice to the volunteer with respect to whom such information is being released; and
- (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 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 limi-

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