S. 850

To establish the Global Health Corps, and for other purposes.

IN THE SENATE OF THE UNITED STATES

APRIL 19, 2005

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

A BILL

To establish the Global Health Corps, 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 "Global Health Corps
- 5 Act of 2005".
- 6 SEC. 2. GLOBAL HEALTH CORPS.
- 7 Title II of the Public Health Services Act (42 U.S.C.
- 8 202 et seq.) is amended by adding at the end the fol-
- 9 lowing:

1	"Part D—Global Health Corps
2	"SEC. 271. DEFINITIONS.
3	"In this part:
4	"(1) AGENCY.—The term 'Agency' means the
5	United States Agency for International Develop-
6	ment.
7	"(2) CANDIDATE.—The term 'candidate' means
8	an individual described in section 273(d).
9	"(3) Corps.—Except as otherwise provided, the
10	term 'Corps' means the Global Health Corps estab-
11	lished under section 273(a).
12	"(4) Department.—Except as otherwise pro-
13	vided, the term 'Department' means the Department
14	of Health and Human Services.
15	"(5) DIRECTOR.—The term 'Director' means
16	the Director of the Global Health Corps described in
17	section $272(a)(3)$.
18	"(6) Office.—The term 'Office' means the Of-
19	fice of the Global Health Corps established under
20	section $272(a)(1)$.
21	"(7) Participant.—The term 'participant'
22	means a member of the Corps as described in sec-
23	tion 273(e).
24	"SEC. 272. OFFICE OF THE GLOBAL HEALTH CORPS.
25	"(a) OFFICE OF THE CLODAL HEALTH CODDS

1	"(1) Establishment.—There is established
2	within the Department an Office of the Global
3	Health Corps to assist in improving the health, wel-
4	fare, and development of communities in foreign
5	countries and regions through the provision of
6	health care personnel, items, and related services.
7	"(2) Purposes.—The purposes of the Office
8	are—
9	"(A) to expand the availability of health
10	care personnel, items, and related services to
11	improve the health, welfare, and development of
12	communities in select foreign countries and re-
13	gions;
14	"(B) to promote United States public di-
15	plomacy in such foreign countries and regions
16	by matching the needs of such communities
17	with the services available from the Global
18	Health Corps;
19	"(C) to provide for the effective manage-
20	ment and administration of the Global Health
21	Corps; and
22	"(D) to coordinate, unify, strengthen, and
23	focus the provision of health care personnel,
24	items, and related services to foreign countries
25	and regions by departments, agencies, and of-

1	fices of the United States, by non-Federal vol-
2	unteers, and by private voluntary organizations.
3	"(3) DIRECTOR.—The head of the Office shall
4	be the Director of the Global Health Corps, who
5	shall be appointed by, and report directly to, the
6	Secretary.
7	"(b) Functions of the Office.—The functions of
8	the Office include the following:
9	"(1) Recruiting individuals to serve in the
10	Corps, including distributing recruiting information
11	to colleges, universities, hospitals, clinics, and non-
12	governmental organizations. Such individuals may
13	include those with fellowship or scholarship support
14	from private or public institutions and organizations.
15	"(2) Processing applications for enrollment in
16	the Corps.
17	"(3) Verifying the training and credentials of
18	candidates seeking to participate in the Corps.
19	"(4) Reviewing requests for Corps personnel
20	and services made by the head of a United States
21	mission, a foreign country, a nongovernmental orga-
22	nization, an agency of the Government of the United
23	States or other person, as determined by the Sec-

retary.

1	"(5) Matching the skills of participants with the
2	requests for health care personnel, items, and re-
3	lated services described in paragraph (4) to provide
4	such services effectively and efficiently.
5	"(6) Providing administrative support and man-
6	agement for the Corps, including—
7	"(A) assisting candidates in the application
8	and training process, as appropriate;
9	"(B) facilitating the travel of participants
10	to foreign countries and regions and the work
11	of participants in foreign countries and regions
12	"(C) ensuring participants have appro-
13	priate legal protections and immunities through
14	mechanisms including bilateral agreements with
15	agencies, organizations, or countries receiving
16	participants, hiring non-Federal volunteers as
17	intermittent Federal employees, or providing
18	participants status as employees of the Govern-
19	ment of the United States for the purposes of
20	such protections, as appropriate;
21	"(D) providing strategic guidance and pol-
22	icy for the human resources management of the
23	Corps;

