

114TH CONGRESS
2D SESSION

H. R. 6037

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

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 15, 2016

Mr. POE of Texas (for himself and Mr. FARR) introduced the following bill;
which was referred to the Committee on Foreign Affairs, and in addition
to the Committee on Oversight and Government Reform, for a period to
be subsequently determined by the Speaker, in each case for consider-
ation 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 require any employee of the
12 Peace Corps who provides health care to former volunteers
13 under this subsection to consult with health experts out-
14 side the Peace Corps, including experts in mental health,
15 in order to provide the best standard of care.”.

16 (2) APPLICABILITY.—The amendments made
17 by paragraph (1)(A) shall apply with respect to any
18 compensation paid pursuant to section 8142 of title
19 5, United States Code, on or after the date of the
20 enactment of this Act.

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

24 (1) in subsection (e), by striking “receive such
25 immunization and dental care preparatory to their

1 service” and inserting “receive, preparatory to their
2 service, such immunization and dental care, and (in
3 accordance with subsection (o)) such trial prescrip-
4 tions”;

5 (2) in subsection (h)—

6 (A) by striking “section, and” and insert-
7 ing “section),”; and

8 (B) by inserting before the period at the
9 end the following: “, and paragraph (3)(A)(i) of
10 section 3502 of title 44, United States Code,
11 with respect to the collection of information
12 under subchapter I of chapter 35 of such title
13 by the Inspector General of the Peace Corps”;
14 and

15 (3) by adding at the end the following new sub-
16 sections:

17 “(o) The Director of the Peace Corps may only pre-
18 scribe mefloquine to a volunteer, including as a trial pre-
19 scription to a volunteer who chooses to use such medica-
20 tion before such volunteer travels to a post, on an indi-
21 vidual basis and in accordance with relevant recommenda-
22 tions or guidelines issued by the Director of the Centers
23 for Disease Control and Prevention or the Commissioner
24 of Food and Drugs, after counseling such volunteer about
25 the benefits, risks, and side effects of each available medi-

1 cation for the prophylaxis of malaria. The Director shall
2 monitor the volunteer during the course of such prescrip-
3 tion for the development of any side effects, evaluate the
4 volunteer at the completion of such course for evidence
5 of neuropsychiatric symptoms, and report to the Director
6 of the Centers for Disease Control and Prevention and the
7 Commissioner of Food and Drugs any such side effects
8 or symptoms. A volunteer may only switch to the use of
9 mefloquine from another drug for the prophylaxis of ma-
10 laria while serving at a post if another medication for the
11 prophylaxis of malaria is simultaneously provided to such
12 volunteer in a manner that ensures continuous protection
13 against malaria.

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

20 “(q)(1) Whoever engages in conduct outside the
21 United States against a volunteer that would constitute
22 an offense under any section listed in paragraph (2) if the
23 conduct had been engaged in within the special maritime
24 and territorial jurisdiction of the United States (as defined

1 in section 7 of title 18, United States Code) shall be pun-
 2 ished as provided for that offense.

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

7 “(3) For purposes of this subsection, paragraph
 8 (9)(B) (regarding residences in foreign States) of section
 9 7 of title 18, United States Code, shall include the resi-
 10 dences used by volunteers in foreign States and the land
 11 appurtenant or ancillary thereto, irrespective of owner-
 12 ship.”.

13 **SEC. 3. PROVISIONS REGARDING EMPLOYEES OF THE**
 14 **PEACE CORPS.**

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

17 (1) in subsection (a)—

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

20 (B) by adding at the end the following new
 21 paragraph:

22 “(8)(A) The Director of the Peace Corps may des-
 23 ignate a position as a ‘critical management support posi-
 24 tion’ if the position requires specialized technical or pro-
 25 fessional skills and knowledge of Peace Corps operations,

1 such as positions that involve volunteer health services, fi-
2 nancial management, information technology, procure-
3 ment, personnel, legal services, or security.

