

115TH CONGRESS
1ST SESSION

H. R. 2259

To amend the Peace Corps Act to expand services and benefits for volunteers,
and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MAY 1, 2017

Mr. POE of Texas (for himself and Mr. KENNEDY) introduced the following bill; which was referred to the Committee on Foreign Affairs, and in addition to the Committees on Oversight and Government Reform, and Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To amend the Peace Corps Act to expand services and
benefits for volunteers, and for other purposes.

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

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Sam Farr Peace Corps
5 Enhancement Act”.

6 **SEC. 2. PROVISIONS FOR CURRENT AND FORMER VOLUN-**
7 **TEERS OF THE PEACE CORPS.**

8 (a) **ENHANCED COMPENSATION BENEFITS.**—

1 (1) IN GENERAL.—Section 8142 of title 5,
2 United States Code, is amended—

3 (A) in subsection (c)—

4 (i) in paragraph (1), by striking “GS–
5 7” and inserting “GS–11”; and

6 (ii) by striking paragraph (2) and re-
7 designating paragraphs (3) and (4) as
8 paragraphs (2) and (3), respectively; and

9 (B) by adding at the end the following new
10 subsection:

11 “(d)(1) The Director of the Peace Corps shall provide
12 the initial furnishing of medical and other benefits under
13 section 8103(b) of this title to any former volunteer for
14 the 180-day period beginning on the date of termination
15 of the service of such volunteer, to the extent that the Di-
16 rector determines that such benefits are given with respect
17 to an injury that is probably compensable under this sec-
18 tion (as such term is defined for purposes of section
19 8103(b)). The provision of such benefits may be author-
20 ized directly or by the certification of vouchers, in accord-
21 ance with section 8103(b).

22 “(2) A volunteer may not be provided medical or
23 other benefits pursuant to paragraph (1) unless the injury
24 with respect to which such benefits would be provided was

1 proximately caused by the employment of such volunteer
2 under subsection (c)(2).

3 “(3) Notwithstanding the 180-day limitation period
4 under paragraph (1), a volunteer may receive medical or
5 other benefits provided pursuant to such paragraph with
6 respect to an injury until the date on which the Secretary
7 of Labor makes a final determination with respect to com-
8 pensation for such injury under this section, if the volun-
9 teer applied for such compensation before the last day of
10 such limitation period.

11 “(4) The Director shall consult with health experts
12 outside the Peace Corps, including experts licensed in the
13 field of mental health, in order to provide the best stand-
14 ard of care.

15 “(5) The provisions of section 8116(c) of this title
16 regarding liability shall apply with respect to benefits pro-
17 vided to a former volunteer under this section in the same
18 manner and to the same extent as such provisions apply
19 with respect to benefits provided to an employee of the
20 United States.”.

21 (2) APPLICABILITY.—The amendments made
22 by paragraph (1)(A) shall apply with respect to any
23 compensation paid pursuant to section 8142 of title
24 5, United States Code, on or after the date of the
25 enactment of this Act.

1 (b) HEALTH CARE FOR VOLUNTEERS; CRIMINAL LI-
2 ABILITY FOR ACTS AGAINST VOLUNTEERS.—Section 5 of
3 the Peace Corps Act (22 U.S.C. 2504) is amended—

4 (1) in subsection (e), by striking “receive such
5 immunization and dental care preparatory to their
6 service” and inserting “receive, preparatory to their
7 service, such immunization and dental care, and (in
8 accordance with subsection (o)) such trial prescrip-
9 tions”;

10 (2) in subsection (h), by striking “section, and”
11 and inserting “section), and”; and

12 (3) by adding at the end the following new sub-
13 sections:

14 “(o) The Director of the Peace Corps may only pre-
15 scribe mefloquine to a volunteer, including as a trial pre-
16 scription to a volunteer who chooses to use such medica-
17 tion before departing the United States to a post, on an
18 individual basis and in accordance with relevant rec-
19 ommendations or guidelines issued by the Director of the
20 Centers for Disease Control and Prevention or the Com-
21 missioner of Food and Drugs, after counseling such volun-
22 teer about the benefits, risks, and side effects of each
23 available medication for the prophylaxis of malaria. The
24 Director shall monitor the volunteer during the course of
25 such prescription for the development of any side effects

1 (or determine that the volunteer has been so monitored),
2 evaluate the volunteer at the completion of such course
3 for evidence of neuropsychiatric symptoms (or determine
4 that the volunteer has been so evaluated), and report to
5 the Director of the Centers for Disease Control and Pre-
6 vention and the Commissioner of Food and Drugs any
7 such side effects or symptoms. A volunteer may only
8 switch to the use of mefloquine from another drug for the
9 prophylaxis of malaria while serving at a post if another
10 medication for the prophylaxis of malaria is simulta-
11 neously provided to such volunteer in a manner that en-
12 sures continuous protection against malaria.

