

117TH CONGRESS  
1ST SESSION

# S. 765

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.

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## IN THE SENATE OF THE UNITED STATES

MARCH 16, 2021

Mr. MENENDEZ (for himself, Ms. MURKOWSKI, Mr. MERKLEY, Ms. ROSEN, Mr. VAN HOLLEN, Mr. MARKEY, Mr. CARDIN, Mr. COONS, Mrs. SHAHEEN, Mr. KAINE, Mr. SCHATZ, Ms. COLLINS, and Mr. REED) introduced the following bill; which was read twice and referred to the Committee on Foreign Relations

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## 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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Keeping Women and  
3 Girls Safe from the Start Act of 2021”.

4 **SEC. 2. FINDINGS.**

5 Congress finds the following:

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

11 (A) rape and sexual assault;

12 (B) domestic or intimate partner violence;

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

14 (D) trafficking for the purposes of sexual  
15 exploitation and forced labor;

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

18 (F) harassment, exploitation, and abuse by  
19 humanitarian personnel.

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

24 (3) Nearly 1 in 5 women affected by a humani-  
25 tarian emergency report experiencing sexual violence  
26 during such emergency.

1           (4) During the COVID–19 pandemic, the risk  
2 of domestic violence, child marriage, trafficking, and  
3 other forms of gender-based violence and abuse has  
4 increased and compounds the risk displaced women  
5 and girls face in emergencies.

6           (5) Survivors of gender-based violence in hu-  
7 manitarian emergencies require—

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

11                   (B) access to justice and community-level  
12 reintegration; and

13                   (C) opportunities to earn livelihoods, build  
14 skills, and receive an education.

15           (6) Early medical interventions after incidents  
16 of rape can help to prevent infections, HIV, and  
17 pregnancy.

18           (7) Empowering women to assume leadership  
19 roles in delivering humanitarian assistance and ef-  
20 fectively engaging local women’s rights organizations  
21 to provide life-saving assistance is critical to sup-  
22 porting survivors or those at risk of gender-based vi-  
23 olence during humanitarian crises.

24           (8) Between 2016 and 2018, inclusive, funding  
25 for gender-based violence in humanitarian crises rep-

1       resented just 0.12 percent of all funding for humani-  
2       tarian response activities.

3               (9) During 2013, the international community  
4       launched the Global Call to Action on Protection  
5       from Gender-Based Violence in Emergencies initia-  
6       tive to improve prevention and responses to gender-  
7       based violence in humanitarian settings.

8               (10) The United States demonstrated its com-  
9       mitment to this initiative by implementing Safe from  
10      the Start, under the direction of the Department of  
11      State and the United States Agency for Inter-  
12      national Development (USAID)—

13               (A) to reduce the incidence of gender-based  
14      violence; and

15               (B) to ensure quality services for survivors  
16      from the very onset of emergencies through  
17      timely and effective humanitarian action.

18               (11) The United States has further dem-  
19      onstrated its commitment to prevent and respond to  
20      gender-based violence globally through the following  
21      documents:

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

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

4 (C) The U.S. Strategy To Support Women  
5 and Girls at Risk From Violent Extremism and  
6 Conflict, submitted to Congress in October  
7 2018.

8 (D) The United States Strategy on  
9 Women, Peace, and Security, released by the  
10 President in June 2019.

11 (E) Advancing Protection and Care for  
12 Children in Adversity: A U.S. Government  
13 Strategy for International Assistance (2019–  
14 2023), posted online by USAID in July 2019.

