

**Testimony**

**Chuck Ludlam and Paula Hirschhoff  
Peace Corps Volunteers  
Guinguinéo, Sénégal**

**Regarding  
The Peace Corps Volunteer Empowerment Act  
S. 732 (Dodd/Kennedy, March 1, 2007)**

**Before the Subcommittee on Western Hemisphere, Peace  
Corps, and Narcotics Affairs  
of the Senate Foreign Relations Committee**

**July 25, 2007**



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Mr. Chairman and Members of the Subcommittee: Asalaa maalekum. Naka nga def? (Traditional greetings in Senegal)

It is a high honor to appear today, as Peace Corps Volunteers serving in Senegal, to testify in support of S. 732, the Peace Corps Volunteer Empowerment Act (Dodd-Kennedy, March 1, 2007).

Over the 40-year period in which Chuck served as House and Senate Committee Counsel, White House Counsel and Vice President for Government Relations at the Biotechnology Industry Organization, he often had the honor of testifying before the Congress and sitting where Janice O'Connell<sup>2</sup> now sits staffing this hearing. Paula has also worked on Capitol Hill and staffed subcommittee hearings. We've never been prouder, however, to participate in a hearing than today, testifying together as Peace Corps Volunteers.

We are proud because service in the Peace Corps—for Chuck first in Nepal from 1968-70, for Paula first in Kenya over the same period, and since 2005 together in Senegal—brackets our careers and lives and defines them.<sup>3</sup> In short, we have been deeply committed to Peace Corps for

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<sup>1</sup> Contact Information for Chuck Ludlam and Paula Hirschhoff: Chuck.Ludlam@gmail.com and PHirschhoff@gmail.com. Mailing addresses: BP 33, Guinguiné, Sénégal (through mid-November 2007) and 4020 Reno Road, NW, Washington, D.C. 20008 and 202-364-6021 (from March 2008). Our cell phones in Senegal through mid-November 2007: 221-452-9599 (Chuck) and 221-452-9608 (Paula). Inexpensive phone cards for Africa can be purchased at Speedypin.com. Also, from July 23-27, 2007 only: 202-364-6021 (home), 202-297-0537 (Chuck cell phone) and 202-297-0730 (Paula cell phone).

<sup>2</sup> Janice O'Connell serves on the Senate Foreign Relations Committee professional staff.

<sup>3</sup> Our biographical information and a description of our Peace Corps service is presented in Appendix A.

more than 40 years. Our service in Senegal has been a challenging, deeply rewarding experience. Rejoining the Peace Corps has proven to be a brilliant decision.

Senator Dodd—RPCV Dodd—you have always been the champion of Peace Corps Volunteers, the 170,000 of us who have served. That you listen to us is clear from the legislation. You understand our idealism, the complexity of our work, and the resources we need to be effective Volunteers. Your distinguished service in the Senate reflects the resourcefulness and entrepreneurship we see in Volunteers.

Let us also say that the best Members tend to have the best staff. Janice O'Connell reinforces the point. We wish to thank her for her professionalism, insights and patience in working with us on this legislation and giving us enough notice so we could fly from Senegal to testify here.<sup>4</sup> Her work is a credit to Senator Dodd and the U.S. Senate.

Ranking Member Corker and members of the Committee, we look forward to working with you on this important legislation. Senator Coleman, during your service as Chairman of the Peace Corps Subcommittee, you showed your strong commitment to the Peace Corps.

Let us state our appreciation for Senator Ted Kennedy, the lead cosponsor of S. 732.<sup>5</sup> His cosponsorship sends a powerful signal to the Peace Corps and its Volunteers. There are few Senators in the history of the country who have been as productive as he has been in his long and distinguished career. Someday when the Senate establishes a committee to select distinguished Senators for portraits in the Senate Reception Hall, like the one his brother Jack chaired in the 1950s, Senator Kennedy will surely be selected to join Senators John Calhoun, Henry Clay, Robert La Follette, Robert Taft, and Daniel Webster in the pantheon of Senate greats.<sup>6</sup>

It is a special privilege to testify on the same panel with our friends Mark Schneider. We would have loved to serve while Mark was Director. In addition, Kevin Quigley has given superb

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<sup>4</sup> We have not requested reimbursement from the Peace Corps or Subcommittee for our expenses in traveling from Senegal to Washington, D.C. to testify. We want to preserve our independence and demonstrate how important we believe this legislation is to the future of the Peace Corps and our fellow Volunteers. We thank Chuck's father, Jim Ludlam, for helping us to cover our costs.

<sup>5</sup> Senator Kennedy became the Chairman of the Senate Judiciary Committee during Chuck's four years of service on two of its subcommittees in the late 1970s. Chuck worked closely with Senator Kennedy and his staff on the Hart, Scott, Rodino Antitrust Improvements Act in 1975 and many other bills. When Chuck was the Vice President at the Biotechnology Industry Organization (BIO), Senator Kennedy was the industry's champion on a wide range of issues. In June 2005 when the *Washington Post* wrote an article about Chuck's retiring from the Senate to serve again in the Peace Corps with Paula, he wrote us a note of congratulations that we cherish. See Appendix B for a copy of this article.

<sup>6</sup> In 2004 portraits of Senators Robert Wagner and Arthur Vandenberg were added to these five in the Hall.

service to the Peace Corps and returned Volunteers, representing all returned Volunteers as director of the National Peace Corps Association.

We also give special thanks to Chuck's father, Jim Ludlam, who is here today, for his strong support during Chuck's service in Nepal and our service in Senegal. Jim, who is 92, flew here from California to demonstrate his support. We are also blessed with the support of the rest of our family and many friends, without whom our service would be difficult, if not impossible.

It is entirely appropriate that you've invited current Peace Corps Volunteers to testify about the importance of a bill that empowers Volunteers. It's not surprising that Chairman Dodd, a Returned Peace Corps Volunteer (RPCV), is the leader in crafting and introducing this timely and substantive legislation. Chairman Dodd, you have not lost touch with the Volunteers; you continue to listen to us, respect us, and champion our work and values. Appropriately, the themes of this legislation are listening to, respecting and supporting Volunteers. Today the Peace Corps does not always do so; therefore, enactment of the legislation is urgently needed.

We're testifying because we love the Peace Corps and feel deep gratitude for the opportunity it has given us to serve. We want this institution to thrive so that many more generations of Americans will have the opportunity to serve. We met through the Peace Corps, one of the greatest benefits of our service.<sup>7</sup> We still believe that the Peace Corps is our country's best means of outreach to the world. We believe in the idea of Peace Corps and the idealism of Volunteers.

We wish we could report that all is well with the Peace Corps but, sadly, that's not our view. We are among the few RPCVs to serve a second time after a long gap, so we are among those who can testify first hand about how the Peace Corps has changed. Except for the medical and security support, we have found the changes do not seem to be for the better. That's why we're here today, making a plea for reform and supporting the pending legislation.

We've thought long and hard about whether it is helpful for us to go public with this view. We know that there are many Peace Corps managers who do listen to, respect, and empower Volunteers. Many of them previously served as Volunteers. For them, the reforms in the legislation will simply reinforce what they are already doing. But in too many cases, Peace Corps managers—in Washington and the field—are not meeting these high standards. We believe the best way to ensure that the reforms become institutionalized in the Peace Corps—and not depend on the values and priorities of individual managers—is to enact them into law.

How an institution responds to its critics, especially its internal critics, tells a great deal about the organization. If the organization welcomes and encourages well intentioned critics, it demonstrates a commitment and openness to renewal and reform. No institution likes to be

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<sup>7</sup> We met in November 1988 on the 25th anniversary of the assassination of President Kennedy at an all-night vigil that RPCVs held in the U.S. Capitol to read from our Peace Corps journals and letters.

criticized, but when the criticism is constructive, the mature response is to respect the critic and remain open to what he or she has to say.<sup>8</sup>

## Peace Corps Changes Over Four Decades

Our testimony focuses on "flattening" the Peace Corps as an institution—the term used in Tom Friedman's book—*The World is Flat: A Brief History of the 21st Century*—to refer to the changes in technology and connectedness that are transforming the Twenty-first Century. We will explain how the legislation you have introduced, the Peace Corps Volunteer Empowerment Act, S. 732, will effectively accomplish this transformation.

First, let us say that the Peace Corps Volunteers with whom we serve today continue to embody America's idealism and generosity. They tackle seemingly intractable problems with resourcefulness and perseverance. Any negatives attributed to the "Post Gen X'ers" do not apply to the Volunteers with whom we serve. You can be as proud of the Volunteers in the field today as you have been of those who served in the past.

However, a comparison of the Peace Corps institution today to the one we knew as Volunteers in Nepal and Kenya is less positive. We regret to report that the institution has become more risk

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<sup>8</sup> The Peace Corps Director approved our leave to testify at this hearing. The Peace Corps *Handbook* recognizes that Peace Corps Volunteers "are free to petition the U.S. Government and its officials in the same manner as if they resided in the United States." There is no requirement in the *Handbook* that Peace Corps review petitions in advance, Peace Corps has made no such request, and the Peace Corps has apparently acknowledged that any such requirement would violate our Constitutional petition and free speech rights. Our testimony is certainly a petition, one that recommends enactment of legislation to reform U.S. Government/Peace Corps policies. By way of contrast, the *Handbook* requires that "articles" for "publication" "must be reviewed in advance" with the Country Director to "ascertain whether they may cause problems that the Volunteer may not have anticipated." If a Volunteer published an article "contrary to the advice of the Country Director that subsequently resulted in adverse consequences for the Volunteer or the Peace Corps/Senegal program" the Volunteer "may" be Administratively Separated (terminated) from service. Clearly, our testimony is a petition, not an article, and it makes no mention of the Peace Corps/Senegal program other than to mention that we now serve as Volunteers in Senegal. Finally, the *Handbook* states that Volunteers "are free to discuss their role in the Peace Corps with media representatives" but they "should notify their Country Director before any...contacts" are made with the media. We have notified our Country Director that representatives of the media may attend the hearing. If we are approached by the media after the hearing, we will have no opportunity to provide advance notice to our Country Director but will notify him after the fact. The *Handbook* admonishes us to be "aware of, and remain sensitive to, the impact personal comments may have on themselves, their co-workers, Peace Corps and the United States." We certainly agree with this admonition. As we discuss reform of the Peace Corps in our testimony, we will explain why it is needed and why the legislation meets that need. It's possible that some Peace Corps officials might not agree with our explanation or our position, but, as stated above, the Constitution and the *Handbook* protect our petition and free speech rights.

averse, more command and control oriented, and less attentive to the concerns and needs of Volunteers. Too often the institution fails to respect and support us. Often it seems to be the opposite of the "flat" organizational style that Friedman explains is coming to dominate the 21st Century. The pendulum has swung away from Volunteers towards the bureaucracy with predictably unproductive results.

Many RPCVs would be as dismayed as we are to learn how the Volunteer experience has changed. We see a Peace Corps where many Volunteers in the field believe that they serve despite the Peace Corps bureaucracy. Because village development work is often frustrating, it is especially demoralizing when Volunteers find that their biggest challenge is dealing with a Peace Corps bureaucracy that is insensitive to their struggles and needs.

We report that the Peace Corps as an agency has established rules and regulations that Volunteers routinely or unwittingly disobey because they are unreasonable, complicated, and poorly defined. Perhaps our litigious society is partly to blame. And of course, the need for greater attention to safety and security in today's world is another source of additional rules. But sadly, it sometimes seems that the Peace Corps has lost its vision of Volunteers as independent beings who can be trusted to make mature decisions. We believe it's time for the Peace Corps to renew its bond of trust with Volunteers through reforms that would lead to better support and training, more effective programs, and higher morale for Volunteers. We have confidence that Director Ron Tschetter will lead the reform effort, aided by this well-crafted and timely legislation.

Two areas where Peace Corps supplies better support to Volunteers are security and health care. Each Peace Corps country has an Emergency Action Plan (EAP) that it rehearses regularly. Every Volunteer's site is marked for its GPS coordinates. Countries have hired security officials who are diligent in identifying security threats to the Volunteers. Medical training is more thorough and comprehensive and response to medical emergencies is much improved. (We have, however, advanced proposals below regarding certain medical systems that seem to be deficient – see "Proposed Additions to the Legislation.") See also below our proposal that the Peace Corps conduct a comparative analysis of staff salaries and benefits to ensure that they can still attract the top talent the Peace Corps needs.

Our observations are based, of course, partly on our personal experience, but also on input from Volunteers serving in other countries. We have not conducted a worldwide Volunteer survey. And we know that many Peace Corps managers and program staff respect, trust, and empower Volunteers. We speak out, however, because we believe our observations are far too typical of Peace Corps country programs today. Even if our observations apply only to a few programs, the legislation is highly relevant because its mandate is to increase support for and empowerment of all Volunteers. The legislation will lock in certain reforms to ensure that the Peace Corps listens to and respects Volunteers.

## **Renewing the Bond of Trust with Volunteers**

At its founding, the Peace Corps was premised on a radical and idealistic notion that many thought was impractical and even outlandish. It took bold vision and risk taking—a New Frontier

mentality, a land-on-the-moon mentality—to give this notion a try. The notion was that we could trust Americans, mostly young Americans, to envision what it would take to improve the lives of villagers in the developing world, to survive hardships, and to make the best of the situation and its challenges. It took visionaries like Sargent Shriver, Bill Moyers and Harris Wofford—leaders who trusted and listened to Volunteers—to put this brilliant idea into practice.

Over the decades, there has been no change in Volunteers that warrants a diminution of this bond of trust. As stated above, we are impressed with the Volunteers with whom we serve. Almost without exception, they are idealistic, resourceful and hard working. We find that they are more mature and wise to the world than we were at their age. We are proud to serve with them, and know that many will be friends for life. We invite you to visit the Volunteers in the field to see for yourself. We believe you will be inspired as we are.

Unfortunately, today some Peace Corps managers seem to assume that Volunteers are slackers and adolescents needing strict rules and discipline. Volunteers often get the impression that the managers don't trust us. They often seem to act as if Volunteers need to be tethered so that we won't embarrass the Country Director or generate a Congressional inquiry. When the agency suffers a rare negative incident, its instinct is to construct a bulwark of paperwork and rules in hopes of preventing a recurrence. *En loco parentis* condescension and risk aversion seem to be common attitudes.

One probable cause of condescension is the substantial age differential between managers and Volunteers, who tend to be straight out of college with little work experience. These skewed demographics might pose problems, but they do not justify treating Volunteers like juveniles. The Volunteers may be young, but they are exceptional individuals with deep insights into their work, their sites, and their needs at site. Condescension is sure to discourage older Volunteers from serving.

Hierarchical organizations, like the present-day Peace Corps, are notoriously poor at listening. They tend to command, dictate and impose, demoralizing Volunteers in the process. In many cases what Volunteers hear from the managers are demands—to write more reports or comply with more rules. Predictably, some Volunteers become resentful and unproductive or they terminate their service early.

Early termination is a plague in the Peace Corps. It squanders the expenses of the selection process, screening, site preparation, training and settling in. It dashes the hopes and expectations of the community in which the Volunteer was serving. The best way to reduce ETs is for the Peace Corps to listen better to what the Volunteers need to be effective and productive, as S. 732 commands.

We are aware that public disclosure of information about the mismanagement of a specific Peace Corps program might be problematic with host country officials. Therefore, we will not reveal information about specific programs if there is any possibility that the information might become public. We have taken steps in our testimony to be sure that there is no information that can be traced to a specific program or country. We do this also to protect the rights of individuals. So, the following is a sanitized view of situations that Volunteers have observed.

- \* An absence of mechanisms to ensure that Peace Corps staff in Washington and in country listen respectfully to Volunteers and respond decisively to reform policies and programs to maximize support for Volunteers.
- \* An absence of a mechanism to permit Volunteers to provide reviews of Peace Corps staff and Peace Corps programs on a confidential basis.
- \* Retention of staff who do not support Volunteers despite ample evidence of their poor performance.
- \* Continuation of certain sectoral programs year after year despite ample evidence at the village level that they are ineffective, leaving Volunteers frustrated and demoralized.
- \* A failure to reform language and technical training to provide the most practical and realistic preparation for village service. Written language materials are especially lacking.
- \* Training programs that fail to bring in officials of non-government organizations (NGOs) with whom Volunteers might collaborate to discuss insights and available funding.
- \* A medical screening process that is needlessly opaque and apparently designed to reduce the leverage of applicants. A refusal to publish information about the process and its standards.
- \* Peace Corps Washington officials who are indifferent to initiatives that would alleviate the substantial financial disincentives to service by older Volunteers and who sit on these proposals literally for years.
- \* Country Directors and Associate Peace Corps Directors (APCDs)<sup>9</sup> who lack respect for Volunteers and speak to them condescendingly, treating constructive proposals and requests for support as personal attacks, and then receive contract extensions despite the protests of Volunteers and staff.
- \* Country Directors who establish a climate of intimidation to stifle dissent (or even constructive criticism) and retaliate against Volunteers who do not defer to the Peace Corps managers.
- \* A Country Director who delayed and obstructed an application for Peace Corps Partnership Program funding, and then argued that the funding would come too late for the Volunteer to successfully complete the project. The same Country Director obstructed another application, adding multiple layers of additional requirements, and then "lost" it for six months.

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<sup>9</sup> APCDs are the in-country directors of programs such as small enterprise development (SED), health, environmental education, agriculture, forestry, ecotourism, beekeeping. APCDs manage the training, site selection and supervision of Volunteers for these programs.

\* A Country Director who said, "It is imperative to understand the near-futility of trying to accomplish ANYTHING in a two year timeframe and consider that thing to be –'sustainable.'" (emphasis in original email)

\* A Country Director who ignored the threat of rabies when a cat, which many Volunteers had petted at a training site, was found dead, until the Peace Corps Medical Officer (PCMO)<sup>10</sup> demanded that it be tested<sup>11</sup>.

\* A Country Director who failed to fix defective beds in a Peace Corps medical center after a top bunk fell on the one below: the Volunteer who would have been in the lower bunk had slept elsewhere that night.<sup>12</sup>

\* A Country Director who would not even read a proposal that Volunteers developed for a feasibility study of a program to extend modern beekeeping practices and as well as a solid waste proposal that NGOs described as the best Volunteer project they had seen in the country.

\* A failure on the part of APCDs to identify sources of minimal seed funding so that Volunteers can mount demonstrations, the principal means of teaching at the village level.

\* An APCD who placed a PCV with an abusive host country family (harassment for sex and money) and then, when the site proved intolerable, refused to help her relocate and accused her of cultural insensitivity.

\* APCDs for agro forestry and vegetable gardening programs who do not assess the salinity of water in villagers where they place Volunteers, even though salinity is a major detriment to growing fruits and vegetables.

\* APCDs who ignored PCVs' advice, given with substantive reasons, against placing additional Volunteers at their sites.

We do not claim that they are typical and we hope that they are not. We know that many Peace Corps staff are committed to Volunteers, and listen to, respect and empower them. No matter how common these situations turn out to be, however, the point is that the Peace Corps tolerates them, which is ample justification for enacting the pending reform legislation.

We believe it is time that the Peace Corps renew its bond of trust with the Volunteers and empower them to lead. This is what the legislation will promote. The Peace Corps surely has the

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<sup>10</sup> Peace Corps Medical Officers are the in-residence staff responsible for Volunteer and staff healthcare in country.

<sup>11</sup> Test results were never obtained due to delays in getting the cat to the testing station from the training site.

<sup>12</sup> A Volunteer, fed up with the delay, fixed the bunk beds to prevent another collapse.

capacity to renew itself. The threat we see is a decline in the morale and effectiveness of the Volunteers.

It is gratifying to see that the Senate is paying close enough attention to notice these problems and to draft S. 732, a constructive response. The pending legislation is needed to effectively reform the agency and restore it to its founders' vision. We are not simply criticizing; we are here to support specific legislative reforms that address the issues we raise.

## **Flattening the Peace Corps**

A useful context for discussing the reforms, as presented in S. 732, is the flattening of the global economy as described by Friedman in *The World is Flat*.

Friedman describes how the world is becoming "flat" through the "Triple Convergence" of computing power, fiber-optic cable (and wireless), and work flow software. He describes a flat organization as one that connects and collaborates with a minimum of command and control. A flat organization is one that is organized horizontally, not vertically, and one that eschews the hierarchy that impedes collaboration, creativity, and individual initiative. A flat organization thrives on listening, learning and adapting. It delegates and empowers. In the 21st Century, the flatter the organization, the better it can function and compete.

As Friedman explains, in a flat organization the most valuable individuals are the great "collaborators, orchestrators, synthesizers, explainers, leveragers, adapters, passionate personalizers, and localizers." These are precisely the skills that we see in our fellow Volunteers. We need to tap these special skills to strengthen the Peace Corps.

"[U]ploading" (input from employees to managers) tends to be "the most disruptive" innovation, he states. Quoting one manager of an increasingly flat organization, Friedman says, "The act of participation is like a muscle you have to use and we are so unused to being active participants in the process that even though the [computer/internet] tools are there now, many people don't use them." "There are also still deeply ingrained habits of deference to authority and institutions." Mr. Friedman concludes, "[T]he number of uploaders is still relatively small. But as the tools for individual uploading and collaboration become more diffused, and as more and more people get positive feedback from their uploading experiences, I am certain every big institution or hierarchical structure will feel the effects. You have been warned." (pp 125-6)

The expertise we need to strengthen the Peace Corps lies at the grassroots. No one knows better than Volunteers what staff members are helpful and supportive. No one knows more about what the Volunteers need for their work. No one knows more about training, language and technical needs. No one knows more about what sites work best. No one knows better what programs are effective at the village level. No one knows more about the needs in terms of seed funding and other resources. No one knows more about how to sustain morale. Yet the Peace Corps is often not inclined to listen to Volunteers.

The Peace Corps has the potential to be the most collaborative agency of the Federal government because its principal asset is the Volunteers who serve communities at the grassroots. The

Volunteers are the heart and soul of Peace Corps. They determine its effectiveness and they are its natural and most effective leaders. Their job—essentially their only job—is to support the Volunteers in the field, and to empower us to serve our communities better. Their performance should be judged on how well they listen to us, learn from us and empower us. Using the power of the Triple Convergence to connect and collaborate in a flat world, Volunteers can thrive and renew the Peace Corps' mission in the 21st Century.

To the greatest extent possible, the Peace Corps needs to become an organization led from the bottom up by the Volunteers. It's clear that the traditional command and control approach of a middle-aged government bureaucracy is ineffective and counterproductive. It stifles collaboration, creativity, initiative and passion. It kills the spirit of the Volunteer in the field and undermines the Peace Corps as an effective, idealistic, grassroots organization.

Empowering the Volunteers at the grassroots will probably not come naturally to a bureaucracy, especially a government bureaucracy. The Peace Corps is 46 years old, so it's not surprising that it has become entrenched in its ways. Some changes that have occurred make sense—the free-wheeling Peace Corps that we knew in the 60s was not sustainable. The strengthening of security and medical support has been welcome. But reform and renewal is needed to preserve the grand legacy of the Peace Corps.

## **Empowering Volunteers to Participate in the Legislative Process for S. 732**

One option for the Committee is to empower current Volunteers to participate in the legislation process for S. 732 through a survey. We suggest this approach only if it's needed to overcome opposition to the legislation. If the legislation is strongly supported, as we hope it will be, such a survey will not be needed.

We do not believe such a survey is imperative. We believe we have sufficient evidence on hand to enact this legislation into law. We are simply saying that such a survey is an option.

Our main concern about a survey is that it might delay the enactment of this legislation. To expedite such a survey, we'd need a quick agreement for cooperation between the Peace Corps and the Committee and a quick agreement on the survey instrument. We understand that next year there is a Presidential election, so it's critical that this bill pass at least the Senate this year.

It's common knowledge that management and labor often have different points of view. We believe that Peace Corps management and Volunteers also have very different perspectives. We have clearly stated our perspective on this difference, but it's easy for the Committee to determine through a survey of the Volunteers if our view is typical.

As Volunteers in Senegal, we have filled out several Peace Corps surveys that were sent worldwide, including a survey of older Volunteers (see Appendix F). None of these surveys addressed the issues in the legislation. These worldwide Volunteer surveys provide ample precedent for the Committee to conduct a survey of Volunteer views of the legislation. Every Country Director maintains and often uses

a list of Volunteer email addresses in country. The Committee could easily survey the 8,000 current Volunteers regarding the legislation.

One argument against such a survey is that we already have in hand impressive results from a survey conducted by the National Peace Corps Association (NPCA) in March and April of this year regarding S. 732. (See Appendix C for the survey instrument.) The survey, which was divided into sections that roughly paralleled sections of the legislation, asked individuals to indicate if they agreed or disagreed with key proposals. A total of 433 individuals took part in the survey, representing at least 41 states and the District of Columbia. Survey respondents served (or now serve) in at least 80 Peace Corps countries. For those who provided information, nearly half (44%) have served since 2000. Twenty percent served in the 1960's, 15% in the 1990's, 11% in the 1970's and 10% in the 1980's.

The survey reported overwhelming support for the legislation. We will report more details at the appropriate points in our testimony, but here is a summary of the key findings:

Seed funding: 84% in favor

Fundraising: 82% in favor

Third Goal: 84% in favor

Recruiting experienced Volunteers: 79% in favor

Removing disincentives for service by experienced Volunteers: 93% in favor

Digital Peace Corps: 89% in favor

Volunteers review of Senior Staff and Programs: 94% and 95% in favor

Volunteer Advisory Committees: 85% in favor

Reform of the medical screening process: 96% in favor

Health care benefits of retirees: 91% in favor

Equal tax benefits for Volunteers who own homes: 90% in favor

Protecting rights of Volunteers: 96% in favor

While the survey was based on a small sample, the results were impressive. The need to determine whether the Volunteers currently serving agree with this sample might prompt a second, Committee-sponsored survey. We believe that the same overwhelming enthusiasm for the legislation would emerge in a survey of Volunteers worldwide, but until we ask, we won't know for sure.

If the Committee determines that another survey would be useful, the Senate Computer Center could set up an online survey that automatically tabulates answers to the "yes" and "no" questions and collates responses to open-ended questions. The Center could code the responses according to Volunteer country of service, age, sex, etc. to note any demographic differences.<sup>13</sup>

The Volunteers could be asked to complete the survey using computers in Peace Corps offices or regional houses, rather than paying for internet time in cyber cafes. They could do so in conjunction with Pre-service or In-Service training or Close of Service conferences.

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<sup>13</sup> The Committee survey of Peace Corps Volunteers, a specific and limited population of experts, could be part of a major trend in our democracy as we increasingly use the internet to empower citizens to participate in the legislative process.

## **Empowering Volunteers to Participate in Personnel and Program Reviews**

Peace Corps in Washington or abroad—indeed any bureaucracy of a large organization—is forever tempted to act as a hierarchy. To guard against this temptation, we need to enact a structural mechanism—backed by legislation—that rewards those who listen to and support Volunteers and puts pressure on those who do not. This is the most powerful reform proposed in the legislation. We need a permanent mechanism that yields continuous renewal and reform.

In *The World is Flat*, Friedman describes one website that might serve as a model for implementing this provision, RateMyTeacher.com. This website enables students to submit anonymous ratings of every teacher in almost every middle school and high school in the country. It has received over 10 million ratings of 1.35 million teachers at nearly 55,000 schools. All interested parties can consult this public site.

