

115TH CONGRESS
2D SESSION

S. 2286

To amend the Peace Corps Act to provide greater protection and services for Peace Corps volunteers, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JANUARY 10, 2018

Mr. CORKER (for himself, Mrs. FEINSTEIN, Mr. ISAKSON, and Mr. COONS) introduced the following bill; which was read twice and referred to the Committee on Foreign Relations

A BILL

To amend the Peace Corps Act to provide greater protection and services for Peace Corps 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; TABLE OF CONTENTS.**

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

6 (b) TABLE OF CONTENTS.—The table of contents for
7 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.

1 **SEC. 2. DEFINITIONS.**

2 In this Act:

3 (1) **APPROPRIATE CONGRESSIONAL COMMIT-**
 4 **TEES.**—The term “appropriate congressional com-
 5 mittees” means—

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

8 (B) the Committee on Appropriations of
 9 the Senate;

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

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

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

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

5 **TITLE I—PEACE CORPS**
6 **VOLUNTEER SUPPORT**

7 **SEC. 101. PEACE CORPS VOLUNTEER MEDICAL CARE RE-**
8 **FORM.**

9 (a) IN GENERAL.—The Peace Corps Act (22 U.S.C.
10 2501 et seq.) is amended by inserting after section 5 (22
11 U.S.C. 2504) the following:

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

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

20 “(1) medical training, experience, and accredi-
21 tations or other qualifications;

22 “(2) record of performance;

23 “(3) administrative capabilities;

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

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

2 “(6) interpersonal skills; and

3 “(7) such other factors that the Director con-
4 siders to be appropriate.

5 “(b) REVIEW AND EVALUATION.—

6 “(1) IN GENERAL.—The Director, acting
7 through the Associate Director of the Office of
8 Health Services and the country directors, shall re-
9 view and evaluate the performance and health care
10 delivery of all Peace Corps medical staff, including
11 medical officers—

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

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

20 “(2) REPORT TO CONGRESS.—The Director
21 shall include, in the annual Peace Corps congres-
22 sional budget justification, a confirmation that the
23 review and evaluation of all Peace Corps medical
24 staff required under paragraph (1) has been com-
25 pleted.

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

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

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

18 (2) SEMIANNUAL REPORTS.—

19 (A) INITIAL REPORT.—Not later than 6
20 months after the date of the enactment of this
21 Act, the Director shall submit a report to the
22 appropriate congressional committees that de-
23 scribes the Director’s strategy for implementing
24 the recommendations referred to in paragraph
25 (1).

1 (B) SUBSEQUENT REPORTS.—Not later
2 than 6 months after the submission of the re-
3 port required under subparagraph (A), and
4 semiannually thereafter, the Director shall sub-
5 mit a report to the appropriate congressional
6 committees that describes the progress in imple-
7 menting the recommendations referred to in
8 paragraph (1) until all such recommendations
9 have been implemented in accordance with the
10 agency’s response to the report referred to in
11 such paragraph.

12 (3) NOTIFICATION.—After the submission of
13 each report required under paragraph (2), the In-
14 spector General of the Peace Corps may notify the
15 appropriate congressional committees of any rec-
16 ommendations from the report referred to in para-
17 graph (1) that the Inspector General determines re-
18 main unresolved.

19 **SEC. 102. POST-SERVICE PEACE CORPS VOLUNTEER MED-**
20 **ICAL CARE REFORM.**

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

23 “(d)(1) The Secretary shall authorize the Director of
24 the Peace Corps to furnish medical benefits to a volunteer,
25 who is injured during the volunteer’s period of service, for

1 a period of 120 days following the termination of such
2 service if the Director certifies that the volunteer's injury
3 probably meets the requirements under subsection (c)(3).
4 The Secretary may then certify vouchers for these ex-
5 penses for such volunteer out of the Employees' Com-
6 pensation Fund.

7 “(2) The Secretary shall prescribe the form and con-
8 tent of the certification required under paragraph (1).