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

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

18 (1) to prevent, mitigate, and respond to gender-  
19 based violence in humanitarian emergencies around  
20 the world;

21 (2) to promote respect for basic human rights  
22 and gender equality; and

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

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

4 (1) build the capacity of humanitarian actors  
5 responding to crises, including the capacity of gov-  
6 ernments, international organizations, international  
7 nongovernmental organizations, faith-based and non-  
8 faith-based organizations, and local nongovernmental  
9 groups (especially women-led organizations), to pre-  
10 vent, mitigate, and respond to gender-based violence;

11 (2) systematically integrate and coordinate ef-  
12 forts to prevent gender-based violence, including  
13 by—

14 (A) incorporating gender-based violence  
15 risk mitigation interventions across all humani-  
16 tarian sectors; and

17 (B) promoting support for, and collabora-  
18 tion with, gender-based violence response ex-  
19 perts;

20 (3) support activities that—

21 (A) prevent and mitigate the impacts of  
22 gender-based violence in humanitarian settings;  
23 and

24 (B) empower survivors or those at risk of  
25 gender-based violence;

1           (4) improve the delivery and quality of services  
2 for survivors and at-risk populations of gender-based  
3 violence, including—

4           (A) access to medical and psychosocial  
5 services that comply with international stand-  
6 ards; and

7           (B) service delivery to hard-to-reach popu-  
8 lations;

9           (5) ensure protection against and accountability  
10 for sexual exploitation and abuse, by and against hu-  
11 manitarian personnel;

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

16           (7) ensure, when providing assistance to inter-  
17 national and nongovernmental organizations in a hu-  
18 manitarian response, that particular emphasis be  
19 given to such organizations led by women impacted  
20 by the humanitarian crisis; and

21           (8) promote transparency and accountability of  
22 United States Government programs and humani-  
23 tarian implementers' efforts related to preventing  
24 and responding to gender-based violence in humani-  
25 tarian response.

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

2 The Secretary of State, in coordination with the Ad-  
3 ministrator of the United States Agency for International  
4 Development, shall carry out Safe from the Start activities  
5 that accomplish the policy objectives set forth in section  
6 3, including—

7 (1) training and capacity building for humani-  
8 tarian personnel and other humanitarian first re-  
9 sponders—

10 (A) to identify and prevent gender-based  
11 violence in humanitarian settings; and

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

14 (i) established international minimum  
15 standards for gender-based violence pre-  
16 vention and response; and

17 (ii) referrals to qualified gender-based  
18 violence responders;

19 (2) the deployment of, and support for, skilled  
20 gender advisors and female humanitarian aid work-  
21 ers that comply with international standards, includ-  
22 ing through the Gender-Based Violence Area of Re-  
23 sponsibility coordinated by the United Nations Pop-  
24 ulation Fund;

25 (3) the development of technical skills of local  
26 nongovernmental organizations and other local ac-



1       tors, such as women impacted by the humanitarian  
2       crisis, including skills related to advocacy, moni-  
3       toring, data collection, evaluation, and communica-  
4       tions;

5           (4) performing on-the-ground gender analyses  
6       and rapid gender assessments;

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

15          (6) promoting existing international minimum  
16      standards, indicators, and metrics to ensure appro-  
17      priate response and assess the adequacy of interven-  
18      tions relating to gender-based violence;

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

23          (8) expanding and improving empowerment ac-  
24      tivities, including—

- 1 (A) women’s and girls’ economic opportu-  
2 nities and livelihoods;  
3 (B) social network building;  
4 (C) education and skills; and  
5 (D) leadership roles and participation in  
6 humanitarian response; and  
7 (9) establishing accountability mechanisms and  
8 monitoring and reporting tools to prevent and re-  
9 spond to incidents of sexual or other gender-based  
10 exploitation or abuse perpetrated by personnel deliv-  
11 ering humanitarian assistance and associated per-  
12 sonnel.

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

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

- 16 (1) the Committee on Appropriations of the  
17 Senate;  
18 (2) the Committee on Foreign Relations of the  
19 Senate;  
20 (3) the Committee on Appropriations of the  
21 House of Representatives; and  
22 (4) the Committee on Foreign Affairs of the  
23 House of Representatives.  
24 (b) **PROGRESS REPORT.**—

1           (1) IN GENERAL.—Not later than 1 year after  
2           the date of the enactment of this Act, and annually  
3           thereafter, the Secretary of State, in coordination  
4           with the Administrator of the United States Agency  
5           for International Development, shall submit a report  
6           to the appropriate congressional committees that de-  
7           scribes the progress made by the United States, in  
8           conjunction with partners, such as the United Na-  
9           tions High Commissioner for Refugees, the United  
10          Nations Population Fund, the World Health Organi-  
11          zation, the World Food Program, the United Na-  
12          tions Children’s Fund, and the International Organi-  
13          zation for Migration, to prevent, mitigate, and ad-  
14          dress gender-based violence in humanitarian emer-  
15          gencies.