Many other 360 and upward feedback assessments for businesses/non-profits could be appropriate for the Peace Corps context. Whatever system is established, Peace Corps Volunteers should identify the meaningful criteria for staff support of Volunteers. Whatever model is used should be disciplined, fair, and consistent.

The notion enshrined in these systems is that of "upward feedback." The Peace Corps constantly reviews the conduct of Volunteers during training and service, but this is all top down. We need to empower Volunteers to review the conduct of their managers on key management and leadership indicators. If Peace Corps managers know that their contracts will be extended only after their performance is subject to "upward feedback," they will be more likely to improve their support to Volunteers.

These "upward reviews" can be a critical tool to improve the overall effectiveness of the Peace Corps, as explained in the context of a company. Companies have traditionally operated as a pyramidal organization with the Chief Executive at the top, fanning out through the management levels to the workers at the bottom. More enlightened companies have started organizing with the pyramid inverted: Chief Executive at the bottom and workers at the top. This emphasizes the idea that each level of management exists to support the level above it in the chart. In other words, managers aren't there to crack the whip to ensure their staff works hard. Instead, their purpose is to establish an environment in which their direct staff performs effectively.

The logic behind upward review is that the people being supervised have a uniquely valuable perspective on their supervisor's skills, which should be incorporated into any assessment of the supervisor. They may be thought of as the primary "customers" of the manager's work; that is, subordinates receive—and are in a good position to evaluate—their supervisor's support. When supervisors see that their customers are Volunteers, it's even more effective to solicit and respect their views. Cracking the whip never works well with Volunteers.

Upward feedback is only as good as its application, especially the means by which the information is communicated to those who are rated. The fundamental purpose of upward feedback is effective management performance, not punishment. That means that the supervisors of those who are rated need to be competent to use the feedback (ratings and comments) to coach their subordinate supervisors/managers, reinforcing strengths and targeting needed improvements. In other words, the data from upward feedback needs to be used to enhance performance. In cases where the supervisor's performance is beyond redemption, the principal alternative is to terminate employment.

**Section 201(a)** of the legislation provides that Volunteers will be surveyed confidentially about the performance of Peace Corps senior staff, specifically on the support they provide to Volunteers. The results will be reported to the Country Director and Regional Director. This applies to Country Directors, Chief Administrative Officers, Peace Corps Medical Officers, and Associate Peace Corps Country Directors. As we've said, this is the most important provision in the legislation.

Section 201 (a) and (b) provide that "appropriate weight" be given to the views of Volunteers regarding reviews of senior staff and programs. (Page 12, lines 4 and 20). Yet in Section 203—focusing on Volunteer recommendations regarding sites and training—the legislation provides that the views of the Volunteers shall have "substantial weight." (13, lines 17-18). The "substantial weight" standard should be applied to Volunteer reviews of senior staff performance under Section 202 as well. Effective management and support of Volunteers are the most relevant measures of senior staff effectiveness, which should be reflected in the weight they are given. (This same change needs to be made at page 13, lines 12-13.)

In addition, we recommend that the Peace Corps Inspector General receive the results of the upward reviews. They will be a source of valuable information for its work in improving Peace Corps programs.

The NPCA survey mentioned above found overwhelming support for Volunteer involvement in reviewing senior staff and programs, with 94% favoring establishment of mechanisms for "soliciting the views of volunteers regarding support provided by senior staff in their country of service." Only 4% disagreed. And 95% agreed that Volunteer input should also be solicited regarding "the design, effectiveness and continued need for programs in which they serve." Only 2% disagreed, the lowest percentage of disagreement in the survey. A total of 94% agreed that the "information in both cases should be confidential and reported to appropriate Regional Peace Corps Directors." Only 3% disagreed. A total of 79% agreed that "substantial weight [should] be given to Peace Corps volunteers regarding Peace Corps site selection and training curriculum." Only 17% disagreed. One respondent remarked in a written comment:

This is so important! No one knows better about training and support needs than currently serving and returned volunteers. Peace Corps needs to listen to us and adapt to fit the needs of a new century and breed of volunteer.

RateMyTeachers.com website or PeaceCorpsOnLine, the website of record for Peace Corps, could establish a system to enable Volunteers to assess their managers. Alternately RPCVs might

try to establish a system. But the best way for the Peace Corps and its Inspector General to embrace this approach to personnel evaluation is by establishing its own web-based upward feedback mechanism. If the legislation is enacted, it will be required. The issue is not whether this technology will be used; it's only a question of when and how. It's only a matter of time before the flat world concept begins to hold Peace Corps managers accountable for serving the Volunteers.

The RateMyTeacher website has become extremely popular with students. Some school systems—enshrined on the website's Wall of Shame—seek to block access to the website from their school computers. Just as teachers do not like the website, Peace Corps managers might react negatively to upward reviews. But one corporate CEO describes the longer term reaction as "SARAH...Shock, Anger, Rejection, Acceptance, Help."

It is equally critical to engage the Volunteers in reviewing the effectiveness of the programs to which they are assigned. **Section 201(b)** provides that once every two years the Peace Corps shall solicit the views of Volunteers serving in country regarding the design, effectiveness and continued need for the program in which they serve. Such views shall be held in confidence and reported to the Regional Peace Corps Director. Again, the Volunteers have the best information about how these programs are working at their sites. Volunteer views regarding these programs shall be given "substantial" weight in determining the design and continued need for the program.

## **A Culture of Listening to Volunteers**

As Peace Corps Volunteers, we often think in terms of culture—the values, customs, and behaviors of a people. The Peace Corps, too, has a culture—one that should be a living example of the values, customs and behaviors as they express participatory democracy and service. Our values, customs and behavior should model what our country stands for in the countries we serve across the globe. The Peace Corps needs to embrace a culture where bureaucratic imperatives are minimized and where everyone shares the goal of hearing, respecting and supporting Volunteers in the field.

Enactment of the legislation is a crucial step towards this goal. We've heard from reliable sources that the Peace Corps will implement some of the individual reforms in the legislation in order to head off enactment of the overall legislation, a common legislative tactic. Implementation of any of the reforms is, of course, welcome. However, the legislation should also be enacted to ensure that these reforms are not jettisoned when the "coast is clear."

To emphasize again, the most relevant provisions of the legislation for restoring the Peace Corps culture are those mandating Volunteer engagement in senior staff and program reviews, Sections 201(a) and (b). Unfortunately, this reform is the one that the Peace Corps is least likely to implement, or implement least enthusiastically, and the one that it's most likely to jettison at the first opportunity.

Some Peace Corps staff will welcome the reviews. A former Country Director in West Africa emailed me to say: "Reviews of staff (360 reviews) are standard in the private sector, why not the public sector?" But his positive response may be atypical.

The Peace Corps managers may argue that such reviews will undermine their authority to discipline the Volunteers. They may remark, "This is like putting the inmates in charge of the asylum," or "What do these young people know about management?" Further arguments might be that the system would reduce management to a popularity contest or prevent them from recruiting good managers. Finally, they might complain that it's inconsistent with the culture of host country nationals to be openly criticized.

Similar defenses have been raised about RateMyTeachers.com, but it has responded persuasively.<sup>14</sup> No one in authority likes to be held accountable. Those in authority want to be free to exercise power. Naturally, they want the minimum of uncertainty about their job tenure. So it's understandable that they will resist Volunteer input in their personnel reviews.

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<sup>14</sup> RateMyTeacher.com has set strict rating rules that include a ban on statements of opinion about facts, vulgar or profane words, statements of a sexual nature or about personal appearance, name calling, and any references to mental capacity, alcohol or drug use, possible law violations, race, religion, ethnic background, sexual orientation, age, or personal life. Any threat to a teacher is reported to law enforcement authorities. Similar rules should be applied to RateMyPCAdministrator.com.

When RateMyTeachers is asked whether anonymous ratings of teachers is a good idea, it responds that "the most important voices are often ignored" but with the ratings, "the student is being heard." It believes that administrative reviews of a teacher's performance "can never substitute for a review from someone who interacts daily with that teacher—the student." It has found that 70 percent of the ratings are positive. In fact, its website publishes a popular Hall of Honor for the top ranked teachers and schools. It trusts that with a broad enough ratings sample, the views of students with a grudge will not dominate the ratings. The website "facilitate[s] a positive change in the way parents, students, and teachers alike look at the education system and therefore to encourage structural changes..." The website is also a place "for students and parents to have their opinions validated." It finds that "opponents of the website clearly believe that students are not astute enough to form a valid opinion nor should parents be given the opportunity to voice their observations."

It states that RateMyTeachers is a useful resource to teachers who are open and self-assured enough to face the opinions of their customers, i.e. students and parents. Teachers want to be respected by their students, and they entered the profession in order to help students develop as individuals. By studying the ratings, the teacher can often adjust teaching methods, helping create an environment of mutual respect in which their knowledge will translate more effectively to the student. Progressive teachers commonly tell the website how they adjusted their approaches to better connect with students after reading comments on the site. The application of the RateMyTeacher.com philosophy to the Peace Corps is compelling.

Peace Corps Volunteers have certain common characteristics that will ensure that this technology is well applied to rate their supervisors—they are persistent, resourceful, computer/web literate, and kind. The flat world is coming, like it or not. It's time to take the initiative and set up an upward feedback system to increase management effectiveness.

Special cross-cultural issues may arise regarding Volunteer ratings of host country nationals who work for the Peace Corps. In many cultures confrontation and personal criticism are commonly avoided and saving face is a high value. For example, in one case a host country trainer responded poorly to the routine evaluations that Volunteers submitted at the close of training. The trainer, new to the Peace Corps, highlighted in red the negative points on the evaluation, approached the students with it, tore it up, and quit the job. In implementing the Volunteer evaluations we need to realize that Americans are among the bluntest and most direct people in the world. We consider this to be a form of honesty and a mechanism for holding people and institutions accountable. Compared to other peoples, Americans have a high tolerance for confrontation and personal revelation. Most host country nationals who work with the Peace Corps come to understand and appreciate this cultural style. Explaining the Volunteer evaluations to host country nationals should become part of the recruitment process or at least the initial orientation. Since most overseas Peace Corps staff are host country nationals, excluding them from the Volunteer evaluation process would exclude many of the staff whose work directly impacts Volunteer effectiveness.

The key to an effective upward feedback system work is to communicate the results to each rated senior staff member. Effective upward feedback, like all evaluation feedback, must focus on reinforcing existing strengths and developing areas rated as needing improvement. Communicating personal development needs always takes tact and sensitivity, and probably cross-cultural skills, a Peace Corps specialty.

The legislation does not dictate the design of the reviews, except for one question: Should the staffer's contract be extended? Other questions can focus on the staffer's specific effectiveness, e.g., in training, selecting and preparing sites, and providing technical and emotional support. Another question that should be asked is how the Peace Corps staff being reviewed can better support the Volunteers.

All of the reviews will be filled out online. Procedures need to be established to preserve the confidentiality of the reviews, as dictated by the legislation, because Peace Corps staff have power over Volunteers, including the power to terminate their service. To ensure that reviews of staff are honest, the confidentiality of Volunteer reviewers must be maintained. Confidentiality is more important to younger Volunteers who tend to feel more vulnerable than experienced Volunteers, bring less confidence to their work, and have less experience in the work world upon which to base their reviews. This makes them less likely, absent confidentiality, to express their views to management.

Volunteers in consultation with the Country Director should draft the review form and procedures. For the Country Director to dictate the form to be used would be inconsistent with the thrust of the legislation. This is the Volunteers' opportunity to provide input on the support they are given by the Peace Corps, so they should determine how to provide that input. They

know best what questions will reveal how managers support or do not support them and how to increase that support. It may be helpful for Peace Corps Washington to supply the Volunteers with sample review forms that can be modified so that Volunteers in each country don't have to draft the review forms entirely from scratch.

The Peace Corps culture must focus on continual review and reform, constantly guarding against bureaucratic responses, condescension, and dictatorial behavior. Only Volunteer participation in these reviews will yield such a process.

## **Other Mechanisms for Listening**

While the most important provisions of the legislation are Section 201 (a) and (b), the legislation provides for other mechanisms to encourage staff to listen to and respect Volunteers.

**Volunteer Advisory Committees: Section 202** provides that each country with a Peace Corps program shall establish a Volunteer Advisory Committee (VAC) composed of elected representatives of the Volunteers. It shall meet at least quarterly to make recommendations to the Country Director, Chief Administrative officer, Associate Peace Corps Directors (APCDs), and Peace Corps Medical Officer (PCMO). The recommendations of the VAC and the senior staff's response to them shall be forwarded to the Regional Peace Corps Director. The responsiveness of the senior staff to the VAC recommendations shall be given substantial weight in the reviews of their performance and contract extensions. VACS are already common in the Peace Corps. This provision strengthens their role.

The NPCA survey found strong support for the VAC provisions of the legislation, with 85% agreeing that VACs should be established in every country "elected by volunteers in that country." Only 12% disagreed. A total of 79% agreed that they should meet at least quarterly and 17% disagreed. Moreover, 80% agreed that "senior staff responsiveness to advisory committee recommendations [should] be given appropriate consideration with respect to performance reviews and contract extensions," with 15% disagreeing. Many respondents referred to these provisions as "good or great." Among the comments were the following:

The weight given to volunteers' input and concerns is at present entirely dependent on individual country staffs' approaches. It would be great to have a more uniform system in which volunteers could raise concerns and have them responded to. Anonymous

If the Peace Corps is listening to the Volunteers, it will support this provision.

**Site Selection and Training Curriculum:** In addition, **Section 203** provides that Associate Peace Corps Directors give "substantial weight" to Volunteers' recommendations regarding site selection, including placement of additional/subsequent Volunteers in the same site. Volunteers have substantial knowledge about which sites work best. Associate Peace Corps Directors and PCMOs should give also "substantial weight" to Volunteers' recommendations on training curriculum.

The NPCA survey found strong support for this provision with 79% agreeing that "substantial weight [should] be given to Peace Corps volunteers regarding Peace Corps site selection and training curriculum," and 17% disagreeing. One respondent wrote:

This is so important! No one knows better about training and support needs than currently serving and returned volunteers. Peace Corps needs to listen to us and adapt to fit the needs of a new century and breed of volunteer.

If the Peace Corps is listening to the Volunteers, it will support this provision.

## Using the Triple Convergence to Listen

Thanks to the Triple Convergence that Friedman described, it is now possible for Volunteers to lead the Peace Corps from the grassroots. Essentially all Volunteers have email addresses and some access to their emails. And most Volunteers have cell phones for voice and text. And the Volunteers in the field have organized websites and list serves so that they can communicate with each other. Peace Corps itself uses list serves to communicate with Volunteers. In a Peace Corps world that is so connected, the tools for a flat organization already exist. All we need is to instill a culture where managers listen to and respect Volunteers and use the Triple Convergence to consult with and support them.

In a flat organization, the leadership comes from the bottom, from those on the factory floor who know how to run the assembly line. In a flat organization, the grassroots have power and rights. Sadly, Volunteer rights are not well defined and due process standards are sometimes violated.

**Digital Peace Corps: Section 105** of the legislation provides that the Peace Corps shall establish websites and email links for Volunteers to use in country on a password-only basis for communication among Volunteers and Peace Corps staff about development strategies, funding sources and other issues. All close of service reports shall be available on the sites or links. Volunteers in some countries are already establishing sites and links that are proving to be invaluable in facilitating communication among Volunteers and enhancing their effectiveness within a country and between countries. Close of service reports are especially helpful to Volunteers who succeed earlier Volunteers, but few of them get saved and used. We need a digital archive of Volunteer experiences.

The overall object of the digital Peace Corps provision is to reduce the need for Volunteers to constantly reinvent the wheel. The loss of relevant information about what works and what doesn't significantly reduces the effectiveness of the Peace Corps as a development agency. There is rapid turnover among Volunteers, which compounds the problem. PCVs do not often overlap at a site, so the transitions are difficult for the new Volunteers. We need to preserve vital information—including all Volunteers' Close of Service (COS) reports. We need to connect Volunteers worldwide for mutual support.

To these ends, the Peace Corps should consider implementing the following:

\* Construct and maintain a master website for use by all Volunteers, staff and RPCVs. Also construct websites for each country where Volunteers serve. Hire webmaster and staff in Washington, D.C. and in each country (perhaps third-year Volunteers). Suggested name of website: "Sarge"<sup>15</sup>

\* Set up an account for all Volunteers and staff with a user name (an ID number or name) and password. Enable account holders to change their user name (to secure anonymity) and password (to prevent third parties from posting information in their name). Open a visitors' account for Peace Corps applicants once they are invited to serve as Volunteers, enabling them to access website and obtain information useful in determining whether to accept the invitation, and upgrade their accounts once they accept the invitation. Enable RPCVs to continue their PCV account. (RPCVs may well be able to contribute valuable content to the websites.) Give all account holders the option to obtain an email address--"(Country)PeaceCorps.gov" under their own name or an alias. Permit webmaster or web monitor in Washington or abroad to rescind an account based on violation of terms of use published on the site. Note: Facebook.com revokes accounts for those who attack a specific person or group of people. University websites typically bar violation of copyrights. Permit account holders to notify the webmaster or web monitor regarding violations of the terms of use.

The Master Peace Corps website should include the following:

- \* A periodic column by the Peace Corps Director
- \* The capacity for the Director and other Peace Corps staff to engage Volunteers in live chat sessions at pre-arranged times, either open-ended or regarding subject specific topics.
- \* The capacity for the Peace Corps to conduct surveys of Volunteers (such as the recent NPCA survey of Volunteers regarding S. 732). Same for Peace Corps Inspector General and House and Senate oversight/legislative committees.
- \* Peace Corps Volunteer Handbook
- \* Peace Corps Manual
- \* Peace Corps official documents and policies
- \* Staff directory for Peace Corps Washington (with phone numbers and email addresses)
- \* Organization chart for Peace Corps Washington
- \* Information regarding the Peace Corps Inspector General and how to file requests for investigations (together with contact information)
- \* History of the Peace Corps. Special sections on JFK and Shriver
- \* In Memoriam section listing staff and Volunteers who have died during their service (with bios, photos and a forum for postings by those who knew them).
- \* Peace Corps annual reports and budget requests to Congress
- \* Information regarding pending legislation affecting the Peace Corps
- \* Peace Corps statistics
- \* Peace Corps news releases
- \* Link to Peace Corps news posted on PeaceCorpsOnLine
- \* Link to the National Peace Corps Association (NPCA)
- \* Link to all Friends (RPCV) groups (through NPCA)

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<sup>15</sup> The website for the Library of Congress is named "Thomas" after Thomas Jefferson, who founded the Library with donations from his private library.

- \* Information regarding the Peace Corps Partnership Program, including relevant forms and manuals.
- \* Basic information on each Peace Corps country program
- \* Link with World Wise Schools program. Permit teachers access to "use" accounts (limited access to website).
- \* List of companies that provide free or discounted cost items to Volunteers (e.g. Chacos and *Christian Science Monitor*). The Peace Corps should actively solicit such donations or discounts for Volunteers (e.g. free mailing of Amazon books, free or discounted subscriptions to the *Economist*, discounts on phone cards and cell phones that accept SIM cards, discounts on solar chargers, cameras, computers, iPods and other music players, laptops and peripherals, hot weather clothing like ExOfficio and Patagonia, camping equipment, posters, etc.), and photography sites (e.g. Snapfish and Shutterly)
- \* The master website should include separate sections on the following development subjects:
  - All ICE publications (technical information published by the Peace Corps)
  - Links to international NGOs that might assist and support Volunteers. (NGOs could post information about their programs, funding opportunities and countries of service.)
  - Links to RPCVs with special expertise in development projects who are available to serve as consultants to current Volunteers.
  - Forum with file/comment posting capacity for Volunteers to search history of conversations for keywords; also permit those who subscribe to the forum to receive automatic updates of new postings. (Use this format for all forums listed below.)
  - Curriculum materials for languages spoken in countries where Volunteers serve. The website should include also downloadable pod casts of language curriculum materials. Include forum as above.
  - Information on sources of financing, especially micro-financing, with forum as above.
  - A bibliography of books and publications on development issues, and sources for seeds and classroom materials (available free or at a discount).
  - Information on each sector in which Volunteers serve, including relevant technical reports and training manuals (e.g. health, education, small enterprise development, agriculture/forestry).
  - Project "cookbooks"/modules for each sector in which Volunteers could post project design, technical specifications, training curriculum, problems and solutions, and outcomes/benefits (with translations into other languages). Site should include a suggested format for these postings. Include forum for each project as above. Establish an annual award for the best posting by a Volunteer.
  - For specific types of projects (e.g. food drying, porridge making, vegetable gardening, beekeeping, etc.), Volunteers should be able to post project cookbook/modules (with translations into other languages). Site should include suggested format for these postings. Forum as above for each type of project. Same award as above.
  - Permit Volunteers to post offers to donate their time/services doing translations or providing technical expertise for Volunteers worldwide on specified subjects together with forum as above.
  - Permit posting of advertisements (paid or unpaid) by corporations and non-profit organizations describing their development programs, offers of donations of services or materials to PCVs, requests for Volunteer participation in projects, or input from Volunteers on the viability/sustainability of their projects. Forum as above.

-- Include a forum as above for discussion of Peace Corps policies, issues of interest to Volunteers and staff, or other subjects.

\* Separate sections on the master website on the following subjects of interest to Volunteers and to connect various Volunteer groups, each with its own forum:

--Volunteer medical issues, including medical manuals and handbooks, information on all the tropical diseases endemic where Volunteers serve.

--Graduate education opportunities, including scholarships. Permit universities to post information about their programs. Permit Volunteers to file applications on line.

--Post-COS employment, information and SF-171 regarding government service, job postings, links to potential employers. Permit employers to post job openings. Link to *Transitions Abroad* (magazine on opportunities overseas).

--Post-COS housing availability, including apartment/house sharing offers by RPCVs. Permit RPCVs and others to post notices.

--Travel and vacations for Volunteers, including links to State Department bulletins and other resources, with separate capacity for Volunteers to post ISO Traveling Companion notices.

--Volunteer safety and security.

--Domesticity/survival issues focusing on cooking (recipes), US Postal Service "M" bags (cheap book rates), callback services and international phone cards, care packages, and related subjects

--Packing lists and sources for useful equipment to use during service.

--International calendar of events concerning development issues.

--Software of value to PCVs, available for downloading.

--Issues of interest to the following groups, each with a forum as above:

1) Those struggling with PC service and considering Early Termination (ET).

Encourage postings about benefits of completing service, especially by RPCVs

2) Female/male Volunteers

3) Older and minority Volunteers

4) Gay Volunteers

5) Older RPCVs and those serving again

6) Volunteers with religious motivations to serve

7) Couples serving as Volunteers

8) Volunteers contemplating marrying host country nationals

9) Volunteers contemplating adopting host country children

10) Peace Corps Volunteer Liaisons (PCVLs) and representatives to Volunteer Advisory Committees (VACs)

11) Volunteers wishing to extend their service in a second country

12) Volunteer writers, including a link to PCV Writers and Readers, information on copyrights, lists of publishers and agents recommended by RPCVs. Include section for posting PCV articles, fiction and humor. Include section on absurd/humorous PCV stories. Include links to PCV blogs.

- \* The master website could do the following:
  - Permit account holders to create forums with access limited to users authorized by the forum creator (e.g. forum accessible only to Volunteers, only to Volunteers in one region, only to staff, etc.). New forums can be made open to all account holders as well.
  - Provide a section for uploading photos and managing a monthly or quarterly photo contest. Possible monthly themes might include: Volunteers at work, fetes/celebrations, rural/urban scenes, agriculture, small business, education, healthcare. Peace Corps could solicit corporate sponsors for each theme.
  - Sponsor annual "Volunteer of the Year" award for each continent on which Volunteers serve, with nominations from Country Directors, APCDs, and Volunteers.
  - Provide forum as above for Country Directors, Admin Officers, PCMOs and APCDs, etc. Set up separate accounts, with separate IDs and passwords to ensure confidentiality.
  - Include links to separate websites (or subsets of master website) for each country in which Volunteers serve. (Make these websites accessible to pre-service trainees.)
- \* The separate websites for countries (or subsets of the master website) could include:
  - Messages from the Country Director and other Peace Corps staff
  - Contact information for all Volunteers in country
  - Phone and email directory of Peace Corps staff in country together with biographical information (similar to Facebook.com).
  - List of Volunteers indexed by site and program. Keep list of all Volunteers who have served in a given site, with updated contact information if possible, so that site's work history is not lost.
  - Contact information for host country government offices and officials
  - Peace Corps Handbook for that country
  - Peace Corps policies applicable in that country
  - Emergency Action Plan (EAP) for the country
  - Relevant forms (reimbursement/vacation leave/quarterly reports/medical supplies/work orders/home of record/site locator) with links to submit them on line. Permit Volunteers to "sign" the forms on line. If forms require signature of someone other than Volunteer, permit Volunteers to certify that they've obtained that signature (by mailing copy)
  - Transportation schedules for Peace Corps vehicles (so that Volunteers can hitch rides).
  - Calendar of Peace Corps events (training, "demyst" village visits and APCD site visits)
  - In-country newsletters and notices
  - Training curriculum (including pod casts) for local languages
  - Links/contact information to NGOs operating in that country
  - Links/contact information for all funding sources, including micro-financing, in the country
  - Links to news sources about the country
  - Links to blogs maintained by Volunteers serving in that country
  - All Close of Service reports (indexed by sector and site and searchable by Google desktop)
  - Maps and city guides for use by Volunteers when traveling around the country. Include survival guide for key sites and set up a forum. Similar information on nearby countries.
  - Permit Volunteers to opt out of receiving paper copies of reports and other mailings
  - Permit each Volunteer to access statements of his/her earnings/deductions (required user name and password)

- Permit access to record of vacation leave taken and medical supplies requests
- Permit country account holders to create forums with access limited to those authorized by the forum creator (e.g. forum accessible only to Volunteers, etc.)
- Permit Volunteers to post absences from site online without seeking oral approval for the leave with APCD or other country Security Director. (Or permit Volunteers to post site absences to voice mailbox.) Vacation leave, including international travel, would require approval.
- Permit corporations and non-profit organizations to post advertisements (paid or not paid) describing their development programs in that country, offers of donations of services or materials to PCVs in country, requests for Volunteer participation in projects, or input from Volunteers on viability/sustainability of their projects. Together with forum.
- \* Each country should use the internet to conduct the surveys mandated in Section 201 of S. 732 (reviews of personnel and programs). Postings would be available to all account holders in that country.
- \* Peace Corps Washington should establish annual award for the best Peace Corps country website.
- \* Each regional/transit house should be considered as a work site, with ample computers and printers, and an internet connection (high speed if available).
- \* Volunteers should be able to connect personal computers to the internet wherever Peace Corps supplies connection (country office, regional/transit houses, or training sites) that does not compromise the government computer network (to include wireless connections).
- \* Each country and regional/transit house shall install Skype or other internet telephony services (including microphones) to eliminate the need for fixed line telephone calls between Peace Corps offices worldwide and headquarters. Also install for calls between regional houses and Peace Corps country office. Potential substantial cost savings.
- \* Peace Corps should be committed to granting Freedom of Speech and immunity for Volunteer postings, other than those that threaten individuals or otherwise violate terms of the site use. No action for Administrative Separation can be based on postings on the site. If postings violate terms of use for the site, the penalty is to forfeit account, not Administrative Separation. This policy is essential to maximize the use and value of the digital Peace Corps vision. Volunteers need to know they can share their views frankly and openly without risking retaliation. (Volunteers can also change their user name to secure anonymity.)

