

S 1280

Kate Puzey Peace Corps Volunteer Protection Act of 2011

Congress: 112 (2011–2013, Ended)

Chamber: Senate

Policy Area: International Affairs

Introduced: Jun 27, 2011

Current Status: Became Public Law No: 112-57.

Latest Action: Became Public Law No: 112-57. (Nov 21, 2011)

Law: 112-57 (Enacted Nov 21, 2011)

Official Text: <https://www.congress.gov/bill/112th-congress/senate-bill/1280>

Sponsor

Name: Sen. Isakson, Johnny [R-GA]

Party: Republican • **State:** GA • **Chamber:** Senate

Cosponsors (30 total)

Cosponsor	Party / State	Role	Date Joined
Sen. Boxer, Barbara [D-CA]	D · CA		Jun 27, 2011
Sen. Chambliss, Saxby [R-GA]	R · GA		Jun 27, 2011
Sen. Durbin, Richard J. [D-IL]	D · IL		Jun 27, 2011
Sen. Coons, Christopher A. [D-DE]	D · DE		Jun 29, 2011
Sen. Franken, Al [D-MN]	D · MN		Jun 29, 2011
Sen. Brown, Scott P. [R-MA]	R · MA		Jul 7, 2011
Sen. Feinstein, Dianne [D-CA]	D · CA		Jul 7, 2011
Sen. Mikulski, Barbara A. [D-MD]	D · MD		Jul 7, 2011
Sen. Barrasso, John [R-WY]	R · WY		Jul 11, 2011
Sen. Blumenthal, Richard [D-CT]	D · CT		Jul 13, 2011
Sen. Klobuchar, Amy [D-MN]	D · MN		Jul 13, 2011
Sen. Nelson, Ben [D-NE]	D · NE		Jul 13, 2011
Sen. Cardin, Benjamin L. [D-MD]	D · MD		Jul 14, 2011
Sen. Rubio, Marco [R-FL]	R · FL		Jul 14, 2011
Sen. Menendez, Robert [D-NJ]	D · NJ		Jul 21, 2011
Sen. Udall, Mark [D-CO]	D · CO		Jul 21, 2011
Sen. Whitehouse, Sheldon [D-RI]	D · RI		Jul 21, 2011
Sen. Brown, Sherrod [D-OH]	D · OH		Jul 26, 2011
Sen. Casey, Robert P., Jr. [D-PA]	D · PA		Jul 26, 2011
Sen. Gillibrand, Kirsten E. [D-NY]	D · NY		Jul 26, 2011
Sen. McCaskill, Claire [D-MO]	D · MO		Jul 26, 2011
Sen. Merkley, Jeff [D-OR]	D · OR		Jul 26, 2011
Sen. Burr, Richard [R-NC]	R · NC		Aug 1, 2011
Sen. Kirk, Mark Steven [R-IL]	R · IL		Aug 1, 2011
Sen. Lautenberg, Frank R. [D-NJ]	D · NJ		Aug 2, 2011
Sen. Wyden, Ron [D-OR]	D · OR		Sep 6, 2011
Sen. Bennet, Michael F. [D-CO]	D · CO		Sep 15, 2011
Sen. Akaka, Daniel K. [D-HI]	D · HI		Sep 22, 2011
Sen. Landrieu, Mary L. [D-LA]	D · LA		Sep 22, 2011
Sen. Schumer, Charles E. [D-NY]	D · NY		Sep 23, 2011

Committee Activity

Committee	Chamber	Activity	Date
Foreign Affairs Committee	House	Referred To	Sep 29, 2011
Foreign Relations Committee	Senate	Reported By	Sep 21, 2011

Subjects & Policy Tags

Policy Area:

International Affairs

Related Bills

Bill	Relationship	Last Action
112 SCONRES 31	Related bill	Nov 1, 2011: Motion to reconsider laid on the table Agreed to without objection.
112 HR 2337	Related bill	Sep 21, 2011: Ordered to be Reported by Unanimous Consent.
112 HR 2699	Related bill	Sep 21, 2011: Ordered to be Reported by Unanimous Consent.

Kate Puzey Peace Corps Volunteer Protection Act of 2011 - (Sec. 2) Amends the Peace Corps Act to require the President: (1) as part of the training provided to all Peace Corps volunteers, to develop and implement comprehensive sexual assault risk-reduction and response training that conforms to best practices in the sexual assault field; and (2) once a volunteer has arrived in his or her country of service, to 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, MedEvac procedures, and information regarding a victim's right to pursue legal action against a perpetrator.