4 “(B) Notwithstanding any limitation set forth in
5 paragraph (2) and subject to subparagraph (C), an ap-
6 pointment or assignment to a critical management support
7 position designated under subparagraph (A) of this para-
8 graph or an extension of such appointment or assignment
9 shall be for a term 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 sup-
13 port position shall be consistent with Peace Corps policies
14 and based on operational and programmatic factors.”; and

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

17 “(d)(1)(A) The President shall ensure that each over-
18 seas post has the services of a medical office to provide
19 health care to volunteers, consistent in size and scope with
20 the needs of the Peace Corps at such post, including, if
21 necessary, by detailing to any such post the licensed med-
22 ical staff of other United States departments, agencies,
23 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 by adding at the end the following new sub-
25 section:

1 “(c) The President shall implement procedures to
2 maintain a written record verifying the attendance of each
3 individual completing training provided to meet each re-
4 quirement in this section and sections 8A, 8B, and 8F.”.

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

7 Subsection (d) of section 8A of the Peace Corps Act
8 (22 U.S.C. 2507a(d)) is amended to read as follows:

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

22 **SEC. 6. OFFICE OF VICTIM ADVOCACY.**

23 Section 8C of the Peace Corps Act (22 U.S.C. 2507c)
24 is amended by striking subsection (e).

1 **SEC. 7. REFORM AND EXTENSION OF THE SEXUAL ASSAULT**
2 **ADVISORY COUNCIL.**

3 Section 8D of the Peace Corps Act (22 U.S.C.
4 2507d) is amended—

5 (1) in subsection (b)—

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

9 (B) by inserting after the first sentence
10 the following new sentence: “At least one mem-
11 ber shall also have expertise in the field of men-
12 tal health.”; and

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

17 (2) in subsection (c)—

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

20 (B) by adding at the end the following new
21 sentence: “To carry out the functions in this
22 subsection, the Council shall have access, in-
23 cluding to interview or visit, to volunteers and
24 staff in the field, to volunteer surveys under
25 section 8E, and to all data collected from re-
26 stricted reporting, except that the Council may

1 not have access to any personally identifying in-
2 formation associated with such surveys or
3 data.”; and

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

6 **SEC. 8. PUBLICATION REQUIREMENT FOR VOLUNTEER**
7 **SURVEYS.**

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

10 (1) in subsection (b), by inserting after the first
11 sentence the following new sentence: “The President
12 shall ensure that each performance plan under this
13 subsection for a Peace Corps representative includes
14 a consideration of the results, with respect to such
15 representative and the country of service of such
16 representative, of each survey under subsection (c).”;
17 and

18 (2) in subsection (c)—

19 (A) by striking “2018” in the first sen-
20 tence and inserting “2023”; and

21 (B) by adding at the end the following new
22 sentences: “The President shall publish on a
23 publicly available website of the Peace Corps
24 the results of each survey related to volunteer
25 satisfaction in each country in which volunteers

1 serve, and the early termination rate of volun-
 2 teers serving in each such country. The infor-
 3 mation published shall be posted in an easily
 4 accessible place near the description of the ap-
 5 propriate country and shall be written in an
 6 easily understood manner.”.

7 **SEC. 9. CONFIDENTIAL ACCESS TO THE SEXUAL ASSAULT**
 8 **ADVISORY COUNCIL FOR VOLUNTEERS.**

9 Section 8G of the Peace Corps Act (22 U.S.C. 2507g)
 10 is amended by adding at the end the following new sub-
 11 section:

12 “(d) CONFIDENTIAL ACCESS.—

13 “(1) CONFIDENTIAL ADVISORY COUNCIL
 14 EMAIL.—The Sexual Assault Advisory Council estab-
 15 lished under section 8D shall establish an email ad-
 16 dress to permit volunteers (including former volun-
 17 teers) to communicate directly and confidentially
 18 with such Council. No employee of the Peace Corps
 19 may access or monitor the email received by or sent
 20 from such address.

21 “(2) USE OF CONFIDENTIAL EMAIL FOR CASE
 22 REVIEW.—Any volunteer may write to the email ad-
 23 dress established under paragraph (1) to request
 24 such Council to—

1 “(A) review the manner in which the Peace
2 Corps handled a case of such volunteer relating
3 to sexual assault; and

4 “(B) determine whether the Peace Corps
5 acted in accordance with all relevant policies.

6 “(3) NOTIFICATION.—The Director shall ensure
7 that every volunteer and former volunteer is notified
8 of the confidential email address established under
9 paragraph (1).”.

10 **SEC. 10. EXPERTS AND CONSULTANTS FOR THE INSPECTOR**

11 **GENERAL.**

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

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

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

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

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