There are hundreds of other possible uses of the flat world and Triple Convergence technologies. The Peace Corps should lead the way among government agencies to exploit them.

The fact that the Peace Corps is not as digitized as it should be leads to inefficiencies and alienation. For example, in June of this year, all Volunteers worldwide received an email from their Country Director stating, "Recent PCV emergencies in other countries have reminded us of the need for PCVs to update their family contact/next-of-kin information whenever they learn of changes." They sent us the form in pdf format. Although most Volunteers have usb memory drives, most do not have access to the software necessary to modify a pdf document. Also, most cyber cafes in the developing world do not have printers. Thus, thousands of Volunteers were forced to download the document on their usb memory drives (assuming they were carrying them), return to their regional houses (if they had one), print out the document (assuming they

had a printer there), fill out the form long hand and then mail it to the country capital office. When Volunteers complained, the Peace Corps sent out a Word version of the form, but it was corrupted and unusable. All Volunteers had previously filled out the forms, yet the Peace Corps didn't send us the old form to update. It didn't simply ask for updates. It asked every Volunteer to re-file the same form. How much easier it would have been had they sent out a Word document or set up the form to be completed online. They could also set up a program to automatically send us the old form once a year so that we could check for updates.

If we each had an account on the country website, we could store a copy of the document we'd filed (and all other similar filings) so we could check it for accuracy or easily revise it for resubmission. The way this little crisis was handled surely alienated many PCVs from the Peace Corps managers in Washington who don't understand the information technology realities in the field. One incident somewhere in the world in which the next of kin form was not up to date probably precipitated this massive, messy undertaking.

The NPCA survey found strong support for the digital Peace Corps provisions of the legislation with 89% favoring systems to promote improved digital communication among Volunteers and staff, including establishment of websites and email links that volunteers could use to discuss development strategies, funding sources and other issues. Only 9% disagreed. And 83% favored making all close-of-service reports available digitally with only 13% disagreeing.

Following are a few of the written comments on the digital Peace Corps provision:

I strongly agree with this, as it has the potential to greatly benefit serving volunteers by giving access to a repository of historical information as well as a means to communicate with others. This could take the form of blogs, discussion groups, wikis, etc. Bolivia, 2

One of the best things I participated in as a PCV was an online WID/GAD conference with the Africa region and Peace Corps DC. Being able to talk and work with (Associate Directors) and PCVs from all over the continent in real time was fantastic and should be utilized more! Anonymous

If the Peace Corps is listening to Volunteers, it will support this provision.

## **Legislative Process and Congressional and Inspector General Oversight: Triple Convergence Insights**

Friedman's Triple Convergence could also promote the legislative process and Congressional oversight of Peace Corps, enabling members of Congress to listen to Volunteers in revolutionary ways.

It's possible, for example, for the Senate and House to survey all current Volunteers or at least all Volunteers who serve on Volunteer Advisory Committees (VACs) to solicit their views on any given matter. This will give the committees real time input from the Volunteers in the field on any given matter (starting with the pending legislation). These surveys should include an open-

ended question as mentioned above. Again, there is no need for the Senate and House to rely solely on Peace Corps management to comment on the legislation. In keeping with the legislation's focus on empowering Volunteers, listening to them is the best way to determine how to proceed.

The Senate and House Appropriations and authorizing committees can take advantage of the Triple Convergence as well. The Peace Corps has the email addresses of every Volunteer, which could facilitate confidential Hill surveys of Volunteers in real time on any subject. It would be easy for the Senate and House to survey every current Volunteer annually or semiannually. The surveys should be completed on line. The survey could be formatted as a spread sheet to easily tabulate all responses. Any such survey should include an open-ended question: "What else can the Peace Corps do to empower you as a Volunteer, enhance your effectiveness, and enrich your experience as a Volunteer?" This survey would give the Senate and House timely, insightful information on Peace Corps management and effectiveness at the grassroots. The Senate and House need not rely solely on the Peace Corps management to provide this information. The perspective of the Volunteers is informative and realistic.

In addition, the Peace Corps Office of Inspector General could also use these tools to fulfill their mission of improving the efficiency and management of the Peace Corps. They can now literally tap the insights of every Volunteer in the field in real time.

If Peace Corps Volunteers were employees, one might argue that they are not entitled to express their views directly to the Congress. But the Peace Corps *Handbook*, which is given to every Volunteer, states that "trainees/Volunteers are free to petition the U.S. Government and its officials in the same manner as if they resided in the United States." With this right, we received official authorization to testify at this hearing today. This means that the Peace Corps acknowledges that Congress has the right to directly solicit the views of Volunteers.

## **Recruiting More Experienced and Older Volunteers**

The demographics of the Peace Corps have always been heavily skewed toward recent college graduates with little or no work experience. Then-Senator John F. Kennedy proposed the Peace Corps idea at the University of Michigan during his 1960 presidential campaign, asking whether the students gathered there would be willing to serve their country abroad. His call has resonated over 45 years. And we believe it will now resonate with that same generation, now close to retirement, so Peace Corps can broaden its demographic scope. We were pleased to hear Director Tschetter state at his confirmation hearing that his key new initiative was to recruit more experienced Volunteers, especially Baby Boomers. However, it may be difficult to progress toward this goal before overhauling the Peace Corps management approach to Volunteers and implementing the reforms in the legislation.

The efforts to "flatten" the Peace Corps and consult with the grassroots regarding personnel, programs, training and sites is the first reform priority for attracting more experienced Volunteers. The command and control approach is not effective in managing employees and even less so in managing Volunteers, especially experienced Volunteers. To be clear, we are not employees of the Peace Corps. The motivation of Volunteers is markedly different from that of

employees. We are motivated more by idealism and less by traditional career goals such as money or status. We expect to be encouraged and supported, emotionally and practically. We expect to be empowered without stifling regulation. We expect to be consulted without condescension. We expect that our views will be validated and lead to action.

In our careers, many of us have been managers and have ourselves experienced both enlightened and heavy handed management. We know the difference. We enter the Peace Corps assuming that we'll be respected for the experience we bring to the task. We hope to serve as mentors to the younger Volunteers.

The second most useful aspect of the legislation for older Volunteers is the seed funding, (addressed below). Without seed funding for demonstration projects, many Volunteers have difficulty performing serious development work.

The third most useful aspect, the provisions establishing Volunteer rights (also discussed below), is also highly relevant to recruiting experienced Volunteers. It is not reasonable to expect more experienced Volunteers to serve in an organization that can fire them without cause or due process—basically what can happen now with certain Country Directors. Older Volunteers have to make major sacrifices in order to serve—leaving jobs, renting houses, selling cars, arranging finances—and they need to know that their service will not be truncated by a Country Director acting on a whim or against an outspoken Volunteer. Older Volunteers tend to be more outspoken than younger ones, which makes them more vulnerable to retaliation and more in need of clear rights.

Next in importance in serving the interests of older Volunteers come the reforms associated with retiree health insurance, the homeowner capital gains issue, and reforms of the medical screening process, which are discussed below.

Finally, the legislation includes a number of additional provisions for recruiting older, more experienced Volunteers.

**A. Goal to Double Number of Older Volunteers: Section 104 (b)(1)** provides that the Peace Corps shall set a goal of twice the current number of Volunteers with substantial work experience by 2009. The definition of "more experienced Volunteers" is those with a minimum of five years of work experience. The Peace Corps shall report to the Congress on the steps it takes to achieve this goal. This goal focuses on experience, not age, but it would, in effect, result in a demographic change in the Peace Corps. Because it focuses on experience rather than age, it does not violate EEOC rules.

**B. Identification of Disincentives: Section 104 (d)** provides that the Peace Corps shall identify the disincentives and barriers to service by Volunteers with substantial work experience and set a plan to eliminate or reduce them. And it shall submit a report to Congress.

**C. Demonstration Programs: Section 104 (e)** provides that the Peace Corps shall designate at least 20 sector-specific programs (i.e. environmental education or agriculture) in at least 20 different countries for which the Volunteers shall have a minimum of five years of work

experience. This applies to Fiscal years '08, '09, and '10. And the Peace Corps must evaluate the issues that arise with respect to these programs. The proposal is to organize sector specific programs with only experienced/older Volunteers and to analyze the issues that arise. This will give the Peace Corps more experience in recruiting, placing, training and managing more experienced Volunteers. Adjustments will probably be needed in many elements of Peace Corps training, sites, and support.

The Peace Corps has launched a "50+" program that seems to resemble the provision in the legislation.

**D. Written Language Curriculum Materials: Section 104 (d)** provides that the Peace Corps shall develop substantial written language curriculum materials for Volunteers. More experienced/older Volunteers tend to have more difficulty learning languages. Most Peace Corps language training emphasizes oral communication, with little use of written materials. More experienced/older Volunteers would learn languages better with the aid of a written language curriculum.

**E. Itemized Deductions: Section 305** provides that the Peace Corps shall consult with the Department of Treasury and the Internal Revenue Service to determine what Volunteer expenses may be deducted as itemized deductions. The Peace Corps shall also secure rulings from same on which Volunteers can rely in claiming such deductions (e.g. revenue rulings or IRS "letters"). The Peace Corps shall report to the Congress which additional deductions for expenses will be helpful. And the Peace Corps shall publish a guide for applicants and Volunteers on same. More experienced/older Volunteers are more likely to itemize their deductions, but it is now not at all clear which expenses are deductible. Can Volunteers deduct—as charitable expenses or unreimbursed employee expenses—the cost of special items they purchase solely because of the demands of Peace Corps service? (Probably yes.) Can Volunteers who intend to write a book about their Peace Corps experiences—as many do—deduct some of their expenses? (Clearly yes.) Can Volunteers deduct the cost of foreign language classes they take prior to their service? (Probably yes.) Can Volunteers deduct their unreimbursed medical expenses incurred as part of the Peace Corps screening process? (Probably yes.)

The tax code provides that "volunteers" may deduct unreimbursed expenses that are incidental to their volunteer work. The expenses must be directly connected to the individual's performance as a volunteer with a qualified organization. The volunteer expenses that are deductible must be 1) unreimbursed, 2) directly connected with the volunteer service, 3) incurred only because of the services rendered, and 4) not personal, living, or family expenses. In addition, volunteers who purchase assets to use while performing volunteer services for charity can't deduct their cost if the volunteer retains ownership of the asset, even if it is used exclusively for charitable purposes. A taxpayer may deduct the cost of maintaining a personally owned asset to the extent that its use relates to providing services to charity. For example, volunteers can deduct the fuel, maintenance, and repair costs (but not depreciation or fair market value) of piloting their planes

in connection with volunteer activities for the Civil Air Patrol. They cannot deduct the value of the taxpayer's time in service.<sup>16</sup>

The Peace Corps should hire a tax expert to work through these issues and cooperate closely with the IRS to determine which expenses are deductible. In many cases, current IRS guidance is not clear. It's also likely that the IRS will take an exceedingly restrictive view on what is deductible, so the Peace Corps will need to exert its interests as a sister agency to persuade the IRS to provide reasonable guidance. If the IRS concludes that it does not have the legal authority to allow the deduction of many of these expenses, the Peace Corps could work with the IRS and OMB to develop a legislative recommendation to submit to the Congress to make some of these expenses deductible.<sup>17</sup>

**F. Financial Guide: Section 307** provides that the Peace Corps shall publish a financial guide for applicants and Volunteers about how to manage their finances in the U.S. while they serve abroad. More experienced/older Volunteers have more difficulty with such tasks as turning over their financial affairs to others or renting their homes, so a financial guide would be helpful.

**G. Survey of Older Volunteers: Section 104 (c)** provides that every two years the Peace Corps shall conduct a survey of more experienced/older Volunteers in country to determine what additional actions would reduce or eliminate barriers to their service. Such disincentives and barriers are numerous and this bill undoubtedly does not address them all. (It might be preferable for the survey to focus on the quality of the Peace Corps experience and ways to enhance it, rather than just on "disincentives and barriers to service.")

In March 2007, the Peace Corps sent a survey to its older Volunteers (defined as 50 or older) as part of its "50+" initiative, soliciting a wide range of information about their experiences and views. A copy of this survey is attached as Appendix F along with a list of questions that could be asked in the next survey in Appendix G.

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<sup>16</sup> The Service has issued a regulation and several GCMs and Revenue Rulings that might be relevant to these issues. See IRS Regulation 1.170 A-1(g) (printed below); IRC Section 262; GCM 36479 and Revenue Ruling 76-89 (printed below); GCM 35548 and Revenue Ruling 73-597 (printed below); Revenue Ruling 69-473; Revenue Ruling 80-45; Revenue Ruling 84-61; Thomason, 2 TC 441 (1943); McMillan, 31 TC 1143 (1959); Saltzman, 54 TC 722 (1970); and Tate, 59 TC 543 (1973).

<sup>17</sup> In addition, Peace Corps processes for Volunteer W2s needs to be improved. We repeatedly asked that our W2s be sent to our home of record in Washington, D.C. where our accountant could pick them up. (PC Washington sends out the forms.) However, the Peace Corps insisted on sending the W2s to us in Senegal, forcing us to send them back to DC from whence they'd come— a one month roundtrip in the mails. Our first year we received W2s that reported our income in the states of our next of kin, where we have never resided and never filed a tax return, rather than in the state of our home of record. It took us two months and nearly a dozen emails to secure corrected W2s. Then the Peace Corps sent the corrected W2s to us in Senegal, instead of to DC.

In preparing our testimony, we heard the following from an older Volunteer couple:

In addition to a survey of experienced volunteers every 2 years maybe one could take place now. Contact all seniors who have served in the last 5-10 years. Even or maybe especially those who did not complete service would be able to give good information on what would have improved their service or helped them stay. (We had a senior friend who told Peace Corps she was leaving to take care of an ill grandchild. She really left because her first site was not even ready and she couldn't go there; she was then placed at a site only because there was housing. Peace Corps hadn't consulted the chief in the area so he wouldn't cooperate, making her work very difficult. She stayed a year.) There are many stories like this in Peace Corps—especially with older PCVs where the family reason for leaving early is a cover-up for a frustration of not being able to do real development work.

In addition, the same couple made some additional recommendations regarding older Volunteer recruitment:

Peace Corps should staff the recruitment section for seniors with seniors. This should also be the case for selection and placement. There might also be some senior specialists who would develop sites for some highly skilled seniors rather than just throw them into some of the basic sites. Peace Corps might try a demonstration project for seniors, having one person be assigned to the senior applicant and follow that person through the process. To be the recruiter, selection person and the placement person for a prospective senior volunteer. That senior specialist might also work with the staff overseas to develop volunteer specific sites. The senior specialist could also provide some assistance to the senior volunteers with information on the special needs of seniors who have "stuff" [like] a house, taxes, and cars.

These useful ideas from an older couple who recently completed service demonstrate the value of listening to and respecting the views of Volunteers. They truly are the best source of information.

The NPCA survey found strong support for the provisions of S. 732 regarding recruiting experienced Volunteers with 79% agreeing with the goal of "doubling the number of Peace Corps volunteers with at least five years relevant work experience by the end of 2009." Nineteen percent disagreed. "A study and subsequent development of a plan to eliminate disincentives and barriers to service for volunteers with substantial work experience" was favored by 93% with 4% disagreeing. And 79% agreed that "for the next three years, [the Peace Corps should] designate at least 20 sector-specific demonstration programs in at least 20 different countries for which a minimum of five years of relevant work experience is required." Only 16% disagreed.

For the respondents who chose to comment on this provision, many expressed enthusiastic support for these proposals. There were generalized comments concerning the values each type

of volunteer offers—the experience of older volunteers compared with the energy and openness to new ideas offered by younger volunteers. Following are a few of the written comments:

This section of legislation would really help make PC serious with respect to its development goal... experienced PCVs not only offer invaluable experience in development they can also provide the role as mentors and ‘helpers’ to younger, inexperienced PCVs...PC needs to be much more of a development agency with experienced PCVs an essential part of this.

Current PCV, Senegal, 17 months

PC is way behind the curve on implementing this type of program for potential PCVs. A primary reason [Volunteer Service Overseas, VSO] is so successful is due to this type of recruitment. I feel the ET rate of this type of PCV will be very low—a real cost savings to PC at large.

Anonymous

If the Peace Corps is listening to the Volunteers, it will support these provisions.

The comment from the survey comparing the Peace Corps to the British-managed Voluntary Service Overseas (VSO) is particularly interesting. In 2004 VSO was voted the top international development charity in the International Aid and Development category at the Charity Awards for promoting innovative approaches to globalizing volunteering. The VSO approach to volunteering has changed dramatically over the years. It no longer sends "school-leavers"; today the average age of a VSO Volunteer is 38. Applicants must have a professional qualification (degree) and 2-5 years of relevant professional experience. Each year it places about 1,500 skilled professionals in nearly 35 countries. VSO is three years older than the Peace Corps, having sent its first Volunteer overseas in 1958. Given VSO's success and reputation, the Peace Corps might reflect on its model to see if it might be updated in the same respects.

Let us now focus on three reforms that are especially relevant for older Volunteers: retiree health insurance, capital gains taxation of homes, and reforms of the medical screening process.

## **Retiree Health Insurance**

Health insurance coverage is an overriding consideration when recruiting older Volunteers. For a select few retirees, employers provide health insurance coverage. Federal retirees, for example, are entitled to buy Federal employee health insurance under the FEHB program at Federal employee prices for as long as they wish. Even after enrolling in Medicare, they may maintain their FEHB insurance as a gap policy. Other retirees who have private health insurance—such as former government employees and union employees—probably do the same.

When this issue was raised in Director Ron Tschetter's confirmation hearing, he promised to check into the problem.

In 2003 when we began planning to rejoin the Peace Corps, Chuck checked into how his FEHB insurance would dovetail with our Peace Corps health coverage. It was clear that the Peace Corps

would be solely responsible for all of our medical costs during our service so we'd have no need for the FEHB coverage. In fact, paying the premiums for our FEHB insurance would be a waste of about \$7,000 during our service. In late 2003, Chuck asked the Office of Personnel Management whether he could suspend his FEHB enrollment during Peace Corps service and resume it when he completed his service. In a letter of March 2004, OPM responded that it would be happy to promulgate a rule permitting Chuck and other retirees to temporarily suspend coverage. Apparently, other federal retirees with FEHB insurance do this when they secure coverage under another insurance program, such as TRICARE or TRICARE-for-Life or CHAMPVA.

Chuck took this OPM letter to the Peace Corps in spring 2004—an offer presented on a silver platter to eliminate a major disincentive to Federal retiree service—and asked that it work with OPM to promulgate this rule. Peace Corps had only to help OPM determine how to manage the paper work flow with the Volunteers and to keep the process moving through OMB. A year later, after hearing nothing from the Peace Corps, Chuck began to nudge it to follow up on this initiative. He became increasingly frustrated with its lackadaisical approach to this project; on his communications, he began to CC key Congressional staff who manage the Peace Corps appropriations and authorizations. (He was then working on a Senator's staff and had access to their email addresses.) This had no effect. It was clear that the Peace Corps had no interest in removing this major disincentive for service by Federal retirees or even in maintaining its reputation with the key Hill staff. Finally, three months after we'd begun our service in Senegal, and after paying about \$1000 for insurance we didn't need, the OPM rule was promulgated.<sup>18</sup>

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<sup>18</sup> Federal Register: November 30, 2005 (Volume 70, Number 229)(page 71749): OFFICE OF PERSONNEL MANAGEMENT, 5 CFR Part 890, RIN 3203-AK90: Suspension of Enrollment in the Federal Employees Health Benefits (FEHB) Program for Peace Corps Volunteers  
AGENCY: Office of Personnel Management.

ACTION: Interim rule.

SUMMARY: The Office of Personnel Management is issuing an interim regulation to allow Peace Corps volunteers who are FEHB Program enrolled annuitants, survivors, and former spouses to suspend their FEHB enrollments and then return to the FEHB Program during the Open Season, or return to FEHB coverage immediately, if they involuntarily lose health benefits coverage under the Peace Corps. The intent of this rule is to allow these beneficiaries to avoid the expense of continuing to pay FEHB Program premiums while they have other health coverage as Peace Corps volunteers, without endangering their ability to return to the FEHB Program in the future.

DATES: Effective Date: Effective December 30, 2005

FOR FURTHER INFORMATION CONTACT: Michael W. Kaszynski, Policy Analyst, Insurance Policy, OPM, Room 3425, 1900 E Street, NW., Washington, DC 20415-0001. Phone number: 202-606-0004. E-mail: [mwkaszy@opm.gov](mailto:mwkaszy@opm.gov).

SUPPLEMENTARY INFORMATION: The Office of Personnel Management (OPM) allows certain Medicare, Medicaid, CHAMPVA or TRICARE or TRICARE-for-Life eligible FEHB Program annuitants, survivors, and former spouses to suspend their FEHB enrollments and then return to the FEHB Program during the Open Season; or return to FEHB coverage immediately, if they involuntarily lose coverage. This has allowed these beneficiaries to avoid the expense of continuing to pay FEHB Program premiums while they are using certain Medicare, Medicaid,

It had taken the Peace Corps 22 months to secure promulgation of the rule **after** OPM had stated its interest and willingness to do so. Paula and Chuck were the first Volunteers to subscribe to the new rule and will probably be the first to end the suspension and reenroll in the FEHB program.<sup>19</sup>

It's unfortunate that the Peace Corps website description of this hard won FEHB premium suspension regulation casts some doubt on the re-enrollment. It states: "Federal retirees may suspend federal employee health benefits during Peace Corps service. However, you will need to talk with your retirement office to ensure that the suspension is done in a way that permits re-enrollment." <http://www.peacecorps.gov/index.cfm?shell=learn.whovol.older.insurance> Under this OPM regulation, Volunteers have a right to reinstate their insurance when their service is completed. Also, this information is listed on the website under "Older Americans: Medical and Health Insurance" but not under "Older Americans: Federal government employees." It should be listed under both. In addition, it would be helpful if the website provided links to the forms that Volunteers file to suspend and reinstate their insurance.

When we'd finally secured promulgation of the FEHB rule by OPM, Chuck wrote to the Peace Corps suggesting that it discuss this new rule with the National Governors Association, the Council of Mayors, the League of Cities, and the major unions to secure similar rules for their retiree health beneficiaries (emails from Chuck Ludlam to six Peace Corps officials, January 2006). Many of these entities might need to enact rules similar to the OPM rule so that their retirees are not forced to pay for health insurance they don't need. The Peace Corps replied "no"—it would not reach out to these other organizations. It was not listening to the Volunteers. If the Peace Corps had responded favorably to the suggestion of January 2006, enacting a legislative command would be unnecessary. Here's an email Chuck received from an older Volunteer couple on this issue:

We each paid the monthly insurance premium through our county retirement the entire 4 years we served as PCVs as retirees (we had worked for a county government for 30 years). (Another older Volunteer) paid her federal [health] insurance for her 2 years... Paying wasn't a deterrent for us because we were so anxious to serve and our retirement was such that we could afford it. However, during our service the premium increased considerably and became less affordable but what could we do?

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TRICARE or TRICARE-for-Life or CHAMPVA coverage without endangering their ability to return to the FEHB Program in the future. We have determined that individuals eligible for coverage under the Peace Corps should be allowed the same right to suspend FEHB coverage and reenroll in the FEHB Program that we extend to these other groups.

<sup>19</sup> When filing for the suspension of premium payments, we've received conflicting advice from the Peace Corps about what forms to use and where to file them; now no one seems to know what forms we need to file and where to file them to reinstate the insurance when we complete our Peace Corps service in November 2007.

**Section 302** directs the Peace Corps to seek to secure rights for Volunteers to suspend enrollment in retiree health plans of state and local governments, private entities and others, with full rights to resume enrollment after their service is completed. Such rights would be similar to those granted in the rule promulgated by the OPM for Federal retirees (Federal Register: November 30, 2005, Volume 70, Number 229 at page 71749: 5 CFR Part 890, Suspension of Enrollment in the Federal Employees Health Benefits (FEHB) Program for Peace Corps Volunteers).

The NPCA survey found strong support for the provisions regarding health insurance and tax benefits, with 91% agreeing that the Peace Corps should seek for all volunteers "the same right of former federal employees to suspend enrollment in retiree health plans during their term of service and resume enrollment after the completion of service." Only 15% disagreed. Among the written comments was the following:

Goal of attracting more experienced volunteers will only occur if the medical and financial ramifications are not onerous.

RPCV, Bulgaria, 2002 – 2004

If the Peace Corps is listening to the Volunteers, it will support these provisions.

## **Homeowners Capital Gains Exclusion**

Another major disincentive to service for older Volunteers and for staff arises from the current tax treatment of capital gains on the sale of a principal residence. The current rule provides a \$250,000-\$500,000 exclusion of gains from taxation as long as the taxpayer has resided in the home for 2 of the past 5 years. Volunteers or staff members might well serve for 3 years and return to find that they are not eligible for this exclusion. This is an issue that has most relevance to older Volunteers; younger Volunteers do not often own homes. Military and Foreign Service personnel have secured a tolling of the 2 of 5 rule during such time as they serve abroad.

When the legislation embodying this tolling provision was first proposed, it provided a tolling of the 2 of 5 rule for Peace Corps Volunteers and staff while they serve. Chuck, then serving on Senator Lieberman's staff, saw that the corollary Senate bill did not include Peace Corps Volunteers and staff in the tolling. He went to the Peace Corps Congressional Liaison on six occasions to ask for cooperation with him to include Peace Corps in the Senate bill or at least ensure that the House provision prevailed in the conference. She showed no interest in his effort and we lost the inclusion of the Peace Corps in the final bill. When Chuck later asked her if the Peace Corps would help resurrect this provision, she refused. In these interactions, the Peace Corps demonstrated that it had little interest in removing disincentives for service by older Volunteers. Appendix E has a detailed account of this issue and the Peace Corps' indifferent response.

In late 2006, the Congress extended the tolling provision to "intelligence officers" while they serve abroad. Again the Peace Corps squandered an opportunity to include Volunteers and Peace Corps staff. See the Tax Relief and Health Care Act of 2006, H.R. 6111, Public Law 109-432, Section 417 (December 22, 2006).

**Section 304** states that the Department of Treasury should propose and the Congress should enact legislation for Peace Corps Volunteers and staff similar to that enacted as Section 101 of the H.R. 3365, the Military Family Tax Relief Act of 2003 (P. L. 108-121) for military and foreign service personnel (and now intelligence officers).

If the Peace Corps had listened back in 2003 when the legislation was pending in the Congress, or acted in late 2006 when it was pending again, this legislative command would be unnecessary.

The NPCA survey found strong support for this provision, with 90% agreeing that "Congress enact legislation to provide Peace Corps Volunteers with treatment similar to members of the uniformed services and foreign service-related benefits on capital gains taxes for the sale of a principal residence." Only 6% disagreed. Among the written comments were the following:

I have long believed the PCVs should have some of the same benefits as members of the uniformed and Foreign Service. We also serve our country and government. The lack of benefits for PCVs, in my opinion, reduces the number of people from low-income and working class backgrounds who can join the PC.

RPCV, Uzbekistan, 2003-2005

If the Peace Corps is listening to the Volunteers, it will support this provision.

## **Transparency of Medical Screening Process**

The lack of transparency in the Peace Corps medical screening process is a major disincentive for all applicants, especially older people who are more likely to have complicated questions about their medical status. The bill does not propose to change the standards of who is accepted or rejected; it simply enhances the transparency (and fairness) of the process.