1	"(E) carrying out activities to retain par-
2	ticipants in the Corps, including maintaining a
3	database of current and former participants; and
4	"(F) ensuring participants have appro-
5	priate health, security, and cultural training
6	prior to arriving in a foreign country.
7	"(7) Serving as a liaison between the Corps and
8	other appropriate persons or government agencies,
9	including—
10	"(A) leading or participating in inter-
11	agency working groups, as appropriate;
12	"(B) coordinating the activities of the
13	Corps with activities carried out by other bu-
14	reaus of the Department and by the Agency,
15	the Department of Defense, the Department of
16	State, the Peace Corps, and other executive de-
17	partment, as appropriate, to advance and pro-
18	mote the purpose and activities of the Corps as
19	effectively and efficiently as possible;
20	"(C) meeting routinely with representatives
21	from the Agency, the Peace Corps, the National
22	Disaster Medical System, the Medical Reserve
23	Corps, the Office of Force Readiness and De-
24	ployment, Volunteers for Prosperity, the Office
25	of Foreign Disaster Assistance of the Agency,

1	the Bureau of Global Health Affairs of the
2	Agency, the Coordinator of United States Gov-
3	ernment Activities to Combat HIV/AIDS Glob-
4	ally, and others, as appropriate, to improve the
5	health, welfare, and development of commu-
6	nities in foreign countries and regions through
7	the provision of health care personnel, items,
8	and related services on a short-term or long-
9	term basis; and
10	"(D) maintaining contact with appropriate
11	international organizations to carry out the pur-
12	pose of the Corps and with foreign governments
13	that are current or prospective recipients of
14	services provided by the Corps.
15	"(8) Providing participants with appropriate
16	training and equipment, including—
17	"(A) ensuring participants have the appro-
18	priate medical equipment, supplies, and other
19	resources necessary to provide health care serv-
20	ices under austere and challenging conditions
21	while serving in the Corps; and
22	"(B) establishing, managing, and directing
23	any training provided under section 274(e).
24	"(9) Maintaining contact with participants dur-
25	ing their service in the Corps.

- "(10) Establishing performance objectives for the Corps, and appropriate metrics to assess the performance of the Corps in achieving its purposes, consistent with this part, and assessing the performance of the Office in achieving its purposes, con-
- "(11) Submitting to Congress an annual report on the objectives and metrics described in paragraph (10) and on the Corps performance in meeting such

sistent with section 272.

- 11 "SEC. 273. ESTABLISHMENT OF THE GLOBAL HEALTH
- 12 CORPS.

Health Corps.

objectives.

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- 13 "(a) ESTABLISHMENT.—The Secretary, in consulta-14 tion with the Secretary of State, shall establish a Global
- 16 "(b) Purpose.—The purpose of the Corps is to im-
- 17 prove the health, welfare, and development of communities
- 18 in select foreign countries and regions, to advance United
- 19 States public diplomacy in such locations, and to provide
- 20 individuals in the United States with the opportunity to
- 21 serve such communities by providing a broad range of
- 22 needed health care and related services in such commu-
- 23 nities.
- "(c) Composition of the Corps.—

1	"(1) In general.—The Corps shall include the
2	following components:
3	"(A) Volunteers who are not employees of
4	the Government of the United States or en-
5	rolled in the Peace Corps.
6	"(B) Employees of the Government of the
7	United States.
8	"(C) Peace Corps volunteers who partici-
9	pate in the Corps under section 5A of the Peace
10	Corps Act.
11	"(D) The Director and any staff of the Of-
12	fice.
13	"(E) Any other individual that the Direc-
14	tor determines is appropriate to include in the
15	Corps.
16	"(d) CANDIDATE.—An individual may be a candidate
17	for the Corps if such individual meets the following:
18	"(1) Non-federal volunteer.—A individual
19	who—
20	"(A)(i) is a citizen or national of the
21	United States; or
22	"(ii) is a resident of the United States, at
23	the discretion of the Secretary;
24	"(B) is not an employee of the Government
25	of the United States;