13 “(p) It is the policy of the United States to recognize
14 the importance of Peace Corps volunteers and the core
15 function that such volunteers play within the agency. The
16 President should therefore prioritize the provision of
17 health care services and necessary safety and security sup-
18 port for all volunteers.

19 “(q)(1) Whoever engages in conduct outside the
20 United States against a volunteer that would constitute
21 an offense under any section listed in paragraph (2) if the
22 conduct had been engaged in within the special maritime
23 and territorial jurisdiction of the United States (as defined
24 in section 7 of title 18, United States Code) shall be pun-
25 ished as provided for that offense.

1 “(2) The sections listed in this paragraph are sections
 2 113, 1111, 1112, 1113, 1117 (to the extent that such sec-
 3 tion applies to section 1111), 1201, 2241, 2242, 2244,
 4 and 2261A of title 18, United States Code.

5 “(3) For purposes of this subsection, paragraph
 6 (9)(B) (regarding residences in foreign countries) of sec-
 7 tion 7 of title 18, United States Code, shall include the
 8 residences used by volunteers in foreign countries and the
 9 land appurtenant or ancillary thereto, irrespective of own-
 10 ership.”.

11 **SEC. 3. PROVISIONS REGARDING EMPLOYEES OF THE**
 12 **PEACE CORPS.**

13 Section 7 of the Peace Corps Act (22 U.S.C. 2506)
 14 is amended—

15 (1) in subsection (a)—

16 (A) in paragraph (5), by inserting “or
 17 paragraph (8)” after “paragraph (6)”; and

18 (B) by adding at the end the following new
 19 paragraph:

20 “(8)(A) The Director of the Peace Corps may des-
 21 ignate a position as a ‘critical management position’ or
 22 a ‘critical management support position’ if the position re-
 23 quires specialized technical or professional skills and
 24 knowledge of Peace Corps operations, such as positions
 25 that involve volunteer health services, financial manage-

1 ment, information technology, procurement, personnel,
2 legal services, or safety or security.

3 “(B) Notwithstanding any limitation set forth in
4 paragraph (2) and subject to subparagraph (C), an ap-
5 pointment or assignment to a critical management posi-
6 tion or a critical management support position designated
7 under subparagraph (A) of this paragraph and any exten-
8 sion of such appointment or assignment shall be for a term
9 of not more than five years.

10 “(C) The Director shall ensure that any decision re-
11 garding an appointment, assignment, or extension of such
12 appointment or assignment to a critical management posi-
13 tion or a critical management support position shall be
14 consistent with Peace Corps policies and based on oper-
15 ational and programmatic factors.”; and

16 (2) by adding at the end the following new sub-
17 section:

18 “(d)(1)(A) The President shall ensure that each over-
19 seas post has the services of a medical office that is con-
20 sistent in size and scope with the needs of the Peace Corps
21 at such post, including, if necessary, by detailing to any
22 such post the licensed medical staff of other United States
23 departments, agencies, or establishments.

1 “(B) An individual may be hired as a Peace Corps
2 Medical Officer after consideration of the following cri-
3 teria:

4 “(i) Medical training, experience, accreditations,
5 and other qualifications.

6 “(ii) Administrative capabilities.

7 “(iii) Understanding of the local language and
8 culture.

9 “(iv) Ability to work in the English language.

10 “(v) Interpersonal skills.

11 “(vi) Record of performance.

12 “(vii) Any other factors the Director of the
13 Peace Corps determines appropriate.

14 “(2) The Director of the Peace Corps shall ensure
15 that each Peace Corps Medical Officer serving in a ma-
16 laria-endemic country receives training in the recognition
17 of the side effects caused by the use of mefloquine and
18 the data supporting the patient information handouts re-
19 quired by the Food and Drug Administration regarding
20 mefloquine, including the potential capacity of the drug
21 to cause permanent neuropsychiatric effects.”.

