

AMENDMENT NO. 2157

At the request of Ms. CORTEZ MASTO, the name of the Senator from California (Ms. HARRIS) was added as a sponsor of amendment No. 2157 intended to be proposed to S. 2155, a bill to promote economic growth, provide tailored regulatory relief, and enhance consumer protections, and for other purposes.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 433—EXPRESSING THE SENSE OF THE SENATE THAT THE MARKETPLACE FAIRNESS ACT OF 2017 WOULD HARM THE ECONOMY OF THE UNITED STATES AND PLACE AN UNDUE BURDEN ON SMALL BUSINESSES AND MULTIPLE STATES ACROSS THE UNITED STATES

Mr. TESTER (for himself and Mr. WYDEN, Mrs. SHAHEEN, Ms. HASSAN, and Mr. MERKLEY) submitted the following resolution; which was referred to the Committee on Finance:

S. RES. 433

Whereas the Internet has continued to drive economic growth, productivity, and innovation over the last several decades;

Whereas the Internet promotes a nationwide economic environment that facilitates innovation, promotes efficiency, and empowers small businesses and entrepreneurs, especially those in rural communities in the United States, to broadly share their goods and services;

Whereas small businesses and entrepreneurs rely heavily on Internet access to provide them with access to new markets, additional consumers, and opportunities to compete in a global economy;

Whereas the exemptions in the Marketplace Fairness Act (S. 976) (referred to in this preamble as the "Marketplace Fairness Act") are wholly inadequate to ensure that small businesses and entrepreneurs are not harmed by the Marketplace Fairness Act;

Whereas it should not be the role of small businesses and entrepreneurs to help shore up the finances of States and localities through an online sales tax;

Whereas, if enacted, the Marketplace Fairness Act would—

(1) create an online sales tax for all consumers, including consumers in States that have chosen to oppose sales taxes; and

(2) overwhelmingly benefit large corporate entities at the expense of small businesses and entrepreneurs; and

Whereas compliance with the Marketplace Fairness Act would place an undue burden on small businesses and entrepreneurs by—

(1) requiring small businesses and entrepreneurs to remit taxes to nearly 10,000 different tax jurisdictions across the United States and its territories;

(2) exposing small businesses and entrepreneurs to the risk of unnecessary and costly audits in nearly 10,000 different tax jurisdictions; and

(3) forcing small businesses and entrepreneurs to spend time and money purchasing expensive technology and hiring staff to ensure compliance with the Marketplace Fairness Act: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes the unique role that the Internet plays in helping small businesses,

entrepreneurs, and rural communities in the United States to be economically viable;

(2) declares that enactment of the Marketplace Fairness Act of 2017 (S. 976) would harm the economy of the United States and place burdensome and bureaucratic policies on small businesses and entrepreneurs; and

(3) recognizes that enactment of the Marketplace Fairness Act of 2017 (S. 976) would provide no economic benefit to States that do not have sales taxes or small businesses in those States.

AMENDMENTS SUBMITTED AND PROPOSED

SA 2209. Mr. ROUNDS (for Mr. CORKER) proposed an amendment to the bill S. 2286, to amend the Peace Corps Act to provide greater protection and services for Peace Corps volunteers, and for other purposes.

TEXT OF AMENDMENTS

SA 2209. Mr. ROUNDS (for Mr. CORKER) proposed an amendment to the bill S. 2286, to amend the Peace Corps Act to provide greater protection and services for Peace Corps volunteers, and for other purposes; as follows:

On page 13, line 9, insert "the Committee on Appropriations of the Senate, the Committee on Appropriations of the House of Representatives," after "Senate".

AUTHORITY FOR COMMITTEES TO MEET

Mr. CORNYN. Mr. President, I have 8 requests for committees to meet during today's session of the Senate. They have the approval of the Majority and Minority leaders.

Pursuant to rule XXVI, paragraph 5(a), of the Standing Rules of the Senate, the following committees are authorized to meet during today's session of the Senate:

COMMITTEE ON ARMED SERVICES

The Committee on Armed Services is authorized to meet during the session of the Senate on Tuesday, March 13, 2018, at 9:30 a.m. to conduct a hearing.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

The Committee on Energy and Natural Resources is authorized to meet during the session of the Senate on Tuesday, March 13, 2018, at 10 a.m. to conduct a hearing.

COMMITTEE ON FOREIGN RELATIONS

The Committee on Foreign Relations is authorized to meet during the session of the Senate on Tuesday, March 13, 2018, at 2:30 p.m. to conduct a hearing entitled, "State Fragility, Growth, and Development: Designing Policy Approaches that Work."

COMMITTEE ON THE JUDICIARY

The Committee on the Judiciary is authorized to meet during the session of the Senate on Tuesday, March 13, 2018, at 10 a.m., to conduct a hearing entitled "The Freedom of Information Act: Examining the Administration's Progress on Reforms and Looking Ahead."

SELECT COMMITTEE ON INTELLIGENCE

The Select Committee on Intelligence is authorized to meet during

the session of the Senate on Tuesday, March 13, 2018, at 2:30 p.m., to hold a closed hearing.

SUBCOMMITTEE ON CYBERSECURITY

The Subcommittee on Cybersecurity of the Committee on Armed Services is authorized to meet during the session of the Senate on Tuesday, March 13, 2018, at 10 a.m. to conduct a hearing.

SUBCOMMITTEE ON COMMUNICATION, TECHNOLOGY, INNOVATION, AND THE INTERNET

The Subcommittee on Communication, Technology, Innovation, and the Internet of the Committee on Commerce, Science, and Transportation is authorized to meet during the session of the Senate on Tuesday, March 13, 2018, at 10 a.m. to conduct a hearing entitled, "Rebuilding Infrastructure in America: Investing in Next Generation Broadband."

