

107TH CONGRESS
1ST SESSION

S. 1230

To amend the Public Health Service Act to focus American efforts on HIV/AIDS, tuberculosis, and malaria in developing countries.

IN THE SENATE OF THE UNITED STATES

JULY 24, 2001

Mr. FRIST (for himself and Mrs. CLINTON) introduced the following bill; which was read twice and referred to the Committee on Foreign Relations

A BILL

To amend the Public Health Service Act to focus American efforts on HIV/AIDS, tuberculosis, and malaria in developing countries.

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 “Global Leadership in
5 Developing the Expanded Response Act” or the “GLID-
6 ER Act”.

7 SEC. 2. AMENDMENT TO THE PUBLIC HEALTH SERVICE
8 ACT.

9 The Public Health Service Act (42 U.S.C. 201 et
10 seq.) is amended by adding at the end the following:

1 **“TITLE XXVIII—PREVENTION**
2 **AND CONTROL OF LIFE-**
3 **THREATENING DISEASES IN**
4 **DEVELOPING COUNTRIES**

5 **“SEC. 2801. PURPOSE.**

6 “It is the purpose of this title to focus American ef-
7 forts on HIV/AIDS, tuberculosis, and malaria in devel-
8 oping countries, through—

9 “(1) the promotion and expansion of primary
10 prevention efforts;

11 “(2) the improvement of clinic-, community-
12 and home-based care and treatment;

13 “(3) the provision of assistance for capacity and
14 infrastructure development; and

15 “(4) the provision of assistance to those individ-
16 uals who are affected by such diseases such as AIDS
17 orphans and families.

18 **“Subtitle A—General Authorities of**
19 **the Departments of State and**
20 **Health and Human Services.**

21 **“SEC. 2811. GENERAL AUTHORITY OF THE SECRETARIES OF**
22 **STATE AND HEALTH AND HUMAN SERVICES.**

23 “(a) IN GENERAL.—In carrying out this title, the
24 Secretary of State, in coordination with the Secretary of
25 Health and Human Services, may—

1 “(1) establish and maintain effective partner-
2 ships with multi-lateral entities, foreign govern-
3 ments, Federal agencies, non-governmental entities
4 (faith-based and secular), government officials, uni-
5 versities, community-based organizations, and other
6 national or international entities, including the
7 leveraging of resources of partnering organizations
8 and nations, to—

9 “(A) promote and expand primary preven-
10 tion efforts with respect to HIV/AIDS, tuber-
11 culosis, and malaria;

12 “(B) improve clinic-, community- and
13 home-based care and treatment for HIV/AIDS
14 and the resulting opportunistic infections, tu-
15 berculosis, and malaria;

16 “(C) assist with capacity and infrastruc-
17 ture development;

18 “(D) provide support for individuals af-
19 fected by (but not infected with) HIV/AIDS, tu-
20 berculosis, and malaria; and

21 “(E) carry out other activities determined
22 to be appropriate by the Secretary of State and
23 Secretary of Health and Human Services;

1 “(2) devise a means by which to coordinate the
2 activities of the Department of State and the De-
3 partment of Health and Human Services in—

4 “(A) national program development and
5 implementation;

6 “(B) those countries receiving assistance;
7 and

8 “(C) local initiatives;

9 “(3) establish and maintain a GLIDER task
10 force, to be composed of representatives from the
11 Departments of State, Health and Human Services,
12 Labor, Treasury, and Defense—

13 “(A) that may—

14 “(i) provide advice generally about
15 policies and future actions with respect to
16 HIV/AIDS, tuberculosis, and malaria;

17 “(ii) establish priorities for programs
18 addressing the global crises of HIV/AIDS,
19 tuberculosis, and malaria;

20 “(iii) provide advice to the President
21 with respect to activities to carry out the
22 purposes of the GLIDER Act; or

23 “(iv) serve as a liaison between the
24 programs established under this title and
25 the programs established under the Global

1 HIV/AIDS and Health Fund and other
2 multilateral efforts, as requested by the
3 President; and

4 “(B) whose composition shall—

5 “(i) be determined and formalized
6 pursuant to regulations promulgated joint-
7 ly by the Secretary of State and the Sec-
8 retary of Health and Human Services
9 within 6 months of the date of enactment
10 of this title; and