16           (2) REPORT ELEMENTS.—The report required  
17          under paragraph (1) shall include—

18                   (A)(i) an analysis of data and research re-  
19                   garding the key drivers of gender-based violence  
20                   in humanitarian emergencies;

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

23                   (iii) successful program models to address,  
24                   prevent, and mitigate such violence; and

1 (B) a detailed description of the programs,  
2 diplomatic efforts, and other activities under-  
3 taken by the United States to implement Safe  
4 from the Start, in accordance with section 4, in-  
5 cluding—

6 (i) a description of the steps taken—

7 (I) to integrate prevention, miti-  
8 gation, and respond to gender-based  
9 violence into humanitarian assistance;

10 (II) to develop humanitarian  
11 standards; and

12 (III) to respond to specific hu-  
13 manitarian crises;

14 (ii) a description of the progress made  
15 toward achieving specific objectives,  
16 metrics, and indicators for implementation  
17 of Safe from the Start programming,  
18 disaggregated, as appropriate, by gender,  
19 age, and type of violence;

20 (iii) a list of the all projects funded or  
21 supported through Safe from the Start  
22 programming, with specific details on lev-  
23 els of funding or assistance and impacts of  
24 such projects disaggregated, as appro-

1           prios, by gender, age, and type of vio-  
2           lence;

3           (iv) an assessment of the extent to  
4           which consultations with nongovernmental  
5           organizations, including local, national,  
6           and intergovernmental actors have led to  
7           the development of programs, standards,  
8           and interventions to combat gender-based  
9           violence;

10          (v) a list of the policies or programs  
11          implemented by international or multilat-  
12          eral organizations receiving funding from  
13          the United States Government—

14               (I) to improve capacity and inter-  
15               nal protocols to identify signs of gen-  
16               der-based violence, including sexual  
17               exploitation and abuse; and

18               (II) to integrate initiatives to  
19               prevent and respond to gender-based  
20               violence into programs of the organi-  
21               zation; and

22          (vi) a description of any diplomatic  
23          action taken bilaterally, multilaterally, or  
24          with international organizations to encour-  
25          age the governments of other countries and

1 international organizations to adopt poli-  
2 cies and support efforts to prevent and re-  
3 spond to gender-based violence in emer-  
4 gency situations in alignment with the  
5 Global Call to Action on Protection from  
6 Gender-Based Violence in Emergencies.

7 (3) FORM.—The report required under para-  
8 graph (1) shall be submitted in unclassified form,  
9 but may include a classified annex. The unclassified  
10 portion of such report shall be concurrently pub-  
11 lished on a publicly available website of the Depart-  
12 ment of State.

13 (c) BUDGET REPORT.—Not later than 120 days after  
14 the President submits each budget to Congress under sec-  
15 tion 1105(a) of title 31, United States Code, the Director  
16 of the Office of Management and Budget shall submit to  
17 the appropriate congressional committees a budget cross-  
18 cut report that—

19 (1) displays the budget proposed, including any  
20 planned interagency or intra-agency transfer, for  
21 each of the principal Federal agencies that will be  
22 carrying out activities through the Safe from the  
23 Start programming focus described in section 4 in  
24 the fiscal year for which such budget is submitted;

1           (2) separately reports the amount of funding to  
2           be provided pertaining to the Safe from the Start  
3           strategy under subsection (b), to the extent such  
4           plans are available; and

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

9 **SEC. 6. AUTHORIZATION OF APPROPRIATIONS.**

10          There are authorized to be appropriated to carry out  
11 this Act the greater of—

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

14           (2) the amount expended by the Department of  
15           State during fiscal year 2018 to carry out Safe from  
16           the Start activities.

○