SUBCOMMITTEE ON SURFACE TRANSPORTATION AND MERCHANT MARINE INFRASTRUCTURE, SAFETY AND SECURITY

The Subcommittee on Surface Transportation and Merchant Marine Infrastructure, Safety and Security of the Committee on Commerce, Science, and Transportation is authorized to meet during the session of the Senate on Tuesday, March 13, 2018, at 10 a.m. to conduct a hearing entitled, "Rebuilding Infrastructure in America: Investing in State and local Transportation Needs."

PRIVILEGES OF THE FLOOR

Mr. KING. Mr. President, I ask unanimous consent that a fellow in my office, Carissa Cyran, be granted floor privileges for the remainder of the session.

The PRESIDING OFFICER. Without objection, it is so ordered.

NICK CASTLE PEACE CORPS REFORM ACT OF 2018

Mr. ROUNDS. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 308, S. 2286.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (S. 2286) to amend the Peace Corps Act to provide greater protection and services for Peace Corps volunteers, and for other purposes.

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Foreign Relations, with amendments, as follows:

(The parts of the bill intended to be stricken are shown in boldface brackets and the parts of the bill intended to be inserted are shown in italics.)

S. 2286

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

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the "Nick Castle Peace Corps Reform Act of 2018".

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

- Sec. 1. Short title; table of contents.
Sec. 2. Definitions.

TITLE I—PEACE CORPS VOLUNTEER SUPPORT

- Sec. 101. Peace Corps volunteer medical care reform.
Sec. 102. Post-service Peace Corps volunteer medical care reform.
Sec. 103. Peace Corps impact survey.
Sec. 104. Extension of positions for Peace Corps employees.

TITLE II—PEACE CORPS OVERSIGHT AND ACCOUNTABILITY

- Sec. 201. Peace Corps volunteer access to Inspector General.
Sec. 202. Consultation with Congress required before opening or closing overseas offices and country programs.
Sec. 203. Publication requirement for volunteer surveys.

TITLE III—CRIME RISK REDUCTION ENHANCEMENTS

- Sec. 301. Independent review of volunteer death.
Sec. 302. Monitoring training records.
Sec. 303. Additional disclosures to applicants for enrollment as volunteers.
Sec. 304. Additional protections against sexual misconduct.
Sec. 305. Immediate victim advocacy notification.
Sec. 306. Extension of the Office of Victim Advocacy.
Sec. 307. Reform and extension of the Sexual Assault Advisory Council.
Sec. 308. Definitions.

SEC. 2. DEFINITIONS.

In this Act:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term “appropriate congressional committees” means—

- (A) the Committee on Foreign Relations of the Senate;
(B) the Committee on Appropriations of the Senate;
(C) the Committee on Foreign Affairs of the House of Representatives; and
(D) the Committee on Appropriations of the House of Representatives.

(2) DIRECTOR.—The term “Director” means the Director of the Peace Corps.

(3) PEACE CORPS VOLUNTEER.—The term “Peace Corps volunteer” means an individual described in section 5(a) of the Peace Corps Act (22 U.S.C. 2504(a)).

TITLE I—PEACE CORPS VOLUNTEER SUPPORT

SEC. 101. PEACE CORPS VOLUNTEER MEDICAL CARE REFORM.

(a) IN GENERAL.—The Peace Corps Act (22 U.S.C. 2501 et seq.) is amended by inserting after section 5 (22 U.S.C. 2504) the following:

“SEC. 5A. HEALTH CARE FOR VOLUNTEERS AT PEACE CORPS POSTS.

“(a) HEALTH CARE MEDICAL OFFICERS SELECTION CRITERIA.—In selecting medical officers and support staff for overseas Peace Corps posts, the Director shall strive to hire well-qualified and capable personnel to support the effectiveness of health care for Peace Corps volunteers by evaluating each candidate’s—

- “(1) medical training, experience, and accreditations or other qualifications;
“(2) record of performance;
“(3) administrative capabilities;
“(4) understanding of the local language and culture;
“(5) ability to work in the English language;
“(6) interpersonal skills; and

“(7) such other factors that the Director considers to be appropriate.

“(b) REVIEW AND EVALUATION.—

“(1) IN GENERAL.—The Director, acting through the Associate Director of the Office of Health Services and the country directors, shall review and evaluate the performance and health care delivery of all Peace Corps medical staff, including medical officers—

“(A) to ensure compliance with all relevant Peace Corps policies, practices, and guidelines; and

“(B) to ensure that medical staff complete the necessary continuing medical education to maintain their skills and satisfy licensing and credentialing standards, as designated by the Director.

“(2) REPORT TO CONGRESS.—The Director shall include, in the annual Peace Corps congressional budget justification, a confirmation that the review and evaluation of all Peace Corps medical staff required under paragraph (1) has been completed.

“(c) ANTIMALARIAL DRUGS.—The Director shall consult with experts at the Centers for Disease Control and Prevention regarding recommendations for prescribing malaria prophylaxis, in order to provide the best standard of care within the context of the Peace Corps environment.”

(b) IMPLEMENTATION OF RECOMMENDATIONS BY THE INSPECTOR GENERAL OF THE PEACE CORPS.—

(1) INSPECTOR GENERAL REPORT.—As promptly as practicable, the Director shall implement the actions outlined in the agency response for all open recommendations of the Inspector General of the Peace Corps set forth in the report entitled “Final Program Evaluation Report: OIG Follow-up Evaluation of Issues Identified in the 2010 Peace Corps/Morocco Assessment of Medical Care” (Report No. IG-16-01-E).

(2) SEMIANNUAL REPORTS.—

(A) INITIAL REPORT.—Not later than 6 months after the date of the enactment of this Act, the Director shall submit a report to the appropriate congressional committees that describes the Director’s strategy for implementing the recommendations referred to in paragraph (1).