11 “(ii) include an equal number of rep-
12 resentatives from the Department of State
13 and the Department of Health and Human
14 Services;

15 “(4) coordinate the implementation of this title
16 with foreign governments in order to—

17 “(A) ensure that sustainable, culturally ap-
18 propriate, effective programs are integrated into
19 other health initiatives and are consistent with
20 national plans for development as described in
21 paragraph (4);

22 “(B) prevent duplicative efforts or com-
23 peting projects; and

24 “(C) improve the approaches, tools, and
25 systems available;

1 “(5) determine the foreign countries that
2 should receive assistance under this title based on
3 factors such as—

4 “(A) the magnitude of the existing disease
5 burden of HIV/AIDS, tuberculosis, or malaria
6 or the potential for increased infections in such
7 country;

8 “(B) the anticipated receptiveness of a
9 country to the receipt of assistance under this
10 title;

11 “(C) the history of each country’s commit-
12 ment to fighting such infectious diseases; and

13 “(D) other factors determined appropriate
14 by the Secretary of State and the Secretary of
15 Health and Human Services;

16 “(6) assist in the design of flexible, large scale,
17 national programs (where feasible) that are—

18 “(A) specific to each of the foreign coun-
19 tries that receive assistance under this title; and

20 “(B) based on an examination of the con-
21 tribution of other organizations in the response,
22 including existing and ongoing programs, in
23 such country; and

1 “(7) carry out other activities as determined
2 appropriate by the Secretary of State and Secretary
3 of Health and Human Services.

4 “(b) DATABASE.—In carrying out the purpose of this
5 title, the Secretary of State, in consultation with the Sec-
6 retary of Health and Human Services, shall establish and
7 maintain a database that—

8 “(1) contains contact information for all Fed-
9 eral Government employees who are working over-
10 seas under the authority of this title or for the pur-
11 pose of addressing HIV/AIDS, tuberculosis, or ma-
12 alaria;

13 “(2) includes information on all projects under-
14 taken by Federal Government employees or through
15 grants provided by, or in cooperation with, the Fed-
16 eral government, with respect to HIV/AIDS, tuber-
17 culosis, and malaria;

18 “(3) is updated on a continuing basis;

19 “(4) incorporates any additional information,
20 and may be used for any additional purpose, as de-
21 termined appropriate by the Secretary of State or
22 the Secretary of Health and Human Services, in
23 order to maintain accountability and awareness of
24 Federal Government activity under this title; and

1 “(5) ensures that information in the database is
2 made available to advise the Department of Treasury
3 in carrying out its duties under this title.

4 “(c) RULE OF CONSTRUCTION.—Nothing in this title
5 shall be construed to prevent the Secretary of State or
6 the Secretary of Health and Human Services from con-
7 tinuing or expanding existing initiatives as determined ap-
8 propriate by the respective Secretary.

9 **“SEC. 2812. OTHER GENERAL AUTHORITIES OF THE DE-**
10 **PARTMENT OF HEALTH AND HUMAN SERV-**
11 **ICES.**

12 “(a) RELATION TO OTHER FEDERAL ACTIVITIES.—
13 The Secretary of Health and Human Services, in consulta-
14 tion with the Secretary of State, shall prescribe appro-
15 priate procedures to ensure the coordination of activities
16 under this subtitle with other activities of the United
17 States Government in each foreign country, under the
18 leadership of the chief of the United States diplomatic
19 mission.

20 “(b) GENERAL AUTHORITY OF THE SECRETARY OF
21 HEALTH AND HUMAN SERVICES.—The Secretary of
22 Health and Human Services is authorized to design and
23 implement the Paul Coverdell Health Care Corps under
24 subtitle C.

