

116TH CONGRESS
2D SESSION

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To improve United States consideration of, and strategic support for, programs to prevent and respond to gender-based violence from the onset of humanitarian emergencies and to build the capacity of humanitarian actors to address the immediate and long-term challenges resulting from such violence, and for other purposes.

IN THE SENATE OF THE UNITED STATES

Mr. MENENDEZ (for himself, Ms. MURKOWSKI, Mrs. SHAHEEN, Mr. COONS, Mr. CARDIN, Mr. BLUMENTHAL, Mr. MERKLEY, Ms. HARRIS, and Mr. REED) introduced the following bill; which was read twice and referred to the Committee on _____

A BILL

To improve United States consideration of, and strategic support for, programs to prevent and respond to gender-based violence from the onset of humanitarian emergencies and to build the capacity of humanitarian actors to address the immediate and long-term challenges resulting from such violence, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Keeping Women and
5 Girls Safe from the Start Act of 2020”.

1 **SEC. 2. FINDINGS.**

2 Congress finds the following:

3 (1) Displaced and stateless people and refugees,
4 particularly women and girls, in conflict settings,
5 natural disasters, and other humanitarian emer-
6 gencies, often face extreme violence and threats of
7 violence, including—

8 (A) rape and sexual assault;

9 (B) domestic or intimate partner violence;

10 (C) child, early, and forced marriage;

11 (D) trafficking for the purposes of sexual
12 exploitation and forced labor;

13 (E) harmful traditional practices, such as
14 female genital mutilation or cutting; and

15 (F) harassment, exploitation, and abuse by
16 humanitarian personnel.

17 (2) Gender-based violence increases during hu-
18 manitarian emergencies and violent acts, such as in-
19 timate partner violence and child marriage, are often
20 exacerbated during times of crisis.

21 (3) Nearly 1 in 5 women affected by a humani-
22 tarian emergency report experiencing sexual violence
23 during such emergency.

24 (4) Survivors of gender-based violence in hu-
25 manitarian emergencies require—

1 (A) immediate, life-saving assistance, in-
2 cluding access to medical and psychosocial serv-
3 ices, such as post-rape care;

4 (B) access to justice and community-level
5 reintegration; and

6 (C) opportunities to earn livelihoods, build
7 skills, and receive an education.

8 (5) Early medical interventions after incidents
9 of rape can help to prevent infections, HIV, and
10 pregnancy.

11 (6) Empowering women to assume leadership
12 roles in delivering humanitarian assistance and ef-
13 fectively engaging local women's rights organizations
14 to provide life-saving assistance is critical to sup-
15 porting survivors or those at risk of gender-based vi-
16 olence during humanitarian crises.

17 (7) Between 2016 and 2018, inclusive, funding
18 for gender-based violence in humanitarian crises rep-
19 resented just 0.12 percent of all funding for humani-
20 tarian response activities.

21 (8) During 2013, the international community
22 launched the Global Call to Action on Protection
23 from Gender-Based Violence in Emergencies initia-
24 tive to improve prevention and responses to gender-
25 based violence in humanitarian settings.

1 (9) The United States demonstrated its com-
2 mitment to this initiative by implementing *Safe from*
3 *the Start*, under the direction of the Department of
4 State and the United States Agency for Inter-
5 national Development (USAID)—

6 (A) to reduce the incidence of gender-based
7 violence; and

8 (B) to ensure quality services for survivors
9 from the very onset of emergencies through
10 timely and effective humanitarian action.

11 (10) The United States has further dem-
12 onstrated its commitment to prevent and respond to
13 gender-based violence globally through the following
14 documents:

15 (A) The United States Strategy to Prevent
16 and Respond to Gender-Based Violence Glob-
17 ally, published by USAID in August 2012.

18 (B) The United States Global Strategy to
19 Empower Adolescent Girls, adopted by the De-
20 partment of State in March 2016.

21 (C) The U.S. Strategy To Support Women
22 and Girls at Risk From Violent Extremism and
23 Conflict, submitted to Congress in October
24 2018.

1 (D) The United States Strategy on
2 Women, Peace, and Security, released by the
3 President in June 2019.

4 (E) Advancing Protection and Care for
5 Children in Adversity: A U.S. Government
6 Strategy for International Assistance (2019-
7 2023), posted online by USAID in July 2019.

8 **SEC. 3. STATEMENT OF POLICY OBJECTIVES.**

9 (a) IN GENERAL.—It is in the national interest of
10 the United States to take effective action—

11 (1) to prevent, mitigate, and respond to gender-
12 based violence in humanitarian emergencies around
13 the world;

14 (2) to promote respect for basic human rights
15 and gender equality; and

16 (3) to support economic growth, improved pub-
17 lic health, and peace and stability around the world.