9 “(3) A certification under paragraph (1) will cease
10 to be effective if the volunteer sustains compensable dis-
11 ability in connection with volunteer service.

12 “(4) Nothing in this subsection may be construed to
13 authorize the furnishing of any medical benefit that the
14 Secretary of Labor is not otherwise authorized to reim-
15 burse for former Peace Corps volunteers who receive treat-
16 ment for injury or disease proximately caused by their
17 service in the Peace Corps in accordance with this chap-
18 ter.”.

19 **SEC. 103. PEACE CORPS IMPACT SURVEY.**

20 (a) IN GENERAL.—Beginning not later than 1 year
21 after the date of the enactment of this Act and once every
22 2 years for the following 6 years, the Director shall con-
23 duct a survey of former Peace Corps volunteers.

24 (b) SCOPE OF SURVEY.—The survey required under
25 subsection (a) shall assess, with respect to each former

1 Peace Corps volunteer completing the survey, the impact
2 of the Peace Corps on the former volunteer, including the
3 volunteer's—

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

8 (c) REPORT.—The Director shall submit a report
9 containing the results of the survey conducted under sub-
10 section (a) to—

- 11 (1) the Committee on Foreign Relations of the
12 Senate;
- 13 (2) the Committee on Foreign Affairs of the
14 House of Representatives;
- 15 (3) the Committee on Appropriations of the
16 Senate; and
- 17 (4) the Committee on Appropriations of the
18 House of Representatives.

19 (d) PAPERWORK REDUCTION ACT EXEMPTION.—
20 Subchapter I of chapter 35 of title 44, United States Code
21 (commonly known as the “Paperwork Reduction Act of
22 1980”), shall not apply to the collection of information
23 through the survey required under this section.

1 **SEC. 104. EXTENSION OF POSITIONS FOR PEACE CORPS EM-**
2 **PLOYEES.**

3 Section 7(a) of the Peace Corps Act (22 U.S.C.
4 2506(a)) is amended by adding at the end the following:

5 “(8) DESIGNATION OF CRITICAL POSITIONS.—

6 “(A) IN GENERAL.—The Director of the
7 Peace Corps may designate Peace Corps posi-
8 tions as critical management or management
9 support positions that require specialized tech-
10 nical or professional skills and knowledge of
11 Peace Corps operations. Such positions may in-
12 clude positions in the following fields:

13 “(i) Volunteer health services.

14 “(ii) Financial management.

15 “(iii) Information technology.

16 “(iv) Procurement.

17 “(v) Personnel.

18 “(vi) Legal services.

19 “(vii) Safety and security.

20 “(B) AUTHORITY.—Subject to subpara-
21 graphs (C) and (D), with respect to positions
22 designated pursuant to subparagraph (A), the
23 Director may make or extend renewable ap-
24 pointments or assignments under paragraph (2)
25 notwithstanding limitations under subpara-

1 graphs (A) and (B) of paragraph (2) and para-
2 graph (5).

3 “(C) REQUIREMENTS.—In exercising au-
4 thority under subparagraph (B), the Director
5 shall ensure that all decisions regarding the ap-
6 pointment, assignment, or extension of employ-
7 ees to any such position—

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

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

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

16 **TITLE II—PEACE CORPS OVER-**
17 **SIGHT AND ACCOUNTABILITY**

18 **SEC. 201. PEACE CORPS VOLUNTEER ACCESS TO INSPEC-**
19 **TOR GENERAL.**

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

22 (1) in subsection (a), by striking “he” and in-
23 serting “the President”; and

24 (2) by adding at the end the following:

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

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

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

12 “(B) the contact information of the Inspec-
13 tor General.