We found the process to be difficult to work through. We were highly motivated to serve, so we suffered through it, but the process was needlessly opaque and seemed designed to maximize the power of the screeners and minimize the power of the applicants. We can see clearly that for a less motivated applicant, the process would be intolerable. A detailed description of our experience with the process has been published in PeaceCorpsOnLine and is printed in Appendix D.

The bill contains a number of needed reforms in this area. First, the Peace Corps has developed medical screening guidelines. We found out about the guidelines inadvertently when a staffer stated that a certain medical test seemed to be out of line with the "guidelines." (The test results were not, in fact, out of line.) We immediately asked to see the guidelines, which led to a multi-month struggle with the Peace Corps over whether they'd reveal them to us. When Chuck finally threatened to file a Freedom of Information Act (FOIA) request for the guidelines, the relevant portions were sent to us. We were dismayed to find that these portions of the guidelines were considerably out of date with current medical information.

Just before we left for Peace Corps service, Chuck submitted a FOIA request for all the guidelines. It took us seven months to obtain them; we were forced to pay to copy the electronic files (about \$360), and the original electronic copy sent to us was unreadable. When we finally got a usable copy, PeaceCorpsOnLine published them, along with a detailed cover memo about our experience with the medical selection process. Thus, the guidelines are now in the public domain. Given they are now public, the Peace Corps has no reason to refuse to post them.

Chuck published them reluctantly. When he had won the right to a copy of the guidelines, he invited the Peace Corps to publish them itself. He thought that the Peace Corps could explain the guidelines in its own words. He forwarded a copy of his explanation, which he said he would publish if the Peace Corps didn't publish its own explanation. It would not listen to this proposal and refused to publish the guidelines or to give Chuck edits or comments on his explanation. Thus, Chuck had the guidelines published along with his commentary.

His commentary in PeaceCorpsOnLine proposed an agenda of reforms of the medical screening process, not just a posting of the Guidelines. In April 2006 Congressional staff forwarded these medical screening reforms to the Peace Corps with a request for comments. The Peace Corps never responded to the inquiry. These reforms were raised again at Director Ron Tschetter's confirmation hearings last year and he promised to check into the issue. Chuck forwarded them to Director Tschetter by email in September 2006 and received only a perfunctory acknowledgement from his staff. Thus, it appears that the Peace Corps does not understand the relevance of the reforms to the recruitment of older Volunteers. These reforms are all mandated in the legislation. They are summarized here:

a. **Publishing Medical Screening Guidelines: Section 301(1)** provides that the Peace Corps shall publish on the internet its Medical Screening Guidelines. This is simple task and long overdue. Given that they are already public information on PeaceCorpsOnLine, there should be no objection to publishing them on the Peace Corps website. In giving them to Chuck pursuant to a FOIA request, Peace Corps acknowledged that these documents are appropriate for the public domain.

b. **Description of Medical Screening Process: Section 301(4)** provides that the Peace Corps shall publish on line a detailed description of the medical screening process including definitions of all terms of art for the various stages and status of the process. Key terms of art, including, "deferment" and "medical accommodation" are nowhere available to the applicant. This lack of transparency is discouraging to all Volunteers but especially to more experienced/older applicants.

c. **Proposing Amendments to Guidelines: Section 301(2)** provides that the Peace Corps shall establish a process for applicants or others to propose amendments to the Guidelines. There is no process now for proposing amendments to the Guidelines, some of which are considerably out of date.

d. **Basis for Appealing Rejection: Section 301(3)** provides that Volunteers who are rejected on medical grounds shall be permitted to appeal based on the inadequacy of the Guidelines. At present, Volunteers who are rejected can only appeal the facts of their case; they cannot

challenge the adequacy of the Guidelines. Given that some of the guidelines are out of date, this is unfair to the applicant.

e. **List of Medical Conditions: Section 301(1)(A)** provides that the Peace Corps shall publish online a list of medical conditions that would normally disqualify Peace Corps applicants. We believe that such a list exists, and we found it listed recently on the Peace Corps website but it couldn't be opened or downloaded. This is of special interest to more experienced/older applicants who should be able to determine whether they are likely to be rejected before going through the arduous application process.

f. **List of Medical Accommodations: Section 301(1)(B)** provides that the Peace Corps shall publish online a list of medical conditions that would normally lead to a "medical accommodation" and a list of the countries available to accept Volunteers with such accommodations. This is useful information for applicants.

g. **Non-Disclosure of Medical Information: Section 301(5)** provides that applicants shall be apprised of the meaning and implications of a failure to disclose medical information. Failure to disclose is a major issue for the Peace Corps and applicants. The Peace Corps challenges many Volunteers during pre-service training in country about their failure to disclose what they may have considered minor medical history. Yet volunteers are not well advised on the meaning of "failure to disclose" or the consequences if they fail to disclose a medical condition.

h. **Full Reimbursement for Medical Tests: Section 301(6)** states that the Peace Corps shall fully reimburse applicants for all medical tests that the Peace Corps requires them to take. Now applicants must pay out of pocket for certain medical tests, without any reimbursement, before the Peace Corps will begin to consider their applications. This is a serious disincentive for more experienced/older applicants. Reimbursement for other tests after the application is accepted is often insufficient to cover costs. We paid \$2000 out of pocket for mandatory medical tests for which we were not reimbursed.<sup>20</sup>

i. **Extending Post COS Medical Insurance Coverage Cost: Section 303** requests the Peace Corps to submit cost estimates for providing six months' worth of medical insurance to all Volunteers after their close of service, rather than the current practice of providing only one month's worth.

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<sup>20</sup> We know of a case where the "full disclosure" and "medical test reimbursement" issues overlap. A woman applicant, aged 59, checked "post menopausal" on her application. She was asked whether she'd taken hormones when she'd been in menopause and she submitted a signed affidavit saying "no." The Peace Corps wouldn't accept her affidavit as sufficient and required that she secure a letter from a physician to vouch that she'd not taken hormones. No physician existed who could vouch to this, so the best she could do was locate one who could say, "She says 'no hormones' and I believe her." She paid out of pocket for the visit. She found the whole experience "derogatory and denigrating." This is no way to recruit an older applicant.

The NPCA survey found overwhelming support for the proposed reforms of the Peace Corps medical screening process, with 96% agreeing that the Peace Corps medical screening guidelines should be published on the web together with lists of the conditions that typically disqualify individuals and the countries where certain medical conditions can be "accommodated." Only 3% disagreed. And 82% agreed that the Peace Corps should establish a process for interested parties "to propose changes to medical guidelines." Just 16% disagreed. Some 87% agreed that the Peace Corps should establish "an appeal process for volunteer rejections based on medical grounds." Only 10% disagreed.<sup>21</sup> And 88% agreed that applicants should be fully reimbursed for the costs of "medical tests Peace Corps requires for volunteers and applicants." Just 10% disagreed. Finally, 94% agreed that the Peace Corps should report to the Congress on "the costs and policy issues associated with extending—from one month to six months—the period of health coverage provided volunteers upon completion of service." Just 15% disagreed.

In written comments on these provisions, many said that the medical screening procedures are "too difficult, often too slow and can sometimes create disincentives to service." Special concerns were raised on the need for full (or at least improved) reimbursement for medical expenses. Some noted current procedures can impact service for individuals with limited income. Other comments referenced issues including the importance of reforms for the successful recruitment of older volunteers, reviewing policies for applicants who have undergone counseling or other mental health issues and medical decisions on individuals with physical handicaps. Following are a few of the comments:

I recruited 30 years ago and was disappointed recently to learn that seeking the advice of a therapist was still a disqualifier. When will PC join the 21st Century in realizing that psychotherapy is a healthy response to life? It is those who do not seek therapy who might pose a threat to a successful PC sojourn.

RPCV/Former Staff, Marshall, VA, Liberia, 72-75

I just got medical clearance. What a process! Big changes are needed, especially since the Peace Corps is trying to encourage older volunteers with the new 50+ program. I can't imagine how even the healthiest retiree could pass the screening...

Peace Corps Applicant

Peace Corps Volunteers should reflect the diversity of the United States, including those with disabilities.

RPCV, Minneapolis MN, Morocco, 1971-1974

It would be extremely helpful if PC reimbursed the full amount of tests required. I had to pay several hundred dollars out of pocket. This is quite a disincentive.

RPCV, Ukraine/Moldova, 2004-2005

If the Peace Corps is listening to the Volunteers, it will support these provisions.

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<sup>21</sup> Actually this survey question misstates the provision of the legislation. An appeals process exists but does not allow appeals based on deficiencies in the medical screening guidelines. The legislation permits such appeals.

The comment about the Peace Corps intolerance toward applicants who have sought psychological counseling is particularly apt for older applicants. Perhaps older applicants who have experienced a divorce should be disqualified if they have **not** secured counseling to deal with the trauma and transition. The Peace Corps should consider it a sign of intelligence and common sense for an applicant to seek counseling and give a **preference** for doing so. Volunteers who have faced their problems with the help of professionals are probably more reliable and less likely to Early Terminate (ET). In the loneliness and isolation at site, you often have only yourself for support and your self awareness and confidence to sustain you. Dealing forthrightly with your fears and failures is a sign of strength, not failure. The most vulnerable are those who have not processed their fears and failures.

Below, in "Additions to the Legislation," we discuss additional medical issues important to Volunteers that should be addressed in the legislation.

## **Peace Corps Flexibility**

An underlying theme of this testimony is that the Peace Corps needs to be more flexible.

In terms of recruiting, for example, the Peace Corps already permits one member of a married couple to serve alone. What are the implications of permitting parents and their adult children to serve together as a Volunteer team? Perhaps grandparents should be permitted to serve with their adult grandchildren, or siblings with siblings. Perhaps best friends should be permitted to serve together. In each case, we can imagine reasons why this might or might not work out well. This type of innovative thinking and flexibility may help the Peace Corps meet its recruiting goals for older Volunteers. A flat rule against these combinations is excessively bureaucratic.

In terms of couples, service in the Peace Corps can be a dream or a nightmare, depending on the state of the marriage. In our case it's the former. We support each other emotionally and in many other ways. We work on each other's projects, often lending a fresh perspective on how to proceed. But we know of other couples who have struggled. It might be helpful if the Peace Corps wrote a pamphlet—with the help of couples who have served together—outlining how Peace Corps service can affect couples and how they can cope with the stress that it can place on a marriage.

For older Volunteers, the Peace Corps might consider offering certain accommodations regarding living conditions. "Accommodations" for Volunteers with certain medical conditions are already offered; these Volunteers are sent only to countries with appropriate medical facilities and placed relatively close to them in case of emergency.

In terms of family crisis, the Peace Corps normally pays to fly Volunteers home in case of a death in the immediate family. It should also be willing to do so for Volunteers who need to arrange care for a sick or elderly parent or a sick adult child. The Peace Corps should defer to the Volunteer's judgment and be flexible in granting leave and paying for airfares.

With older Volunteers, this flexibility is especially important. We believe that many do not consider Peace Corps service because of their obligations to their elderly parents or adult children.

## **Seed Funding and Fundraising for Demonstrations**

They say that a picture is worth a thousand words. In the Developing World, a live demonstration is worth a million words and is, in fact, the best way—often the only way—to teach a new idea. In our culture, we're used to making decisions based on reports, data, arguments, and pictures. We're willing to take risks based on analogies, corollaries, and propositions. We experiment and we design feasibility studies. With citizens of the Developing World, words are almost never enough. They demand, rightfully, that we show them that something works before they take risks to try it. That something works in America does not mean it will work in the village.

This conservative approach makes sense in the Developing World. The margins of life there are thin. If poor farmers, for example, try something new and it fails, they or their children might go hungry or even die. Capital is scarce. Micro-lending, touted for decades, is often not available. We come from a culture that is optimistic, embraces risk, trusts in "progress," and loves change, but many in the Developing World are cautious and conservative, and rightfully so.

When a 23-year-old Peace Corps Volunteer meets a farmer in the field and urges him to plant a new hybrid cereal seed and invest in expensive chemical fertilizer, why should the farmer jump to adopt this idea? Has the Volunteer ever planted this seed before in this soil in this climate and what were the results? What about pests and diseases, birds and rats? Essentially the only way for Volunteers to proceed is to mount demonstrations to show local farmers that they do know what they are talking about and that the seeds will work as advertised.

If Volunteers can do no more than talk about an idea, draw pictures and cite studies, they may become frustrated and depressed. With seed funding, however, Volunteers can demonstrate their competence, and prove that they know something of value for the local community.

The key question with any demonstration is whether it can lead to sustainable results. It's easy to bring in money to build something. The Developing World is littered with hundreds of millions of dollars worth of "monuments" to development that lie broken and abandoned. Using a demonstration to teach basic skills and change entrenched attitudes is harder but has more potential to be sustainable.

However, to mount a demonstration often requires an immediate infusion of cash, the kind of financing that is too micro to seek from sources like Peace Corps Partnership or USAID's Small Projects Assistance (SPA) grants, but still enough to ensure that a project gets underway. We have been able to provide these infusions from our own resources, but most young Volunteers do not have a cushion of savings from which to draw. Following are some examples of this type of project:

\* We introduced Guinguinéo's first drip irrigation system (donated by Chapin Living Waters Foundation). In a country where drought and desertification are ongoing threats, water conservation is a survival strategy. Mounting the system cost about \$100 including labor. (Our host father has since constructed several generations of drip systems using local materials.)

\* We worked with a women's group to start a porridge making enterprise. We spent about \$25 to help the group launch its first production run and advised them on techniques, recordkeeping, pricing, packaging, and publicity. The porridge—made from millet, black eyed peas, and peanuts—is delicious and far more nutritious than the unenriched white bread that most children eat now.

\* We helped a nearby village establish its first vegetable garden. We persuaded a village émigré who lives in Italy to fund the extension of a water line into the garden, and we paid \$150 to construct a basin to hold the water. We've also spent about \$40 in cell phone calls to persuade the government to bring a solar powered pump to the village.

\* We helped a local Koranic school diversify its garden (with collard greens, eggplants, peppers and tomatoes). The demonstration cost about \$40. We showed them how to save the open-pollinated, non-hybrid seeds (donated by Larry Sallee at the Seed and Light Foundation and Bob Hargrove at Echonet.)

\* We designed and commissioned a solar dryer and launched an experiment in drying mangoes and cashew fruit with a team of community partners. Sunshine is an abundant resource in Senegal. It cost about \$150 to construct the dryer and another \$20 to buy the mangoes we used in the initial runs.

The distinction between seed funding for a demonstration project and a NGO or government grant is straight forward. For example, an NGO might donate mosquito nets to a village—an outright grant. Then a Peace Corps Volunteer might show how to dip the nets in permethen (a pesticide) to make them more effective—a demonstration. The Volunteer would pay for the initial treatment and the village would have to purchase the permethen every six months to continue the treatments.

Enabling a Volunteer to demonstrate a new idea and test its feasibility is not expensive.<sup>22</sup> This is quite different from funding a village's 15th grocery store or the construction of a road. Seed funding enables Volunteers to teach a new idea that has not been previously tested or accepted locally. It's a means of persuading local entrepreneurs to take risks, not simply to generate more economic activity. When the local entrepreneurs decide to take a risk on the new business model, their challenge will be to secure funding from a bank or other source to carry it forward. At that

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<sup>22</sup> In fact, the success of Peace Corps projects often depends on the Volunteer's ingenuity in reducing the need for cash to keep the project alive. For example, Chuck punches holes in used plastic mineral water bottles to use as watering cans. We make manure tea to avoid buying chemical fertilizers. We recycle plastic bottles to use as shade structures for seedlings.

point the Volunteer's role may be to serve as counselor or advisor. The Peace Corps is not and should not serve as a bank or an NGO.

Often the best advice a Volunteer can give entrepreneurs is to fund an enterprise from savings, not loans. In many communities in which Volunteers work, there is sufficient capital but it is not well utilized.<sup>23</sup> When entrepreneurs begin to save to invest in a new enterprise, their whole mindset tends to change. They become more optimistic about the future and less vulnerable to unpleasant surprises. They rise above the hand-to-mouth, day-to-day struggle.<sup>24</sup>

It is not helpful for Volunteers to be viewed as the village Santa Claus. If they assume that role, the demands become an avalanche, making their life intolerable.<sup>25</sup> As it is, many Volunteers are

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<sup>23</sup> A study recently reported in the *Economist* by Abhijit Banerjee and Esther Duflo of MIT (*The Economic Lives of the Poor*)

(See [http://econ-www.mit.edu/faculty/index.htm?prof\\_id=banerjee&type=paper](http://econ-www.mit.edu/faculty/index.htm?prof_id=banerjee&type=paper)) found that the poor could spend 30% more on food/nutrition or other investments in their well being if they stopped spending so much on alcohol, cigarettes and festivals/entertainment. In the survey, the poor spent 10% of their annual income on festivals. The authors of the study speculate that for the poor, "making more money is not a huge priority, or at least not a large enough priority" to make different choices. They also found, "...a reluctance of poor people to commit themselves psychologically to a project of making more money. Perhaps at some level this avoidance is emotionally wise: Thinking about the economic problems of life must make it harder to avoid confronting the sheer inadequacy of the standard of living faced by the extremely poor."

<sup>24</sup> During his service as Counsel to Senator Joseph Lieberman from 2001 to 2005, Chuck worked on this issue, focusing on the poor in America. Senators Lieberman and Santorum introduced legislation for powerful incentives (matching funds) to encourage poor people to establish Individual Development Accounts (IDAs or savings accounts somewhat like IRAs). The legislation was based on Michael Sherraden's research reported in his seminal 1991 book *Assets and the Poor*. He found that poor people could save in meaningful amounts and once they did, their whole world outlook changed. Savings enabled the poor to invest in themselves (educating their children, starting a business, buying a house), gave them a hedge against surprises, and helped them to envision a more positive future. This breaks the dependent welfare handout mindset, leading to optimism and higher tolerance for risk taking and entrepreneurship. We coupled this legislative effort with an attempt to change the basis for the U.S. Government definition of poverty from income to assets. We believe that in assessing one's economic status, counting income is less important than counting assets. (For more on this see Ray Boshara's work at the New America Foundation (*Assets Agenda 2007*: [http://www.newamerica.net/publications/policy/the\\_assets\\_agenda\\_2007](http://www.newamerica.net/publications/policy/the_assets_agenda_2007)). Strategies to alleviate poverty in America have much relevance to the same agenda overseas.

<sup>25</sup> For this reason most Volunteers are very careful not to dispense medicines. If they do, they risk being viewed as the village doctor and clinic. Similarly, if they succumb to the incessant demands for small loans (which often are not repaid), they take on the status of a bank, rather than a friend and colleague. The amounts involved may be small to Americans, but in an economy where many live on less than \$1 a day, even tiny amounts loom large. Saying "no" to

hit daily with demands for money. They fight against the culture of dependence on external funding. Their message is "self-help" and "independence." Volunteers explain repeatedly that they offer knowledge, not money. When they do invest money in a demonstration, they need to carefully explain that they are funding only the demonstration, not the ultimate enterprise. Even then, it's always wise to ask that the local partners contribute something for the demonstration; they need to buy into the project at an early stage. But without some funding to launch the demonstration, the Peace Corps Volunteer is left with words, which often are inadequate to make development a reality in the village setting.

In some countries, USAID permits Volunteers to apply for Small Project Assistance grants.<sup>26</sup> All Volunteers can apply for reimbursement for their project expenses, but the available funds and the determination of what qualifies for reimbursement vary widely. We know of a case where 95% of requests for reimbursement were routinely denied so that Volunteers had to abandon their projects or fund them from their monthly stipend or personal funds, which is not an option available to many Volunteers. (See following discussion regarding the unreasonable restrictions on charitable fundraising.)

The bill contains provisions regarding seed funding to ensure that Volunteers in all countries have access to adequate funds to mount demonstrations.

**a. Seed Money for Volunteer Demonstration Projects: Section 101(a)** notes that the Peace Corps is an agency focused on grassroots, bottom up development, not a funding NGO. However, demonstrating is more impressive than just talking. Appropriately, **Section 101(b)** provides a set-aside for seed funding of 1 percent of total Peace Corps funding. It provides a maximum of \$1000 per Volunteer for seed demonstrations. (We propose that it also set a minimum of \$250 per Volunteer.) Funds shall be dispensed to Volunteers who submit plans that explain how the proposed demonstration might lead to sustainable development. Volunteers are responsible for ensuring that the funds are utilized for the purposes specified in the plan. Volunteers shall submit a report on the demonstration before their Close of Service.

Support for the seed funding provisions of the legislation was strong with 84% agreeing that "up to one percent of the Peace Corps budget [should] be used as seed money to support volunteer demonstration projects." Only 10% disagreed, while 71% said that the "Peace Corps Director [should] determine the amount of available funding each year" with individual seed fund awards

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the demands is often wrenching and impossible, say when a friend needs a loan/gift to buy medicines for his or her child.

<sup>26</sup> The Small Project Assistance Program (SPA) is a collaboration between USAID and Peace Corps aimed at building the capacity of local communities and organizations to reach shared goals. The program uses the human and technical resources of Peace Corps, along with the financial resources of USAID, to encourage sustainable, effective development projects in sectors ranging from health to small enterprise development. SPA is a grassroots program that allows Peace Corps Volunteers to design and carry out their own projects. The complementary components of grants and technical assistance help communities implement small, self-help activities, such as improving access to clean, potable water while gaining critical training in building latrines and reducing the spread of water-borne diseases.

"not to exceed \$1,000." Only 21% disagreed. Also, 75% said that "Country Directors [should] play an important role in seed fund supervision and oversight," while 18% disagreed.

In the written comments regarding the seed funding provisions, some respondents expressed concern about Country Directors administering individual seed fund awards. Comments ranged from concern that CDs have other responsibilities to questions on competence or potential bias. A number of respondents expressed support for CD involvement, but within a committee structure. Also a number of respondents suggested other staff (particularly Associate Directors) would be more appropriate liaisons for seed funding awards. As for the seed funding limits, a third stated that the legislation should set a higher level (above \$1,000) for funding projects or allow more flexibility in setting funding levels.

Following are a few of the written comments regarding the seed funding provisions:

Easy access to small development funds makes the work of the volunteer more effective since they can concentrate on the project rather than the small funding. There should be a clause to allow for inflation in developing countries that would allow seed funds to exceed a thousand dollars in the future. This amount should vary depending on the region...

RPCV, Cape Verde, 2001-03

Development funding provided to volunteers involved in potentially sustainable projects is the best \$\$\$ spent by the US Govt. Every penny enhances the objectives of the Agency, US Diplomacy and cross cultural understanding.

RPCV, Washington, D.C., Namibia, 2004-06

The Peace Corps administration should of course have an important role in supervision and oversight, but committees of peers made of in-country volunteers should take decisions on the allocation and follow up of projects. We had something similar and it worked well.

RPCV, Melrose MA, Mali, 1987-89

If the Peace Corps is listening to Volunteers, it will support this provision.

**b. Fundraising from Entities by Volunteers: Section 102 (a)** provides that Volunteers are encouraged to partner with government and non-government agencies and may assist host country nationals in applying for grants/loans from NGOs for their projects. The relationship between Volunteers and other development agents is ambiguous as is Volunteers' rights/ability to help host country nationals apply for grants and loans.

One potential source of funds is RPCV "friends" groups. Below we have proposed amending the Third Goal provision of the legislation to permit friends groups (i.e. Friends of Kenya) to apply for money to build their capacity to provide funding to current Volunteers. Building capacity might include securing tax exempt status, setting up or enhancing their websites to solicit contributions, and covering expenses associated with making grants to Volunteers.

**c. Volunteer Fundraising from Individuals: Section 102(b)** provides that Volunteers may solicit contributions for development projects at their sites from persons personally known to them, including family, friends, members of their U.S. home community, and from government and non-government organizations working through the Peace Corps Partnership Program. (Section 102(b)(1)(A) provides that a Volunteer may fund raise "including by working through the Peace Corps Partnership Program." It might be clearer to say "including but not limited to..." working through this program. We believe this is the intent of the legislation.)

The solicitations shall state the project or projects to which the funds will be applied. The Volunteer shall maintain records and receipts to confirm that the funds have been applied to the projects described in the solicitation. The Volunteer shall ensure that the funds are expended solely for such projects.

Peace Corps currently prohibits Volunteers from fundraising unless the funds are channeled through the Peace Corps Partnership Program. The program is bureaucratic, and the requirements often delay the funding until late in the Volunteer's term of service. Any fear that Volunteers will solicit funds for corrupt purposes is minimized in the legislation by limiting the fundraising to persons known to them or government or non-government agencies who have reason and ability to monitor the expenditure. A greater problem is corruption by host country nationals. This is a limited proposal that would greatly enhance the effectiveness of Volunteers in securing greater funding for demonstrations.<sup>27</sup>

In the NPCA survey, support for the fundraising reforms proposed in the legislation was strong with 82% in favor of enabling "Peace Corps Volunteers to solicit contributions for demonstration projects from personal acquaintances, and from government and non-government agencies (including the Peace Corps Partnership Program)." Only 15% disagreed. A total of 66% agreed that "such fundraising initiatives [should] require advance approval from the Country Director." At 30%, the proportion who disagreed with this provision was by far the highest in the survey. Apparently, the reason for the opposition to the CD review was a concern that bureaucracy would bog down the process. It's clear that respondents approve of the provision but many oppose the need for the CD's advance approval.

Written comments regarding the fundraising provisions included these:

Allow the PCVs the ability to screen and solicit donations as they see fit.  
PC/Country Directors can set up a protocol/policy/procedure to follow and allow the PCVs to fundraise according to set standards. Review of solicited funds can be

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<sup>27</sup> Few Volunteers know about the exception to the general rule that they may not accept payment for any of their services. The prohibition applies to payments for written work or photographs related to the Volunteer's assignment during the period of service. However, in cases "where payment cannot be avoided," the Volunteer may "donate the proceeds to a worthwhile institution or organization in the host country" as long as they report this transaction. It is common that newspapers and magazines have a minimum payment that must be made, which explains the need for this provision. It would be particularly appropriate for a Volunteer to write about a village project and apply the payments to further that project.

done by a committee of PCVs. Give the power to PCVs, allow them to make decisions. I can't stress this enough. I know that many of the volunteers I served with were infuriated by how babied they felt by PC...

RPCV, (Central America Region), 2002-2004

Allowing volunteers to submit grant proposals is an awesome way of connecting people at home with people in the host country. (Peace Corps Partnership Program) is a great method of fundraising but is full of red tape! Having additional avenues for funding requests could well help increase host country national project sustainability by helping them learn to create proper proposals.

Anonymous

If the Peace Corps is listening to the Volunteers, it will support these provisions.

**d. Empowerment of Returned Volunteer Groups: Section 103** authorizes the Peace Corps to make grants to returned volunteers pursuant to the Peace Corps' Third Goal to "bring the world back home."

This provision should be amended so that RPCV alumni groups can receive funding to build their capacity to award grants to Volunteers for project funding. These groups are generally referred to as "friends of" groups, such as in Friends of Nepal, which Chuck co-founded, or Friends of Kenya, for which Paula has been a board member. This authorization is not to secure funding for the Volunteer projects themselves, but to enable the friends groups to build capacity to fund these projects. For example, funding might enable a friends group to hire an attorney to secure charitable tax exempt status, set up and enhance a website, and cover expenses associated with making grants to Volunteers. Under this amendment, funding could also be provided to the N.P.C.A., the umbrella group for RCPVs, to establish training programs, lawyer referral services, and "how to" manuals to enhance the alumni groups' capacity to fund Volunteer projects. These country-specific friends groups can be a valuable source of funding for PCV projects and other development projects in country.