(B) SUBSEQUENT REPORTS.—Not later than 6 months after the submission of the report required under subparagraph (A), and semi-annually thereafter, the Director shall submit a report to the appropriate congressional committees that describes the progress in implementing the recommendations referred to in paragraph (1) until all such recommendations have been implemented in accordance with the agency’s response to the report referred to in such paragraph.

(3) NOTIFICATION.—After the submission of each report required under paragraph (2), the Inspector General of the Peace Corps may notify the appropriate congressional committees of any recommendations from the report referred to in paragraph (1) that the Inspector General determines remain unresolved.

SEC. 102. POST-SERVICE PEACE CORPS VOLUNTEER MEDICAL CARE REFORM.

Section 8142 of title 5, United States Code, is amended by adding at the end the following:

“(d)(1) The Secretary shall authorize the Director of the Peace Corps to furnish medical benefits to a volunteer, who is injured during the volunteer’s period of service, for a period of 120 days following the termination of such service if the Director certifies that the volunteer’s injury probably meets the requirements under subsection (c)(3). The Secretary may then certify vouchers for these expenses for such volunteer out of the Employees’ Compensation Fund.

“(2) The Secretary shall prescribe the form and content of the certification required under paragraph (1).

“(3) A certification under paragraph (1) will cease to be effective if the volunteer sustains compensable disability in connection with volunteer service.

“(4) Nothing in this subsection may be construed to authorize the furnishing of any medical benefit that the Secretary of Labor is not otherwise authorized to reimburse for former Peace Corps volunteers who receive treatment for injury or disease proximately caused by their service in the Peace Corps in accordance with this chapter.”

SEC. 103. PEACE CORPS IMPACT SURVEY.

(a) IN GENERAL.—Beginning not later than 1 year after the date of the enactment of this Act and once every 2 years for the following 6 years, the Director shall conduct a survey of former Peace Corps volunteers.

(b) SCOPE OF SURVEY.—The survey required under subsection (a) shall assess, with respect to each former Peace Corps volunteer completing the survey, the impact of the Peace Corps on the former volunteer, including the volunteer’s—

- (1) well-being;
(2) career;
(3) civic engagement; and
(4) commitment to public service.

(c) REPORT.—The Director shall submit a report containing the results of the survey conducted under subsection (a) to—

- (1) the Committee on Foreign Relations of the Senate;
(2) the Committee on Foreign Affairs of the House of Representatives;
(3) the Committee on Appropriations of the Senate; and
(4) the Committee on Appropriations of the House of Representatives.

(d) PAPERWORK REDUCTION ACT EXEMPTION.—Subchapter I of chapter 35 of title 44, United States Code (commonly known as the “Paperwork Reduction Act of 1980”), shall not apply to the collection of information through the survey required under this section.

SEC. 104. EXTENSION OF POSITIONS FOR PEACE CORPS EMPLOYEES.

Section 7(a) of the Peace Corps Act (22 U.S.C. 2506(a)) is amended by adding at the end the following:

“(8) DESIGNATION OF CRITICAL POSITIONS.—

“(A) IN GENERAL.—The Director of the Peace Corps may designate Peace Corps positions as critical management or management support positions that require specialized technical or professional skills and knowledge of Peace Corps operations. Such positions may include positions in the following fields:

- “(i) Volunteer health services.
“(ii) Financial management.
“(iii) Information technology.
“(iv) Procurement.
“(v) Personnel.
“(vi) Legal services.
“(vii) Safety and security.

“(B) AUTHORITY.—Subject to subparagraphs (C) and (D), with respect to positions designated pursuant to subparagraph (A), the Director may make or extend renewable appointments or assignments under paragraph (2) notwithstanding limitations under subparagraphs (A) and (B) of paragraph (2) and paragraph (5).

“(C) REQUIREMENTS.—In exercising authority under subparagraph (B), the Director shall ensure that all decisions regarding the appointment, assignment, or extension of employees to any such position—

- “(i) are consistent with Federal law and Peace Corps policy; and
“(ii) are based upon operational and programmatic factors.

“(D) DURATION OF APPOINTMENTS.—The term of any appointment or assignment to any position designated under subparagraph (A) may not exceed 5 years.”

TITLE II—PEACE CORPS OVERSIGHT AND ACCOUNTABILITY

SEC. 201. PEACE CORPS VOLUNTEER ACCESS TO INSPECTOR GENERAL.

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

(1) in subsection (a), by striking “he” and inserting “the President”; and

(2) by adding at the end the following:

“(c) AVAILABILITY OF THE OFFICE OF INSPECTOR GENERAL.—

“(1) TRAINING REQUIREMENT.—As part of the training provided to all volunteers under subsection (a), and in coordination with the Inspector General of the Peace Corps, the President shall provide all volunteers with—

“(A) information regarding the mandate of the Inspector General and the availability of the Inspector General as a resource for volunteers; and

“(B) the contact information of the Inspector General.”

“(B) the contact information of the Inspector General.”

“(C) information regarding the mandate of the Office of Victim Advocacy and the availability of the Office of Victim Advocacy as a resource for volunteers; and

“(D) the contact information of the Office of Victim Advocacy.

“(2) FREQUENCY OF TRAINING.—The President shall ensure that volunteers receive the information described in paragraph (1) not less frequently than—

“(A) once during pre-enrollment training; and

“(B) once during each significant training provided by the Peace Corps to volunteers after enrollment.”.

SEC. 202. CONSULTATION WITH CONGRESS REQUIRED BEFORE OPENING OR CLOSING OVERSEAS OFFICES AND COUNTRY PROGRAMS.

