

MS 265 Death of a Volunteer

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Responsible Offices: Office of Health Services; Office of Global Operations; 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), §2504(p), and §2514(d)(10); 7 FAM 224.3.

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.
- (d) Attachment E, the Notification of Death Telephone Flow Chart, sets out the specific roles and sequencing for notifying relevant staff and offices at Post and Headquarters of a Volunteer death.

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.

The roles and responsibilities set forth below provide a general description of the expectations and duties for the offices and staff involved in the response to the death of a Volunteer. A more detailed description of the roles and responsibilities for staff and offices is provided in the MS 265 Procedures and the MS 265 Checklist. Attachment E sets out the specific roles and sequencing for immediately notifying key individuals within the Peace Corps and the U.S. Embassy of a Volunteer death.

4.1 Response Teams

Coordination of the immediate response is carried out by a Post Response Team and a Headquarters Response Team.

- (a) The Post Response Team, established and led by the Country Director, 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, established and led by the responsible Regional Director in consultation with the Office of Global Operations, includes members from each supporting office. The Response Team meets daily, or as needed, until the response is completed. Each headquarters office listed in sub-section 4.3 should designate a representative to serve on, or assist as needed, the Headquarters Response Team.

4.2 Post Roles and Responsibilities

- (a) **Country Director:** Provides notification as soon as possible of a Volunteer death to the Designated Security Specialist. 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. Ensures positive identification of the Volunteer by Peace Corps staff as quickly as possible.
- (b) **Peace Corps Medical Officer (PCMO):** 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 (SSM):** 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 the RSO to inform the Country Director and Post Response Team about relevant country laws, policies and procedures and how they impact Volunteer death procedures in country.
- (f) **Peace Corps Safety and Security Officer (PCSSO):** Acts as a member of the Post Response Team, informing the Country Director and Safety and Security Manager about relevant country laws, procedures and how they impact Volunteer death procedures. Works with the Country Director and other relevant offices to compile the Agency’s official report of a Volunteer death.

4.3 Headquarters Offices Roles and Responsibilities

- (a) **Region:** The responsible Regional Director, assisted by regional staff, leads the Headquarters Response Team and serves as, or designates, a point of contact between the Post and Headquarters. Leads after-action debriefing; documents and shares lessons learned.
- (b) **Office of Health Services:**
 - (1) **Behavioral Health and Outreach Unit (BHO):** Serves as the primary liaison with the deceased’s next-of-kin/designated representative and provides support to the deceased’s family and Volunteers, in conjunction with Post staff as appropriate. Communicates to the next-of-kin/designated representative all relevant legal requirements pertaining to the death. Seeks from the deceased’s next-of-kin/designated representative any preferences regarding religious or cultural practices in handling and transporting the deceased’s remains. Manages the Agency Duty Officer program.
 - (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).
- (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 to coordinate investigative support and assess safety and security concerns. Assigns the Designated Security Specialist as necessary.

- (1) **Designated Security Specialist:** Receives initial notification of death from the Post and notifies the relevant Region and Agency Duty Officer, which initiates the notification protocol outlined in MS 265, Attachment E; provides initial guidance to the Post regarding actions needed to safeguard other Volunteers and potential evidence for a possible criminal investigation if warranted; and consults with the Office of Inspector General as needed.
- (e) **Office of the General Counsel:** Provides legal and policy advice as appropriate, including review for legal clearance.
- (f) **Office of the Chief Financial Officer:** Works with Region and OHS 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 of the deceased and travel support for accompanying staff and other travelers.
- (h) **Volunteer Recruitment and Selection:** Coordinates with the Office of Recruitment to provide support for the escort accompanying the Volunteer's remains upon arrival in the U.S. and supports Peace Corps staff participation in funeral or memorial services in the U.S.
- (i) **Recruitment Supervisor** (or other staff as designated): Designated by the Director of Recruitment to assist staff escorting remains upon arrival in the U.S. and with other support functions such as transporting staff to the funeral or memorial service and assisting with delivery of the deceased's personal effects.
- (j) **Office of Global Operations:** Provides coordination and support for the Headquarters Response Team. Disseminates lessons learned and incorporates into future guidance.
- (k) **Office of Communications:** In conjunction with Region, works 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 the public, and coordinates as needed with the U.S. Embassy's Public Affairs office
- (l) **Office of Congressional Relations:** 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.
- (m) **Office of Inspector General:** In instances where a Volunteer, staff member, or other individual connected to the Peace Corps is suspected of being involved in the death of a

Volunteer, the Office of Inspector General (OIG) 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.