Requires each applicant for enrollment as a volunteer to be provided with information regarding crimes against and risks to volunteers in the country in which the applicant has been invited to serve. Requires the President to provide each applicant, before the applicant enrolls as a volunteer, with: (1) contact information of the Peace Corps' Inspector General for purposes of reporting sexual assault mismanagement or any other mismanagement, misconduct, wrongdoing, or violations of law or policy involving a Peace Corps employee, volunteer, contractor, or outside party that receives funds from the Peace Corps; (2) guidelines regarding whom to contact; and (3) contact information for a 24-hour sexual assault hotline to be established for the purpose of providing volunteers a mechanism to anonymously report sexual assault, receive crisis counseling, and seek information about sexual assault reporting and response procedures.

Requires the President to 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, ensure that volunteers who are victims of sexual assault are moved to a safe environment, and accompany victims through the in-country response at the victim's request; (3) requires SARLs to immediately contact a victim advocate upon receiving a report of sexual assault; (4) conforms to best practices in the sexual assault field; (5) applies to all posts at which volunteers serve; and (6) guarantees that volunteers will not suffer loss of living allowances for reporting a sexual assault.

Requires the sexual assault policy to include, with respect to a volunteer who has been a victim of sexual assault: (1) provision of a sexual assault forensic exam, emergency health care, counseling and psychiatric medication, and a safety and treatment plan; (2) evacuation for medical treatment, accompanied by a Peace Corps staffer upon request; (3) when evacuated to the United States, a choice of medical providers; and (4) an explanation of available law enforcement and prosecutorial options and legal representation.

Directs the President to train all staff outside the United States regarding the sexual assault policy developed.

Directs the President to establish an Office of Victim Advocacy in Peace Corps headquarters, headed by a full-time victim advocate. Allows the Office to deploy personnel abroad when necessary to assist victims. Prohibits: (1) Peace Corps Medical Officers, Safety and Security Officers, and program staff from serving as victim advocates; and (2) victim advocates from having any other duties in the Peace Corps that are not reasonably connected to victim advocacy.

Requires the Office of Victim Advocacy to: (1) help develop and update the sexual assault risk-reduction and response training and the sexual assault policy and ensure that volunteers who are victims of sexual assault receive services described in that policy; (2) inform volunteers who are victims of crime of the services available and facilitate their access to such services; (3) give priority to cases involving serious crimes, including sexual assault and stalking; and (4) provide such victims regular updates on the status of their cases if they have opted to pursue prosecution.

Establishes a Sexual Assault Advisory Council. Requires the Council to review and report annually on whether the sexual assault risk-reduction and response training and the sexual assault policy conform to best practices in the sexual assault field.

Directs the President to: (1) establish goals, metrics, and monitoring and evaluation plans for all Peace Corps programs; (2) establish performance plans for Peace Corps representatives and review performance of representatives annually to determine compliance; and (3) conduct a confidential survey, annually through September 30, 2018, of volunteers regarding the effectiveness of Peace Corps programs and staff and the safety of volunteers.

Directs the Peace Corps' Inspector General to report at specified intervals on: (1) reports received from volunteers relating to misconduct, mismanagement, or policy violations by Peace Corps staff, breaches of confidentiality of volunteers, and actions taken to assure the safety of volunteers who provide such reports; (2) the effectiveness and implementation of the sexual assault risk-reduction and response training and the sexual assault policy; and (3) how Peace Corps representatives are hired and terminated and how they hire staff.

Requires the President, at least once every three years, to evaluate the allocation and delivery of resources across the countries the Peace Corps serves or is considering for service, including for each country an evaluation of: (1) the country's commitment to the Peace Corps program, (2) the safety and security of volunteers, (3) the country's need for assistance, (4) country program costs, (5) the effectiveness of management of each post within the country, and (6) the country's congruence with the Peace Corp's mission and strategic priorities.

Directs the President to implement a comprehensive policy on stalking that: (1) requires an immediate, effective, and thorough response from the Peace Corps upon receipt of a report of stalking; (2) provides, during training, all Peace Corps volunteers with a point of contact for the reporting of stalking; and (3) protects the confidentiality of volunteers who report stalking.

Directs the President to: (1) establish a process for volunteers to report incidents that protects the confidentiality and safety of the volunteers and the information reported and that ensures that such information is acted on appropriately, and (2) provide additional training to Peace Corps officers and employees to protect against inappropriate disclosures and ensure the safety of such volunteers. Subjects to disciplinary action, including termination, any Peace Corps volunteer or staff member who is responsible for maintaining confidentiality who breaches such duty.

Requires the President to: (1) expeditiously remove a volunteer from a site in which such volunteer is serving if the volunteer requests removal because he or she feels at risk of imminent bodily harm, (2) assess the safety of such site, and (3) expeditiously remove all volunteers from the site upon determining that it is unsafe for any remaining volunteers.

Requires the President to report annually through September 30, 2018, on: (1) sexual assaults of volunteers; (2) other crimes against volunteers; (3) the number of arrests, prosecutions, and incarcerations for crimes involving Peace Corps volunteers for every country; and (4) the annual rate of early termination of volunteers.