The Peace Corps Act (22 U.S.C. 2501 et seq.) is amended by inserting after section 10 (22 U.S.C. 2509) the following:

“SEC. 10A. CONSULTATION WITH CONGRESS REQUIRED BEFORE OPENING OR CLOSING OVERSEAS OFFICES AND COUNTRY PROGRAMS.

“(a) IN GENERAL.—Except as provided in subsection (b), the Director of the Peace Corps may not open, close, significantly reduce, or suspend a domestic or overseas office or country program unless the Director has notified and consulted with the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives.

“(b) WAIVER.—The Director may waive the application of subsection (a) if an action described in such subsection is necessary to ameliorate a substantial security risk to Peace Corps volunteers or other Peace Corps personnel.”.

SEC. 203. PUBLICATION REQUIREMENT FOR VOLUNTEER SURVEYS.

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

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

(2) in subsection (c)—

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

(B) by adding at the end the following: “The President shall publish, on a publicly available website of the Peace Corps, a report summarizing the results of each survey related to volunteer satisfaction in each country in which volunteers serve, and the early termination rate of volunteers serving

in each such country. The information published shall be posted in an easily accessible place near the description of the appropriate country and shall be written in an easily understood manner.”.

TITLE III—CRIME RISK REDUCTION ENHANCEMENTS

SEC. 301. INDEPENDENT REVIEW OF VOLUNTEER DEATH.

Section 5 of the Peace Corps Act (22 U.S.C. 2504) is amended by inserting after subsection (c) the following:

“(d)(1) Consistent with the Inspector General Act of 1978 (5 U.S.C. App.), the Inspector General of the Peace Corps may independently review the facts and circumstances surrounding the death of a volunteer and the actions taken by the Peace Corps in responding to such incident.

“(2) Not later than 10 days after receiving notification of the death of a volunteer, the President shall provide a briefing to the Inspector General, which shall include—

“(A)(i) the available facts and circumstances surrounding the death of the volunteer, including a preliminary timeline of the events immediately preceding the death of the volunteer, subsequent actions taken by the Peace Corps, and any information available to the Peace Corps reflecting on the cause or root cause of the volunteer’s death; and

“(ii) a description of any steps the Peace Corps plans to take to inquire further into the cause or root cause of the volunteer’s death, including the anticipated date of the completion of such inquiry; or

“(B) an explanation of why the Peace Corps has determined that no further inquiry into the cause or root cause of the volunteer’s death is necessary, including—

“(i) a description of the steps the Peace Corps took to determine further inquiry was not necessary; and

“(ii) the basis for such determination.

“(3) If the Peace Corps has performed or engaged another entity to perform a root cause analysis or similar report that describes the root cause or proximate cause of a volunteer death, the President shall provide the Inspector General of the Peace Corps with—

“(A) a copy of all information provided to such entity at the time such information is provided to such entity or used by the Peace Corps to perform the analysis;

“(B) a copy of any report or study received from the entity or used by the Peace Corps to perform the analysis; and

“(C) any supporting documentation upon which the Peace Corps or such entity relied to make its determination, including the volunteer’s complete medical record, as soon as such information is available to the Peace Corps.

“(4) If a volunteer dies, the Peace Corps shall take reasonable measures, in accordance with local laws, to preserve any information or material, in any medium or format, that may be relevant to determining the cause or root cause of the volunteer’s death, including personal effects, medication, and other tangible items belonging to the volunteer, as long as such measures do not interfere with the legal procedures of the host country if the government of the host country is exercising jurisdiction over the investigation of such death. The Inspector General of the Peace Corps shall be provided an opportunity to inspect such items before their final disposition.

“(5) For the purposes of undertaking a review under this section, an officer or employee of the United States or a member of the Armed Forces may be detailed to the Inspector General of the Peace Corps from another department of the United States Gov-

ernment on a nonreimbursable basis, as jointly agreed to by the Inspector General and the detailing department, for a period not to exceed 1 year. This paragraph may not be construed to limit or modify any other source of authority for reimbursable or nonreimbursable details. A nonreimbursable detail made under this section shall not be considered an augmentation of the appropriations of the Peace Corps.

“(6) Upon request, the Peace Corps may make available necessary funds to the Inspector General of the Peace Corps for reviews conducted by the Inspector General under this section. The request shall be limited to costs relating to hiring, procuring, or otherwise obtaining medical-related experts or expert services, and associated travel.

“(7) The undertaking of a review under this section shall not be considered a transfer of program operating responsibilities to the Inspector General of the Peace Corps.”.

SEC. 302. MONITORING TRAINING RECORDS.

Section 8 of the Peace Corps Act (22 U.S.C. 2507), as amended by section 201, is further amended by adding at the end the following:

“(d) TRAINING RECORDS.—The President shall implement procedures to maintain a written record verifying the attendance of each individual completing the training required under this section and sections 8A, 8B, and 8F.”.

SEC. 303. ADDITIONAL DISCLOSURES TO APPLICANTS FOR ENROLLMENT AS VOLUNTEERS.

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

“(d) INFORMATION REGARDING CRIMES AND RISKS.—Each applicant for enrollment as a volunteer shall be provided, with respect to the country in which the applicant has been invited to serve, with information regarding crimes against and risks to volunteers, including—

“(1) an overview of past crimes against volunteers in such country;

“(2) the current early termination rate of volunteers serving in such country;

“(3) health risks in such country; and

“(4) the level of satisfaction reported by volunteers serving in such country.”.

SEC. 304. ADDITIONAL PROTECTIONS AGAINST SEXUAL MISCONDUCT.