Additionally, the OIG may independently review the facts and circumstances surrounding the death of a Volunteer and the actions taken by the Peace Corps in responding to any such incident. The OIG shall be provided a reasonable opportunity to inspect personal effects, medication, and other tangible items belonging to the Volunteer prior to their final disposition, and shall participate in all meetings consistent with their oversight responsibilities.

4.4 U.S. Embassy

The consular officer, 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. Provides Consular Report of Death of a U.S. Citizen Abroad (CRODA).

4.5 Armed Forces Medical Examiner System (AFMES)

Through an agreement established by the Peace Corps and managed through the Office of Health Services (OHS), 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 PCSSO. .

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 and PCSSO.

5.2 Familiarity with Host Country/Post Death Procedures

Host country regulations governing deaths may be complicated. The Country Director shall ensure Post staff with assigned responsibilities review the Post Death Procedures and be familiar with the roles and responsibilities contained in the MS 265 Checklist. This review will take place on an annual basis. Additionally, the PCSSO will conduct a formal MS 265 training for all staff members at Post once every three years in accordance with SSI 101.

6.0 Administrative Matters

6.1 Notification of Next-of-Kin/Designated Representative

It is the responsibility of the Director or designee 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

The Country Director (in consultation with the PCSSO or Designated Security Specialist) must take all reasonable measures, in accordance with host country laws, to ensure preservation of any information or material that may be relevant to determining the cause or root cause of the death of the Volunteer. Such measures shall 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.

The Country Director must advise staff to refrain from tampering with, disturbing, or moving 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. In performing this function, the Country Director shall, as appropriate, consult with the PCSSO, Designated Security Specialist and RSO.

The OIG shall be provided a reasonable opportunity to inspect such items before their final disposition.

6.3 Condolences

Condolences should not be sent to the family until after the BHO confirms that the next-of-kin/designated representative agrees to the receipt of condolences. Once the preferences of the next-of-kin/designated representative are confirmed by the BHO, 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

In accordance with MS 294 *Confidentiality of Volunteer Information*, 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. BHO and the Office of the General Counsel should be consulted 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. The PCSSO will compile the official report of death.

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 Country Director. In addition, other leave may be authorized in accordance with MS 635 *Staff 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.

The Country Director shall remind staff of the availability of the Peace Corps Employee Assistance Program (MS 658) for staff counseling support.

6.7 Briefing and Documentation for the Office of Inspector General

6.7.1 Briefing with the Office of Inspector General

Within ten 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 OIG as required by Section 5(p) of the Peace Corps Act.

6.7.2 Preservation of and Provision to the Office of Inspector General of Information on the Root Cause of a Volunteer Death

- (a) If the Peace Corps has performed or engaged another entity to perform a root cause analysis or similar report that describes the cause or root cause of a Volunteer death, the agency shall provide the OIG with:

- (1) a copy of all information provided to such entity at the time such information is provided to such entity or used by the Peace Corps to perform the analysis, including the agency's official report of a Volunteer death;
- (2) a copy of any report or study received from the entity or used by the Peace Corps to perform the analysis; and
- (3) any supporting documentation upon which the Peace Corps or such entity relied to make its determination, including the Volunteer's complete medical record, as soon as such information is available to the Peace Corps.

7.0 Funeral, Memorial, Cremation, and Burial Matters

7.1 Preparation, Transportation, Funeral, Memorial, 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 BHO 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;
- (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 BHO and other Headquarters staff, as appropriate.

7.3 Funeral, Memorial, Cremation and Burial Costs

- (a) The Peace Corps will pay or reimburse for expenses to assist in defraying funeral, memorial, burial and cremation costs for a Volunteer up to the amount specified in the Procedures (*see*

MS 265 Attachment A). Payment for authorized expenses may be made directly to the next-of-kin/designated representative and/or vendors. The Peace Corps will periodically review the specified amount to assure that it is sufficient.

- (b) The BHO may encourage the next-of-kin/designated representative to determine whether the deceased family member is eligible for any Veterans' benefits. 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) If the next-of-kin/designated representative requests that the burial be in the host country, the BHO will inform the Post and provide specific information regarding the family's instructions.

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 BHO will notify the next-of-kin/designated representative. Where host country regulations or laws do not require an autopsy, Peace Corps, through the BHO, 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 an agreement with AFMES whereby 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 BHO and other Headquarters offices as appropriate, will contact AFMES to request that such services be performed.

7.5 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.

7.6 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. 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 Security Incident Management System (SIMS), 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 SIMS if the death occurs during Peace Corps service, including any period while the Volunteer was on leave. For purposes of the official list of Volunteer fatalities, the death of a Volunteer who died after completion 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 completion 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.
- (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 other 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, Office of the Chief Financial Officer, Office of Volunteer Recruitment and Selection, Office of Management, and Office of the General Counsel.

10.0 Effective Date

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