

MS 265 Death of a Volunteer

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Responsible Offices: Office of Health Services; Office of Global Operations; and, Office of Safety and Security

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Peace Corps Memorial Giving Guidelines

1.0 Purpose

This Manual Section sets out the policy followed by the Peace Corps when there is a death of a Volunteer or Trainee (collectively referred to as a Volunteer).

2.0 Authority

Peace Corps Act, 22 U.S.C. § 2503(b) and §2514(d) (10)

3.0 Policy

The death of a Volunteer is a tragic event for the family and friends of the Volunteer and must be managed by Peace Corps staff with the utmost sensitivity and respect for both the deceased Volunteer and the Volunteer's loved ones. Staff at Posts, as well as staff at Headquarters who have responsibilities in handling the death of a Volunteer, must familiarize themselves with the policies set out in this Manual Section and in the implementing procedures. Prompt attention to, and efficient execution of, the requirements in this Manual Section and the implementing procedures helps to reduce delays and anxiety for family and friends of the deceased Volunteer. This Manual Section and implementing procedures provide comprehensive guidance to Peace Corps staff when the death of a Volunteer occurs in the country of assignment. The policies and procedures must also be applied, as appropriate, when the death of a Volunteer occurs outside the country of assignment.

- (a) The procedures implementing this Manual Section, MS 265 *Death of a Volunteer Procedures* (MS 265 Procedures), are set forth in Attachment A.
- (b) A template to develop post-specific Post Death Procedures, including the logistics in managing a Volunteer death, including autopsy, preparation, casketing and shipment of remains, is attached as Attachment B.
- (c) The Response Action Checklist and Toolkit (MS 265 Checklist), attached as Attachment C, sets out the key roles and responsibilities of various offices and officers when a death of a Volunteer occurs.

4.0 Roles and Responsibilities

Responding to the death of a Volunteer is a sensitive and often difficult, complex matter that requires participation from many staff and offices at both the Post and Headquarters. Coordination of the immediate response is carried out by a Post Response Team established and led by the Country Director, and a Headquarters Response Team led by the responsible Regional Director.

- (a) The Post Response Team will normally include the Country Director, sub-regional Peace Corps Safety and Security Officer, Peace Corps Medical Officer, Director of Management and Operations, Director of Programming and Training, Safety and Security Manager and others as needed.
- (b) The Headquarters Response Team includes members from each supporting office and is led by the appropriate Regional Director, with support from the Office of Global Operations.

The roles and responsibilities articulated below provide a general description of the expectations and duties for the many offices and staff involved in the response to the death of a Volunteer. A more detailed description of the roles and responsibilities staff and offices is provided in the MS 265 Procedures and the MS 265 Checklist.

4.1 Post Roles and Responsibilities

- (a) **Country Director:** Leads Post response and ensures that Post Response Team members understand their roles and responsibilities. Leads planning and preparation, including the development of post-specific Post Death Procedures.
- (b) **Peace Corps Medical Officer:** Acts as a member of the Post Response Team coordinating completion of necessary medical procedures based on the Post Death Procedures and the Office of Health Services' Medical Technical Guidelines.
- (c) **Director of Management and Operations:** Acts as a member of the Post Response Team, managing the administrative and financial logistics to support the response, including coordination with the Region and Office of the Chief Financial Officer to ensure funding for all allowable expenses.
- (d) **Director of Programming and Training:** Acts as a member of the Post Response Team, providing support as needed.
- (e) **Safety and Security Manager:** Acts as member of Post Response Team to interface with U.S. and local law enforcement officials. Works with the Peace Corps Safety and Security Officer (PCSSO) and Regional Security Officer to advise the Country Director and Post Response Team on relevant country laws, policies and procedures and how they impact Volunteer death procedures in country.
- (f) **Peace Corps Safety and Security Officer:** Acts as a member of the Post Response Team, advising the Country Director on relevant country laws, procedures and how they impact Volunteer death procedures. Works with the Regional Director to compile the Agency's final Death of a Volunteer Report.

4.2 Headquarters Offices Roles and Responsibilities

The Regional Director, in consultation with the Office of Global Operations, serves as the Response Manager and establishes a Headquarters Response Team. The Response Team meets daily, or as needed, until the response is completed. Each office listed below should designate a representative to serve on, or assist as needed, the Headquarters Response Team.

(a) Office of Health Services:

- (1) **Counseling and Outreach Unit:** Acts as the initial recipient of the report of death from Post and notifies the Director, Regional Director, and supporting offices. Works with the deceased's next-of-kin/designated representative, family, and Post staff and Volunteers.
- (2) **Office of Medical Services:** Advises and supports the PCMO as necessary. Acts as point-of-contact with the Armed Forces Medical Examiner System (AFMES).