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

(1) in paragraph (5), by striking “and” at the end;

(2) in paragraph (6), by striking the period at the end and inserting a semicolon; and

(3) by adding at the end the following:

“(7) maintains a record of the resignation of any employee or volunteer of the Peace Corps who resigns before a determination has been made regarding an allegation that such person committed a sexual assault or other serious misconduct;”

“(7) maintains a record documenting the resignation of any employee or volunteer of the Peace Corps who resigns before a determination has been made regarding an alleged violation of the sexual misconduct policy or other serious policy violations;”

“(8) takes into account the record maintained under paragraph (7) before such employee or volunteer is hired, is enrolled, or otherwise work with the Peace Corps; and

“(9) provides orientation to families who host volunteers regarding the awareness and prevention of sexual assault.”

“(9) provides orientation or information regarding the awareness and prevention of sexual assault to—

“(A) Peace Corps-selected host families; and

“(B) a designated person of authority at the volunteer’s initial workplace.”.

SEC. 305. IMMEDIATE VICTIM ADVOCACY NOTIFICATION.

Section 8B(a)(3) of the Peace Corps Act (22 U.S.C. 2507b(a)(3)) is amended by striking “SARLs to immediately contact” and inserting “the Peace Corps to designate the staff at each post who shall be responsible for providing the services described in subsection (c) and for immediately contacting”.

SEC. 306. EXTENSION OF THE OFFICE OF VICTIM ADVOCACY.

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

(1) in the heading to subsection (a), by striking “VICTIMS” and inserting “VICTIM”; and

[(2) in subsection (e), by striking “2018” and inserting “2023”.]

(2) by striking subsection (e).

SEC. 307. REFORM AND EXTENSION OF THE SEXUAL ASSAULT ADVISORY COUNCIL.

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

(1) in subsection (b), by striking “not less than 8 individuals selected by the President, not later than 180 days after the date of the enactment of this section,” and inserting “not fewer than 8 and not more than 14 individuals selected by the President”; and

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

SEC. 308. DEFINITIONS.

Section 26 of the Peace Corps Act (22 U.S.C. 2522) is amended—

(1) by redesignating subsections (a), (b), (c), (d), (e), (f), and (g) as paragraphs (1), (6), (2), (3), (8), (7), and (5), respectively, by arranging such redesignated paragraphs in numerical order, and by moving such paragraphs 2 ems to the right;

(2) in paragraph (1), as redesignated, by striking “(1)” and inserting the following:

“In this Act:

“(1); and

(3) by inserting after paragraph (3), as redesignated, the following:

“(4) The term ‘medical officer’ means a physician, nurse practitioner, physician’s assistant, or registered nurse with the professional qualifications, expertise, and abilities consistent with the needs of the Peace Corps and the post to which he or she is assigned, as determined by the Director of the Peace Corps.”

Mr. ROUNDS. Mr. President, I ask unanimous consent that the committee-reported amendments be agreed to and the Corker amendment at the desk be agreed to.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The committee-reported amendments were agreed to.

The amendment (No. 2209) was agreed to, as follows:

(Purpose: To require the Director of the Peace Corps to notify and consult with the Committees on Appropriations before opening, closing, significantly reducing, or suspending a domestic or overseas office or country program)

On page 13, line 9, insert “, the Committee on Appropriations of the Senate, the Committee on Appropriations of the House of Representatives,” after “Senate”.

Mr. ROUNDS. Mr. President, I ask unanimous consent that the bill, as amended, be considered read a third time.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill was ordered to be engrossed for a third reading and was read the third time.

Mr. ROUNDS. Mr. President, I know of no further debate on the bill.

The PRESIDING OFFICER. Is there further debate?

If not, the bill having been read the third time, the question is, Shall the bill pass?

The bill (S. 2286), as amended, was passed, as follows:

S. 2286

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

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the “Nick Castle Peace Corps Reform Act of 2018”.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.

Sec. 2. Definitions.

TITLE I—PEACE CORPS VOLUNTEER SUPPORT

Sec. 101. Peace Corps volunteer medical care reform.

Sec. 102. Post-service Peace Corps volunteer medical care reform.

Sec. 103. Peace Corps impact survey.

Sec. 104. Extension of positions for Peace Corps employees.

TITLE II—PEACE CORPS OVERSIGHT AND ACCOUNTABILITY

Sec. 201. Peace Corps volunteer access to Inspector General.

Sec. 202. Consultation with Congress required before opening or closing overseas offices and country programs.

Sec. 203. Publication requirement for volunteer surveys.

TITLE III—CRIME RISK REDUCTION ENHANCEMENTS

Sec. 301. Independent review of volunteer death.

Sec. 302. Monitoring training records.

Sec. 303. Additional disclosures to applicants for enrollment as volunteers.

Sec. 304. Additional protections against sexual misconduct.

Sec. 305. Immediate victim advocacy notification.

Sec. 306. Extension of the Office of Victim Advocacy.

Sec. 307. Reform and extension of the Sexual Assault Advisory Council.

Sec. 308. Definitions.

SEC. 2. DEFINITIONS.

In this Act:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term “appropriate congressional committees” means—

(A) the Committee on Foreign Relations of the Senate;

(B) the Committee on Appropriations of the Senate;

(C) the Committee on Foreign Affairs of the House of Representatives; and

(D) the Committee on Appropriations of the House of Representatives.

(2) DIRECTOR.—The term “Director” means the Director of the Peace Corps.

(3) PEACE CORPS VOLUNTEER.—The term “Peace Corps volunteer” means an individual described in section 5(a) of the Peace Corps Act (22 U.S.C. 2504(a)).

TITLE I—PEACE CORPS VOLUNTEER SUPPORT**SEC. 101. PEACE CORPS VOLUNTEER MEDICAL CARE REFORM.**

(a) IN GENERAL.—The Peace Corps Act (22 U.S.C. 2501 et seq.) is amended by inserting after section 5 (22 U.S.C. 2504) the following:

“SEC. 5A. HEALTH CARE FOR VOLUNTEERS AT PEACE CORPS POSTS.