1 “(c) CENTERS FOR DISEASE CONTROL AND PREVEN-
2 TION.—In carrying out the purposes of this title, the Di-
3 rector of the Centers for Disease Control and Prevention,
4 after receiving approval from the Secretary of Health and
5 Human Services, may provide assistance relating to—

6 “(1) primary prevention services targeting HIV/
7 AIDS, tuberculosis, and malaria through—

8 “(A) activities to prevent sexually trans-
9 mitted infections, including voluntary coun-
10 seling and testing;

11 “(B) the provision of care, treatment, and
12 patient management services for sexually trans-
13 mitted infections and sexually transmitted in-
14 fection management services;

15 “(C) the development and implementation
16 of behavioral interventions for youth and other
17 vulnerable groups;

18 “(D) the promotion and development of
19 public-private partnerships;

20 “(E) the implementation of programs to
21 reduce mother to child HIV/AIDS transmission;

22 “(F) the provision of vector-borne disease
23 control programs; and

24 “(G) the provision of services to limit expo-
25 sure to pathogens;

1 “(2) the development of surveillance systems
2 and infrastructure with respect to HIV/AIDS, tuber-
3 culosis, and malaria by—

4 “(A) providing HIV/AIDS, sexually trans-
5 mitted infections, tuberculosis, and malaria sur-
6 veillance;

7 “(B) providing laboratory support;

8 “(C) monitoring and evaluating programs
9 and policies;

10 “(D) providing assistance with training
11 and information management; and

12 “(E) sharing effective practices for pre-
13 venting the spread of such infectious diseases;
14 and

15 “(3) care and support for those affected by (but
16 not infected with) HIV/AIDS, tuberculosis, and ma-
17 alaria; and

18 “(4) other activities determined to be appro-
19 priate by the Secretary.

20 “(d) HEALTH RESOURCES AND SERVICES ADMINIS-
21 TRATION.—In carrying out the purposes of this title, the
22 Administrator of the Health Resources and Services Ad-
23 ministration may—

24 “(1) provide appropriate services to assist for-
25 eign countries or areas in developing their own pub-

1 lic health infrastructure and in training health care
2 providers to address HIV/AIDS, tuberculosis, or ma-
3 alaria;

4 “(2) provide care, support, and treatment serv-
5 ices with respect to HIV/AIDS, tuberculosis, and
6 malaria by providing—

7 “(A) tuberculosis and malaria prevention
8 and care services;

9 “(B) care and treatment services for op-
10 portunistic infections related to HIV/AIDS in-
11 fection; and

12 “(C) palliative and hospice HIV/AIDS
13 care; and

14 “(3) carry out other activities determined to be
15 appropriate by the Secretary of Health and Human
16 Services.

17 “(e) AGENCY FOR HEALTHCARE RESEARCH AND
18 QUALITY.—

19 “(1) STUDY.—The Director of the Agency for
20 Healthcare Research and Quality after receiving ap-
21 proval from the Secretary of Health and Human
22 Services, in consultation with appropriate entities,
23 may conduct an ongoing study, using methods ap-
24 propriate to the analysis of HIV infection in devel-
25 oping countries, to determine—

1 “(A) the impact of expenditures for treat-
2 ments of HIV/AIDS, tuberculosis, and malaria
3 by foreign countries that receive assistance
4 under this title; and

5 “(B) other information determined appro-
6 priate by the Secretary of Health and Human
7 Services.

8 “(2) REPORT.—The Director of the Agency for
9 Healthcare Research and Quality may prepare and
10 submit to the appropriate committees of Congress a
11 report that contains the results of the study con-
12 ducted under paragraph (1).

13 “(f) NATIONAL INSTITUTES OF HEALTH.—In car-
14 rying out the purposes of this title, the Director of the
15 National Institutes of Health, after receiving approval
16 from the Secretary of Health and Human Services, may—

17 “(1) promote and expand primary prevention
18 efforts with respect to HIV/AIDS, tuberculosis, and
19 malaria by investing in vaccine and microbicide re-
20 search; and

21 “(2) carry out other activities determined ap-
22 propriate by the Secretary of Health and Human
23 Services.

24 “(g) FOOD AND DRUG ADMINISTRATION.—In car-
25 rying out the purposes of this title, the Commissioner of

1 Food and Drugs, after receiving approval from the Sec-
2 retary of Health and Human Services, may—

3 “(1) promote and expand primary prevention
4 through blood safety and diagnostic testing capabili-
5 ties; and

6 “(2) carry out other activities as determined
7 appropriate by the Secretary of Health and Human
8 Services.