14 “(2) FREQUENCY OF TRAINING.—The Presi-
15 dent shall ensure that volunteers receive the infor-
16 mation described in paragraph (1) not less fre-
17 quently than—

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

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

1 **SEC. 202. CONSULTATION WITH CONGRESS REQUIRED BE-**
 2 **FORE OPENING OR CLOSING OVERSEAS OF-**
 3 **FICES AND COUNTRY PROGRAMS.**

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

7 **“SEC. 10A. CONSULTATION WITH CONGRESS REQUIRED BE-**
 8 **FORE OPENING OR CLOSING OVERSEAS OF-**
 9 **FICES AND COUNTRY PROGRAMS.**

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

17 “(b) WAIVER.—The Director may waive the applica-
 18 tion of subsection (a) if an action described in such sub-
 19 section is necessary to ameliorate a substantial security
 20 risk to Peace Corps volunteers or other Peace Corps per-
 21 sonnel.”.

22 **SEC. 203. PUBLICATION REQUIREMENT FOR VOLUNTEER**
 23 **SURVEYS.**

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

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

9 (2) in subsection (c)—

10 (A) in the first sentence, by striking
11 “2018” and inserting “2023”; and

12 (B) by adding at the end the following:
13 “The President shall publish, on a publicly
14 available website of the Peace Corps, a report
15 summarizing the results of each survey related
16 to volunteer satisfaction in each country in
17 which volunteers serve, and the early termi-
18 nation rate of volunteers serving in each such
19 country. The information published shall be
20 posted in an easily accessible place near the de-
21 scription of the appropriate country and shall
22 be written in an easily understood manner.”.

1 **TITLE III—CRIME RISK**
2 **REDUCTION ENHANCEMENTS**

3 **SEC. 301. INDEPENDENT REVIEW OF VOLUNTEER DEATH.**

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

6 “(d)(1) Consistent with the Inspector General Act of
7 1978 (5 U.S.C. App.), the Inspector General of the Peace
8 Corps may independently review the facts and cir-
9 cumstances surrounding the death of a volunteer and the
10 actions taken by the Peace Corps in responding to such
11 incident.

12 “(2) Not later than 10 days after receiving notifica-
13 tion of the death of a volunteer, the President shall pro-
14 vide a briefing to the Inspector General, which shall in-
15 clude—

16 “(A)(i) the available facts and circumstances
17 surrounding the death of the volunteer, including a
18 preliminary timeline of the events immediately pre-
19 ceding the death of the volunteer, subsequent actions
20 taken by the Peace Corps, and any information
21 available to the Peace Corps reflecting on the cause
22 or root cause of the volunteer’s death; and

23 “(ii) a description of any steps the Peace Corps
24 plans to take to inquire further into the cause or

1 root cause of the volunteer’s death, including the an-
2 ticipated date of the completion of such inquiry; or

3 “(B) an explanation of why the Peace Corps
4 has determined that no further inquiry into the
5 cause or root cause of the volunteer’s death is nec-
6 essary, including—

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

10 “(ii) the basis for such determination.

11 “(3) If the Peace Corps has performed or engaged
12 another entity to perform a root cause analysis or similar
13 report that describes the root cause or proximate cause
14 of a volunteer death, the President shall provide the In-
15 spector General of the Peace Corps with—

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

20 “(B) a copy of any report or study received
21 from the entity or used by the Peace Corps to per-
22 form the analysis; and

23 “(C) any supporting documentation upon which
24 the Peace Corps or such entity relied to make its de-
25 termination, including the volunteer’s complete med-

1 ical record, as soon as such information is available
2 to the Peace Corps.

3 “(4) If a volunteer dies, the Peace Corps shall take
4 reasonable measures, in accordance with local laws, to pre-
5 serve any information or material, in any medium or for-
6 mat, that may be relevant to determining the cause or root
7 cause of the volunteer’s death, including personal effects,
8 medication, and other tangible items belonging to the vol-
9 unteer, as long as such measures do not interfere with
10 the legal procedures of the host country if the government
11 of the host country is exercising jurisdiction over the in-
12 vestigation of such death. The Inspector General of the
13 Peace Corps shall be provided an opportunity to inspect
14 such items before their final disposition.