“(a) HEALTH CARE MEDICAL OFFICERS SELECTION CRITERIA.—In selecting medical officers and support staff for overseas Peace Corps posts, the Director shall strive to hire well-qualified and capable personnel to support the effectiveness of health care for Peace Corps volunteers by evaluating each candidate’s—

“(1) medical training, experience, and accreditations or other qualifications;

“(2) record of performance;

“(3) administrative capabilities;

“(4) understanding of the local language and culture;

“(5) ability to work in the English language;

“(6) interpersonal skills; and

“(7) such other factors that the Director considers to be appropriate.

“(b) REVIEW AND EVALUATION.—

“(1) IN GENERAL.—The Director, acting through the Associate Director of the Office of Health Services and the country directors, shall review and evaluate the performance and health care delivery of all Peace Corps medical staff, including medical officers—

“(A) to ensure compliance with all relevant Peace Corps policies, practices, and guidelines; and

“(B) to ensure that medical staff complete the necessary continuing medical education to maintain their skills and satisfy licensing and credentialing standards, as designated by the Director.

“(2) REPORT TO CONGRESS.—The Director shall include, in the annual Peace Corps congressional budget justification, a confirmation that the review and evaluation of all Peace Corps medical staff required under paragraph (1) has been completed.

“(c) ANTIMALARIAL DRUGS.—The Director shall consult with experts at the Centers for Disease Control and Prevention regarding recommendations for prescribing malaria prophylaxis, in order to provide the best standard of care within the context of the Peace Corps environment.”

(b) IMPLEMENTATION OF RECOMMENDATIONS BY THE INSPECTOR GENERAL OF THE PEACE CORPS.—

(1) INSPECTOR GENERAL REPORT.—As promptly as practicable, the Director shall implement the actions outlined in the agency response for all open recommendations of the Inspector General of the Peace Corps set forth in the report entitled “Final Program Evaluation Report: OIG Follow-up Evaluation of Issues Identified in the 2010 Peace Corps/Morocco Assessment of Medical Care” (Report No. IG-16-01-E).

(2) SEMIANNUAL REPORTS.—

(A) INITIAL REPORT.—Not later than 6 months after the date of the enactment of this Act, the Director shall submit a report to the appropriate congressional committees that describes the Director’s strategy for implementing the recommendations referred to in paragraph (1).

(B) SUBSEQUENT REPORTS.—Not later than 6 months after the submission of the report required under subparagraph (A), and semi-annually thereafter, the Director shall submit a report to the appropriate congressional committees that describes the progress in implementing the recommendations referred to in paragraph (1) until all such recommendations have been implemented in accordance with the agency’s response to the report referred to in such paragraph.

(3) NOTIFICATION.—After the submission of each report required under paragraph (2), the Inspector General of the Peace Corps may notify the appropriate congressional committees of any recommendations from the report referred to in paragraph (1) that the Inspector General determines remain unresolved.

SEC. 102. POST-SERVICE PEACE CORPS VOLUNTEER MEDICAL CARE REFORM.

Section 8142 of title 5, United States Code, is amended by adding at the end the following:

“(d)(1) The Secretary shall authorize the Director of the Peace Corps to furnish medical benefits to a volunteer, who is injured during the volunteer’s period of service, for a period of 120 days following the termination of such service if the Director certifies that the volunteer’s injury probably meets the requirements under subsection (c)(3). The Secretary may then certify vouchers for these expenses for such volunteer out of the Employees’ Compensation Fund.

“(2) The Secretary shall prescribe the form and content of the certification required under paragraph (1).

“(3) A certification under paragraph (1) will cease to be effective if the volunteer sustains compensable disability in connection with volunteer service.

“(4) Nothing in this subsection may be construed to authorize the furnishing of any medical benefit that the Secretary of Labor is not otherwise authorized to reimburse for former Peace Corps volunteers who receive treatment for injury or disease proximately caused by their service in the Peace Corps in accordance with this chapter.”.

SEC. 103. PEACE CORPS IMPACT SURVEY.

(a) IN GENERAL.—Beginning not later than 1 year after the date of the enactment of this Act and once every 2 years for the following 6 years, the Director shall conduct a survey of former Peace Corps volunteers.

(b) SCOPE OF SURVEY.—The survey required under subsection (a) shall assess, with respect to each former Peace Corps volunteer completing the survey, the impact of the Peace Corps on the former volunteer, including the volunteer’s—

- (1) well-being;
- (2) career;
- (3) civic engagement; and
- (4) commitment to public service.

(c) REPORT.—The Director shall submit a report containing the results of the survey conducted under subsection (a) to—

- (1) the Committee on Foreign Relations of the Senate;
- (2) the Committee on Foreign Affairs of the House of Representatives;
- (3) the Committee on Appropriations of the Senate; and
- (4) the Committee on Appropriations of the House of Representatives.

(d) PAPERWORK REDUCTION ACT EXEMPTION.—Subchapter I of chapter 35 of title 44, United States Code (commonly known as the “Paperwork Reduction Act of 1980”), shall not apply to the collection of information through the survey required under this section.

SEC. 104. EXTENSION OF POSITIONS FOR PEACE CORPS EMPLOYEES.

Section 7(a) of the Peace Corps Act (22 U.S.C. 2506(a)) is amended by adding at the end the following:

“(8) DESIGNATION OF CRITICAL POSITIONS.—

“(A) IN GENERAL.—The Director of the Peace Corps may designate Peace Corps positions as critical management or management support positions that require specialized technical or professional skills and knowledge of Peace Corps operations. Such positions may include positions in the following fields:

- “(i) Volunteer health services.
- “(ii) Financial management.
- “(iii) Information technology.
- “(iv) Procurement.
- “(v) Personnel.
- “(vi) Legal services.
- “(vii) Safety and security.