22 **SEC. 4. MONITORING TRAINING RECORDS.**

23 Section 8 of the Peace Corps Act (22 U.S.C. 2507)
24 is amended—

1 (1) in subsection (a), by adding at the end the
2 following new sentences: “As a part of such training,
3 the President, in coordination with the Inspector
4 General of the Peace Corps, shall provide each vol-
5 unteer with information regarding the mandate of
6 the Inspector General and the availability (including
7 contact information) of the Inspector General as a
8 resource for volunteers. The President shall provide
9 such information at least once during training that
10 occurs prior to enrollment and at least once during
11 each significant instance of training after enroll-
12 ment.”; and

13 (2) by adding at the end the following new sub-
14 section:

15 “(c) The President shall implement procedures to
16 maintain a written record verifying the attendance of each
17 individual completing training provided to meet each re-
18 quirement in this section and sections 8A, 8B, 8F, and
19 8G(b).”.

20 **SEC. 5. ADDITIONAL DISCLOSURES TO APPLICANTS FOR**
21 **ENROLLMENT AS VOLUNTEERS.**

22 Section 8A of the Peace Corps Act (22 U.S.C. 2507a)
23 is amended—

24 (1) by amending subsection (d) to read as fol-
25 lows:

1 “(d) INFORMATION REGARDING CRIMES AND
 2 RISKS.—Each applicant for enrollment as a volunteer
 3 shall be provided, with respect to the country in which the
 4 applicant has been invited to serve, with information re-
 5 garding crimes against and risks to volunteers, including
 6 an overview of past crimes against volunteers in such
 7 country, the current early termination rate of volunteers
 8 serving in such country, any health risks prevalent in such
 9 country, and the level of satisfaction reported by volun-
 10 teers serving in such country. Upon receiving such infor-
 11 mation, the applicant shall have the option to timely de-
 12 cline the invitation without retaliation and with priority
 13 to be invited to serve in a different country.”; and

14 (2) in subsection (f)(2)(B), in clause (iii), by
 15 striking “victim advocates” and inserting “Victim’s
 16 Advocates,”.

17 **SEC. 6. REPORTING REQUIREMENTS WITH RESPECT TO**
 18 **VICTIMS OF SEXUAL ASSAULT.**

19 Paragraph (3) of section 8B(a) of the Peace Corps
 20 Act (22 U.S.C. 2507b(a)) is amended—

21 (1) by striking “SARLs” and inserting “any
 22 employee of the Peace Corps”; and

23 (2) by striking “Victim Advocate” and inserting
 24 “Victim’s Advocate”.

1 **SEC. 7. OFFICE OF VICTIM ADVOCACY.**

2 Section 8C of the Peace Corps Act (22 U.S.C. 2507c)
3 is amended—

4 (1) by striking “victim advocate” in each place
5 it appears and inserting “Victim’s Advocate”;

6 (2) by striking “victim advocates” in each place
7 it appears and inserting “Victim’s Advocates”; and

8 (3) by striking subsection (e).

9 **SEC. 8. REFORM AND EXTENSION OF THE SEXUAL ASSAULT**
10 **ADVISORY COUNCIL.**

11 Section 8D of the Peace Corps Act (22 U.S.C.
12 2507d) is amended—

13 (1) in subsection (b)—

14 (A) by striking “not less than 8 individ-
15 uals” and inserting “not fewer than 8 and not
16 more than 14 individuals”;

17 (B) by inserting after the first sentence
18 the following new sentence: “At least one mem-
19 ber shall also be licensed in the field of mental
20 health.”; and

21 (C) by adding at the end the following new
22 sentence: “There shall be no limit to the num-
23 ber of terms an individual may serve as a mem-
24 ber of the Council.”;

25 (2) in subsection (c)—

(A) by inserting “and the implementation of such policy” after “section 8B”; and

(B) by adding at the end the following new sentence: “To carry out the functions in this subsection, the Council shall conduct case reviews and shall have access, including through interviews or visits, to volunteers and staff in the field, to volunteer surveys under section 8E, to all data collected from restricted reporting, and to any other information necessary to conduct case reviews, except that the Council may not have access to any personally identifying information associated with such surveys or data.”; and

(3) in subsection (g), by striking “2018” and inserting “2023”.

SEC. 9. PUBLICATION REQUIREMENT FOR VOLUNTEER SURVEYS.