1	"(C)(i) is a trained health care professional
2	and meets the educational and licensure re-
3	quirements necessary to be such a professional,
4	including a physician, nurse, dentist, veteri-
5	narian, or other professional determined to be
6	appropriate by the Director; or
7	"(ii) is a trained health care practitioner
8	or other professional that meets the educational
9	requirements determined to be appropriate by
10	the Secretary; and
11	"(D) is seeking membership in the Corps
12	and is willing to work under austere and chal-
13	lenging conditions.
14	"(2) Federal employee.—A citizen, national,
15	or resident of the United States who—
16	"(A) is an employee of the Government of
17	the United States;
18	"(B) meets the requirements of clause (i)
19	or (ii) of paragraph (1)(C); and
20	"(C) is seeking membership in the Corps,
21	or is designated as a candidate by the head of
22	the executive department that employs such cit-
23	izen, national, or resident.
24	"(3) Peace corps volunteer.—A citizen or
25	national of the United States who—

1	"(A) is a Peace Corp volunteer;
2	"(B)(i) meets the requirements of clause
3	(i) or (ii) of paragraph (1)(C); or
4	"(ii) is qualified to participate in the com-
5	prehensive training program established under
6	section 274(e)(2), as determined by the Direc-
7	tor; and
8	"(C) is seeking enrollment in the Corps.
9	"(e) Membership in the Corps.—
10	"(1) IN GENERAL.—The Director may—
11	"(A) enroll and accept the services of can-
12	didates who are not employees of the Govern-
13	ment of the United States in the Corps, without
14	regard to section 1342 of title 31, United
15	States Code;
16	"(B) designate candidates who are employ-
17	ees of the Government of the United States as
18	members of the Corps, with the approval of the
19	head of the executive department that employs
20	such employee; and
21	"(C) accept details or assignments of em-
22	ployees of the Government of the United States
23	to serve in the Corps on a reimbursable or non-
24	reimbursable basis.

1	"(2) APPLICATION.—The Director shall estab-
2	lish procedures for individuals to submit applications
3	for enrollment in the Corps.
4	"SEC. 274. FUNCTIONS AND TRAINING OF THE CORPS.
5	"(a) In General.—Participants shall be available to
6	provide the services described in subsection (b) to individ-
7	uals and communities in the locations described in sub-
8	section (c).
9	"(b) Services.—Subject to subsection (f), the serv-
10	ices referred to in subsection (a) are services, including
11	assistance and training, provided to individuals and com-
12	munities to carry out the purpose of the Corps, including
13	the provision of—
14	"(1) health care items and related services, in-
15	cluding dental care;
16	"(2) preventive care, treatment, and services;
17	"(3) veterinary and related services;
18	"(4) sanitation, hygiene, food preparation, and
19	clean water training;
20	"(5) disease surveillance and basic health care
21	services to individuals and communities affected by
22	diseases or illnesses as identified by the Director;
23	"(6) education and training related to the serv-
24	ices described in paragraphs (1) through (5).

1	"(7) education and training to local persons to
2	improve health care outcomes, and to assist in the
3	development of local and indigenous health care de-
4	livery capacity and self-sufficiency; and
5	"(8) other health care items and related serv-
6	ices determined to be appropriate by the Director,
7	including health care training, health systems devel-
8	opment, and technical support.
9	"(c) Locations.—The Director is authorized to pro-
10	vide, with the concurrence of the Secretary of State, the
11	services described in subsection (b) to individuals and
12	communities in a foreign country or region if—
13	"(1) the Secretary of State has determined that
14	such country or region is in need of such services;
15	and
16	"(2) the Secretary of State has determined that
17	the provision of such services may help promote a
18	better understanding of the people of the United
19	States on the part of the peoples served in such a
20	foreign country or region.
21	"(d) Placement of Participants.—
22	"(1) In General.—The Director shall decide
23	on the placement of a participant in a foreign coun-
24	try or region described in subsection (c) after—