18 (b) PROGRAMS, ACTIVITIES, AND INITIATIVES.—The
19 policy objectives set forth in subsection (a) are reinforced
20 through programs, activities, and initiatives that—

21 (1) build the capacity of humanitarian actors
22 responding to crises, including the capacity of gov-
23 ernments, international organizations, international
24 nongovernmental organizations, faith-based organi-
25 zations, and local nongovernmental groups (espe-

1 cially women-led organizations), to prevent, mitigate,
2 and respond to gender-based violence;

3 (2) systematically integrate and coordinate ef-
4 forts to prevent gender-based violence, including
5 by—

6 (A) incorporating gender-based violence
7 risk mitigation interventions across all humani-
8 tarian sectors; and

9 (B) promoting support for, and collabora-
10 tion with, gender-based violence response ex-
11 perts;

12 (3) support activities that—

13 (A) prevent and mitigate the impacts of
14 gender-based violence in humanitarian settings;
15 and

16 (B) empower survivors or those at risk of
17 gender-based violence;

18 (4) improve the delivery and quality of services
19 for survivors of gender-based violence, including—

20 (A) access to medical services for survivors
21 and at-risk populations that comply with inter-
22 national standards; and

23 (B) service delivery to hard-to-reach popu-
24 lations;

1 (5) ensure protection against and accountability
2 for sexual exploitation and abuse, by and against hu-
3 manitarian personnel;

4 (6) advance the active leadership and participa-
5 tion of women and girls impacted by humanitarian
6 crises, including in the design, implementation, and
7 evaluation of programs and other activities;

8 (7) ensure, when providing assistance to inter-
9 national and nongovernmental organizations in a hu-
10 manitarian response, that particular emphasis be
11 given to such organizations led by women impacted
12 by the humanitarian crisis; and

13 (8) promote transparency and accountability of
14 United States Government programs and humani-
15 tarian implementers' efforts related to preventing
16 and responding to gender-based violence in humani-
17 tarian response.

18 **SEC. 4. AUTHORIZED SAFE FROM THE START ACTIVITIES.**

19 The Secretary of State, in coordination with the Ad-
20 ministrators of the United States Agency for International
21 Development, shall carry out *Safe from the Start* activities
22 that accomplish the policy objectives set forth in section
23 3(a), including—

1 (1) training and capacity building for humani-
2 tarian personnel and other humanitarian first re-
3 sponders—

4 (A) to identify and prevent gender-based
5 violence in humanitarian settings; and

6 (B) to support survivors and those at risk
7 through best practices, including—

8 (i) established international minimum
9 standards for gender-based violence pre-
10 vention and response; and

11 (ii) referrals to qualified gender-based
12 violence responders;

13 (2) the deployment of, and support for, skilled
14 gender advisors and female humanitarian aid work-
15 ers that comply with international standards, includ-
16 ing through existing coordinating mechanisms in
17 emergencies;

18 (3) the development of technical skills of local
19 nongovernmental organizations and other local ac-
20 tors, such as women impacted by the humanitarian
21 crisis, including skills related to advocacy, moni-
22 toring, data collection, evaluation, and communica-
23 tions;

24 (4) performing on-the-ground gender analyses
25 and rapid gender assessments;

1 (5) the deployment of international minimum
2 standards, guidelines, best practices, and other tools
3 to improve the integration of efforts to identify, pre-
4 vent, and address gender-based violence across all
5 humanitarian assistance programs and initiatives, in
6 consultation with international and local nongovern-
7 mental organizations and other gender-based vio-
8 lence experts;

9 (6) promoting existing international minimum
10 standards, indicators, and metrics to ensure appro-
11 priate response and assess the adequacy of interven-
12 tions relating to gender-based violence;

13 (7) efforts to improve the quality and avail-
14 ability of services for survivors and those at risk of
15 gender-based violence, including medical and psycho-
16 social care and hygiene and dignity kits;

17 (8) expanding and improving empowerment ac-
18 tivities, including—

19 (A) women’s and girls’ economic opportu-
20 nities and livelihoods;

21 (B) social network building;

22 (C) education and skills; and

23 (D) leadership roles; and

24 (9) establishing accountability mechanisms and
25 monitoring and reporting tools to prevent and re-

1 spond to incidents of sexual or other gender-based
2 exploitation or abuse perpetrated by personnel deliv-
3 ering humanitarian assistance and associated per-
4 sonnel.

5 **SEC. 5. REPORTING REQUIREMENTS.**

6 (a) **DEFINED TERM.**—In this section, the term “ap-
7 propriate congressional committees” means—

8 (1) the Committee on Appropriations of the
9 Senate;

10 (2) the Committee on Foreign Relations of the
11 Senate;

12 (3) the Committee on Appropriations of the
13 House of Representatives; and

14 (4) the Committee on Foreign Affairs of the
15 House of Representatives.