“(B) AUTHORITY.—Subject to subparagraphs (C) and (D), with respect to positions

designated pursuant to subparagraph (A), the Director may make or extend renewable appointments or assignments under paragraph (2) notwithstanding limitations under subparagraphs (A) and (B) of paragraph (2) and paragraph (5).

“(C) REQUIREMENTS.—In exercising authority under subparagraph (B), the Director shall ensure that all decisions regarding the appointment, assignment, or extension of employees to any such position—

“(i) are consistent with Federal law and Peace Corps policy; and

“(ii) are based upon operational and programmatic factors.

“(D) DURATION OF APPOINTMENTS.—The term of any appointment or assignment to any position designated under subparagraph (A) may not exceed 5 years.”.

TITLE II—PEACE CORPS OVERSIGHT AND ACCOUNTABILITY**SEC. 201. PEACE CORPS VOLUNTEER ACCESS TO INSPECTOR GENERAL.**

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

(1) in subsection (a), by striking “he” and inserting “the President”; and

(2) by adding at the end the following:

“(c) AVAILABILITY OF THE OFFICE OF INSPECTOR GENERAL.—

“(1) TRAINING REQUIREMENT.—As part of the training provided to all volunteers under subsection (a), and in coordination with the Inspector General of the Peace Corps, the President shall provide all volunteers with—

“(A) information regarding the mandate of the Inspector General and the availability of the Inspector General as a resource for volunteers;

“(B) the contact information of the Inspector General;

“(C) information regarding the mandate of the Office of Victim Advocacy and the availability of the Office of Victim Advocacy as a resource for volunteers; and

“(D) the contact information of the Office of Victim Advocacy.

“(2) FREQUENCY OF TRAINING.—The President shall ensure that volunteers receive the information described in paragraph (1) not less frequently than—

“(A) once during pre-enrollment training; and

“(B) once during each significant training provided by the Peace Corps to volunteers after enrollment.”.

SEC. 202. CONSULTATION WITH CONGRESS REQUIRED BEFORE OPENING OR CLOSING OVERSEAS OFFICES AND COUNTRY PROGRAMS.

The Peace Corps Act (22 U.S.C. 2501 et seq.) is amended by inserting after section 10 (22 U.S.C. 2509) the following:

“SEC. 10A. CONSULTATION WITH CONGRESS REQUIRED BEFORE OPENING OR CLOSING OVERSEAS OFFICES AND COUNTRY PROGRAMS.

“(a) IN GENERAL.—Except as provided in subsection (b), the Director of the Peace Corps may not open, close, significantly reduce, or suspend a domestic or overseas office or country program unless the Director has notified and consulted with the Committee on Foreign Relations of the Senate, the Committee on Appropriations of the Senate, the Committee on Appropriations of the House of Representatives, and the Committee on Foreign Affairs of the House of Representatives.

“(b) WAIVER.—The Director may waive the application of subsection (a) if an action described in such subsection is necessary to ameliorate a substantial security risk to Peace Corps volunteers or other Peace Corps personnel.”.

SEC. 203. PUBLICATION REQUIREMENT FOR VOLUNTEER SURVEYS.

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

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

(2) in subsection (c)—

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

(B) by adding at the end the following: “The President shall publish, on a publicly available website of the Peace Corps, a report summarizing the results of each survey related to volunteer satisfaction in each country in which volunteers serve, and the early termination rate of volunteers serving in each such country. The information published shall be posted in an easily accessible place near the description of the appropriate country and shall be written in an easily understood manner.”.

TITLE III—CRIME RISK REDUCTION ENHANCEMENTS**SEC. 301. INDEPENDENT REVIEW OF VOLUNTEER DEATH.**

Section 5 of the Peace Corps Act (22 U.S.C. 2504) is amended by inserting after subsection (c) the following:

“(d)(1) Consistent with the Inspector General Act of 1978 (5 U.S.C. App.), the Inspector General of the Peace Corps may independently review the facts and circumstances surrounding the death of a volunteer and the actions taken by the Peace Corps in responding to such incident.

“(2) Not later than 10 days after receiving notification of the death of a volunteer, the President shall provide a briefing to the Inspector General, which shall include—

“(A)(i) the available facts and circumstances surrounding the death of the volunteer, including a preliminary timeline of the events immediately preceding the death of the volunteer, subsequent actions taken by the Peace Corps, and any information available to the Peace Corps reflecting on the cause or root cause of the volunteer’s death; and

“(ii) a description of any steps the Peace Corps plans to take to inquire further into the cause or root cause of the volunteer’s death, including the anticipated date of the completion of such inquiry; or

“(B) an explanation of why the Peace Corps has determined that no further inquiry into the cause or root cause of the volunteer’s death is necessary, including—

“(i) a description of the steps the Peace Corps took to determine further inquiry was not necessary; and

“(ii) the basis for such determination.

“(3) If the Peace Corps has performed or engaged another entity to perform a root cause analysis or similar report that describes the root cause or proximate cause of a volunteer death, the President shall provide the Inspector General of the Peace Corps with—

“(A) a copy of all information provided to such entity at the time such information is provided to such entity or used by the Peace Corps to perform the analysis;

“(B) a copy of any report or study received from the entity or used by the Peace Corps to perform the analysis; and

“(C) any supporting documentation upon which the Peace Corps or such entity relied to make its determination, including the volunteer’s complete medical record, as soon as such information is available to the Peace Corps.