1	"(A) determining that the location or orga-
2	nization is in need of the services provided by
3	the Corps in which the participant has expertise
4	and training;
5	"(B) consulting with the Secretary of State
6	on the extent to which the placement of the
7	participant in a particular location or organiza-
8	tion advances the foreign policy and public di-
9	plomacy objectives of the United States; and
10	"(C) considering the skills, qualifications,
11	and availability of the participant.
12	"(2) REQUIRED CONSULTATION.—The Director
13	shall, prior to placing a participant in a foreign
14	country or region, consult with—
15	"(A) the head of the executive department
16	that employs the participant, if the participant
17	is an employee of the Government of the United
18	States;
19	"(B) the United States Ambassador to
20	such foreign country; and
21	"(C) the head of any executive department
22	that is providing health care or related services
23	in such foreign country.
24	"(e) Training.—

"(1) REQUIREMENT.—The Secretary shall ensure that appropriate training programs are available, including the comprehensive training program described in paragraph (2) and appropriate health, security, and cultural training for participants, to prepare participants to provide the services described in subsection (b).

"(2) Comprehensive training program.—

"(A) ESTABLISHMENT.—The Director shall establish and carry out a program, either separately or jointly with a Federal, public, or private sector health care provider or health care institution, to provide members of Corps selected by the Director training in a variety of health care disciplines, including basic medical, dental, public health, nursing, epidemiological services, and veterinary care.

"(B) Training Provided.—The program established under subparagraph (A) shall be designed by the Director, in consultation with the Secretary, Administrator of the Agency, the Secretary of Agriculture, the Secretary of Defense, the Secretary of State and the Director of the Peace Corps, to provide comprehensive basic training for a period of not more than 6

months to each participant who is a member of the Peace Corps and each other participant that the Director determines is appropriate to enable such participant to provide the services described in subsection (b), including training in a variety of health care disciplines, including basic medical, dental, public health, nursing, epidemiological service, and veterinary care.

- "(C) REIMBURSEMENT.—The Director is authorized to permit a participant who is not a member of the Peace Corps to receive training in the program established under subparagraph (A) on a reimbursable basis, unless determined otherwise by the Secretary.
- "(D) PROGRAM MODEL.—The program established under subparagraph (A) should be modeled on successful public and private programs, including the Joint Special Operations Medical Training Center program conducted by the Department of Defense and those conducted by various medical and nursing schools around the country.
- "(E) PROHIBITION ON PARTICIPATION IN SIMILAR TRAINING.—A participant may not participate in the Joint Special Operations

Medical Training Center program conducted at
Fort Bragg, North Carolina.

"(3) Service requirement.—

"(A) Non-Federal volunteers.—A participant who is not an employee of the Government of the United States or a Peace Corps volunteer and who attends a training program established under paragraph (1), other than the training program established under paragraph (2), shall be obligated to complete the amount of service in the Corps, commensurate with the type and amount of training received, that the Secretary determines is appropriate.

"(B) ALL PARTICIPANTS.—A participant who attends the training program established under paragraph (2) shall be obligated to complete the amount of service in the Corps, commensurate with the type and amount of training received, that the Secretary deems appropriate. Such service shall be at the discretion of the Director, during any 5-year period, and in a manner consistent with this part and with the concurrence of the Director of the Peace Corps if such participant is a Peace Corps volunteer.

1	"(f) Prohibition.—A member of the Corps may not
2	carry out an activity under this part if—
3	"(1) section 104(f) of the Foreign Assistance
4	Act of 1961 (22 U.S.C. 2151b(f)) prohibits pro-
5	viding funding for such activity; or
6	"(2) any provision of the annual Foreign Oper-
7	ations, Export Financing, and Related Programs
8	Appropriations Act that relates to abortion prohibits
9	providing assistance for such activity.
10	"SEC. 275. PERSONNEL AND ADMINISTRATIVE PROVISIONS.
11	"(a) Compensation of Participants.—
12	"(1) Non-federal volunteers.—A partici-
13	pant who is not an employee of the Government of
14	the United States or a Peace Corps volunteer shall
15	serve in the Corps without compensation from the
16	Government of the United States to either the par-
17	ticipant or to any other person.
18	"(2) Federal employees.—A participant
19	who is an officer or employee of the Government of
20	the United States shall serve without compensation
21	in addition to that received for their services as offi-
22	cers or employees of the United States.
23	"(3) Peace corps volunteers.—A partici-
24	pant who is a Peace Corps volunteer shall serve
25	without compensation in addition to that received for