Section 8E of the Peace Corps Act (22 U.S.C. 2507e) is amended—

(1) in subsection (c)—

(A) in the first sentence, by striking “2018” and inserting “2023”;

(B) in the third sentence, by striking “subsection (a)” and inserting “subsection (b)”; and

1 (C) by adding at the end the following new
2 sentences: “The President shall publish on a
3 publicly available website of the Peace Corps
4 the results of each survey related to volunteer
5 satisfaction in each country in which volunteers
6 serve, and the early termination rate of volun-
7 teers serving in each such country. The infor-
8 mation published shall be posted in an easily
9 accessible place near the description of the ap-
10 propriate country and shall be written in an
11 easily understood manner.”.

12 **SEC. 10. EXPERTS AND CONSULTANTS FOR THE INSPECTOR**
13 **GENERAL.**

14 Section 13 of the Peace Corps Act (22 U.S.C. 2512)
15 is amended—

16 (1) in subsection (a), by striking “Section” and
17 inserting “section”; and

18 (2) by adding at the end the following new sub-
19 section:

20 “(c) An expert, consultant, or organization thereof
21 employed pursuant to subsection (a) by the Inspector Gen-
22 eral of the Peace Corps may be compensated without re-
23 gard to the daily equivalent of the highest rate payable
24 under section 5332 of title 5, United States Code.”.

1 **SEC. 11. REPORT AND SURVEY ON VOLUNTEER ACCESS TO**
2 **HEALTH CARE BENEFITS.**

3 (a) REPORT.—Not later than one year after the date
4 of the enactment of this Act and annually thereafter for
5 four years, the Director of the Peace Corps shall submit
6 to the appropriate congressional committees a report in-
7 cluding each of the following:

8 (1) The number of Peace Corps volunteers who
9 returned to the United States in the prior year and
10 whom the Director assisted in resolving difficulties
11 in securing health care benefits through the Depart-
12 ment of Labor (including difficulties in receiving
13 health care services or reimbursement for such serv-
14 ices).

15 (2) The date on which the Director was con-
16 tacted by each such volunteer to request such assist-
17 ance.

18 (3) If such difficulties were successfully resolved
19 by the Director, the date of each such resolution.

20 (4) The average period of time that such resolu-
21 tion was pending, with respect to requests for such
22 assistance in the prior year.

23 (5) The rate of satisfaction of such returned
24 volunteers with the quality of such assistance.

25 (b) SURVEY.—

1 (1) IN GENERAL.—Not later than one year
2 after the date of the enactment of this Act and an-
3 nually thereafter, the Director shall submit to the
4 appropriate congressional committees a report in-
5 cluding the results of the survey described in para-
6 graph (2).

7 (2) SCOPE OF SURVEY.—The survey described
8 in this paragraph is an annual survey, provided to
9 each former Peace Corps volunteer who accessed
10 post-service health care provided by the Peace
11 Corps, that assesses, with respect to such volunteers,
12 each of the following:

13 (A) The level of awareness of the existence
14 of the Federal Employees' Compensation pro-
15 gram and knowledge of the specific health care
16 benefits associated with Peace Corps service
17 that are available under the program.

18 (B) The level of awareness of the applica-
19 tion requirements of the program, including eli-
20 gibility requirements and the documentation
21 that the Department of Labor requires before
22 making a decision regarding benefits under the
23 program.

24 (C) The level of satisfaction with the pro-
25 gram, including the timeliness of processing ap-

1 plications and providing reimbursement for
2 health and other benefits.

3 (D) The average time taken by the Sec-
4 retary of Labor—

5 (i) to review and to approve or deny
6 an application for benefits under the pro-
7 gram; and

8 (ii) to provide a reimbursement for
9 submitted medical claims.

10 (E) The ability to access medical providers
11 using the benefits provided by the program.

12 (3) PAPERWORK REDUCTION ACT EXEMP-
13 TION.—The collection of data for purposes of a re-
14 port submitted under paragraph (1) is not subject to
15 the requirements of subchapter I of chapter 35 of
16 title 44, United States Code (commonly referred to
17 as the “Paperwork Reduction Act”).

18 (c) APPROPRIATE CONGRESSIONAL COMMITTEES.—

19 In this section, the term “appropriate congressional com-
20 mittees” means—

21 (1) the Committee on Foreign Affairs and the
22 Committee on Appropriations of the House of Rep-
23 resentatives; and

1 (2) the Committee on Foreign Relations of the
2 Senate and the Committee on Appropriations of the
3 Senate.

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