The NPCA survey found strong support for the Third Goal provisions in the legislation, with 84% agreeing with "\$10 million per year beginning in FY 2008 to support 'Third Goal' activities for returned Peace Corps Volunteers" and 13% disagreeing. A total of 80% agreed that the Peace Corps Director "would award grants on a competitive basis." Only 14% disagreed. A total of 84% agreed that "eligible programs and projects...[should] include educational programs for elementary and secondary schools; partnership projects with local libraries; and audiovisual projects utilizing materials collected during service." Only 9% disagreed. Some 77% agreed that "grants [should] be eligible to individual RPCVs and non-profit corporations with at least one RPCV with a background in community service, education or health," with 16% disagreeing.

Of those who commented, by far the primary concern was that the eligible projects listed in the legislation were too limited. A smaller—but not insignificant—number of respondents expressed reservations or opposition. Some said that the \$10 million funding level was too high, or suggested less funding to begin piloting and building a "Third Goal" program. Others said priority should be given to existing Peace Corps projects, or that funds be directed at overseas

development and not domestic-based projects. If the Peace Corps is listening to the Volunteers, it will support this provision.

## Clarification of Volunteer Rights

Clarifying Volunteer rights goes hand-in-hand with respecting Volunteers. If Volunteers feel that Country Directors can abuse their rights, they do not speak out about the reforms that are needed to strengthen the programs in country, and they become demoralized.

All Volunteers, but especially more experienced/older Volunteers, make substantial sacrifices in order to serve. Their rights need to be clarified so that they have full notice of the conduct that would lead to "administrative separation" by Peace Corps. In our case, Chuck retired, we rented our house in Washington, D.C., sold two cars, and arranged to have an agent handle our affairs during our absence. We incurred considerable expense. It is reasonable for us to be confident that we have certain rights and that we can assert them. Will the Peace Corps listen to Volunteers on this subject?

To ensure that Volunteers fully understand what is expected of them as Volunteers, **Section 306 (a)** states that Volunteers may be Administratively Separated (terminated) only for violations of the specific types of conduct specified in Manual Section 204. Country Directors have separated Volunteers for generalized charges such as an assessment that the Volunteer is ineffective at site. This lack of standards allows Country Directors to act on a whim, play favorites or retaliate against Volunteers who speak out about reforms. Terminating a Volunteer's service for vague and subjective reasons violates their rights to due notice.

**Section 306 (b)** explicitly protects Volunteers who blow the whistle on Peace Corps staff or advocate reforms of the Peace Corps. They are entitled to full OPM "whistleblower" protections.

Finally, **Section 306 (c)** provides that the Peace Corps should not require that Volunteers submit stories or articles they publish to the Country Director in advance except for one category—stories, articles or other material that the Volunteer intends to publish that "relate specifically to the Peace Corps program operating in the country where the Volunteer is serving or to policies or actions by officials of the government of such country." This is a narrow exception to protect the Peace Corps from ill-considered publications that might be inflammatory in the country where the Volunteer is serving. It does not limit the right of Volunteers to publish information about the Peace Corps in general or the conduct of Peace Corps officials in Washington.

The reason for the provision is to protect the Free Speech rights of Volunteers against censorship. However, if they exercise their free speech in a manner that compromises their service, and if that violates the explicit rules of conduct in the Peace Corps manual, they can be "administratively separated" (fired or terminated). The exercise of one's Free Speech rights has consequences, but censorship should be avoided.

One issue that needs to be explored is how this rule would apply to the blogs that so many Volunteers maintain. The blogs often constitute running commentaries on the Volunteer's service, sometimes with references to specific individuals or incidents in their villages. Blogs

provide valuable insights into the Volunteer experience and are consistent with the Third Goal of the Peace Corps—to "bring the world back home" to America. If under the legislation Country Directors will be required to review thousands of blog postings, which they now routinely ignore, then perhaps blogs postings need to be exempted from review.

The NPCA survey found strong support for the provisions of the legislation to protect the rights of Volunteers with 96% agreeing that the "Peace Corps Director shall ensure Volunteers reporting staff misconduct or advocating reforms be treated in accordance with federal whistleblower protections." Only 8% disagreed. Some 80% agreed that Volunteers not be required "to submit stories, articles or other material they publish to the Country Director for prior approval," with 18% disagreeing. In the written comments, several respondents expressed "full support referenc[ing] free speech." If the Peace Corps is listening to the Volunteers, it will support this provision.

## **Peace Corps Leave Policies**

The Peace Corps regulations regarding leave—vacation, medical, job related, leave without allowances (LWOA)—and especially time "out of site"—represent a counter productive *en loco parentis* approach to managing Volunteers. They embody a lack of respect for Volunteers treating young and old as if they were adolescents. The Volunteers sense this and often violate the leave policies inadvertently or advertently. The whole structure undermines trust between the Volunteers and management. The policies are badly in need of reform.

The general philosophy of the Peace Corps regarding leave makes sense. Manual Section 220 states,

In order to be effective and to meet the goals of Peace Corps and your host communities, Volunteers should remain at their sites as much as possible. Their presence in their community enables them to build positive, trusting relationships, and to work with the people associated with their primary activity. It also enables them to meet other host-country nationals, establish credibility within the larger community, better understand the opportunities for the transfer of skills, and become involved in secondary activities.

Cultural immersion is tough, but it's the only way to learn the language and culture, and to succeed in your work. It can be exhausting at first to live in a community where you have no privacy, no one with whom to speak English, and no one who understands your Western needs or work goals. Volunteers need to be patient and gut this out. When they do, they can find themselves in a rich cross-cultural experience that forever changes their lives.

Chuck was the first Westerner who had ever been to the region of Nepal where he was posted. He often went two or three months with no contact with the outside world or another Volunteer. During this time he had no mail, phone contact, or emails. Paula often went for long periods similarly isolated. This type of isolation in the Peace Corps is largely a thing of the past. Cell phones now connect most Volunteers to friends and family, and cyber cafes have proliferated.

This means that today there are greater temptations and opportunities to communicate by cell phone or email, arrange rendez vous to socialize in town, or watch videos. Many Volunteers straight out of colleges, where a drinking culture sometimes prevails; thus, there are additional temptations. This is particularly true in cultures where alcohol consumption in public is not permitted or appropriate. Given the overwhelmingly young demographics of the Peace Corps, managers have legitimate concerns about avoiding incidents that might harm individuals or the Peace Corps program.

Running parallel to the leave regulations, the Peace Corps goes to legitimate lengths to remain current on the location of the Volunteers. When emergencies occur at home, Volunteers need to be contacted quickly. When political crises occur, Volunteers need to be warned or even evacuated. All Volunteers are trained in an Emergency Action Plan. However, leave and contact information are two separate issues. Unfortunately, they often get conflated in the Peace Corps.

The Peace Corps seems to assume that the best way to keep Volunteers from temptations is to strictly limit the number of days per month "out of site," four days per month, for example. Volunteers are required to contact their APCD to secure approval in advance whenever they take these days or otherwise leave their site. These are not vacation days; they're more like weekends or respite time. Weekends and American holidays do not exist in the Peace Corps world, except for staff (which creates some resentment among Volunteers). Other out-of-site policies are that a Volunteer "should not be away from his/her site for more than one weekend in any month (a weekend is considered to be any two consecutive nights, not counting travel time)," and "No Volunteer site absence should last longer than two consecutive nights." A final policy is that "Absences of longer than four (4) consecutive days will generally be considered as vacation (leave)." Administrative Separation is the ultimate sanction for those who violate these policies.

The out-of-site policies are a major source of friction between Volunteers and management. Compounding the problem is confusion about whether the out-of-site days are for a respite or for work reasons. Volunteers have many legitimate work-related reasons for leaving site. For example, a) to attend functions sponsored by Peace Corps, such as In-service Trainings (ISTs), workshops and conferences; b) to travel to the capital city for programmatic, training, administrative or medical reasons; c) to travel to a nearby town or regional capital to collect mail, go to the bank, replenish supplies, attend a regional meeting, attend to Peace Corps business, or use a cyber café to communicate with family, friends or other Volunteers; d) to use the computers at a regional Peace Corps house to prepare quarterly reports and other documents and use cyber cafes for research relevant to projects; e) to visit other Volunteer sites within the region or outside the region to provide or benefit from professional development activities or to support other Volunteers; f) to provide peer counseling to other Volunteers; g) to travel with counterparts or work partners to meet with NGOs, Senegalese government officials, or funding sources in support of village projects; and h) to travel to other sites within Senegal to better appreciate our host country and its culture and to attend cultural events and celebrations. Determining whether one is taking out-of-site leave or some other sort of leave is often impossible. In many cases, a trip has multiple purposes.

As a result, many Volunteers ignore the requirements that they seek approval and provide notice. The system is simply too complicated, convoluted, and condescending. The overall tone and

effect of these regulations breeds resentment. Because the APCDs are the police for this system, they become alienated from the Volunteers they are supposed to support (emotionally and technically). Telling Volunteers that they must remain in their villages under threat of discipline is not the best way to persuade Volunteers of the benefits of cultural immersion.

Every organization has a few who do not take their work seriously. A few, very few, Volunteers fit this description. But it makes no sense to impose a counter-productive regulatory scheme presuming that every Volunteer is trying to skirt work in an attempt to "catch them." This is over-kill and not worth the considerable price.

A more positive approach to these issues is needed. The best way to keep Volunteers happy and engaged in their work and immersed in their village culture is for the Peace Corps to provide training and support that will enable the Volunteer to thrive at his or her site. It must design programs that give Volunteers a reasonable prospect for success at their sites and give them substantial information on possible secondary projects. If a Volunteer is found spending too much time away from site, the Peace Corps should offer training and support to reverse the tendency. Penalizing Volunteers just demoralizes them.

The Peace Corps needs to experiment with fewer threats and more support regarding leave. There are four areas in which these experiments should take place.

**1. Implementation of Out-of-Site Policy:** When the APCDs are assigned to police the leave system, particularly the out-of-site limitations, their relationship with the Volunteers suffers. Moreover, the constant bureaucratic task keeps these high level officials from more substantive work. A better alternative might be to provide that when Volunteers leave their site overnight, they notify the Peace Corps in one of three ways: a) Call an answering machine at the Peace Corps country headquarters; b) Send an email to an address at the Peace Corps headquarters; or c) Notify their APCD by cell phone.

They would be asked to report name, destination, dates at the destination, names of Volunteer traveling companions, reason for the travel, and expected time of return to site. They should note if they are traveling to a location without cell phone reception. All Volunteers would be given a plastic card with the answering machine number, email address, check list of information to be provided and a list of the possible reasons for being out of site. Then each day the Peace Corps headquarters would check the answering machine and email address and compile a list of the information provided by the Volunteers on an Excel spreadsheet. One copy would go to the country Security Director.

The APCDs would periodically review the pattern and reasons for absences of the Volunteers from their sites. If a Volunteer has been absent too often from site, the APCD would contact the Volunteer to determine whether the Peace Corps could give support to increase the time at site. The APCD and Volunteer might enter into an agreement about the support the Peace Corps may provide and the expectations of the Volunteer. This system would give the Peace Corps the information needed in case of emergency, but not force the APCDs to serve as police. It would focus on positive intervention, not penalties and threats.

Finally, the Peace Corps measures leave "door to door," counting travel time between sites as part of the leave. This is no problem for Volunteers who live in or near a town or the capital city, but for Volunteers in remote sites or sites where poor road conditions substantially delay travel, a good deal of their leave can be eaten up simply in transit. The policy should be more fair and flexible.

We do not propose that the legislation address these complicated issues. The rules need to be localized in response to the conditions of individual countries. But a positive, reinforcing, non-policing approach such as we suggest is consistent with the themes of this legislation—the need to listen to, respect and empower Volunteers.

**2. Job Related Leave: Domestic vs. International Travel:** The Peace Corps job-related leave policies are counter productive to the goal of performing serious development work and should be modified.

Volunteers often leave their sites to undertake job-related activities **in or outside of their region**. This work can involve attending Peace Corps sponsored events or trainings, attending sector-based work conferences, supporting other Volunteers' projects, meeting with NGO, governmental, or private partners, or extending projects developed locally to a regional or national level. Less common are work-related trips to another Peace Corps country, to the U.S., or to a third country where the Peace Corps is not active.

In fact, it is fairly easy for Volunteers to gain approval for work-related travel in country, as some of the relevant policies are relatively flexible. According to Peace Corps Manual Section 218, work travel for Volunteers that "is part of a Volunteer's assignment or incidental to it will be paid in the country of assignment by the Peace Corps, the host country, or the project donor." Since the burden of proof for the work's relevance to the Volunteer's assignment is purposely vague, country managers have a great deal of leeway to allow work-related travel in country. Moreover, since the Peace Corps is not obliged to fund this travel in all cases, but can cede responsibility to the host country or a project partner, budget constraints are less of a limiting factor. In practice, managers are free to use their judgment to apply work travel status, and do not typically concern themselves with the source of the sponsorship (most such trips are unsponsored) provided to Volunteers. This is a good model, as it allows Volunteers and managers to build an organic understanding of the limits on Volunteer projects, and minimizes administrative obstacles to work at the regional or national level.

However, not all job-related leave requests for travel in country, are granted because of the Peace Corps' limited definition of what constitutes a "Volunteer's work." The standard definition is limited to work that takes place in the Volunteer's assigned site. Apparently this definition is intended to minimize a Volunteer's out-of-site time. The Peace Corps Manual provides no guidance on the value of a work project with national or regional significance compared to the value of the Volunteer's time at site. The latter value automatically prevails regardless of the opportunity for the Volunteer to expand his or her project at the national or regional level. Volunteers who have served for at least a year at site and have developed regional or national projects should be able to apply for a change in the status of their assignment to reflect their work realities and opportunities. If they have demonstrated good community integration and

their work has naturally expanded beyond their community, they should be allowed to follow it and apply it nationally or regionally. Stifling the talented Volunteers with the impressive projects is not a wise management or development strategy. The definition of what constitutes a Volunteer's work must be expanded.

The approval process for job-related travel **internationally** is even more convoluted and counter productive. The definition of what constitutes a "Volunteer's work" remains a major problem, but even worse Peace Corps Manual Section MS 218 notes that "extraordinary or long-distance travel, including travel to the U.S. or a third country, will be provided under a separate travel allowance granted by the Country Director. Volunteers authorized extraordinary travel will receive economy or coach class transportation, or the equivalent." This language imposes one near-insurmountable obstacle to international job-related travel—the condition that the Peace Corps pay for the Volunteer's travel to third countries while on Peace Corps business, which is frankly improbable given the state of most country budgets. Moreover, once the Volunteer has arrived in the country of destination, the Peace Corps is obliged to pay a per diem. As if to make things more complicated, if the destination is another Peace Corps country, the receiving country is responsible for the per diem, but only if it has requested the Volunteer's travel (in this case, the country acts like a project sponsor). Countries will do almost anything to avoid adding items to their budget, so that sponsored travel for Volunteers becomes a game of seeing which country administration will give in and request the travel, thus assuming responsibility for the Volunteer's per diem and other expenses.

Clearly, these rules are not designed to facilitate Volunteer travel to other countries, no matter how great the opportunity for conducting serious development work. Some Peace Corps managers have worked around these barriers by allowing Volunteers to take vacation days for job-related travel to other countries, without offering to pay a per diem, and later giving back the vacation days. This is not an above board method of handling the problem because it means that the Volunteer must take vacation with only a verbal promise of reimbursed time, and no compensation for expenses. If a country administrator later refuses to reimburse the Volunteer's vacation days, the Volunteer has no recourse to file an appeal. When Volunteers have run out of vacation days and need to travel internationally for their work, they simply can't and don't. The only other option available to the Volunteer would be to take leave without allowances, which would deduct from a Volunteer's readjustment allowance for every day of travel taken. This is not a reasonable alternative. As a result, authorization for international job-related travel is extremely difficult to obtain.

Let us examine a recent actual case to demonstrate the problems with this policy. Volunteers in Country A requested job related travel to another Peace Corps country, Country B. The request came when Volunteers in Country A became aware of the possibility of a work partnership with PCVs in Country B, located less than 200 miles away with easy overland connections. The Country B PCVs were specialists in the same type of work, and the opportunity for mutually beneficial collaboration was significant. The Country B PCVs even expressed interest in replicating the work. Everyone involved thought this was a great opportunity to improve upon and spread a project that had already been tested in numerous sites in Country A.

However, the Country Directors separately informed both sets of Volunteers that no job-related leave would be granted. Both sets of Volunteers were told that the other country would need to request the travel and pay for it because their country had no budget for this expense. Moreover, contrary to recent practice, the Volunteers in Country A were not given the alternative of reimbursement of vacation days, and, in the *coup de grace*, were told that their work was restricted to their specific sites. It was clear that the only alternative available was to pay for the trip themselves and take vacation leave. The Country A Volunteers were disappointed. They had earlier been granted job-related leave to expand their project beyond their specific sites within the country, occasionally in locations nearly as far removed as Country B. The blow to their morale was substantial; fortunately for their project, the pair were not yet out of vacation days.

Ironically, at the same time that their international travel requests were rejected, the Volunteers in Country A received a major international award for their project, based in part on its value and applicability to Peace Corps Volunteers in other countries.

This case exemplifies the problem with current Peace Corps job-related leave policies, those that apply to both in-country and international travel. Even where country managers wish to facilitate Volunteer travel, they are hamstrung by a narrow definition of the "Volunteer's work, regulations concerning per diems and travel payment, and limited budgets. Where country managers are not willing to bend the rules, serious development work can be stifled. Clearly the rules need to be changed.

We propose that the legislation be amended to include a section of job-related leave. This section would provide the following:

- \* The definition of what constitutes a Volunteer's work should include extension of work opportunities beyond their immediate communities. The definition of leave in Manual Section 220 should be adapted to specifically allow national, regional and international job-related travel for projects of value to the country of origin **and/or** other Peace Corps countries. Perhaps this expanded definition should apply only to second-year Volunteers whose work has special value beyond their immediate community.
- \* Volunteers who must undertake international travel for work purposes should also be allowed to use their available vacation leave and the Country Director should be authorized to either reimburse them with vacation days and/or payment of their expenses.
- \* Volunteer per diem requirements for international job-related travel should no longer be mandatory, nor should payment for transportation costs.
- \* A special country budget should be granted for job-related Volunteer travel.
- \* No special medical or security burdens should be placed on countries hosting Volunteers during job-related international travel beyond what it would provide were they visiting as tourists.

**3. Job Related Leave to Testify Before or Meet the Congress:** Additional issues regarding job-related leave arise in the special context of an invitation to give testimony before the Congress or to meet with Members of Congress or Congressional staff.

In addition to the analysis of job-related leave above, there are additional reasons why the Peace Corps should expand the definition of a "Volunteers' work" when Volunteers are invited to testify before the Congress or meet with Members of Congress and Congressional staff. Leave is routinely granted for in-country meetings and conferences focusing on reforming the programs and policies of the Peace Corps. For example, a Volunteer organized a meeting regarding issues of concern to older Volunteers who were all granted job-related leave to attend. The long-term effectiveness of the Peace Corps requires that Volunteers engage in a continuous process of reforming the agency and its programs.

In addition, mutual support among Volunteers is one of the highest callings and traditions in the Peace Corps. Without it, our service would be considerably more difficult and for some Volunteers, impossible. Indeed, job-related leave is routinely granted so that Volunteers can support each other; peer counseling is the term often used. Testifying or meeting with Congress regarding Peace Corps issues is consistent with this tradition and practice.

Accordingly, to avoid uncertainty about Volunteers obtaining leave, and to protect the jurisdiction of the Congress to oversee the Peace Corps, we recommend that the legislation be amended to provide that job-related leave shall be granted to Volunteers who receive official invitations—such as we received—to appear to testify before or meet with Congressional Committees or their staff. This will ensure that no other Volunteer has to endure the uncertainty and aggravation that we did to secure leave to testify.

We also recommend amending the legislation to require that Peace Corps reimburse Volunteers for the cost of their air and land transportation for such a trip. To preserve our independence and ensure that Peace Corps reimbursement policies would not block our trip, we used personal funds to pay \$3300 for our airline tickets to travel to Washington to testify. This amount is over half of the value of one of the readjustment allowances that we've earned during our Peace Corps service.<sup>28</sup> We believe that testifying in support of Peace Corps reform and our fellow Volunteers is well worth the expenditure. Few Volunteers, however, have the financial resources to cover the considerable costs of responding to a Congressional invitation. As an accommodation to the Congress, the Peace Corps should be required to cover these costs in the future.

**4. Leave Without Allowances (LWOA):** Few Volunteers know about a category of leave called "leave without allowance" (LWOA). It's not mentioned on the leave application forms or any other document that's given to Volunteers. The Peace Corps *Manual*, which Volunteers do not receive, refers to it briefly but it's not mentioned in the Peace Corps *Handbook*, which they do receive.<sup>29</sup> With LWOA, the Peace Corps suspends contributions to the Volunteer's "readjustment allowance" and other benefits (but continues medical support). LWOA is a catch-all category of

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<sup>28</sup> The readjustment allowance is a payment authorized by Congress to assist returned Volunteers in their transition from Peace Corps Service to other endeavors. Volunteers cannot use this allowance until completion of service.

<sup>29</sup> The Peace Corps *Handbook*, given to every Volunteer at the commencement of their service, should be amended to mention and define LWOA.

leave that may be granted at the discretion of the Country Director for any reason whatsoever as long as the leave "will not adversely affect the Volunteer's project unduly or Peace Corps' effectiveness in the host country." It has been granted to Volunteers who run out of vacation leave when they go home to deal with family emergencies. Peace Corps should amend its leave forms and *Handbook* to mention and define LWOA.

Director Tschetter granted us sufficient LWOA so that we could travel here to testify. The more sensible approach would be to grant job-related leave, as proposed above. But at a minimum, the precedent has been set by the Director that when Volunteers are invited to testify, they will receive sufficient LWOA to enable them to testify.

## Quality and Quantity

At one point in the 1960s, nearly twice as many Volunteers were serving in the field, 15,000 versus about 8,000 today. For many years there has been a call to "double" the number of Volunteers in the field to return to that era. We support this goal as long as the level of support for the Volunteers is increased substantially, as provided in this legislation. Only after more attention is devoted to quality should we focus prudently on increasing the number of Volunteers.

Cost is one major reason to concentrate first on quality. The provisions of this legislation—all focused on improving the quality of the Volunteer experience—will impose additional costs per Volunteer.

\* Providing a \$250 minimum and \$1000 maximum fund for seed demonstrations for every Volunteer (see proposed amendment to legislation to set the minimum) will impose additional costs. The Peace Corps currently funds "reimbursement" for some Volunteer expenses, so the total cost of this provision will not be \$250 x 8,000 Volunteers (\$2,000,000) or \$1000 x 8,000 Volunteers (\$8,000,000). We would need to subtract the current reimbursement expenses to reach a net total increase in cost.

\* The job-related leave proposed amendment needs to be budgeted.

Some minimal administrative costs might be imposed by the following provisions:

- \* Implementing the programs for older Volunteers.
- \* Conducting the Volunteer surveys (personnel and programs).
- \* Operating the VACs.
- \* Reforming the medical screening process.
- \* Drafting the financial guide (minimal costs).

Some additional costs would result if the other amendments proposed below are enacted, especially the proposed strengthening of medical support for Volunteers.<sup>30</sup>

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<sup>30</sup> The costs of the Third Goal program will probably come in a separate appropriation and not subtract from appropriations for the Peace Corps itself. If post service health coverage is

The survey of Peace Corps salary and benefits, discussed below, may lead to additional expenses.

All of these expenses should be accommodated before expending additional funds to expand the number of Volunteers.

In addition to the costs associated with these mandates, the legislation sets a priority on listening to, respecting and supporting the current Volunteers. This inevitably imposes non-financial burdens on existing personnel. More Volunteers in the field means less time and energy to listen, respect and support individual Volunteers. The process of finding outstanding CDs and APCDs to give outstanding support to Volunteers is intensive. Hiring more APCDs, medical staff, and personnel to manage more Volunteers strains the Peace Corps personnel system.

Given all of these pressures, it is difficult for Peace Corps to effectively manage more than about 100-150 Volunteers per country. Training, site preparation and Volunteer support are quality-intensive activities that today often fail to meet Volunteer needs. To assess and prepare one site for one Volunteer might take 3-5 visits. The traveling times and distances in many countries can be daunting. Peace Corps managers like to visit Volunteers several times a year and on average they can visit no more than two or three per day. If they are managing 40 Volunteers, they will have to spend 40 to 60 days on the road for these visits. On average, Volunteer training lasts about 3 months. Assuming that there are 2 training sessions per year, the training sessions take 6 months. Extra demands, say a Volunteer who needs special help, add to the load. Training sessions, and close-of-service and mid-term conferences all impose more work on the staff.

If, for example, the number of Volunteers in a given country is expanded from 150 to 300 Volunteers, a number of staff positions would have to double. Assuming that the Volunteers arrive in 4 rather than 2 groups, and each group receives 3 months of training, training would be continuous, 12 months a year rather than 6. The number of mid-term and close of service conferences would double. The number of site visits would double and the pressure to develop new sites would double. The Country Director must be personally engaged in every case of Administrative Separation, Early Termination and Medical Separation, which can run 25% per group. The number or size of regional houses would need to double. The number of reports to be filed would double. All of this places stress on an organization and potentially jeopardizes quality.

To us this means that the best opportunity for expansion is to launch the Peace Corps into new countries, or return to countries where programs have been suspended or terminated. If any country program is targeted for expansion, the highest priority should go to China because of its strategic importance to the United States.<sup>31</sup>

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eventually extended from one to six months, it would impose additional costs per Volunteer. S. 732 provides for a study of the costs.

<sup>31</sup> The United States is not preparing itself to deal effectively with China. Far too few Americans can speak Mandarin, have lived and worked in China, and know how to operate effectively in the Chinese culture. We need to train millions of Americans in the language and cultural skills

Finally, we have concerns that a dramatic increase in Peace Corps funding is not feasible given the constraints of the federal budget. It may be more realistic as a fiscal matter to focus on improvements in quality, which are less expensive, than dramatic increases in quantity.<sup>32</sup>

**Section 401** of the legislation calls for increasing the Peace Corps authorization from \$336 million for FY 2008 to \$618 million for FY 2011. The NPCA survey found substantial support for this proposal with 89% agreeing and 26% disagreeing. Some 79% then agreed with the goal of doubling the number of Volunteers while 13% disagreed. Due to a preparation error, the survey failed to provide comment space for this section of the legislation. However, a number of respondents commented, in the course of the survey, on issues of funding and size. Some enthusiastically supported doubling (or even tripling) the number of Volunteers. Among those expressing concern or opposition, most raised the need for adequate funds to support and strengthen existing volunteers and programs. Following are some of the comments:

Peace Corps needs to make sure individual country programs are capable of dealing with the extra influx of volunteers so Peace Corps activities do not suffer...if they were to double Togo's volunteers at the time I served, PC Togo, I think, would have been ill-equipped for this because there was a limited local staff for training needs, assessing villages for volunteer placement, etc.