“(4) If a volunteer dies, the Peace Corps shall take reasonable measures, in accordance with local laws, to preserve any information or material, in any medium or format, that may be relevant to determining the cause or root cause of the volunteer's death, including personal effects, medication, and other tangible items belonging to the volunteer, as long as such measures do not interfere with the legal procedures of the host country if the government of the host country is exercising jurisdiction over the investigation of such death. The Inspector General of the Peace Corps shall be provided an opportunity to inspect such items before their final disposition.

“(5) For the purposes of undertaking a review under this section, an officer or employee of the United States or a member of the Armed Forces may be detailed to the Inspector General of the Peace Corps from another department of the United States Government on a nonreimbursable basis, as jointly agreed to by the Inspector General and the detailing department, for a period not to exceed 1 year. This paragraph may not be construed to limit or modify any other source of authority for reimbursable or non-reimbursable details. A nonreimbursable detail made under this section shall not be considered an augmentation of the appropriations of the Peace Corps.

“(6) Upon request, the Peace Corps may make available necessary funds to the Inspector General of the Peace Corps for reviews conducted by the Inspector General under this section. The request shall be limited to costs relating to hiring, procuring, or otherwise obtaining medical-related experts or expert services, and associated travel.

“(7) The undertaking of a review under this section shall not be considered a transfer of program operating responsibilities to the Inspector General of the Peace Corps.”.

SEC. 302. MONITORING TRAINING RECORDS.

Section 8 of the Peace Corps Act (22 U.S.C. 2507), as amended by section 201, is further amended by adding at the end the following:

“(d) **TRAINING RECORDS.**—The President shall implement procedures to maintain a written record verifying the attendance of each individual completing the training required under this section and sections 8A, 8B, and 8F.”.

SEC. 303. ADDITIONAL DISCLOSURES TO APPLICANTS FOR ENROLLMENT AS VOLUNTEERS.

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

“(d) **INFORMATION REGARDING CRIMES AND RISKS.**—Each applicant for enrollment as a volunteer shall be provided, with respect to the country in which the applicant has been invited to serve, with information regarding crimes against and risks to volunteers, including—

- “(1) an overview of past crimes against volunteers in such country;
- “(2) the current early termination rate of volunteers serving in such country;
- “(3) health risks in such country; and

“(4) the level of satisfaction reported by volunteers serving in such country.”.

SEC. 304. ADDITIONAL PROTECTIONS AGAINST SEXUAL MISCONDUCT.

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

(1) in paragraph (5), by striking “and” at the end;

(2) in paragraph (6), by striking the period at the end and inserting a semicolon; and

(3) by adding at the end the following:

“(7) maintains a record documenting the resignation of any employee or volunteer of the Peace Corps who resigns before a determination has been made regarding an alleged violation of the sexual misconduct policy or other serious policy violations;

“(8) takes into account the record maintained under paragraph (7) before such employee or volunteer is hired, is enrolled, or otherwise work with the Peace Corps; and

“(9) provides orientation or information regarding the awareness and prevention of sexual assault to—

“(A) Peace Corps-selected host families; and

“(B) a designated person of authority at the volunteer's initial workplace.”.

SEC. 305. IMMEDIATE VICTIM ADVOCACY NOTIFICATION.

Section 8B(a)(3) of the Peace Corps Act (22 U.S.C. 2507b(a)(3)) is amended by striking “SARLs to immediately contact” and inserting “the Peace Corps to designate the staff at each post who shall be responsible for providing the services described in subsection (c) and for immediately contacting”.

SEC. 306. EXTENSION OF THE OFFICE OF VICTIM ADVOCACY.

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

(1) in the heading to subsection (a), by striking “VICTIMS” and inserting “VICTIM”; and

(2) by striking subsection (e).

SEC. 307. REFORM AND EXTENSION OF THE SEXUAL ASSAULT ADVISORY COUNCIL.

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

(1) in subsection (b), by striking “not less than 8 individuals selected by the President, not later than 180 days after the date of the enactment of this section,” and inserting “not fewer than 8 and not more than 14 individuals selected by the President”; and

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

SEC. 308. DEFINITIONS.

Section 26 of the Peace Corps Act (22 U.S.C. 2522) is amended—

(1) by redesignating subsections (a), (b), (c), (d), (e), (f), and (g) as paragraphs (1), (6), (2), (3), (8), (7), and (5), respectively, by arranging such redesignated paragraphs in numerical order, and by moving such paragraphs 2 ems to the right;

(2) in paragraph (1), as redesignated, by striking “(1)” and inserting the following:

“In this Act:

“(1)”; and

(3) by inserting after paragraph (3), as redesignated, the following:

“(4) The term ‘medical officer’ means a physician, nurse practitioner, physician's assistant, or registered nurse with the professional qualifications, expertise, and abilities consistent with the needs of the Peace Corps and the post to which he or she is assigned, as determined by the Director of the Peace Corps.”.

ORDER OF PROCEDURE

Mr. ROUNDS. Mr. President, I ask unanimous consent that notwithstanding rule XXII, the postcloture time on Senate amendment No. 2151, as modified, expire at 3:45 p.m. on Wednesday, March 14; further, that if cloture is invoked on S. 2155, the time count as if invoked at midnight, Wednesday, March 14.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

ORDERS FOR WEDNESDAY, MARCH 14, 2018

Mr. ROUNDS. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 9:30 a.m. on Wednesday, March 14; further, that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day, and morning business be closed. Finally, I ask that following leader remarks, the Senate resume consideration of S. 2155 under the previous order.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

Mr. ROUNDS. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate, at 8 p.m., adjourned until Wednesday, March 14, 2018, at 9:30 a.m.

CONFIRMATION

Executive nomination confirmed by the Senate March 13, 2018:

DEPARTMENT OF COMMERCE

GILBERT B. KAPLAN, OF THE DISTRICT OF COLUMBIA, TO BE UNDER SECRETARY OF COMMERCE FOR INTERNATIONAL TRADE.