- (b) **Region:** The responsible Regional Director, assisted by regional staff, will lead the Headquarters Response Team and will serve as, or designate, a point of contact between the Post and Headquarters. Leads after-action debriefing and shares lessons learned.
- (c) **Office of the Director:** Ensures timely notification of next-of-kin/designated representative and conveys condolences to family. Ensures Peace Corps representation at Volunteer funeral or memorial services. Ensures notification of appropriate White House and State Department officials. Designates appropriate staff member to serve as liaison between the Office of the Director and the Headquarters Response Team.
- (d) **Office of Safety and Security:** Coordinates investigative support from host country law enforcement and other federal agencies, as appropriate. Directs the Post and Region on necessary actions. Dispatches the Peace Corps Safety and Security Officer, as needed, to coordinate investigative support and assess safety and security concerns. Assigns the Designated Security Specialist as necessary.
- (e) **Office of the General Counsel:** Provides legal and policy advice as appropriate.
- (f) **Office of the Chief Financial Officer:** Works with Region to ensure that adequate funds are available to support the response and transportation of remains and provides information and support regarding deceased Volunteer financial matters
- (g) **Office of Management:** Ensures appropriate support from management sections and teams, as necessary, with special emphasis on transportation and travel support of the deceased, accompanying staff and other travelers.
- (h) **Volunteer Recruitment and Selection:** Coordinates Regional Recruiting Office support for escort accompanying the Volunteer's remains and for supporting Peace Corps staff participation in funeral or memorial services in the U.S.
- (i) **Office of Global Operations:** Provides coordination and support for the Headquarters Response Team. Disseminates lessons learned and incorporates into future guidance.
- (j) **Office of Communications:** Works with Regions to develop and issue talking points and press releases related to the Volunteer death and responds to media inquiries. Provides guidance to Post on communications with local media. Oversees the agency's communication with media and public.
- (k) **Congressional Affairs:** Advises appropriate Congressional offices regarding the Volunteer death. Encourages Congressional condolence letters. Provides additional information to Congressional staff or representatives as requested. Ensures notification of appropriate Congressional leaders.
- (l) **Office of Inspector General:** In instances where a Volunteer or staff member is suspected of being involved in the death of a Volunteer, the Office of Inspector General is responsible for the investigation of any crime or serious misconduct, including coordinating with the Department of State Bureau of Diplomatic Security (Criminal

Investigative Liaison Branch), the RSO, and other Federal agencies, and, to the extent necessary, serving as liaison with host country law enforcement officials.

4.3 U.S. Embassy

Through American Citizen Services, develops Disposition of Remains report which the Country Director incorporates into an annex to the Post-specific Post Death Procedures. Advises and supports Peace Corps on logistics and contact with Despatch Agents as necessary.

4.4 Armed Forces Medical Examiner System

Through an agreement established by the Peace Corps, AFMES provides autopsy and pathology services when requested.

5.0 Planning and Preparation

5.1 Post Death Procedures

The Peace Corps has primary responsibility for handling the death of a Volunteer and the Department of State expects the Peace Corps to perform this responsibility (see 7 FAM 224.3). Consequently, each Country Director must create or update Post Death Procedures using the template provided in Attachment B. These detailed, country-specific procedures for handling the death of a Volunteer should take into account host country laws, regulations, customs, hospitals, mortuary facilities, and information contained in this Manual Section and MS 265 Procedures. The Country Director must keep the Post Death Procedures up to date and ensure that it reflects current laws and access to local facilities. At a minimum, the Country Director must review the Post Death Procedures every three years in conjunction with the Comprehensive Security Review completed by the Peace Corps Safety and Security Officer.

Attachment B provides a framework for surveying the local environment and indicates information that must be provided in the Post Death Procedures. In preparing the Post Death Procedures, the Country Director should consult the Disposition of Remains Report that the U.S. Embassy is required to maintain (see 7 FAM 250 and 7 FAM 260). The Country Director must provide a copy of the Post Death Procedures, as well as updates, to the Regional Director.

5.2 Familiarity with Host Post Death Procedures

Host country regulations governing deaths may be complicated. As soon as possible after an overseas staff member arrives at Post, the individual must review the Post Death Procedures and be familiar with the responsibilities assigned to them in the MS 265 Checklist. Post staff likely to be involved in responding to a Volunteer death must review this material on an annual basis.