- 1 their services in the Peace Corps under the Peace 2 Corps Act (22 U.S.C. 2501 et seq.).
- 3 "(b) Travel Expenses.—
- "(1) Non-federal volunteers.—The Direc-4 5 tor may provide a participant who is a not an em-6 ployee of the Government of the United States or a 7 Peace Corps volunteer travel expenses, excluding per 8 diem in lieu of subsistence, at rates authorized for 9 employees of agencies under subchapter I of chapter 10 57 of title 5, United States Code, while such participant is serving in the Corps.
 - "(2) FEDERAL EMPLOYEES.—The Director shall provide a participant who is an employee of the Government of the United States travel expenses, including per diem in lieu of subsistence, at rates authorized for employees of agencies under subchapter I of chapter 57 of title 5, United States Code, while away from their homes or regular places of business in the performance of services for the Corps.
 - "(3) Peace corps volunteers.—The Director may not provide a participant who is a Peace Corps volunteer travel expenses in addition to such expenses provided for under the Peace Corp Act (22) U.S.C. 2501 et seq.).

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1	"(c) Applicability of Laws to Non-Federal
2	Volunteers.—
3	"(1) IN GENERAL.—A member of the Corps
4	who is not an employee of the Government of the
5	United States or a Peace Corps volunteer may not
6	be considered an employee of the Government of the
7	United States, except for the purposes of—
8	"(A) section 272(b)(6)(C);
9	"(B) chapter 81 of title 5, United States
10	Code (relating to compensation for work-related
11	injuries); and
12	"(C) chapter 11 of title 18, United States
13	Code (relating to conflicts of interest).
14	"(2) Volunteer protection act of 1997.—
15	"(A) VOLUNTEER STATUS.—A member of
16	the Corps who is not an employee of the United
17	States or a Peace Corps volunteer shall be
18	deemed to be a volunteer for a nonprofit organi-
19	zation or governmental entity for the purposes
20	of the Volunteer Protection Act of 1997 (42
21	U.S.C. 14501 et seq.).
22	"(B) Inapplicability of exceptions.—
23	Section 4(d) of such Act (42 U.S.C. 14503(d))
24	may not apply to a member of the Corps who

- 1 is not an employee of the United States or a
- 2 Peace Corps volunteer.
- 3 "(d) Terms and Conditions.—With respect to the
- 4 membership of a candidate in the Corps, the terms and
- 5 conditions of the enrollment, training, compensation,
- 6 hours of work, benefits, leave, termination, and all other
- 7 terms and conditions of the service of such participant
- 8 shall be exclusively those set forth in this part and those
- 9 consistent with such terms and conditions which the Sec-
- 10 retary may prescribe.
- 11 "(e) TERMINATION.—The membership in the Corps
- 12 of a participant may be terminated at any time at the
- 13 pleasure of the Director.
- 14 "SEC. 276. PUBLIC HEALTH SERVICE MEMBERS IN THE
- 15 GLOBAL HEALTH CORPS.
- 16 "(a) AUTHORITY TO ENROLL.—A member of the
- 17 Service may enroll in the Corps and provide services as
- 18 a member of the Corps described in this part.
- 19 "(b) Minimum Number.—Not later than 2 years
- 20 after the date of enactment of the Global Health Corps
- 21 Act of 2005, the Secretary shall designate not less than
- 22 500 employees of the Service as members of the Corps
- 23 and make such employees available to provide non-emer-
- 24 gency, routine health care items and related services in