9 **“Subtitle B—General Authorities of**
10 **the Departments of Defense and**
11 **Labor**

12 **“SEC. 2821. GENERAL AUTHORITY OF THE SECRETARY OF**
13 **DEFENSE.**

14 “(a) IN GENERAL.—In order to combat the spread
15 of HIV/AIDS within the armed services of foreign coun-
16 tries, the Secretary of Defense, in coordination with the
17 Secretary of State and the Secretary of Health and
18 Human Services, may—

19 “(1) establish and maintain effective partner-
20 ships with the armed services of foreign countries in
21 order to assist such countries in—

22 “(A) establishing HIV/AIDS specific poli-
23 cies;

24 “(B) adopting and providing HIV preven-
25 tion programs;

1 “(C) training military personnel to imple-
2 ment, maintain, and evaluate HIV/AIDS pro-
3 grams;

4 “(D) providing information and training to
5 address high-risk HIV attitudes and behaviors
6 among military personnel; and

7 “(E) integrating and using other Federal
8 Government, allied nation, and United Nations
9 programs;

10 “(2) determine the foreign countries that
11 should receive assistance under this section based on
12 factors such as—

13 “(A) the magnitude of the existing disease
14 burden of HIV/AIDS, tuberculosis, or malaria
15 or the potential for increased infections, in such
16 country;

17 “(B) the anticipated receptiveness of the
18 country to the receipt of assistance under this
19 subtitle;

20 “(C) the history of each country’s commit-
21 ment to fighting such infectious diseases; and

22 “(D) other factors determined appropriate
23 by the Secretary of Defense; and

24 “(3) carry out other activities as determined
25 appropriate by the Secretary of Defense.

1 “(b) RELATION TO OTHER FEDERAL ACTIVITIES.—
2 The Secretary of Defense, in consultation with the Sec-
3 retary of State, shall prescribe appropriate procedures to
4 ensure the coordination of activities under this section
5 with other activities of the United States Government in
6 each foreign country.

7 **“SEC. 2822. GENERAL AUTHORITY OF THE SECRETARY OF**
8 **LABOR.**

9 “(a) IN GENERAL.—In carrying out the purposes of
10 this title, the Secretary of Labor, in coordination with the
11 Secretary of State and the Secretary of Health and
12 Human Services, may—

13 “(1) implement workplace HIV/AIDS preven-
14 tion and education programs that are targeted at—

15 “(A) the urbanized, formal sector work-
16 force;

17 “(B) the reduction of transmission among
18 workers and their families through the maxi-
19 mization of the dissemination of accurate infor-
20 mation about HIV/AIDS and prevention meth-
21 odologies, with a focus on the issue of behav-
22 ioral responsibility;

23 “(C) the reduction of ignorance, fear, and
24 discrimination in the workplace; and

1 “(D) the creation of supportive workplace
2 environments for those individuals living with
3 HIV/AIDS;

4 “(2) carry out activities to strengthen collabora-
5 tion among governments, business, and labor leaders
6 to respond to the HIV/AIDS pandemic;

7 “(3) determine the foreign countries that
8 should receive assistance under this section based on
9 factors such as—

10 “(A) the magnitude of the existing disease
11 burden of HIV/AIDS, tuberculosis, or malaria
12 or the potential for increased infections, in such
13 country;

14 “(B) the anticipated receptiveness of a
15 country to the receipt of assistance under this
16 subtitle;

17 “(C) the history of each country’s commit-
18 ment to fighting such infectious diseases; and

19 “(D) other factors determined appropriate
20 by the Secretary of Labor; and

21 “(4) carry out other activities as determined
22 appropriate by the Secretary of Labor.

23 “(b) RELATION TO OTHER FEDERAL ACTIVITIES.—

24 The Secretary of Labor, in consultation with the Secretary
25 of State, shall prescribe appropriate procedures to ensure

1 the coordination of activities under this section with other
2 activities of the United States Government in each foreign
3 country, under the leadership of the chief of the United
4 States diplomatic mission.

5 **“Subtitle C—Paul Coverdell Health
6 Care Corps**

7 **“SEC. 2831. DEFINITIONS.**

8 “In this subtitle:

9 “(1) APPROPRIATE SERVICES.—The term ‘ap-
10 propriate services’ means services that an eligible
11 participant may provide at an appropriate site,
12 including—

13 “(A) health care educational training for
14 individuals living within the foreign country or
15 area served by the participant;

16 “(B) basic health care services for those
17 affected or infected by HIV/AIDS, tuberculosis,
18 or malaria and living within the foreign country
19 or area receiving assistance under this title (as
20 provided for under section 2811(a)(2)); and

21 “(C) other services determined to be ap-
22 propriate by the Secretary.