6.0 Administrative Matters

6.1 Notification of Next-of-Kin/Designated Representative

It is the responsibility of the Director to notify the next-of-kin/designated representative of the death of a Volunteer or to designate another Peace Corps official to do so. For purposes of this Manual Section, the next-of-kin/designated representative is the person so designated by the Volunteer on the Trainee/Volunteer Registration Form, PC-1487.

6.2 Preservation of Information and Material

When a Volunteer dies, the Country Director (in consultation with the PCSSO or Designated Security Specialist) must take reasonable measures, in accordance with host country laws, to preserve any information or material, in any medium or format, that may be relevant to determining the cause or root cause of the death of the Volunteer, including personal effects, medication, and other tangible items belonging to the Volunteer, as long as such measures do not interfere with the legal procedures of the host country if the government of the host country is exercising jurisdiction over the investigation of such death. In performing this function, the Country Director shall, as appropriate, consult with the Regional Security Officer at the local U.S. Embassy.

To the extent that the Country Director has control of any preserved information or material, the CD must give the Office of Inspector General the opportunity to inspect such items before the CD's final disposition.

6.3 Condolences

Condolences should not be sent to the family until after the Counseling and Outreach Unit confirms that the next-of-kin/designated representative agrees to the receipt of condolences. The Country Director may encourage the Ambassador, staff, other Volunteers, host country government officials, co-workers, and friends to write their condolences to the deceased's family (including the next-of-kin/designated representative).

6.4 Privacy

Generally, an individual's rights under the Privacy Act terminate upon death. However, in determining what information relating to the death of a Volunteer will be disclosed to the public, Peace Corps staff must consider whether it would be an unwarranted invasion of the Volunteer's family's privacy interests. Consult the Office of the General Counsel prior to making any such disclosure.

An individual's privacy rights under the Health Insurance Portability and Accountability Act of 1996 (HIPAA) continue after death. Disclosures of protected health information may be made only to the next-of-kin/designated representative or as otherwise permitted under HIPAA regulations.

6.5 Action Log and Final Report

The Country Director must keep a detailed log of all actions taken in country regarding a death and must forward the log of all actions to the PCSSO and the Regional Director to compile a final report.

6.6 Support for Staff

The Country Director may grant up to three days of Administrative Leave and counseling support described in MS 682 *Staff Safety and Health Program*. Upon request by the Country Director, the Regional Director may grant up to three days of Administrative Leave and counseling support described in MS 682 for the CD. In addition, other leave may be authorized in accordance with MS 635 Absence and Leave, to include advanced sick leave. Country Directors, in consultation with the appropriate Headquarters Office, may take into account special circumstances, in cases where a staff member performed extended duty directly in support of the case after the death of a Volunteer.

6.7 Briefing for the Office of Inspector General

Within ten (10) days after the Peace Corps receives notification of the death of a Volunteer, the Office of Safety and Security shall provide a briefing for the Office of the Inspector General as required by Section 5(p) of the Peace Corps Act.

7.0 Funeral, Cremation, and Burial Matters

7.1 Preparation, Transportation, Funeral, Cremation, and Burial Costs

Peace Corps authority for payment of certain costs associated with the death of a Volunteer is determined by the Peace Corps Act, 22 U.S.C. §2514(d) (10). The Peace Corps may pay for the care and disposition of the remains for a Volunteer who dies in service and for the expenses of preparing and transporting the remains of the Volunteer to the Home of Record of the Volunteer or place of burial. The Peace Corps may also pay for the cremation of the remains of the Volunteer. The Home of Record is established by a Volunteer under MS 219 *Volunteer and Trainee Home-of-Record*.

7.2 Responsibility for Costs of Preparing and Transporting the Remains

Information copies of all bills should be forwarded to the Counseling and Outreach Unit as quickly as possible. The Peace Corps will assume the costs associated with the following:

- (a) Preparation of remains;
- (b) Transportation of remains, including funeral director expenses related to transportation of remains (unless arranged by AFMES);
- (c) Casket (including re-casketing, if necessary);
- (d) Cremation fee;

- (e) Transportation of personal effects;
- (f) Travel of escort to place of burial or disposition of the remains; and
- (g) Travel of escort to Peace Corps Headquarters for debriefing with the Counseling and Outreach Unit and other Headquarters staff, as appropriate.