RPCV, Togo, 2000-01

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necessary to conduct business with China. Senator Lieberman has introduced legislation, which Chuck authored while serving as his Legal Counsel, to dramatically expand business and cultural engagement with China, including funding for Chinese language instruction and various types of cultural exchange programs. See S. 1117, the U.S.-China Cultural Engagement Act, introduced by Senators Lieberman and Alexander (May 25, 2005). The legislation authorizes appropriations of \$1.3 billion, one dollar for each Chinese, to fund these programs. Section 621 directs the Peace Corps to submit to Congress a report on increasing the number of United States-People's Republic of China Friendship Volunteers (the name for the Peace Corps in China) serving in the People's Republic of China.

<sup>32</sup> Using present value accounting, which the Pension Benefit Guarantee Corporation requires of every U.S. pension plan, the US government pension programs (Social Security) and health care programs for the aged (Medicare) are \$70 trillion underfunded on a present value basis. This means that we need to put aside \$70 trillion today to fund the shortfalls. If we fail to do so, we must add about \$2 trillion to the shortfall total every year we delay. This total shortfall is nearly twice the total net worth of the United States. With this catastrophic underfunding of these programs, the prospects are grim for increases in funding elsewhere in the budget, including for the Peace Corps. Senator Lieberman has introduced legislation, which Chuck authored while serving as his Legal Counsel, to require the Congress to use present value accounting rules to assess the long term balance of the Federal budget. The current cash accounting system gives us no meaningful projection of the long term budget picture. See Honest Government Accounting Act of 2003, S. 1915, introduced by Senator Lieberman on November 11, 2003.

Doubling PCV numbers without addressing real constraints of Volunteer support will result in more PCVs with insufficient PC support. Many staff, especially Program Staff, are overstretched to provide time and energy to their PCVs. Program staff should travel to visit PCVs, find sites as well as screen housing & counterparts with briefing to communities, counterparts, and supervisors; review project development with host country partners and PCVs, keep programming active and relevant, develop/review training to support technical as well as cultural and language needs, and maintain official rapport and communication with meetings and outreach that includes PCV input...Double PCV numbers means increase field staff numbers and skill development inputs also.

Seattle WA, Nepal, 5

## Proposed Additions to the Legislation

The legislation is comprehensive and well crafted, but we would like to suggest some additional provisions as amendments.

**1. Analysis of Salary and Benefits of Peace Corps Managers:** The ability of the Peace Corps to listen to, respect, and empower Volunteers depends in large part on the quality of its management and other personnel. The Peace Corps faces tough competition in recruiting both American and host country nationals. If the Peace Corps salary and benefits do not compare well with competing agencies, the quality of the personnel and the quality of the support for Volunteers will suffer. Accordingly, the legislation should be amended to provide that the Peace Corps retain an independent human resources/compensation consulting firm to analyze the salary and benefits of Peace Corps managers and personnel to determine whether the current system enables the Peace Corps to recruit and retain top talent to support the Volunteers.

In terms of "direct hires" (USDH, i.e. American citizens) the Peace Corps uses the Foreign Service salary scale (or the special scale for medical professionals) and provides all standard insurance coverage, access to Flexible Spending Accounts and Dependent Care Spending Accounts (which are ways that employees can deduct these funds for health care and dependent care from salary prior to taxes), and civil service retirement. In addition overseas staff are provided housing and dependents' education. In terms of the competitiveness of their salary and benefits, the independent consultants should examine the impact of the "five year" limit on employment<sup>33</sup> with the Peace Corps. It should also examine the impact of the fact that Peace

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<sup>33</sup> In 1965 Congress enacted a general five-year limit on Peace Corps employment and prohibited an employee whose five years had ended from receiving another appointment until the passage of a period of time equal to the prior length of service (the "in-and-out" rule). The one major exception to the five-year limit on employment was a special authority that enabled the Peace Corps Director, under "special circumstances," to personally extend an employee's appointment for up to one year beyond five years. In 1985, the Peace Corps Act was amended to allow appointments of up to seven and one-half years. However, appointments beyond five years are severely restricted by both mandatory criteria and an overall percentage cap on the total. The Director's "sixth-year" authority was retained, though Congress indicated its expectation that "this extraordinary authority will continue to be exercised ... sparing[ly]." Peace Corps

Corps employees overseas are not provided hardship differential (which can be anywhere from 5% to 30%) nor a cost of living allowance (which usually runs from 20% to 40% and is designed to reimburse employees for certain excess costs that they incur as a result of their employment overseas). State Department and many other US personnel in country are granted both. Also, it should examine the impact of the fact that Peace Corps employees overseas have limited access to management-level training and are not entitled to annual home leave/R&R. (Peace Corps only provides home leave/R&R between tours or once in a 5-year cycle as opposed to annually for most other agencies.)

In terms of "Host Country National" (HCN) staff, most Peace Corps posts rely on a Local Compensation Plan (LCP) developed by the American Embassy. It is validated on a regular basis with an annual United Nations Development Program (UNDP) survey of local salaries and benefits. The LCP is designed to ensure that the various US agencies are paying competitive salaries. Within the LCP, the HCNs are paid according to a grade and step similar to the US Government system. They are eligible for step increases annually and receive bonuses as required by local law and can also receive awards. Most LCPs provide better benefits than required by the local labor law and are usually quite competitive, but it depends on the country, development level of the private sector, and volume of international organizations in

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employees in the Washington office can get around the rule by becoming "experts" or "consultants" in the off years. For overseas staff, this option is not available as most USDH must have signing authority and a contractor cannot have signing authority for US Government funds. As acknowledged by the Peace Corps General Counsel in a 1999 memo, "[T]he time-limited nature of Peace Corps employment creates an environment in which institutional memory is difficult to retain, which, in turn, makes running the Peace Corps more challenging. The absence of long-term job security is a matter of personal concern for many employees." Others argue that the five-year rule has been a cornerstone of Peace Corps' organizational structure and has kept the Peace Corps institutionally young and innovative over the past 40 years. Its purpose is to ensure that the agency does not fall into the trap of entrenched government bureaucracies where it is impossible to fire a civil servant no matter how incompetent he or she may be. Peace Corps staff who have worked more than 2 years may be considered for employment by other government agencies without the normal competitive requirements. This smoothes the transition to other jobs. The other agencies benefited from the simplicity and speed with which they could hire RPCVs and, as one former Peace Corps staffer observes, "They also generally appreciated the spirit and skills of PC 'types'". Also, because of the five-year rule, there is more room for the Peace Corps to hire the talented, committed, and recently returned Volunteers to work in the agency and, according to this former staffer, "bring that liveliness, energy and real-life, really-recent field reality to the day's work. The power of that mostly young, very dynamic pool of talent cannot be underestimated." Finally, with a younger labor pool, the Peace Corps labor costs are diminished. In 2003, a change to the Five-Year rule was included in the Consolidated Appropriations Bill that passed Congress. The change exempted employees working in Safety and Security from the Five-Year rule. On May 20, 2004 the House of Representatives passed the Peace Corps Safety and Security Act that proposed to further expand exemptions to the Five-Year rule to include employees working in the Medical Office and the Inspector General's office. It did not pass the Senate.

that country. The independent consultants should examine whether the Peace Corps posts are handicapped by the lack of both in-country human resources (HR) personnel and an "objective" entity/body to whom the HCNs can raise larger HR issues similar to the function of the Foreign Service Nationals (FSN) committee at US Embassies or an HR department serves in most offices in the US. The consultants should also examine the issues that arise for Peace Corps employees who are contractors with non-standardized grade levels, a situation that can lead to inconsistencies in grades across posts for the same position or sometimes within a post for positions that are similar in nature. Finally, the consultants should examine the impact of the workload typical for Peace Corps employees, which substantially exceeds that of most US or other comparable agencies.

Because of the budget pressures placed on the Peace Corps from the Office and Management and Budget, only an independent personnel consulting firm should perform this critical analysis.

**2. Annual survey by Congress:** We've already mentioned the feasibility and desirability of the Senate and House Authorization and Appropriations Committees annually or biannually surveying Volunteers in the field about the effectiveness of Peace Corps management and possible reforms. This will give the Committees direct testimony from those who know best about how the Peace Corps is faring—the Volunteers.

**3. Survey of Early Terminating Volunteers:** Early terminations are a plague on the Peace Corps. When Volunteers ET, the reason is reported to the Country Director. However, the Volunteer might not have a positive relationship with the CD or fear an unfavorable recommendation if the real reason for the ET were reported. The Peace Corps should be required to send these Volunteers a confidential survey to complete a month or more after they have ETed that is not shared with the Country Director. Such surveys would be especially helpful in determining the special challenges faced by older Volunteers. The surveys should be forwarded to the Inspector General for review.

**4. Switching Sectoral Programs:** The legislation should provide that the Peace Corps honor the offers made to Volunteers and not switch a Volunteer to a different sectoral program without his or her consent. The Peace Corps application process leads to an "offer" of an assignment in a specific country and the applicant's "acceptance" of this offer—forming a contract. The Peace Corps should be required to honor this contract unless the sectoral program ceases to exist in that country. In that case, the Volunteer should be consulted respectfully and given options about how to proceed to complete his/her service.

To explain the need for this provision, let us recount the experience of one Volunteer. He was invited to serve in one program and then, one week into training, was switched to a second program. He was told that he had only two choices: acquiesce in the switch or ET (early terminate). Faced with this fait accompli, he acquiesced. Six months later, the Country Director and APCD visited his village to complain that he was not implementing the second program even though he was working hard on many projects. When he complained that he'd been shanghaied into the new program, the CD and APCD accused him of lying about the switch. When he produced the official Peace Corps invitation letter, they didn't apologize for the false accusation and continued to push him to concentrate on the new program. The CD denied his

petition to be restored to the program in which he'd been invited to serve and would not give him information on how to file an appeal with the placement staff in Washington.

No Volunteer should be subjected to this kind of treatment. The Peace Corps placement staff in Washington has a vital interest in this issue; if applicants come to believe that the official Peace Corps offer is meaningless and, as in this case, they can be randomly reassigned to another program, Peace Corps recruiting may suffer.

**5. Use of Diplomatic Pouch:** The Peace Corps should be required to permit Volunteers to ship work related items and valuables to their country of service using the diplomatic pouch. When Volunteers have asked to use the pouch, they have encountered hassles or refusals.

It took one Volunteer nearly three months to secure approval to ship a special agriculture commodity (non-toxic) for use in a controlled experiment to determine if it would enhance the survival rate of tree seedlings. Another Volunteer was denied use of the pouch to ship a small key duplicating machine for use in a small enterprise development project.

In terms of valuables, Volunteers are sometimes permitted to ship themselves laptop computers and electronic equipment, cash, credit cards, airline tickets, and other items that might well be stolen in the mail.

Peace Corps staff use the pouch to ship themselves foodstuffs, personal household goods and myriad other non-work items. It seems inappropriate to deny shipment of work-related items to Volunteers. This hierarchy and double standard undermines confidence and trust between the staff and Volunteers.

## **6. Medical Support for Volunteers**

**a. Malaria Prophylaxis Regardless of Cost:** The legislation should require the Peace Corps to utilize the most effective anti-malarial prophylaxis for malaria regardless of the cost.

Cost should not be a factor in determining which anti-malarial to make available to Volunteers. Peace Corps no longer uses Malarone as the last line of treatment for those who contract malaria; the new Chinese anti-malarial Cortem plays that role. So there is no need to hold Malarone in reserve, as in current Peace Corps practice. At present, PCVs can obtain Malarone as a prophylaxis only by securing approval in Washington. Cost seems to be the main reason. However, Malarone apparently has fewer side effects than either Lariam or Doxycycline, the currently used Peace Corps malaria drugs. If in response to this provision, the Peace Corps continues to deny Volunteers access to Malarone, it should explain why.

**b. Annual Gynecological Exam:** The legislation should require that PCV women have annual gynecological exams by gynecologists and, as appropriate, mammograms, PAP smears, and Human Papilloma Virus tests. Women Volunteers are often denied access to gynecologists and have to visit non-gynecologists for gynecological services—including PCMOs or Peace Corps Medical assistants. Older Volunteers are not routinely given mammograms. Women with

abnormal PAP smears should be given HPV tests, not additional PAP smears. These are issues for more experienced/older Volunteers.

**c. Prostate Specific Antigen Tests:** The Peace Corps should be required to give male Volunteers, as appropriate, annual Prostate Specific Antigen (PSA) tests. Older male PCVs should be given annual PSA tests, which is not now the Peace Corps practice. This is an issue for older Volunteers.

Here's an email we received from an older Volunteer couple on this issue:

The PSA testing is important too. It took almost a year from the time we started the medical process until we went so it was over 2 1/2 years that [my husband] didn't have a PSA test. His COS physical was late June 2004 and in August 2004 he was diagnosed with prostate cancer. He had surgery in January 2005 that didn't get it all and in January 2006 completed radiation treatments. What difference a PSA test at midterm physicals or COS would have made!

How can the Peace Corps resist this reform after this testimonial?

**d. Skin Cancer Screening:** The Peace Corps should require that a dermatologist check Volunteers for skin cancer at their annual and COS exams. Many Volunteers serve in countries with intense sun light so skin cancer checks are appropriate. This is an issue of special concern to older Volunteers.

**e. Confidential AIDS Test:** The Peace Corps should be required to give PCVs, at their request, HIV/AIDS and STD tests without being questioned about the reason. PCVs who request these tests are sometimes threatened with medical separation or administrative separation on the assumption they would not have requested the test unless they had engaged in unsafe sexual practices. This deters Volunteers from asking for the tests. The fact that the Peace Corps medical staff has a law enforcement role is a conflict of interest with their support for the medical well being of Volunteers.

**f. Switching to Generics:** The Peace Corps should be barred from changing the pharmaceutical prescription of a PCV's private physician without that physician's permission. Peace Corps frequently changes the brand of the pharmaceutical prescribed for a Volunteer without notifying the Volunteer or securing the permission of the Volunteer's physician. This is notoriously true for birth control pills. This issue applies to substitution of prescription drugs and substitution of generics.

**g. Reimbursement for Prescriptions:** The Peace Corps should be required to reimburse PCVs for the cost of prescription drugs they are required to bring with them as trainees and Volunteers. At present trainees are required to bring to training three months supply of their prescriptions for which they are not reimbursed. The Peace Corps is responsible for all trainee and Volunteer medical costs during their training and service, so trainees should be reimbursed for the cost of the three month's supply.

**h. Tests for Tropical Diseases at Close of Service:** The Peace Corps should be required at a Volunteer's Close of Service examination to test for all medical conditions prevalent in the country of service even if the Volunteer does not manifest the symptoms of these diseases. Volunteers are sometimes not tested for all medical conditions prevalent in their country of service.<sup>34</sup>

**j. Long Term Health Consequences:** The Peace Corps should be required regularly to conduct surveys of RPCVs to determine the long-term adverse medical consequences of their service.

**j. Purchase of Post Close of Service Prescriptions:** The Peace Corps should be required to permit Volunteers to purchase the prescription drugs they've been supplied during their service for use during post Close-of-Service travel. During service, all prescription drugs are provided to the Volunteers free of charge. Upon close of service, the Peace Corps pays for one month of health insurance with CorpsCare and then the Volunteer can purchase up to 17 more months of insurance (a COBRA-like right), which enables them to purchase the drugs at a discount. However, in preparing for a COS trip, Volunteers must buy their prescription drugs in advance, before their COBRA insurance kicks in. If the Peace Corps doesn't permit the Volunteers to purchase the drugs at the Peace Corps bulk discount prices, the Volunteers are forced to buy the drugs at full retail price. In most cases, they are also forced to buy them in the United States and ship them to themselves. To buy them in the U.S. they need a prescription, which is difficult to secure if one doesn't have a private physician who will cooperate. Some won't cooperate as they haven't seen the Volunteer in several years and may never have prescribed the product before (say a malaria prophylaxis). Thus, the Volunteer has no way to buy the drugs even at full retail price. (This scenario is not theoretical; it's exactly what happened to us.) Even post Close of Service, the Peace Corps has an interest in protecting the Volunteer's health. The best way to do this is to permit the Volunteers to buy their prescription drugs for use during post Close-of-Service travel at the Peace Corps' discount price. This issue is of particular interest to older Volunteers, many of whom take daily prescription drugs to maintain their health and may be more likely to travel post Close of Service.

**7. Job-Related Travel Reforms:** We've discussed the need for and terms of reform of the Peace Corps job-related leave policies above.

## Proposed Technical Amendments

In this testimony we've proposed a series of technical amendments to improve the legislation, which are summarized here.

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<sup>34</sup> While serving as Counsel to Senator Joseph Lieberman, Chuck authored legislation to dramatically increase the incentives for pharmaceutical firms to engage in research to develop vaccines or treatments for tropical diseases. These firms have essentially no incentive now to engage in this research. See S. 975, Project Bioshield Act II (introduced on April 29, 2005)(<http://thomas.loc.gov/cgi-bin/query/D?c109:1:./temp/~c109J1bG6Y::>).

**1. Minimum Seed Money Account:** Section 101(c)(4) provides a \$1000 limit on seed funding grants. We recommend that the legislation make clear that the Volunteer may apply for multiple grants as long as the total grants during his/her service does not exceed \$1000. We recommend that each Volunteer be entitled to a minimum of \$250 in seed funding as part of the standard toolkit for service.

**2. Clarification Regarding Seed Fundraising:** Section 102(b)(1)(A) provides that a Volunteer may fund raise "including by working through the Peace Corps Partnership Program." It might be clearer to say that it's "including but not limited to..." working through this program. We believe this is the intent of the legislation.

**3. Expansion of Authorized Projects for Third Goal Funding:** Section 103 should be amended so that RPCV groups can receive funding to build their capacity to provide funding for PCV projects. This is not funding for the projects themselves, but for capacity building to fund these projects (e.g. securing charitable tax exempt status, setting up and enhancing their websites, and covering expenses associated with making grants to Volunteers). The country-specific "friends" groups can be a valuable source of funding for PCV projects and other development projects in country. In short, this provision can serve to supplement the seed funding provisions of the legislation.

**4. Clarification Regarding Survey of Older Volunteers:** Section 104(c) provides that the Director shall conduct an annual survey of older Volunteers. It might be preferable for the survey to focus on the quality of the Peace Corps experience and ways to enhance it and not just on "disincentives and barriers to service."

**5. "Substantial Weight":** Section 201 provides that "appropriate weight" be given Volunteer views regarding reviews of senior staff and programs. (Page 12, line 4 and line 20). Yet in Section 203—focusing on Volunteer recommendations regarding sites and training—the legislation provides that the views of the Volunteers shall be given "substantial weight." (13, lines 17-18). The "substantial weight" standard should be applied to Volunteer reviews of senior staff performance under Section 202 as well. Effective management and support of Volunteers is the most relevant measure of the effectiveness of these senior staff. This same change needs to be made at page 13, lines 12-13. Section 201 is the most important provision of the legislation and this technical amendment is what's needed to make it effective.

**6. Inspector General Access to Survey:** The Section 201 surveys of Volunteers should be forwarded to the Peace Corps Office of Inspector General (IG), not just the Peace Corps Regional Directors. This will enhance the effectiveness of the IG Office in improving Peace Corps management and programs.

## Conclusion

Serving a second time as Peace Corps Volunteers is an enormous privilege and opportunity.

It gives us a chance to help people work toward realizing their dreams. It provides us with fascinating cross cultural experiences and life long friendships. We are still in close touch with

friends and families in Nepal and Kenya. We know that our Senegalese friendships will also endure. We have learned many life lessons from our friends here. We care deeply about their future.

Peace Corps service has a life-long impact on Volunteers. Chuck's service in Nepal was no exception. While the average tenure of Congressional staff is about 5 years<sup>35</sup>, Chuck served on the Hill over 4 decades (1965-2005). He retired 40 years after his Stanford in Government internship in the House of Representatives. That staying power was a direct result of his Volunteer experience in Nepal. Because of the perspective he gained from that experience and his travels since then, he has always viewed our political system as the fairest, most open, and most substantive in the world. He never became cynical but remained optimistic about his ability to influence the course of American policy.

Paula's service in Kenya had a powerful impact on her life as well, laying the groundwork for a love of African art and culture that became a theme of her career and an avocation over more than 40 years.

The Peace Corps led us to find each other, the greatest stroke of good fortune in our lives.

Our current service in Senegal is changing our lives again, challenging and enriching our values, our perspectives on the world, and our plans for the future,

For all of this we are deeply grateful.

Now we have had the privilege to testify before the Congress about reforming this institution that has meant so much in our lives. We have the privilege of appearing before distinguished public servants who share our values and who have introduced landmark legislation to renew the Peace Corps for the 21st Century.

That America has a Peace Corps speaks highly for our country's altruism and idealism. The excellent corps of current Volunteers says great things about this generation of young Americans.

With enactment of these reforms, we have a vision of the Peace Corps thriving for another 45 years, a Peace Corps where a culture of listening to, respecting and empowering the Volunteers prevails. In this vision Volunteers of all ages lend their enthusiasm and resourcefulness to addressing the world's development challenges, thereby promoting peace and understanding.

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<sup>35</sup> According to the Congressional Management Foundation, the tenure of Washington-based Senate staff has decreased during the last decade. The time an average Senate staff member remains in his or her position has dropped 29% to 2.2 years; the average time the staff remain in the same office has dropped 21% to 3.1 years; and the average time staff remain in Congress dropped 12% to 5.0 years. See [http://www.cmfweb.org/index.php?option=com\\_content&task=view&id=26&Itemid=](http://www.cmfweb.org/index.php?option=com_content&task=view&id=26&Itemid=)

Thank you for the high honor of testifying here today.

We are happy to answer your questions.



## **Appendix A: Biographical Information and Description of Peace Corps Service**

### **Chuck Ludlam**

Counsel, Senator Joseph I. Lieberman (2001-05); Vice President for Government Relations, Biotechnology Industry Organization (1993-2000); Counsel, Senate Small Business Committee (Senator Dale Bumpers)(1984-1993); Counsel, Joint Economic Committee (Representative Gillis Long), 1981-84); Counsel, White House Domestic Policy Staff (President Jimmy Carter), 1979-81; Counsel, Senate Judiciary Committee (Senator Jim Abourezk), 1975-79; and Trial Attorney, Federal Trade Commission 1972-75. Stanford University (BA 1967) and University of Michigan Law School, JD, 1972. Recipient of Stanford Centennial Medallion in 1992 (awarded to 100 Alumni). Office of Stanford in Government program at Haas Public Service Center named the "Chuck Ludlam Room." Peace Corps Volunteer in Nepal, 1968-70 and cofounder of Friends of Nepal (RPCV group). First job on Capital Hill, intern, June 1965, with Stanford in Government program; retired from government service, June 2005, 40 years later, to serve again as Peace Corps Volunteer in Senegal, 2005-07. Oral history of career posted at [Evoca.com/chuckludlam](http://Evoca.com/chuckludlam), Stanford in Government website (<http://sig.stanford.edu/history.htm>), and will appear soon on website of Senate Historian.

In Nepal, Chuck served as an agriculture agent, extending the new hybrid cereal seeds that comprised the Green Revolution in Asia. The rice variety yielded 20 to 40 times more than the local variety of rice—a true revolution that helped to prevent famine and environmental degradation. He walked 32 miles roundtrip to get his mail, lived in a hut without electricity, running water, or an outhouse, and was often ill with various tropical diseases. Yet he loved the experience and believes that it changed his life. He's still in touch with four Nepali families. When we traveled to Nepal together in 1998, he was often close to tears as we revisited his village and found his old friends.

As an Agro Forestry agent in Senegal, Chuck oversaw the planting of 225 mango, cashew, and papaya trees last year and 500 papaya and 700 Leucena trees (nitrogen fixing/great feed for cattle) this past June. He's organized field tests of Stock O Sorb, a cross linked polymer that holds 400 times its weight in water—potentially revolutionary for water conservation—to determine whether it enhances tree seedling survival. He trained a women's group in a nearby village to plant their first vegetable garden. He's also planted demonstration gardens at other sites in Guinguinéo and is seeking financing for two wells to support vegetable gardens and fruit orchards. He introduced drip irrigation to the town, essential technology in a country abutting the Sahara, and organized hammock making and fruit drying enterprises.

## Paula Hirschhoff

English Professor (adjunct), University of the District of Columbia (2002-05); Board Member, Friends of Kenya (2002-05); Smithsonian Museum Docent, National Museum of African Art (1989-2005); Community Club Tutor, Workshop Leader, Librarian, (1993-2005); Researcher, George Washington University Anthropology Dept. Cotlow Grant (1996-97); Consultant/Advocate for Community-based Natural Resource Management, Africa Resources Trust (1996-97); M.A., Anthropology with emphasis on International Development, George Washington University (1994-96); Senior Writer/Editor for USAID Consulting Firms—Chemonics International, Inc. (1991-93) and Abt Associates, Inc., (1989-91); Manager, freelance writing/editing business, (1987-88); Board Member and counselor, My Sister's Place battered women's shelter (1978-88); Editor, Africa Update and Assistant Editor, *Africa Report*, African-American Institute, New York, New York (1984-87); Legislative Assistant/Press Aide, Congressman Ted Weiss (1982-84); Communications Director, The Children's Foundation (1981-2); Managing Editor (1978-81) and Assistant Editor (1977-78), *Employment and Training Reporter*, Bureau of National Affairs; Editor/Reporter, *North Hennepin Post*, Post Publications, Minneapolis, Minnesota (1973-77); Peace Corps Volunteer (teacher/headmistress), Nyamira Girls School, Kenya (1968-70); English teacher, New Brunswick High School, New Jersey (1967-78) and Wakefield Junior High School, Michigan (1967); B.A., English/Secondary Education; Macalester College, St. Paul, Minnesota.

In Kenya, Paula served as a teacher and the headmistress of a girls' boarding school that had been founded and managed by a rural Luo community.<sup>36</sup> She helped to put the school on a firmer financial footing by securing government funding after a long campaign. She lived in the school compound forty miles west of the town of Kisumu, sharing her house with Kenyan teachers. She considers her years there to have been among the best of her life. Afterwards, she stayed in touch with a number of students and fellow teachers. When she returned in 1990, she had the time of her life revisiting old haunts and reconnecting with friends from two decades earlier.

In Senegal as a Small Enterprise Development Volunteer, Paula works with a group of women to produce and sell an enriched porridge for malnourished children. In addition, she trained women in a nearby village to open and manage their first grocery store and is now helping to launch a quilt making enterprise in Guinguinéo. She also oversaw a community survey to determine AIDS awareness, organized a scholarship competition for young girls, and managed a girls club that meets twice monthly to build members' self confidence and computer skills.

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<sup>36</sup> The Luo people live in Western Kenya near Lake Victoria. Senator Barak Obama's father was a Luo.

## **Appendix B: "Legislative Insider Votes to Amend His Life," *Washington Post*, 6/23/2005**

Legislative Insider Votes to Amend His Life

A Lieberman Aide and His Wife Plan to Rejoin Peace Corps to Serve in Senegal

*By Christopher Lee*

Washington Post Staff Writer

Thursday, June 23, 2005; Page A25

Veteran staffer Chuck Ludlam is about to leave Capitol Hill and cash in.

The counsel to Sen. Joseph I. Lieberman (D-Conn.) is not moving to K Street to take a lucrative lobbying job after decades of public service. Instead, he and his wife are entering the Peace Corps to do development work in Senegal for 27 months, where the riches they seek are emotional and cultural, rather than financial.

Ludlam, 60, and his wife, Paula Hirschhoff, also 60, describe the move as a "decision of the heart." Both served as Peace Corps volunteers from 1968 to 1970 -- she in Kenya and he in Nepal -- and view the experience as the best professional decision they ever made. Now, older, wiser and almost ready to retire, they are renting out their Cleveland Park house, putting their financial accounts on autopilot and gearing up to try it all again. They know the physical hardship is likely to be greater this time around.