23 “(2) APPROPRIATE SITE.—The term ‘ap-
24 priate site’ means a location—

25 “(A) that is administered by—

1 “(i) the Federal Government;

2 “(ii) a non-governmental organization

3 (faith-based or secular);

4 “(iii) a university;

5 “(iv) a community-based organization;

6 “(v) a foreign government; or

7 “(vi) a multilateral entity; or

8 “(B) that is determined by the Secretary

9 of Health and Human Services to be in need of

10 trained health care professionals.

11 “(3) CORPS.—The term ‘Corps’ means the Paul

12 Coverdell Health Care Corps established under this

13 subtitle.

14 “(4) ELIGIBLE PARTICIPANT.—The term ‘eligible

15 participant’ means—

16 “(A) a citizen or national of the United

17 States who is a trained health care professional

18 and who meets the educational and licensure re-

19 quirements necessary to be such a professional,

20 such as a physician, nurse, nurse practitioner,

21 physician assistant, laboratory technician, phar-

22 macist, or other individual determined to be ap-

23 propriate by the Secretary; and

24 “(B) an individual who has not been a

25 Federal employee for the 12-month period prior

1 to the enrollment of such individual in the
2 Corps under section 2833.

3 “(5) PARTICIPANT.—The term ‘participant’
4 means an eligible participant who is enrolled in the
5 Corps under section 2833(b)(1).

6 “(6) PERIOD OF SERVICE.—The term ‘period of
7 service’ means a period of not more than 24 con-
8 secutive months in any 5-year period, during which
9 an eligible participant is participating in the Paul
10 Coverdell Health Care Corps. A participant may, at
11 the discretion of the Secretary, apply for an exten-
12 sion of the period of service for up to 6 months, but
13 in no case shall the period of service exceed 30
14 months in any 66-month period. The period of serv-
15 ice shall not include any period in which a partici-
16 pant is receiving training under section 2834(a).

17 **“SEC. 2832. PURPOSE.**

18 “It is the purpose of this subtitle to establish the
19 Paul Coverdell Health Care Corps and to permit the Sec-
20 retary to make available to foreign countries determined
21 to be eligible under section 2811(a)(2) men and women
22 of the United States eligible for service abroad and willing
23 to serve, under conditions of hardship if necessary, for an
24 appropriate period of service as defined in section
25 2831(5), to help the peoples of such countries and areas

1 in meeting their needs for trained health care profes-
2 sionals to care for those infected and affected by HIV/
3 AIDS, tuberculosis, or malaria, particularly in meeting the
4 basic health care needs of those living in the poorest areas
5 of such countries.

6 **“SEC. 2833. ESTABLISHMENT AND ENROLLMENT.**

7 “(a) ESTABLISHMENT.—The Secretary shall estab-
8 lish the Paul Coverdell Health Care Corps to carry out
9 the purpose of section 2832.

10 “(b) ENROLLMENT.—

11 “(1) IN GENERAL.—The Secretary may enroll
12 eligible participants in the Corps for service abroad.

13 “(2) TERMS AND CONDITIONS.—With respect
14 to the enrollment of an eligible participant in the
15 Corps under paragraph (1), the terms and condi-
16 tions of the enrollment, training, compensation,
17 hours of work, benefits, leave, termination, and all
18 other terms and conditions of the service of such
19 participant shall be exclusively those set forth in this
20 subtitle and those consistent therewith which the
21 Secretary may prescribe.

22 “(3) OATH.—Upon enrollment in the Corps,
23 every participant shall take the oath prescribed for
24 persons appointed to any office of honor or profit by
25 section 3331 of title 5, United States Code.

1 “(4) NOT OFFICER OR EMPLOYEE.—Except as
2 otherwise provided for in this subtitle, a participant
3 shall not be deemed an officer or employee, or other-
4 wise in the service or employment of, or holding of-
5 fice under, the United States for any purpose.

6 “(c) TERMINATION.—The service of a participant
7 may be terminated at any time at the pleasure of the Sec-
8 retary.