7.3 Funeral, Cremation and Burial Costs

- (a) The Peace Corps will generally pay for certain funeral, burial and cremation costs for a Volunteer. The costs covered by the Peace Corps and the maximum amount paid or reimbursed are more fully described in the MS 265 Procedures. The Peace Corps will periodically review these procedures to assure that they are appropriate.
- (b) If the Volunteer was a U.S. Veteran, the Peace Corps will also assist the family in applying for Veterans' benefits. (Such benefits may include a gravesite in a national cemetery, opening and closing of the grave, perpetual care, a headstone or marker, a burial flag, and a Presidential Memorial Certificate.) Families of some deceased Veterans may also be eligible for burial allowances from the Veterans' Benefits Administration, Department of Veterans Affairs.
- (c) When issues arise with the family over cost responsibility, the Chief Financial Officer, in consultation with the Office of the General Counsel, will respond to the family in writing on behalf of Peace Corps to inform them of what costs Peace Corps will and will not cover.

7.4 Autopsy

- (a) It is the policy of the Peace Corps that a full forensic autopsy be performed whenever there is any indication that a crime has occurred or there are questions regarding the manner and cause of the death of a Volunteer. Where host country regulations or laws require an autopsy, the Counseling and Outreach Unit will notify the next-of-kin/designated representative. Where host country regulations or laws do not require an autopsy, Peace Corps, through the Counseling and Outreach Unit, will seek permission from the next-of-kin/designated representative for an autopsy. The physician on call for the Office of Medical Services will be available to assist with this discussion, as needed.
- (b) The Peace Corps has entered into an agreement with AFMES wherein, AFMES will arrange for and conduct an autopsy of a Volunteer upon request of the Peace Corps. The Office of Medical Services, after consulting with the Counseling and Outreach Unit and other Headquarters offices as appropriate, will contact AFMES to request that such services be performed.

7.5 Burial Assistance in Country

If the next-of-kin/designated representative requests that the burial be in the host country, the Counseling and Outreach Unit will inform the Post and provide specific information regarding the family's instructions. If payment is due immediately, either stateside or at the Post, for costs

that Peace Corps does not generally pay, the family must pay the expenses and subsequently seek reimbursement from the FECA program. The Counseling and Outreach Unit may also encourage the next-of-kin/designated representative to check if the deceased family member is eligible for any Veterans' benefits.

7.6 Accompaniment of Spouse of Deceased Volunteer

A Volunteer spouse may accompany the remains of a deceased Volunteer to the Home-of-Record. The spouse is entitled to emergency leave in accordance with MS 220. Accompaniment by the spouse is in addition to escort of the remains as set out in the procedures for this Manual Section (see 7.0).

7.7 In-Country Memorial Services

The Country Director is encouraged to arrange an in-country memorial service(s), to honor the deceased Volunteer. Memorial services may include Volunteers, staff and host-country counterparts and costs for travel, logistics, food and other expenses may be covered with appropriated funds in accordance with MS 724 *Representation Allowance* and MS 729 *Food and Refreshment Expenses*.

8.0 Official List of Volunteer Fatalities

- (a) The Peace Corps will maintain an official list of Volunteer fatalities within the Consolidated Incident Reporting System, which is managed by the Office of Safety and Security. The Office of Safety and Security is responsible for managing all official information and statistics relating to Volunteers who have died during service. The name of any Volunteer who dies during Peace Corps service will be included in the official list of Volunteer fatalities within the Consolidated Incident Reporting System if the death occurs during Peace Corps service, including any period while on leave. For purposes of the official list of Volunteer fatalities, the death of a Volunteer who died after close of service will be included in the official list if it occurred:
- (1) Prior to the Volunteer arriving at Home-of-Record if the Volunteer was using a Peace Corps issued ticket for return transportation;
 - (2) within 60-days of close of service in connection with any condition or incident that has been determined by OHS/OMS to have originated during Peace Corps service; or
 - (3) in connection with any condition or incident that has been determined by the Department of Labor, under FECA, to be service related.

The provisions in this paragraph only apply with respect to a Volunteer death that occurs subsequent to the effective date of this Manual Section.

- (b) Notwithstanding the provisions of paragraph (a), the Peace Corps Director reserves the right to determine on a case-by-case basis that it is appropriate to include the name of any deceased Volunteer on the official list of Volunteer fatalities.
- (c) The Peace Corps will maintain a memorial plaque at its Headquarters to recognize Volunteers who have died during their Peace Corps service. Any Volunteer recorded on the official list of Volunteer fatalities maintained by the Office of Safety and Security shall be added to the memorial plaque by the Office of Management. In addition, the Office of Management is authorized to periodically procure an appropriate fresh floral arrangement that shall be displayed at the memorial plaque.

9.0 Procedures

Implementing procedures and attachments to MS 265 are effective when they have been approved by the Office of Global Operations, Office of Safety and Security, Office of Health Services and Office of the General Counsel.

10.0 Effective Date

The effective date of this Manual Section is the date of issuance.