"You only live once, and you have to take risks like this," said Ludlam, who will leave his job Friday and depart for Africa in September. "You have to do unconventional things in order to survive emotionally in our hype-hype, rush-rush modern society. . . . I feel like I'm going out on top, which is not always the case in this town."

For more than 30 years, Ludlam has not just survived, but also thrived in the high-pressure world of political Washington. Since earning his law degree from the University of Michigan in 1972, he has served as a trial attorney for the Federal Trade Commission, counsel to three House and Senate panels, legal adviser in the Carter White House and as the principal lobbyist for the biotechnology industry.

He was involved in the enactment of Project Bioshield, legislation passed last year to foster the development and stockpiling of vaccines, antidotes and diagnostic devices that can be used to deter or help cope with a biological terrorist attack. Earlier, Ludlam helped write the Ethics in Government Act of 1978, the law that governs congressional gifts and travel, and imposes restrictions on lobbying by former high level government officials.

While Ludlam enjoyed the work, he said he always missed the less materialistic, community-oriented life he lived as an agricultural extension agent in a village in Nepal.

"Those are hard values to sustain in Washington," Ludlam said. "The political game is a rough game, and it's gotten rougher over the years that I've been playing it. It's driven; it's based almost

entirely on manipulation. Sometimes it can get very personal, and it's hard to maintain your personal values in the middle of all that."

He insists he is not cynical or burned out. "It's just time to do something different -- with my wife," he said. "And believe me; I wouldn't do this without Paula."

Ludlam and Hirschhoff met in 1988 at a gathering of former Peace Corps volunteers in the Capitol Rotunda that marked the 25th anniversary of the assassination of John F. Kennedy, who created the overseas service program.

It was Hirschhoff who suggested recently that they return to a life they both loved.

"We both have loyalties to the institutions that have been good to us," said Hirschhoff, who teaches composition and literature at the University of the District of Columbia. "Coming back to the Peace Corps, which both of us would say was the best time of our lives, seems to me quite logical. I always said I wanted to do it again."

They know it will not be easy. The average age of the 7,733 volunteers in the Peace Corps is 28. Only about 3 percent are 60 or older. (The oldest, Chuck and Marcia McBeath, 82 and 80, recently completed service in Kenya.) Ludlam and Hirschhoff acknowledge their bodies will not hold up as well to physical labor as they did 37 years ago. And the intestinal bugs and other illnesses might hit them harder.

"I'm glad he's going to be there," Hirschhoff said. "He can help nurse me back to health, because we know we'll be sick."

"We assume the physical demands will be substantial," Ludlam said. "But our anticipation is the cultural demands will be much more important. Learning both French and a local language. Finding a positive role in the community and living there as part of their culture. That will be the challenge. The physical demands I think both of us view as a very small price to pay for the opportunity to live in an African village and try to be helpful."

# Appendix C: Survey of the National Peace Corps Association Regarding S. 732

## Proposed Peace Corps Volunteer Empowerment Act

Senator Chris Dodd of Connecticut (Dominican Republic 66-68) has introduced the [Peace Corps Volunteer Empowerment Act \(S.732\)](#), which addresses a number of issues of interest to the Peace Corps community. A companion bill will be introduced in the House by Congressman Sam Farr (Colombia 64-66).

NPCA is conducting this survey because this is major legislation affecting Peace Corps and we want to reflect constructively the views of our community. ***This survey is independent of Peace Corps and any members of Congress***, although we will disseminate the results broadly, including to interested members of Congress and Peace Corps.

**Let us hear from you.** Below are summaries of key sections of the legislation with questions on whether you agree/disagree with various proposals. Each section also provides space for comment.

**We suggest you skim the complete survey first** to make sure you have time to comment on parts of the legislation you feel most strongly about.

If you have any further questions, please feel free to contact us at advocacy AT rpcv DOT org

### 1.) SEED FUND AWARDS

The legislation proposes:

**Up to one percent of the Peace Corps budget be used as seed money to support volunteer demonstration projects.**

- Agree
- Disagree

**The Peace Corps Director will determine the amount of available funding each year. Individual seed fund awards will not exceed \$1,000.**

- Agree
- Disagree

**Country Directors will play an important role in seed fund supervision and oversight.**

- Agree
- Disagree

Comments:

### 2.) FUNDRAISING BY VOLUNTEERS

The legislation authorizes:

**Peace Corps volunteers to solicit contributions for demonstration projects from personal acquaintances, and from government and non-government agencies (including the Peace Corps Partnership Program).**

- Agree
- Disagree

**Such fundraising initiatives would require advance approval from the Country Director.**

- Agree
- Disagree

**Comments:**

### **3.) THIRD GOAL INITIATIVES BY RPCVs**

**The legislation proposes:**

**\$10 Million per year beginning in Fiscal Year 2008 to support "Third Goal" activities for returned Peace Corps volunteers.**

- Agree
- Disagree

**The Director of the Peace Corps would award grants on a competitive basis.**

- Agree
- Disagree

**Eligible programs and projects that may receive funds include educational programs for elementary and secondary schools; partnership projects with local libraries; and audiovisual projects utilizing materials collected during service.**

- Agree
- Disagree

**Grants would be eligible to individual RPCVs and non-profit corporations with at least one RPCV with a background in community service, education or health.**

- Agree
- Disagree

**Comments:**

### **4.) RECRUITING EXPERIENCED VOLUNTEERS**

**The legislation proposes:**

**A goal of doubling the number of Peace Corps volunteers with at least five years relevant work experience by the end of 2009.**

- Agree
- Disagree

**A study and subsequent development of a plan to eliminate disincentives and barriers to service for volunteers with substantial work experience.**

- Agree
- Disagree

**For the next three years, designate at least 20 sector-specific demonstration programs in at least 20 different countries for which a minimum of five years of relevant work experience is required.**

- Agree
- Disagree

**Comments:**

#### **5.) DIGITAL PEACE CORPS**

**The legislation proposes:**

**Establishing systems to promote improved digital communication among volunteers and staff, including establishment of websites and e-mail links for use by volunteers to discuss development strategies, funding sources and other issues.**

- Agree
- Disagree

**Making all close-of-service reports available digitally.**

- Agree
- Disagree

**Comments:**

#### **6.) REVIEW OF SENIOR STAFF/PROGRAMS – VOLUNTEER PARTICIPATION**

**The legislation proposes:**

**Establishment of mechanisms for soliciting the views of volunteers regarding support provided by senior staff in their country of service.**

- Agree
- Disagree

**Volunteer input would also be solicited regarding the design, effectiveness and continued need for programs in which they serve.**

- Agree
- Disagree

**Information in both cases would be confidential and reported to appropriate Regional Peace Corps Directors.**

- Agree
- Disagree

**Substantial weight be given to Peace Corps volunteers regarding Peace Corps site selection and training curriculum.**

- Agree
- Disagree

**Comments:**

## **7.) VOLUNTEER ADVISORY COMMITTEES**

**The legislation proposes:**

**Establishing volunteer advisory committees in each country of service, elected by volunteers in that country.**

- Agree
- Disagree

**These committees will meet at least quarterly to make recommendations to senior staff serving in that country.**

- Agree
- Disagree

**Senior staff responsiveness to advisory committee recommendations will be given appropriate consideration with respect to performance reviews and contract extensions.**

- Agree
- Disagree

**Comments:**

## **8.) MEDICAL SCREENING PROCESS REFORM**

**The legislation proposes:**

**Internet publication of medical screening guidelines used by Peace Corps. This includes conditions that typically disqualify individuals and listing of countries where certain medical conditions can be accommodated.**

- Agree
- Disagree

**Establishing a process for applicants or other interested parties to propose changes to medical guidelines.**

- Agree
- Disagree

**Establishing an appeal process for volunteer rejections based on medical grounds.**

- Agree
- Disagree

**Full reimbursement for medical tests required by Peace Corps for volunteers and applicants.**

- Agree
- Disagree

**Comments (We especially encourage comments from recently returned RPCVs on Peace Corps' medical clearance procedures and how they can be improved):**

## **9.) HEALTHCARE AND OTHER BENEFITS**

**The legislation proposes:**

**That the Peace Corps Director seek for all volunteers the same right of former federal employees to suspend enrollment in retiree health plans during their term of service and resume enrollment after the completion of service.**

- Agree
- Disagree

**A report to Congress on the costs and policy issues associated with extending – from one month to six months – the period of health coverage provided volunteers upon completion of service.**

- Agree
- Disagree

**Congress enact legislation to provide Peace Corps Volunteers with treatment similar to members of the uniformed services and foreign service related benefits on capital gains taxes for the sale of a principal residence.**

- Agree

Disagree

Comments:

#### 10.) PROTECTING RIGHTS OF PEACE CORPS VOLUNTEERS

The legislation proposes:

The Peace Corps Director shall ensure volunteers reporting staff misconduct or advocating reforms be treated in accordance with federal whistleblower protections.

Agree

Disagree

Volunteers will not be required to (generally) submit stories, articles or other material they publish to the Country Director for prior approval. Review and approval will still be required for stories that relate specifically to the Peace Corps program operating in the country of service, or to policies or actions by officials of the government in the country.

Agree

Disagree

The decision of a Country Director regarding material submitted for approval can be appealed to the regional Peace Corps Director.

Agree

Disagree

Comments:

#### 11.) PEACE CORPS VOLUNTEERS IN THE FIELD

The legislation proposes:

Peace Corps funding increases as follows (beyond the current FY 2007 appropriation of \$319 Million): \$336 Million for FY 2008, \$380 Million for FY 2009, \$450 Million for FY 2010, and \$618 Million for FY 2011.

Agree

Disagree

(although not specifically stated in the legislation) the proposed funding levels are described as "being consistent with a goal of doubling the number of volunteers by 2011.

Agree

Disagree

**DEMOGRAPHIC INFORMATION**

**I am a(n):**

- NPCA Member
- Returned Peace Corps Volunteer
- Former Peace Corps Staff
- Current Peace Corps Volunteer
- Current Peace Corps Staff
- Applicant for the Peace Corps
- Interested Citizen

Thank you for sharing your views!

Please consider joining the National Peace Corps Association and/or contributing by [clicking here](#).

Name:

Email Address:

Address:

Country of Service:

Years of Service:



## **Appendix D: Peace Corps Medical Screening Guidelines Process and Proposed Reforms**

### **Essay of Chuck Ludlam reprinted from PeaceCorpsOnLine**

**Summary:** This essay is intended to explain the Peace Corps Medical Screening Guidelines published on Peace Corps On Line. It also proposes reforms in the medical screening process. A draft of this essay was forwarded to the Peace Corps in April 2006 by House of Representatives staff for review by the Peace Corps, but it has yet to respond to this request. When it does, this response should be published as a companion piece to this essay. The intention of this essay is to secure reforms of this process to make it more accessible to applicants, especially to older applicants. It is therefore a petition which Peace Corps rules explicitly state Volunteers are entitled to file.

### **Introduction**

As an older Peace Corps (PC) applicant (age 60) in 2004-2005, I found that the medical selection process could be maddening, even though I was applying to serve again after a 37-year gap as a Volunteer (Nepal, 68-70). I found that the Peace Corps provided little useful information about the possible twists and turns that could occur and the alternatives the applicant could pursue at each point in the process. My impression is that secrecy is an inadvertent Peace Corps value, whose impact is to reduce the power of the applicant and to maximize that of the selection personnel.

As a result of my experiences with this process, I filed a Freedom of Information Act (FOIC) request in September 2005 and obtained a copy of the medical selection/screening guidelines the Peace Corps uses to evaluate applicants' medical qualifications. I first learned about the guidelines by accident as my application was being reviewed and immediately asked to see them. After the Peace Corps evaded my request for two months, I secured a copy of the guidelines relevant to my own medical issues. I was shocked to find the guidelines to be woefully out of date. I then feared that they would prejudice my application. I forcefully argued that the guidelines were outdated, providing extensive clinical trial and other documentation to prove that point. The Peace Corps refused to reconsider the guidelines and would not permit me to appeal on the basis of their obsolescence. In the end, I was accepted to serve again together with my wife, who is also a 60s RPCV (Kenya '68-70). Overall, I found the medical screening process to be an aggravating and unnecessarily obtuse experience.

When the Peace Corps agreed that the FOIA request was appropriate and that I could receive the guidelines, I first proposed that the Peace Corps itself post them on its website. The Peace Corps refused the offer, which I found to be in keeping with its preference for secrecy. I also invited it to supply background information about the guidelines and the role they play in the medical clearance process, and to define other relevant concepts (discussed below), including the concept of a medical "deferment" and medical "accommodation." Again, it refused.

Therefore, I will attempt to explain these terms here, though I still think the Peace Corps itself should have done so on its website where all applicants and their doctors could see the

guidelines. Posting them on Peace Corps Online will help, but this is not the best way to ensure that all applicants are aware of the guidelines and other relevant information about the twists and turns that can occur during the medical clearance process.

### **Advice to Peace Corps Applicants**

My advice is simple: If you have any medical issues that may affect your application, immediately ask to see the relevant portions of the guidelines. Cite the success of my FOIA request as the basis for your request. Ask to see the latest version. The version posted here might become obsolete over time. Then review the guidelines very carefully to discern the way the Peace Corps thinks about your medical condition. Have your doctor examine them as well. You will likely see a list of factors that cut in favor or against clearance and information on possible "accommodations" that might be imposed (see more on this below). If the guidelines are obsolete, or do not address directly the condition at issue, then perhaps the applicant and his/her doctor can extrapolate from the information in the guidelines.

When the Peace Corps responded to my FOIA request, I am not sure it provided all of the guidelines. Do not assume that they are all published here. If you see no guidelines relevant to your condition, then you should ask if any medical clearance guidelines exist for that condition. If the Peace Corps hesitates to supply the relevant guidelines, immediately file a FOIA request for them.

### **Role of the Guidelines**

The precise role the guidelines play in the medical screening process does not seem to be well defined. The Peace Corps says that they are not binding and that there is ample discretion to accept applicants who do not fall precisely within the terms of the guidelines. I suspect that like any bureaucracy handling a large number of cases, the Peace Corps staff relies heavily on the guidelines to simplify its decision making process and exercises little discretion to deviate from them, especially because the staff tend to be young with tremendous turnover (because of the five-year rule). This makes it likely that the guidelines tend to be definitive, not suggestive.

### **Peace Corps Medical Selection Process Vagaries**

Going beyond the guidelines, I can say that the selection and medical clearance process constantly surprised me, mostly negatively. The overriding Peace Corps philosophy seemed to be to keep everything secret, to surprise the applicant repeatedly, and to test whether he/she could handle this stress and really wants to be a Volunteer. This is probably not literally the case, but this is how it seemed to me.

We first applied in early summer 2004 to try to catch the country assignments for couples made in August. Our recruiter told us about the August (and October) couples' placements. But if this is the routine timeframe for matching couples, all couples should be notified that these are the crucial periods and notified online.

In fact the Peace Corps website should have a section on the special application issues for couples, highlighting these dates and other issues specific to couples. Secrecy on this point only serves to alienate couples. Perhaps the Peace Corps doesn't want couples enough to address the special issues that apply to them.

We didn't find a match in August, so we waited for the October 2004 country offerings. As we sorted through the October options, we asked to be sent an electronic description of program options but were told they are only given orally. We saw no reason why the formal descriptions couldn't be made available to applicants. We did not expect the country to be named, but we saw no reason why the formal program description couldn't be emailed or mailed to the applicants as they review the options. Secrecy only alienates the applicants. Despite the secrecy, we bid for a country program and got matched.

After we were matched, we heard for the first time about my medical "deferment." There was no information online about this. It took us a week of inquiries to find out what it meant.

We came to understand that a "deferment" meant that the Peace Corps would not process your application further until a medical issue was resolved. The length of the deferment could vary and the terms under which one lifted the deferment vary.

Any cursory review of my application would have revealed that this deferment was going to be imposed. And in my case, the guidelines fix the duration of the deferment. So, it would have been easy to alert us to this situation when we'd applied in the summer of 2004, not in the late winter of 2005. We were attempting to organize our lives around a projected departure date in the summer of 2005, which was obviously affected by the deferment. Our recruiter should have had this information and given us this heads up before we applied.

This is one of many examples of the coordination break-down between the recruitment staff, the placement staff and the medical staff. In our case, this had a whipsaw impact on our sense of the likely timing of the process.

In addition, any cursory review of my application would have revealed that a medical accommodation would automatically apply to me that would limit the number of countries with available placements. (A "medical accommodation" means that the Peace Corps will accept the applicant only for certain countries where specialized medical facilities exist.) Yet, in October, four months after we'd applied, the Peace Corps "matched" us with a program that did not satisfy the accommodation. Again, there was zero coordination between the placement staff and the medical staff. Again, this is information that recruiters should be given. In fact, we didn't find out about the medical accommodation until 10 months after we'd applied, at the end of the medical clearance process.

When we were hit with the deferment, we were told initially we couldn't start the regular medical process until the specific deferment was lifted. This proved not to be true. We were permitted to pursue both simultaneously. Nothing about the interplay between deferments and the medical clearance process is explained online.

During the medical clearance process, we were told that some of the data we'd submitted might not comply with the "medical clearance guidelines," so naturally, we asked to see the guidelines. It took us 6-8 weeks for us to get a copy of them (after I threatened a FOIA request). The guidelines should be presented online. Again, secrecy seemed to hold sway.

Then it turned out that the medical clearance guidelines were completely obsolete. My doctor laughed at them. So we had little confidence in what the outcome would be for us at this point.

Fortunately, I got medically cleared despite the obsolete guidelines. Then we first found out about the "medical accommodation." Again, we were given no information on what an "accommodation" meant. We knew only that the country to which we'd been matched in October was not available to us and never had been available. Again, all of this could and should have been revealed to us the previous July when we applied.

Only when we got to our country did we find out that the accommodation restricted not only the country in which we could serve, but where in the country we could serve. We have been placed in a site that is no more than 4 hours from specialized medical attention. This information should have been available to us on line.

Someone should file a FOIA request to determine all of the conditions for which accommodations might be imposed. Someone should file a FOIA request to determine which countries can handle which accommodations. Someone should file a FOIA request to determine the restrictions on the sites within these countries.

There also seemed to be little communication between the medical clearance staff and the country staff. It's easy for the DC staff to say that an accommodation has been imposed, but the in-country staff have to determine if an actual site is available. In our case, it was, but the country medical staff had to scramble to set it up, a process made more difficult by the fact that we're a couple and they needed a site that was appropriate for both of us (we're in separate programs).

As the Peace Corps was seeking to match us to a country that satisfied the medical accommodation and fit our skill sets, we asked if the Peace Corps could give us a list of the countries where the medical accommodation could be satisfied. Again, it refused. There is no reason why this information can't be made publicly available and a FOIA request would surely reveal this information.

Despite the accommodation, we were offered a new country match, which we accepted. Switching to another country was an aggravating process. We are delighted with our country, but we were highly uncertain of the outcome as the whip sawing was taking place.

Matching us to a country in October and rematching us in April (to a country that satisfied the medical accommodation) was a classic whipsaw. The October matching was never going to stick, so why put us through that process? Why didn't the medical staff spend 5 minutes to see if there was some obvious block on where we could serve so we would be matched only once?

After all this, we were hit with a legal "hold." We gather this happens to everyone. But we had no idea why there was a hold. It turned out there was no reason whatsoever. Never had been.

We assume that there are certain medical conditions that will inevitably disqualify an applicant from serving. We have seen such a list, but again we had to ask for it. It's not posted on the Peace Corps website, which is basically useless on all of these issues. Someone should file a FOIA request to secure this information.

### **Encouraging Applicants by Older Persons**

Other issues have come to our attention. For one, if the Peace Corps wanted to encourage older applicants, it could offer us full reimbursement for the special tests we must take to satisfy Peace Corps requirements. Also, because older applicants have their own doctors, the Peace Corps could fully reimburse us for these costs, instead of paying according to a stingy formula. In addition, RPCVs are given zero preference in this process, which seems wrong to me.

The Peace Corps has taken a lackadaisical attitude toward lifting a financial barrier to Federal retirees serving. These retirees are entitled to buy Federal employee health insurance for life, but they must maintain "continuity"; in other words, they must keep buying the insurance. During service, retirees have no need for this insurance, because they're fully covered under Peace Corps insurance. It took me two years of pressure (I was a Congressional staffer) to get the Peace Corps to help secure the right to suspend Federal retiree health insurance during Peace Corps service. The Peace Corps attitude toward lifting this barrier to service was lackadaisical. The new right took effect December 31, 2005.

I have pressed the Peace Corps to contact the 50 governors and their associations to grant this same right to state and local government employees, many of whom have guaranteed medical coverage similar to Federal retirees. I doubt if the Peace Corps will bother to do so.

The Peace Corps also fails to give information to applicants on which of their unreimbursed medical expenses might be tax deductible. Older Volunteers tend to itemize their deductions and these expenses might be deductible as charitable donations to the Peace Corps (not as medical expenses for which there is a high floor).

The Peace Corps should reimburse all Volunteers for the cost of the prescription drugs throughout their service. Now the Peace Corps asks Volunteers to bring three months worth of their prescription drugs with them, but then it doesn't reimburse them for these drugs. The Peace Corps is responsible for handling all of our medical care during our service, so we see no reason why it shouldn't reimburse us for this first three months worth of these drugs. This is an issue of special importance to older applicants/Volunteers.

It is also necessary to older Volunteers to have an early decision on departure dates. Older Volunteers tend to have many financial affairs to settle before they can depart for service. The Peace Corps seems to make no attempt to give older applicants an early decision.

Finally, the Peace Corps should press the Congress to amend the current tax law regarding the \$500,000 capital gains exclusion on sale of a personal residence. Under current law, you can qualify if you've lived in that home for 2 of the last 5 years. For military personnel this clock does not run during their service. This same tolling of the clock should be extended to Volunteers and Peace Corps staff.

### **Peace Corps Staff: Trapped in the System**

All the Peace Corps staff we've dealt with have been friendly. They always attempted to explain the situation, the meaning of terms, the next steps, and the new rules of the constantly changing game. They've responded, often promptly to our inquiries.

At every step, however, we had to ask, sometimes repeatedly, for the information we needed. None of the information seemed to be online. We constantly had the impression that the Peace Corps wanted applicants to know as little as possible so the agency could be free to operate without interference or input. That might not be the intent, but that's what it looked like to us. The staff are apparently instructed to handle the process this way, even though they all seemed to understand how aggravating it was to applicants. Because the staff tend to be young and operating under the five-year rule, perhaps no one is senior enough to change the system.

### **Summary of Experience**

In conclusion, the medical screening process was unnecessarily confusing and unpleasant, with many negative surprises. It looks like the Peace Corps is bound up in paper and rules. It's easy to see that applicants who are less committed than we were would give up and let their applications die. The lack of coordination between the placement staff and the medical staff, the lack of early notice about the deferment and accommodation, and the reluctance to reveal the medical screening guidelines make no sense. All in all, it was a process well calculated to aggravate and whipsaw applicants. It was certainly a process well designed to discourage older applicants, who are more likely to have medical clearance issues.

We're delighted to be serving again as Volunteers. We are highly motivated to serve. We are pleased with our site, with the service opportunities here and with our fellow Volunteers. It was worth the aggravation in the screening process.

We strongly urge older individuals to serve, including RPCVs, but we do warn you that the application process can be discouraging. It's a shame that the Peace Corps seems to have so little interest in older applicants. It seems to be a missed opportunity, particularly for recruiting RPCVs to serve again.

**Addendum:** Peace Corps Volunteers "are free to petition the US Government and its officials in the same manner as if they resided in the United States." *Peace Corps Handbook*. The essay above is a petition, recommending reforms in US Government policies and is, therefore, protected speech. This essay makes no mention of the country in which we are currently serving or the programs there, says nothing about our village or our host country, is not published "in-country," and cannot have any "adverse consequences for the Volunteer or the program in the

host country..." Peace Corps *Handbook*. On November 5, 2005, I formally offered not to submit the guidelines for publication on Peace Corps On Line if the Peace Corps would take the initiative to do so on its own website. It officially declined my offer. In this offer, I clearly stated that if the Peace Corps did not make them public, I would have them posted in Peace Corps On Line. In this same offer, I invited the Peace Corps to write its own explanation of the guidelines on its website. It declined this offer as well. In this request, I clearly stated that if the Peace Corps did not write its own explanation of the guidelines, I would draft my own cover memo (presented here) regarding the guidelines, again to be published on Peace Corps On Line. In addition, on our about April 18, 2006, this draft essay was transmitted to the Peace Corps by House of Representatives staff, with my permission, and it was asked to submit its comments. It has yet to do so. I have also forwarded the cover memo to Peace Corps Washington for comments and have received none. This process shows how responsible we've been and how much care we've taken to give the Peace Corps every opportunity to participate in or offer its comments on these documents. In short, the publication of these guidelines and this essay comply fully with all applicable Peace Corps rules for Volunteers.



## **Appendix E: Exclusion of Gain on Sale of a Principal Residence for Peace Corps Volunteers and Staff**

By way of introduction, Chuck Ludlam served as Counsel to various Senate and House Committees and the Carter White House from 1975-2005. During that time he worked on nearly every tax bill considered in the Congress. So, he is intimately familiar with the whole process of enacting tax bills. In 2003 he saw a tax bill pending that positively affected Peace Corps Volunteers.

Homeowners who sell their home after living in them two of the last five years qualify for a \$500,000 capital gains tax exclusion (for couples) or a \$250,000 exclusion (for single taxpayers) on the net proceeds of the sale. If the taxpayer hasn't lived in his or her home for two of the last five years, they pay regular tax rates on the whole gain, with no capital gains exclusion. The difference is between paying no tax on these gains and paying a 15% tax. If the gains are \$500,000, the tax would be zero with the exclusion and \$75,000 without it.

The interest of Peace Corps Volunteers is obvious. If they come home after serving abroad for three years (which is the case for Volunteers who extend), they might not qualify for the capital gains exclusion. They might not meet the two out of five years rule.

Then same issue may well arise for Peace Corps staff, and they should be included in the provision. In fact, they are more likely to own homes than the Volunteers, so this may well be a significant issue for them.

We had a golden opportunity—one handed to us on a silver platter—to fix this problem in 2003. The House version of a pending bill, H.R. 878, introduced by Ways and Means Committee Chairman Bill Thomas on February 23, 2003, included Volunteers and Peace Corps staff as beneficiaries of a tolling of the two out of five year rule during their Peace Corps Service. So the two out of five year clock would not run during their Peace Corps Service.

Simply stated, if they lived in their home for 2 of the 5 years prior to serving in the Peace Corps and then served for three years, they'd still be considered to have lived in their home 2 of the last 5 years.

The Ways and Means Committee reported bill included Volunteers in the waiver (See House Report 108-23). Chuck fought in the Senate to secure an amendment to extend the waiver to Volunteers in S. 351, the Senate version of this bill. Without any support from the Peace Corps—despite repeated pleas to it for help to the Peace Corps Congressional Liaison—he was unable to secure this amendment to S. 351. Then in the complicated back-and-forth maneuvering that led to enactment of the legislation, inclusion of volunteers got lost and deleted. If the Peace Corps had made any attempt to retain the House provision, we would have won. The Peace Corps did nothing to help him and we lost.