9 **“SEC. 2834. TRAINING, ALLOWANCES, BENEFITS, AND**
10 **OTHER PROVISIONS.**

11 “(a) APPROPRIATE TRAINING PROGRAMS.—The Sec-
12 retary shall make available appropriate training programs
13 for participants enrolled under section 2833(b) to assist
14 such participants in performing the duties of their service.

15 “(b) LIVING ALLOWANCES, TRAVEL, LEAVE, AND
16 RELATED ITEMS.—

17 “(1) IN GENERAL.—A participant shall be pro-
18 vided with such living, travel, and leave allowances,
19 and such housing, transportation, supplies, equip-
20 ment, subsistence, and clothing as the Secretary
21 may determine to be necessary for his or her mainte-
22 nance and to ensure his or her health and capacity
23 to serve effectively.

24 “(2) SUPPLIES OR EQUIPMENT.—Supplies or
25 equipment provided to a participant to ensure his or

1 her capacity to serve effectively may be transferred
2 to the government or to other entities of the foreign
3 country or area with which he or she has been serv-
4 ing, when no longer necessary for such purpose, and
5 when such transfers would further the purposes of
6 this subtitle.

7 “(3) TRANSPORTATION AND TRAVEL.—Trans-
8 portation and travel allowances may be provided in
9 such circumstances as the Secretary may determine,
10 for eligible participants who apply for enrollment, to
11 or from places of training and places of enrollment,
12 and for former participants from places of termi-
13 nation to their homes in the United States.

14 “(c) READJUSTMENT ALLOWANCES.—

15 “(1) IN GENERAL.—A participant shall be enti-
16 tled to receive a readjustment allowance at a rate
17 not less than \$225 for each month of satisfactory
18 service in the Corps as determined by the Secretary.

19 “(2) TIME PAYABLE.—The readjustment allow-
20 ance of each participant shall be payable on his or
21 her return to the United States, except that under
22 such circumstances as the Secretary may determine,
23 the accrued readjustment allowance, or any part
24 thereof, may be paid to the participant, members of
25 his or her family or others, during the period of his

1 or her service, or prior to his or her return to the
2 United States.

3 “(3) DEATH OF PARTICIPANT.—In the event of
4 the death of a participant during the period of his
5 or her service, the amount of any unpaid readjust-
6 ment allowance under this subsection shall be paid
7 in accordance with the provisions of section 5582(b)
8 of title 5, United States Code.

9 “(4) INTERNAL REVENUE CODE.—For purposes
10 of the Internal Revenue Code of 1986, a participant
11 shall be deemed to be paid and to receive each
12 amount of a readjustment allowance to which he or
13 she is entitled.

14 “(d) HEALTH CARE.—

15 “(1) IN GENERAL.—A participant shall receive
16 such health care during his or her service, an eligible
17 participant applying for enrollment under section
18 2833(b)(1) shall receive such health examinations
19 preparatory to his or her service, an applicant for
20 enrollment who has accepted an invitation to begin
21 a period of training under subsection (a) shall re-
22 ceive such immunization and dental care preparatory
23 to his or her service, and a former participant shall
24 receive such health examinations within six months

1 after termination of his or her service, as the Sec-
2 retary may deem necessary or appropriate.

3 “(2) FACILITIES.—Subject to such conditions
4 as the Secretary may prescribe, the health care de-
5 scribed in paragraph (1) may be provided in any fa-
6 cility of any agency of the United States Govern-
7 ment, and in such cases the appropriation for main-
8 taining and operating such facility shall be reim-
9 bursed from appropriations available under this title.

10 “(3) LIMITATION.—Health care may not be
11 provided under this subsection in a manner incon-
12 sistent with the Assisted Suicide Funding Restric-
13 tion Act of 1997 (42 U.S.C. 14401 et seq.).