16 (b) **PROGRESS REPORT.**—

17 (1) **IN GENERAL.**—Not later than 1 year after
18 the date of the enactment of this Act, and annually
19 thereafter, the Secretary of State, in coordination
20 with the Administrator of the United States Agency
21 for International Development, shall submit a report
22 to the appropriate congressional committees that de-
23 scribes the progress made by the United States, in
24 conjunction with partners, such as the United Na-
25 tions High Commissioner for Refugees, the World

1 Food Program, the United Nations Children’s Fund,
2 and the International Organization for Migration, to
3 prevent, mitigate, and address gender-based violence
4 in humanitarian emergencies.

5 (2) REPORT ELEMENTS.—The report required
6 under paragraph (1) shall include—

7 (A)(i) an analysis of data and research re-
8 garding the key drivers of gender-based violence
9 in humanitarian emergencies;

10 (ii) the needs and services required by sur-
11 vivors or those at risk; and

12 (iii) successful program models to address,
13 prevent, and mitigate such violence; and

14 (B) a detailed description of the programs,
15 diplomatic efforts, and other activities under-
16 taken by the United States to implement *Safe*
17 *from the Start*, in accordance with section 4, in-
18 cluding—

19 (i) a description of the steps taken—

20 (I) to integrate prevention, miti-
21 gation, and respond to gender-based
22 violence into humanitarian assistance;

23 (II) to develop humanitarian
24 standards; and

12

1 (III) to respond to specific hu-
2 manitarian crises;

3 (ii) a description of the progress made
4 toward achieving specific objectives,
5 metrics, and indicators for implementation
6 of *Safe from the Start* programming,
7 disaggregated, as appropriate, by gender,
8 age, and type of violence;

9 (iii) a list of the all projects funded or
10 supported through *Safe from the Start* pro-
11 gramming focus, with specific details on
12 levels of funding or assistance and impacts
13 of such projects disaggregated, as appro-
14 priate, by gender, age, and type of vio-
15 lence;

16 (iv) an assessment of the extent to
17 which consultations with nongovernmental
18 organizations, including local actors, faith
19 leaders, and intergovernmental actors have
20 led to the development of programs, stand-
21 ards, and interventions to combat gender-
22 based violence;

23 (v) a list of the policies or programs
24 implemented by international or multilat-

1 eral organizations receiving funding from
2 the United States Government—

3 (I) to improve capacity and inter-
4 nal protocols to identify signs of gen-
5 der-based violence, including sexual
6 exploitation and abuse; and

7 (II) to integrate initiatives to
8 prevent and respond to gender-based
9 violence into programs of the organi-
10 zation; and

11 (vi) a description of any diplomatic
12 action taken bilaterally, multilaterally, or
13 with international organizations to encour-
14 age the governments of other countries and
15 international organizations to adopt poli-
16 cies and support efforts to prevent and re-
17 spond to gender-based violence in emer-
18 gency situations in alignment with the
19 Global Call to Action on Protection from
20 Gender-Based Violence in Emergencies.

21 (3) FORM.—The report required under para-
22 graph (1) shall be submitted in unclassified form,
23 but may include a classified annex. The unclassified
24 portion of such report shall be concurrently pub-

1 lished on a publicly available website of the Depart-
2 ment of State.

3 (c) BUDGET REPORT.—Not later than 120 days after
4 the President submits each budget to Congress under sec-
5 tion 1105(a) of title 31, United States Code, the Director
6 of the Office of Management and Budget shall submit to
7 the appropriate congressional committees a budget cross-
8 cut report that—

9 (1) displays the budget proposed, including any
10 planned interagency or intra-agency transfer, for
11 each of the principal Federal agencies that will be
12 carrying out activities through the *Safe from the*
13 *Start* programming focus described in section 4 in
14 the fiscal year for which such budget is submitted;

15 (2) separately reports the amount of funding to
16 be provided pertaining to the *Safe from the Start*
17 strategy under subsection (b), to the extent such
18 plans are available; and

19 (3) identifies, at the account level to the extent
20 practicable, all Federal assistance and research ex-
21 penditures for *Safe from the Start* activities in each
22 of the 5 previous fiscal years.

23 **SEC. 6. AUTHORIZATION OF APPROPRIATIONS.**

24 There are authorized to be appropriated to carry out
25 this Act the greater of—

1 (1) such sums as may be necessary for each fis-
2 cal year to carry out this Act; or

3 (2) the amount expended by the Department of
4 State during fiscal year 2018 to carry out *Safe from*
5 *the Start* activities.