The legislation was enacted as the Military Family Tax Relief Act of 2003 (Public Law 108-121) and it provides a waiver for armed forces personnel from the 2 out of 5 year capital gains rule for home sales during service abroad in the uniformed services. The waiver is extended to both

military and foreign service personnel, but the waiver does not extend to Volunteers or Peace Corps staff.

The rationale for the waiver in Public Law 108-121 is obvious. Military personnel, foreign service officers, and Volunteers (and Volunteer staff) might well serve overseas and not be in residence at their homes, thereby not residing in their homes for 2 out of 5 years prior to sale of the residence. If so, they would not qualify for the exclusion. This is basically a penalty for serving their country abroad. So, H.R. 878 and S. 351 toll the 2 out of 5 rule while certain named government personnel serve their country overseas. Their qualification for the exclusion is based on what they did when they were here, and the clock is not running when they are overseas.

Obviously, this issue arises for Peace Corps Volunteers (and staff), who typically serve 2-3 years overseas. It's ironic that Volunteers (and staff) are excluded in the law; they are the ones who make the biggest financial sacrifice in serving their country abroad.

Because Peace Corps Volunteers are not included in the legislation tolling the clock for this exclusion, Peace Corps recruiters should notify applicants who own a home that they have to be careful not to violate the rule and, if they intend to sell a home soon after they return from service, to be sure to be back before three years. This will hurt recruitment or dissuade some volunteers from extending. In fact, until such time as the Peace Corps secures the waiver, it should warn Volunteers who offer to extend that they might violate the 2 out of 5 rule.

The Peace Corps should warn volunteers about this. It should warn them that if they extend, and want to sell their home upon their return, they might violate this rule and lose this right. They'd have to live in the house long enough to qualify for the two/five year rule. This would only affect volunteers who would want to sell their homes soon after returning. This would disproportionately affect older Volunteers.

That the Peace Corps did nothing to support this tax provision, and has done nothing since, indicates that it has little or no interest in recruiting older Volunteers.

Below is a copy of the House passed bill (which includes Peace Corps Volunteers and staff), the report on the House bill, the Senate bill (which did not include PCVs and staff) and the Public Law (which does not include PCVs and Staff).

**House Passed Bill (H.R. 878)(2003):**

**Includes Peace Corps Volunteers and Staff**

**H.R.878**

**Armed Forces Tax Fairness Act of 2003 (Reported in House)**

**108th CONGRESS, 1st Session**

**[Report No. 108-23]**

To amend the Internal Revenue Code of 1986 to provide a special rule for members of the uniformed services and Foreign Service in determining the exclusion of gain from the sale of a principal residence and to restore the tax exempt status of death gratuity payments to members of the uniformed services, and for other purposes.

**IN THE HOUSE OF REPRESENTATIVES**

**February 25, 2003**

Mr. THOMAS (for himself, Mr. HOUGHTON, Mr. CAMP, Mr. LEWIS of Kentucky, Mr. HAYWORTH, Mr. SAM JOHNSON of Texas, Mr. HERGER, Mr. RAMSTAD, Mr. CANTOR, Mr. ENGLISH, and Mr. CRANE) introduced the following bill; which was referred to the Committee on Ways and Means

**March 5, 2003**

Additional sponsors: Mr. Portman, Mr. McInnis, Mr. McCrery, Mr. Jones of North Carolina, Mr. Cole, Mr. Simmons, Mr. Wilson of South Carolina, Mr. Reynolds, Mr. Crenshaw, Mr. Hefley, Mr. Bradley of New Hampshire, Mr. Gillmor, Mr. Royce, Mr. McCotter, and Mr. Duncan

**March 5, 2003**

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

**[Strike out all after the enacting clause and insert the part printed in italic]**

**[For text of introduced bill, see copy of bill as introduced on February 25, 2003]**

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**A BILL**

To amend the Internal Revenue Code of 1986 to provide a special rule for members of the uniformed services and Foreign Service in determining the exclusion of gain from the sale of a principal residence and to restore the tax exempt status of death gratuity payments to members of the uniformed services, and for other purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

**SECTION 1. SHORT TITLE; REFERENCES; TABLE OF CONTENTS.**

(a) *SHORT TITLE-* This Act may be cited as the 'Armed Forces Tax Fairness Act of 2003'.

(b) *AMENDMENT OF 1986 CODE-* Except as otherwise expressly provided, whenever in this Act an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the Internal Revenue Code of 1986.

(c) *TABLE OF CONTENTS-* The table of contents of this Act is as follows:

*Sec. 1. Short title; references; table of contents.*

**TITLE I--ARMED FORCES**

**SEC. 101. SPECIAL RULE FOR MEMBERS OF UNIFORMED SERVICES AND FOREIGN SERVICE AND PEACE CORPS VOLUNTEERS AND EMPLOYEES IN DETERMINING EXCLUSION OF GAIN FROM SALE OF PRINCIPAL RESIDENCE.**

(a) *IN GENERAL-* Subsection (d) of section 121 (relating to exclusion of gain from sale of principal residence) is amended by adding at the end the following new paragraph:

**(10) MEMBERS OF UNIFORMED SERVICES AND FOREIGN SERVICE AND PEACE CORPS VOLUNTEERS AND EMPLOYEES-**

*(A) IN GENERAL-* At the election of an individual with respect to a property, the running of the 5-year period referred to in subsections (a) and (c)(1)(B) and paragraph (7) of this subsection with respect to such property shall be suspended during any period that such individual or such individual's spouse is serving on qualified official extended duty as a member of the uniformed services or of the Foreign Service or as a Peace Corps volunteer or an employee of the Peace Corps.

*`(B) MAXIMUM PERIOD OF SUSPENSION- Such 5-year period shall not be extended more than 5 years by reason of subparagraph (A).*

*`(C) QUALIFIED OFFICIAL EXTENDED DUTY- For purposes of this paragraph--*

*`(i) IN GENERAL- The term `qualified official extended duty' means any extended duty while serving at a duty station which is at least 150 miles from such property or while residing under Government orders in Government quarters.*

*`(ii) UNIFORMED SERVICES- The term `uniformed services' has the meaning given such term by section 101(a)(5) of title 10, United States Code, as in effect on the date of the enactment of this paragraph.*

*`(iii) FOREIGN SERVICE- The term `member of the Foreign Service' has the meaning given the term `member of the Service' by paragraph (1), (2), (3), (4), or (5) of section 103 of the Foreign Service Act of 1980, as in effect on the date of the enactment of this paragraph.*

*`(iv) EXTENDED DUTY- The term `extended duty' means any period of active duty pursuant to a call or order to such duty for a period in excess of 180 days or for an indefinite period.*

*`(v) RULES RELATING TO THE PEACE CORPS-*

*`(I) EXTENDED DUTY- In the case of a Peace Corps volunteer, the term `extended duty' means any period of active duty assigned to a Peace Corps volunteer under the Peace Corps Act for a period in excess of 180 days or for an indefinite period.*

*`(II) PEACE CORPS VOLUNTEER- The term `Peace Corps volunteer' means an individual enrolled as a volunteer or volunteer leader under the Peace Corps Act.*

*`(III) EMPLOYEE OF THE PEACE CORPS- The term `employee of the Peace Corps' means a person employed in the Peace Corps under section 7 of the Peace Corps Act.*

*`(IV) REFERENCES TO PEACE CORPS ACT- References in this clause to the Peace Corps Act mean references to the Peace Corps Act (22 U.S.C. 2501 et seq.) as in effect on the date of the enactment of this clause.*

*`(D) SPECIAL RULES RELATING TO ELECTION-*

*`(i) ELECTION LIMITED TO 1 PROPERTY AT A TIME- An election under subparagraph (A) with respect to any property may not be made if such an election is in effect with respect to any other property.*

*`(ii) REVOCATION OF ELECTION- An election under subparagraph (A) may be revoked at any time.'*

*(b) EFFECTIVE DATE; SPECIAL RULE-*

*(1) EFFECTIVE DATE- The amendment made by this section shall take effect as if included in the amendments made by section 312 of the Taxpayer Relief Act of 1997.*

*(2) WAIVER OF LIMITATIONS- If refund or credit of any overpayment of tax resulting from the amendment made by this section is prevented at any time before the close of the 1-year period beginning on the date of the enactment of this Act by the operation of any law or rule of law (including res judicata), such refund or credit may nevertheless be made or allowed if claim therefor is filed before the close of such period.*

**Report on House Passed Bill (H.R. 878) (2003): Includes Peace Corps Volunteers and Staff  
House Report 108-023 - ARMED FORCES TAX FAIRNESS ACT OF 2003  
108TH CONGRESS, 1<sup>st</sup> SESSION  
REPORT  
HOUSE OF REPRESENTATIVES  
March 5, 2003**

## **II. EXPLANATION OF THE BILL**

### **TITLE I. IMPROVING TAX EQUITY FOR MILITARY PERSONNEL**

#### **A. EXCLUSION OF GAIN ON SALE OF A PRINCIPAL RESIDENCE BY A MEMBER OF THE UNIFORMED SERVICES, THE FOREIGN SERVICE OR THE PEACE CORPS**

*(Sec. 101 of the bill and sec. 121 of the Code)*

##### **PRESENT LAW**

Under present law, an individual taxpayer may exclude up to \$250,000 (\$500,000, if married filing a joint return) of gain realized on the sale or exchange of a principal residence. To be eligible for the exclusion, the taxpayer must have owned and used the residence as a principal residence for at least two of the five years ending on the sale or exchange. A taxpayer who fails to meet these requirements by reason of a change of place of employment, health, or, to the extent provided under regulations, unforeseen circumstances is able to exclude an amount equal to the fraction of the \$250,000 (\$500,000, if married filing a joint return) that is equal to the fraction of the two years that the ownership and use requirements are met. There are no special rules relating to members of the uniformed services or the Foreign Service of the United States.

##### **REASONS FOR CHANGE**

The Committee believes that members of the uniformed services, the Foreign Service of the United States, or the Peace Corps who would otherwise qualify for the exclusion of the gain on the sale of a principal residence should not be deprived the exclusion because of service to their country. The Committee believes that it is unfair that members of the uniform services and Foreign Service of the United States are unable to avail themselves of the exclusion due to relocations required by service to their country.

##### **EXPLANATION OF PROVISION**

Under the bill, an individual may elect to suspend for a maximum of five years the five-year test period for ownership and use during certain absences due to service in the uniformed services, the Foreign Service of the United States, or as Peace Corps volunteers or employees. The uniformed services include: (1) the Armed forces (the Army, Navy, Air Force, Marine Corps, and Coast Guard); (2) the commissioned corps of the National Oceanic and Atmospheric Administration; and (3) the commissioned corps of the Public Health Service. If the election is made, the five-year period ending on the date of the sale or exchange of a principal residence does not include any period up to five years during which the taxpayer or the taxpayer's spouse is on qualified official extended duty as a member of the uniformed services, in Foreign Service of the United States, or **on active duty assigned to a Peace Corps volunteer under the Peace Corps Act 1 [Footnote] or an employee of the Peace Corps**. For these purposes, qualified official extended duty is any period of extended duty by a member of the uniformed services, or the Foreign Service of the United States while serving at a place of duty at least 150 miles away from the taxpayer's principal residence or under orders compelling residence in Government furnished quarters. Extended duty is defined as any period of duty pursuant to a call or order to such duty for a period in excess of 180 days or for an indefinite period. Active duty for Peace Corps volunteers means a period in excess of 180 days or for an indefinite period. The election may be made with respect to only one property for a suspension period.

*[Footnote 1: 22 U.S.C. 2501 et. seq.]*

##### **EFFECTIVE DATE**

The provision is effective for sales or exchanges after May 6, 1997.

**Senate Bill (S. 351) (2003):**

**Did not include Peace Corps Volunteers or Staff  
S.351**

**Armed Forces Tax Fairness Act of 2003 (Placed on Calendar in Senate)**

108th CONGRESS, 1st Session

[Report No. 108-3]

**IN THE SENATE OF THE UNITED STATES**

**February 11, 2003**

Mr. GRASSLEY, from the Committee on Finance, reported the following original bill; which was read twice and placed on the calendar

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**A BILL**

To amend the Internal Revenue Code of 1986 to improve tax equity for military personnel, and for other purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

**SECTION 1. SHORT TITLE; ETC.**

(a) SHORT TITLE- This Act may be cited as the `Armed Forces Tax Fairness Act of 2003'.

(b) AMENDMENT OF 1986 CODE- Except as otherwise expressly provided, whenever in this Act an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the Internal Revenue Code of 1986.

(c) TABLE OF CONTENTS- The table of contents for this Act is as follows:

Sec. 1. Short title; etc.

**TITLE I--IMPROVING TAX EQUITY FOR MILITARY PERSONNEL**

**SEC. 101. EXCLUSION OF GAIN FROM SALE OF A PRINCIPAL RESIDENCE BY A MEMBER OF THE UNIFORMED SERVICES OR THE FOREIGN SERVICE.**

(a) IN GENERAL- Subsection (d) of section 121 (relating to exclusion of gain from sale of principal residence) is amended by redesignating paragraph (9) as paragraph (10) and by inserting after paragraph (8) the following new paragraph:

`(9) **MEMBERS OF UNIFORMED SERVICES AND FOREIGN SERVICE-**

`(A) IN GENERAL- At the election of an individual with respect to a property, the running of the 5-year period described in subsections (a) and (c)(1)(B) and paragraph (7) of this subsection with respect to such property shall be suspended during any period that such individual or such individual's spouse is serving on qualified official extended duty as a member of the uniformed services or of the Foreign Service of the United States.

`(B) MAXIMUM PERIOD OF SUSPENSION- The 5-year period described in subsection (a) shall not be extended more than 10 years by reason of subparagraph (A).

`(C) QUALIFIED OFFICIAL EXTENDED DUTY- For purposes of this paragraph--

`(i) IN GENERAL- The term `qualified official extended duty' means any extended duty while serving at a duty station which is at least 50 miles from such property or while residing under Government orders in Government quarters.

`(ii) UNIFORMED SERVICES- The term `uniformed services' has the meaning given such term by section 101(a)(5) of title 10, United States Code, as in effect on the date of the enactment of this paragraph.

`(iii) FOREIGN SERVICE OF THE UNITED STATES- The term `member of the Foreign Service of the United States' has the meaning given the term `member of the Service' by paragraph (1), (2), (3), (4), or (5) of section 103 of the Foreign Service Act of 1980, as in effect on the date of the enactment of this paragraph.

`(iv) EXTENDED DUTY- The term `extended duty' means any period of active duty pursuant to a call or order to such duty for a period in excess of 90 days or for an indefinite period.

`(D) SPECIAL RULES RELATING TO ELECTION-

`(i) ELECTION LIMITED TO 1 PROPERTY AT A TIME- An election under subparagraph (A) with respect to any property may not be made if such an election is in effect with respect to any other property.

`(ii) REVOCATION OF ELECTION- An election under subparagraph (A) may be revoked at any time.'

(b) EFFECTIVE DATE; SPECIAL RULE-

(1) EFFECTIVE DATE- The amendments made by this section shall take effect as if included in the amendments made by section 312 of the Taxpayer Relief Act of 1997.

(2) WAIVER OF LIMITATIONS- If refund or credit of any overpayment of tax resulting from the amendments made by this section is prevented at any time before the close of the 1-year period beginning on the date of the enactment of this Act by the operation of any law or rule of law (including res judicata), such refund or credit may nevertheless be made or allowed if claim therefor is filed before the close of such period.

**Public Law 108-121 (2003):**

**Did not Include Peace Corps Volunteers or Staff**

**H.R.3365 (Public Law 108-121)**

**Military Family Tax Relief Act of 2003**

*One Hundred Eighth Congress  
of the United States of America*

**AT THE FIRST SESSION**

An Act

To amend title 10, United States Code, and the Internal Revenue Code of 1986 to increase the death gratuity payable with respect to deceased members of the Armed Forces and to exclude such gratuity from gross income, to provide additional tax relief for members of the Armed Forces and their families, and for other purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

**TITLE I--IMPROVING TAX EQUITY FOR MILITARY PERSONNEL**

**SEC. 101. EXCLUSION OF GAIN FROM SALE OF A PRINCIPAL RESIDENCE BY A MEMBER OF THE UNIFORMED SERVICES OR THE FOREIGN SERVICE.**

(a) IN GENERAL- Subsection (d) of section 121 (relating to exclusion of gain from sale of principal residence) is amended by redesignating paragraph (9) as paragraph (10) and by inserting after paragraph (8) the following new paragraph:

`(9) **MEMBERS OF UNIFORMED SERVICES AND FOREIGN SERVICE-**

`(A) IN GENERAL- At the election of an individual with respect to a property, the running of the 5-year period described in subsections (a) and (c)(1)(B) and paragraph (7) of this subsection with respect to such property shall be suspended during any period that such individual or such

individual's spouse is serving on qualified official extended duty as a member of the uniformed services or of the Foreign Service of the United States.

`(B) MAXIMUM PERIOD OF SUSPENSION- The 5-year period described in subsection (a) shall not be extended more than 10 years by reason of subparagraph (A).

`(C) QUALIFIED OFFICIAL EXTENDED DUTY- For purposes of this paragraph--

`(i) IN GENERAL- The term `qualified official extended duty' means any extended duty while serving at a duty station which is at least 50 miles from such property or while residing under Government orders in Government quarters.

`(ii) UNIFORMED SERVICES- The term `uniformed services' has the meaning given such term by section 101(a)(5) of title 10, United States Code, as in effect on the date of the enactment of this paragraph.

`(iii) FOREIGN SERVICE OF THE UNITED STATES- The term `member of the Foreign Service of the United States' has the meaning given the term `member of the Service' by paragraph (1), (2), (3), (4), or (5) of section 103 of the Foreign Service Act of 1980, as in effect on the date of the enactment of this paragraph.

`(iv) EXTENDED DUTY- The term `extended duty' means any period of active duty pursuant to a call or order to such duty for a period in excess of 90 days or for an indefinite period.

`(D) SPECIAL RULES RELATING TO ELECTION-

`(i) ELECTION LIMITED TO 1 PROPERTY AT A TIME- An election under subparagraph (A) with respect to any property may not be made if such an election is in effect with respect to any other property.

`(ii) REVOCATION OF ELECTION- An election under subparagraph (A) may be revoked at any time.'

(b) EFFECTIVE DATE; SPECIAL RULE-

(1) EFFECTIVE DATE- The amendments made by this section shall take effect as if included in the amendments made by section 312 of the Taxpayer Relief Act of 1997.

(2) WAIVER OF LIMITATIONS- If refund or credit of any overpayment of tax resulting from the amendments made by this section is prevented at any time before the close of the 1-year period beginning on the date of the enactment of this Act by the operation of any law or rule of law (including res judicata), such refund or credit may nevertheless be made or allowed if claim therefor is filed before the close of such period.

## Appendix F: Peace Corps "50+" Questionnaire Sent to Older Volunteers

Dear Peace Corps Volunteer:

The Peace Corps can benefit greatly from expanding the number of more experienced Volunteers overseas. Therefore, we are interested in expanding the number of Volunteers who are 50 and older and in ensuring that their service as Volunteers is as rewarding as possible. As an age 50+ Volunteer, your input is critical to achieving these goals. Please take a few minutes to give us your feedback on the following questions and mail back your confidential survey responses to: Cathy Lawlis [clawlis@peacecorps.gov](mailto:clawlis@peacecorps.gov) at the Office of Planning, Policy, and Analysis, Peace Corps Headquarters, Washington, D.C. You may also fax your survey to Ms. Lawlis at 202-692-2131.

We understand that during your service with the Peace Corps you are bombarded with paperwork and that sometimes you are asked overlapping or repeated questions. Because of the confidentiality of some information already collected, we may be asking a few questions you have answered elsewhere, and we apologize for that. Your answers, however, will help us better understand the demographics of currently serving 50+ Volunteers and help us improve our service to you and to future 50+ Volunteers.

Please complete the survey by **March 5, 2007**. We would appreciate you answering the entire survey but **all questions are optional**.

Thank you for your time and observations. Most of all, thank you for serving as Peace Corps Volunteers. We are proud of you and your very significant contributions.

Sincerely,  
Ron Tschetter  
Director, Peace Corps

### Fifty Plus Survey

#### Personal Information

1. Name: \_\_\_\_\_

2. Age: \_\_\_\_\_

3. Are you retired?

Yes  No

If **yes**, when did you retire? If **no**, when will you retire?

4. What was your profession before you joined the Peace Corps?

5. What professional associations do you belong to? (e.g. National Education Association)

6. What civic organizations do you belong to? (e.g. Rotary Club)

7. Do you have a source of income while serving in the Peace Corps?

Yes  No

8. What is your approximate net worth? (Assets minus liabilities)

- Under \$200,000
- \$200,000 to \$499,000
- \$500,000 to \$1 million
- Over \$1 million

9. Prior to your Peace Corps service did you -

- Rent
- Own one home
- Own more than one home
- Other -- please specify

10. When you go home after your Peace Corps service, which state will you live in?

11. When you go home after your Peace Corps service, will you -

- Return to a currently owned home
- Other, please specify

12. Are you, your spouse/partner or a family member a RCPV?

Yes  No

13. What religion are you (and your spouse/partner)?

### Applying to the Peace Corps

14. What motivated you to seriously pursue the idea of becoming a Volunteer? (Check all that apply)

- Desire to do volunteer work
- Always wanted to be a Peace Corps Volunteer
- Family member serves/served as a Peace Corps Volunteer
- Change in marital status
- Change in economic status
- Other -- please specify

In the following questions we are trying to obtain information on medical and insurance issues.

15. Was the cost of completing your medical exams for the screening process covered by health insurance?

Yes  No

If not, or only partially covered, approximately what was your out of pocket cost?

16. Did you have health insurance at the time you joined Peace Corps?

Yes  No

17. Will you have continuation of your private health insurance after you return from Peace Corps service?

Yes  No

The following questions are trying to identify hurdles you may have encountered in the application and acceptance process.

18. Please rate the items below.

	<b>1 Difficult obstacle</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5 Not an obstacle</b>	<b>NA</b>
A Medical clearance process too long	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
B Health screening review (HSR) not easy to complete and/or understand	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
C Difficulty understanding what is being requested by Peace Corps during the screening process	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

19. Please rate the following.

	<b>1 High Influence</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5 Low Influence</b>	<b>NA</b>
A Spouse's level of support for being a Volunteer	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
B Time away from children while serving	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
C Time away from grandchildren while serving	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Please comment on items above or other issues that were especially influential.

20. Do you have any children in college?

Yes  No

21. What one specific change to the application process would make it a better experience for people 50+?

22. Please rate the amount of time between accepting your invitation and participating in Staging in relation to the time needed to attend to all remaining legal, financial, family, or professional obligations.

**1**                      **2**                      **3**                      **4**                      **5**  
**Too**                                           **Correct**                                           **Too**  
**short**                                                                                     **Long**

                                                                                      

**Peace Corps Experience**

23. Can you recommend one specific change that might make Peace Corps service a better experience for people 50+?

24. If you were in charge of promoting Peace Corps to your peers (other 50+), what would you say to them and which organizations and/or publications would you utilize to reach them?

This question will help the Peace Corps identify post-service services that might be of interest to 50+ Volunteers.

25. Which of the following do you expect to do within five years of closing your Peace Corps service? (Check as many as apply.)

- Return to the same/similar career part time
- Return to the same/similar career full time
- Change your career
- Seek additional education or training for career
- Seek additional education or training for personal enjoyment
- Seek another Volunteer opportunity with Peace Corps
- Seek a volunteer opportunity with a international organization
- Seek a volunteer opportunity with a domestic organization
- Relax and pursue hobby

Retire

Other, Please Specify

26. If you have additional comments or concerns you would like to share, please do so?

***Thank you for your participation!***



## Appendix G: List of Questions Not Asked in Peace Corps "50+" Questionnaire

- a. Overall, have you been satisfied or not satisfied with your PEACE CORPS service and why?
- b. For RPCVs – has the PEACE CORPS changed since you last served and if so in what ways?
- c. What financial disincentives and barriers have you encountered in your PCV service? What special costs have you incurred because of your service?
- c. In what ways can the PEACE CORPS in your country better use its older volunteers – i.e. site selection, training, mentoring younger Volunteers?
- e. Please describe your experience in relating to the younger Volunteers. What's good and what's difficult about that experience?
- f. Do you find the PEACE CORPS management in your country respects and supports the Volunteers?
- g. In what ways is the PEACE CORPS prepared and not prepared for an influx of a large number of older Volunteers (changing the PEACE CORPS demographics)? How would you anticipate that this will challenge the PC?
- h. What special issues arise for older Volunteers in site selection and training?
- i. Have you found the PEACE CORPS medical staff to be ready and able to handle the medical issues more typically found in older Volunteers?
- j. Would you be willing to work to define an agenda of reforms to help make the PEACE CORPS more attractive to older applicants? Should the PEACE CORPS set up an advisory panel of RPCVs who served as older Volunteers?
- k. Please review the provisions of S. 732 and tell us which of its provisions you believe would be helpful to the PEACE CORPS in recruiting older Volunteers.
- l. For RPCVs who are serving a second time – how has the PEACE CORPS changed since you last served? What changes do you believe have helped the PEACE CORPS support the Volunteers and which have hurt it? In general, do you believe RPCVs serving again will be happy with the changes they'll find in the PC?
- m. Do you have sufficient sources of seed funding for your projects? Has the PEACE CORPS been helpful to you in securing seed funding?
- n. Do you find that the PEACE CORPS rules regarding fund raising are reasonable or unreasonable? (Required funneling through PEACE CORPS Partnership Program)
- o. What would be the advantages and disadvantages of training with and working with a group older Volunteers?

- p. Have you found the level of PEACE CORPS medical training and support meets your needs and standards as an older Volunteer? What could be improved?
- q. Does the PEACE CORPS routinely provide all of the medical tests appropriate for an older Volunteer?
- r. Has the PEACE CORPS been accommodating and supportive of your need to care for elderly parents? Children and grandchildren?
- s. Has the PEACE CORPS been accommodating and supportive of your need to take care of your financial affairs at home (e.g. management of renters of your house)?
- t. What special expenses have you incurred in order to serve as Volunteers?
- u. How does PEACE CORPS service at your age fit into your long range plans?
- v. Do you supplement your PEACE CORPS allowances with your own funds? If so, why?
- w. Do you find the PEACE CORPS regulations and bureaucracy reasonable to deal with? If not, why not?
- x. Do older Volunteers have more difficulty learning languages and if so, how can they be helped (e.g. more written language materials)?
- y. Do you have access to the internet? Do you believe that access to the internet is especially important for older Volunteers (to keep track of parents/children/financial affairs in the States)?
- z. After Peace Corps service, will you be covered by health insurance other than Medicare? While you served, were you able to suspend premium payments without losing the right to reinstate the insurance when you returned?
- aa. Are you serving as a couple? Do you believe that older Volunteers serve more successfully as couples?

Finally, before you send out the next survey, you could consult with older Volunteers on what questions to ask.

In addition, you could survey some other groups about these issues:

1. Older applicants who have started and never finished the application process.
2. Older applicants who are in the middle of the application process (follow them step by step).
3. RPCVs – you could do a survey of the readers of *World View magazine* (NPCA).
4. Recruiters – what questions do they hear from older applicants?
5. Medical screeners – what questions do they hear from older applicants?
6. Placement staff – what questions do they hear from older applicants?
7. CDs, APCDs, trainers (language and tech), Admin Officers and PCMOs – what issues do they see arising specially for older trainees and Volunteers?