14 “(e) RETIREMENT AND OTHER CREDITS.—

15 “(1) IN GENERAL.—Any period of satisfactory
16 service of a participant under this subtitle shall be
17 credited in connection with subsequent employment
18 in the same manner as a like period of civilian em-
19 ployment by the United States Government—

20 “(A) for the purposes of section 816(a) of
21 the Foreign Service Act of 1980 (22 U.S.C.
22 4056(a)) and every other Act establishing a re-
23 tirement system for civilian employees of any
24 United States Government agency; and

1 “(B) except as otherwise determined by
2 the Secretary, for the purposes of determining
3 seniority, reduction in force, and layoff rights,
4 leave entitlement, and other rights and privi-
5 leges based upon length of service under the
6 laws administered by the Office of Personnel
7 Management, the Foreign Service Act of 1980
8 (22 U.S.C. 3901 et seq.), and every other Act
9 establishing or governing terms and conditions
10 of service of civilian employees of the United
11 States Government, except that service of a
12 participant shall not be credited toward comple-
13 tion of any probationary or trial period or com-
14 pletion of any service requirement for career ap-
15 pointment.

16 “(2) RATE FOR CERTAIN PARTICIPANTS.—For
17 the purposes of paragraph (1)(A), participants shall
18 be deemed to be receiving compensation during their
19 service at the respective rates of readjustment allow-
20 ances payable under subsection (c)(1).

21 “(f) ALLOWANCES AND EXPENSES OF MINOR CHIL-
22 DREN.—The minor children of a participant who are living
23 with the participant may receive—

24 “(1) such living, travel, education, and leave al-
25 lowances, such housing, transportation, subsistence,

1 and essential special items of clothing as the Sec-
2 retary determines to be appropriate;

3 “(2) such health care, including health care fol-
4 lowing the participant’s service for illness or injury
5 incurred during such service, and health and acci-
6 dent insurance, as the Secretary may determine and
7 upon such terms as the Secretary may determine,
8 including health care in any facility referred to in
9 subsection (d)(2), subject to such conditions as the
10 Secretary may prescribe and subject to reimburse-
11 ment of appropriations as provided for in such sub-
12 section (d);

13 “(3) such orientation, language, and other
14 training necessary to accomplish the purposes of this
15 subtitle as the Secretary may determine; and

16 “(4) the benefits of subsection (i) on the same
17 basis as a participant.

18 “(g) MOVING EXPENSES.—The costs of packing and
19 unpacking, transportation to and from a place of storage,
20 and storing the furniture and household and personal ef-
21 fects of a participant and family (as applicable) at the
22 time of his or her entering a period of pre-enrollment
23 training may be paid from the date of his or her departure
24 from his or her place of residence to enter training until

1 not later than 3 months after termination of his or her
2 service.

3 “(h) TORT CLAIMS; ABSENTEE VOTING; CONTRIBU-
4 TIONS FOR TRANSPORTATION OF BAGGAGE; CHECK
5 CASHING AND CURRENCY EXCHANGE; CLAIMS FOR OVER-
6 PAYMENT; PASSPORT FEES.—A participant shall be
7 deemed to be an employee of the United States Govern-
8 ment for the purposes of the Federal Tort Claims Act and
9 any other Federal tort liability statute, section 3342 of
10 title 31, United States Code, section 5732 and section
11 5584 of title 5, United States Code (and readjustment al-
12 lowances paid under this Act shall be considered as pay
13 for purposes of such section and section 1 of the Act of
14 June 4, 1920 (22 U.S.C. 214)).

15 “(i) LEGAL EXPENSES.—Notwithstanding any other
16 provision of law, counsel may be employed and counsel
17 fees, court costs, bail, and other expenses incident to the
18 defense of a participant may be paid in foreign judicial
19 or administrative proceedings to which a participant has
20 been made a party.

21 “(j) COUNSELING PROGRAMS FOR RETURNING PAR-
22 TICIPANTS.—In order to ensure that the skills and experi-
23 ence which former participants have derived from their
24 training and their service abroad are best utilized in the
25 national interest, the Secretary may, in cooperation with

1 agencies of the United States, private employers, edu-
2 cational institutions and other entities of the United
3 States, undertake programs under which participants
4 would be counseled with respect to opportunities for fur-
5 ther education and employment.

6 **“SEC. 2835. RELATION TO OTHER FEDERAL ACTIVITIES.**

7 The Secretary of Health and Human Services, in con-
8 sultation with the Secretary of State, shall prescribe ap-
9 propriate procedures to ensure the coordination of Corps
10 activities with other activities of the United States Govern-
11 ment in each foreign country, under the leadership of the
12 chief of the United States diplomatic mission.