Directs the Comptroller General to submit a report evaluating the quality and accessibility of health care provided through the Department of Labor to returned volunteers upon their separation from the Peace Corps.

Directs the President to: (1) determine the level of access to communication of each volunteer; and (2) report on the costs, feasibility, and benefits of providing all volunteers with access to adequate communication, including cellular and Internet access.

(Sec. 3) Amends the Peace Corps Act to authorize expenses to be paid in support of volunteers who are parties to actions, complaining witnesses, or otherwise participating in the prosecution of crimes committed against such volunteers.

(Sec. 4) Expresses the sense of Congress that the Office of Victims Advocacy should maintain a staffing level sufficient to ensure the provision of timely and comprehensive services to Peace Corps volunteers.

(Sec. 5) Provides that no individual contracted with for personal services abroad and no alien contracted with for personal services within the United States shall be deemed an officer or employee or otherwise in the service or employment of the U.S. government for the purposes of any law administered by the Office of Personnel Management (OPM) (currently, for any purpose).

(Sec. 6) Exempts the Inspector General of the Peace Corps and officers and employees thereof from specified limitations regarding length of appointments.

(Sec. 7) Requires the Director of the Peace Corps to: (1) consult with the Assistant Secretary of State for Diplomatic Security and enter into a memorandum of understanding that specifies the duties and obligations of the Peace Corps and the Bureau of Diplomatic Security regarding the protection of Peace Corps volunteers and staff members serving in foreign countries; (2) afford the Inspector General of the Peace Corps the opportunity to review the memorandum and to recommend changes to advance the safety and security of volunteers; (3) consider the Inspector General's recommendations; and (4) submit a report explaining any reasons for failure to obtain agreement with the Assistant Secretary within 180 days after enactment of this Act, along with a certification by the Peace Corps Inspector General that substantial steps are being taken to make progress toward agreement.

(Sec. 9) Requires the Director to: (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 that any and all costs incurred to carry out this Act are entirely offset; and (2) ensure that there is no net increase in personnel to carry out this Act, with any new employees offset by eliminating of existing staff.

Actions Timeline

- **Nov 21, 2011:** Signed by President.
- **Nov 21, 2011:** Became Public Law No: 112-57.
- **Nov 14, 2011:** Presented to President.
- **Nov 8, 2011:** The amendment to the title of S.1280 as engrossed, in the heading of amendment SA 668, was considered to have been proposed and adopted as such.
- **Nov 1, 2011:** Ms. Ros-Lehtinen moved to suspend the rules and pass the bill.
- **Nov 1, 2011:** Considered under suspension of the rules. (consideration: CR H7178-7185)
- **Nov 1, 2011:** DEBATE - The House proceeded with forty minutes of debate on S. 1280.
- **Nov 1, 2011:** At the conclusion of debate, the Yeas and Nays were demanded and ordered. Pursuant to the provisions of clause 8, rule XX, the Chair announced that further proceedings on the motion would be postponed.
- **Nov 1, 2011:** Considered as unfinished business. (consideration: CR H7186-7187)
- **Nov 1, 2011:** Passed/agreed to in House: On motion to suspend the rules and pass the bill Agreed to by the Yeas and Nays: (2/3 required): 406 - 0 (Roll no. 817).(text: CR H7178-7180)
- **Nov 1, 2011:** On motion to suspend the rules and pass the bill Agreed to by the Yeas and Nays: (2/3 required): 406 - 0 (Roll no. 817). (text: CR H7178-7180)
- **Nov 1, 2011:** Motion to reconsider laid on the table Agreed to without objection.
- **Sep 29, 2011:** Received in the House.
- **Sep 29, 2011:** Referred to the House Committee on Foreign Affairs.
- **Sep 27, 2011:** Message on Senate action sent to the House.
- **Sep 26, 2011:** Measure laid before Senate by unanimous consent. (consideration: CR S6004-6007; text of amendment in nature of a substitute: CR S6004-6006)
- **Sep 26, 2011:** The committee substitute as amended agreed to by Unanimous Consent.
- **Sep 26, 2011:** Passed/agreed to in Senate: Passed Senate with an amendment by Unanimous Consent.
- **Sep 26, 2011:** Passed Senate with an amendment by Unanimous Consent.
- **Sep 21, 2011:** Committee on Foreign Relations. Reported by Senator Kerry with an amendment in the nature of a substitute. With written report No. 112-82.
- **Sep 21, 2011:** Placed on Senate Legislative Calendar under General Orders. Calendar No. 176.
- **Jul 26, 2011:** Committee on Foreign Relations. Ordered to be reported with an amendment in the nature of a substitute favorably.
- **Jun 27, 2011:** Introduced in Senate
- **Jun 27, 2011:** Read twice and referred to the Committee on Foreign Relations.