15 “(5) For the purposes of undertaking a review under
16 this section, an officer or employee of the United States
17 or a member of the Armed Forces may be detailed to the
18 Inspector General of the Peace Corps from another de-
19 partment of the United States Government on a nonreim-
20 bursable basis, as jointly agreed to by the Inspector Gen-
21 eral and the detailing department, for a period not to ex-
22 ceed 1 year. This paragraph may not be construed to limit
23 or modify any other source of authority for reimbursable
24 or nonreimbursable details. A nonreimbursable detail

1 made under this section shall not be considered an aug-
2 mentation of the appropriations of the Peace Corps.

3 “(6) Upon request, the Peace Corps may make avail-
4 able necessary funds to the Inspector General of the Peace
5 Corps for reviews conducted by the Inspector General
6 under this section. The request shall be limited to costs
7 relating to hiring, procuring, or otherwise obtaining med-
8 ical-related experts or expert services, and associated trav-
9 el.

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

14 **SEC. 302. MONITORING TRAINING RECORDS.**

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

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

22 **SEC. 303. ADDITIONAL DISCLOSURES TO APPLICANTS FOR**
23 **ENROLLMENT AS VOLUNTEERS.**

24 Section 8A(d) of the Peace Corps Act (22 U.S.C.
25 2507a(d)) is amended to read as follows:

1 “(d) INFORMATION REGARDING CRIMES AND
 2 RISKS.—Each applicant for enrollment as a volunteer
 3 shall be provided, with respect to the country in which the
 4 applicant has been invited to serve, with information re-
 5 garding crimes against and risks to volunteers, includ-
 6 ing—

7 “(1) an overview of past crimes against volun-
 8 teers in such country;

9 “(2) the current early termination rate of vol-
 10 unteers serving in such country;

11 “(3) health risks in such country; and

12 “(4) the level of satisfaction reported by volun-
 13 teers serving in such country.”.

14 **SEC. 304. ADDITIONAL PROTECTIONS AGAINST SEXUAL**
 15 **MISCONDUCT.**

16 Section 8B(a) of the Peace Corps Act (22 U.S.C.
 17 2507b(a)) is amended—

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

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

22 (3) by adding at the end the following:

23 “(7) maintains a record of the resignation of
 24 any employee or volunteer of the Peace Corps who
 25 resigns before a determination has been made re-

1 regarding an allegation that such person committed a
2 sexual assault or other serious misconduct;

3 “(8) takes into account the record maintained
4 under paragraph (7) before such employee or volun-
5 teer is hired, is enrolled, or otherwise work with the
6 Peace Corps; and

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

10 **SEC. 305. IMMEDIATE VICTIM ADVOCACY NOTIFICATION.**

11 Section 8B(a)(3) of the Peace Corps Act (22 U.S.C.
12 2507b(a)(3)) is amended by striking “SARLs to imme-
13 diately contact” and inserting “the Peace Corps to des-
14 ignate the staff at each post who shall be responsible for
15 providing the services described in subsection (c) and for
16 immediately contacting”.

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

18 **CACY.**
19 Section 8C of the Peace Corps Act (22 U.S.C. 2507c)
20 is amended—

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

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

1 **SEC. 307. REFORM AND EXTENSION OF THE SEXUAL AS-**
2 **SAULT ADVISORY COUNCIL.**

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

5 (1) in subsection (b), by striking “not less than
6 8 individuals selected by the President, not later
7 than 180 days after the date of the enactment of
8 this section,” and inserting “not fewer than 8 and
9 not more than 14 individuals selected by the Presi-
10 dent”; and

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

13 **SEC. 308. DEFINITIONS.**

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

16 (1) by redesignating subsections (a), (b), (c),
17 (d), (e), (f), and (g) as paragraphs (1), (6), (2), (3),
18 (8), (7), and (5), respectively, by arranging such re-
19 designated paragraphs in numerical order, and by
20 moving such paragraphs 2 ems to the right;

21 (2) in paragraph (1), as redesignated, by strik-
22 ing “(1)” and inserting the following:

23 “In this Act:

24 “(1)”; and

25 (3) by inserting after paragraph (3), as redesign-
26 dated, the following:

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

○