13 **“Subtitle D—Miscellaneous
14 Provisions**

15 **“SEC. 2841. AUTHORIZATION OF APPROPRIATIONS.**

16 “There is authorized to be appropriated—

17 “(1) \$550,000,000 for fiscal year 2002, and
18 such sums as may be necessary for each of fiscal
19 years 2003 through 2006, to enable the Secretary of
20 State to carry out this title;

21 “(2) \$250,000,000 for fiscal year 2002, and
22 such sums as may be necessary for each of fiscal
23 years 2003 through 2006, to enable the Secretary of
24 Health and Human Services to carry out this title;

1 “(3) \$20,000,000 for fiscal year 2002, and such
2 sums as may be necessary for each of fiscal years
3 2003 through 2006, to enable the Secretary of
4 Labor to carry out this title; and

5 “(4) \$30,000,000 for fiscal year 2002, and such
6 sums as may be necessary for each of fiscal years
7 2003 through 2006, to enable the Secretary of De-
8 fense to carry out this title.”.

9 **SEC. 3. AMENDMENT TO THE FOREIGN ASSISTANCE ACT OF**

10 **1961.**

11 Section 234 of the Foreign Assistance Act of 1961
12 (22 U.S.C. 2194) is amended by adding at the end the
13 following:

14 “(h) PILOT HEALTH CARE DELIVERY INFRASTRUC-
15 TURE DEVELOPMENT PROGRAM.—

16 “(1) AUTHORITY FOR PILOT PROGRAM.—In
17 order to study the feasibility and desirability of a
18 program to assist countries with a high disease bur-
19 den of HIV/AIDS, tuberculosis, or malaria to re-
20 spond to this disease burden by developing a health
21 care delivery infrastructure, the Corporation is au-
22 thorized to establish a 5-year pilot program under
23 which the Corporation may issue investment insur-
24 ance or investment guaranties, provide for direct in-
25 vestment or investment encouragement, or carry out

1 special projects and programs for eligible investors
2 to assist such countries in the development of the
3 health care delivery infrastructure.

4 **“(2) PROJECT LIMITATIONS.—**

5 **“(A) IN GENERAL.—**Assistance under the
6 demonstration program under paragraph (1)
7 shall be limited to those areas that are receiving
8 assistance from the Department of State or the
9 Department of Health and Human Services for
10 HIV/AIDS, tuberculosis, or malaria programs.

11 **“(B) ADDITIONAL CRITERIA.—**In making
12 determinations of eligibility under this sub-
13 section, the Corporation shall give preferential
14 consideration to projects sponsored by or sig-
15 nificantly involving United States small busi-
16 nesses or cooperatives.

17 **“(3) IMPLEMENTATION.—**To the extent pro-
18 vided for in advance in appropriations Acts, the Cor-
19 poration is authorized to create such legal mecha-
20 nisms as may be necessary for the implementation of
21 its authorities under this subsection. Such legal
22 mechanisms may be deemed non-Federal borrowers
23 for purposes of the Federal Credit Reform Act of
24 1990 (2 U.S.C. 661 et seq.).

1 “(4) REPORT TO CONGRESS.—The Corporation
2 shall annually prepare and submit to the Committee
3 on Foreign Affairs and the Committee on Commerce
4 of the House of Representatives and the Committee
5 on Foreign Relations and the Committee on Health,
6 Education, Labor, and Pensions of the Senate a re-
7 port concerning the implementation of the program
8 under this subsection and the health care delivery
9 infrastructure developed under such program.”.

10 **SEC. 4. RULE OF CONSTRUCTION.**

11 Nothing in this Act, or an amendment made by this
12 Act, shall be construed to—

13 (1) prevent the Secretary of State, the Sec-
14 retary of Health and Human Services, the Secretary
15 of Labor, the Secretary of Defense, or the Secretary
16 of the Treasury from continuing or expanding exist-
17 ing initiatives as determined to be appropriate by
18 the respective Secretary;

19 (2) infringe upon the powers or functions of the
20 Secretary of State;

21 (3) infringe upon the powers or functions of the
22 Secretary of Health and Human Services;

23 (4) infringe upon the powers or functions of the
24 Secretary of Labor;

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