- 1 the Corps, as the Secretary and the Secretary of State
- 2 determine appropriate.
- 3 "(c) Rapid Response Capacity.—Not later than 2
- 4 years after the date of enactment of the Global Health
- 5 Corps Act of 2005, the Secretary shall establish within
- 6 the Commissioned Corps of the Service a rapid response
- 7 capacity, consisting of not less than 250 individuals, to
- 8 provide health care items and related services in foreign
- 9 countries or regions to carry out the purpose of the Corps
- 10 on short notice, in coordination with the Secretary of
- 11 State. A member of the Commissioned Corps who is in-
- 12 cluded in such rapid response capacity shall—
- "(1) be trained, equipped, and able to deploy to
- a foreign country or region within 72 hours of notifi-
- 15 cation of such deployment; and
- "(2) be considered a participant in the Corps.".
- 17 SEC. 3. PEACE CORPS VOLUNTEERS IN THE CORPS.
- 18 The Peace Corps Act (22 U.S.C. 2501) is amended
- 19 by inserting after section 5 the following new section:
- 20 "GLOBAL HEALTH CORPS VOLUNTEERS
- 21 "Sec. 5A. (a) Volunteers are authorized to partici-
- 22 pate in the Global Health Corps, established in section
- 23 273 of the Public Health Service Act.
- 24 "(b) Not later than 2 years after the date of enact-
- 25 ment of the Global Health Corps Act of 2005, the Director
- 26 of the Peace Corps shall make available not less than 250

- 1 positions within the Peace Corps for volunteers to serve
- 2 in the Global Health Corps.
- 3 "(c) A volunteer may apply and be approved for en-
- 4 rollment in the Global Health Corps at such time and in
- 5 such manner as the Director of the Peace Corps and the
- 6 Secretary of Health and Human Services require.
- 7 "(d) A volunteer who is enrolled in the Global Health
- 8 Corps shall receive training under section 274(e)(2) of the
- 9 Public Health Service Act, unless such volunteer meets the
- 10 requirements of clause (i) or (ii) of section 273(d)(1)(C)
- 11 of such Act.
- 12 "(e) A volunteer who is enrolled in the Global Health
- 13 Corps shall provide services as a member of the Global
- 14 Health Corps as described in part D of title II of the Pub-
- 15 lie Health Service Act.
- 16 "(f) A volunteer who is enrolled in the Global Health
- 17 Corps shall be subject to all other terms and conditions
- 18 of service under this Act.".
- 19 SEC. 4. VOLUNTEERS FOR PROSPERITY.
- 20 (a) FINDING.—Congress finds that the Volunteers for
- 21 Prosperity program, organized pursuant to Executive
- 22 Order 13317 (42 U.S.C. 12501 note), is a model to link
- 23 non-Federal volunteers with non-Federal organizations to
- 24 carry out important initiatives.

1 (b) REQUIREMENT FOR CORPS INITIATIVE.—The head of the Volunteers for Prosperity program shall establish an initiative known as the Health Care for Peace ini-4 tiative within such program for the purpose of making available non-Federal volunteers to participate in the 6 Global Health Corps established under section 273 of the Public Health Service Act. 8 SEC. 5. PUBLIC-PRIVATE PARTNERSHIPS. 9 (a) IN GENERAL.—Under the authority of subsections (a) and (b) of section 601 of the Foreign Assist-10 ance Act of 1961 (22 U.S.C. 2351) and section 635(d) of such Act (22 U.S.C. 2395(d)), the Director of the Glob-12 al Health Corps may establish private-public partnerships in furtherance of the purposes of this Act and the Global 14 15 Health Corps. Such partnerships may include activities 16 such as— 17 (1) corporate volunteer programs; 18 (2) training; 19 (3) transportation; 20 (4) field support; 21 (5) volunteer identification; 22 (6) lodging;

(7) communications;

(8) fellowships and scholarships; and

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- 1 (9) other activities relevant to the mission of
- 2 the Global Health Corps or the operation of the Of-
- fice of the Global Health Corps, as determined by
- 4 the Director of the Global Health Corps.
- 5 (b) Consultation.—The Director of the Global
- 6 Health Corps shall consult with the Global Development
- 7 Alliance Secretariat at the United States Agency for Inter-
- 8 national Development to develop a model for such public-
- 9 private partnerships and gain information on established
- 10 best practices.

11 SEC. 6. REPORT ON IMPLEMENTATION.

- Not later than 120 days after the date of enactment
- 13 of this Act, the Secretary of Health and Human Services
- 14 shall submit to Congress a detailed plan for the implemen-
- 15 tation of this Act and the amendments made by this Act.
- 16 Such report shall include recommendations for improving
- 17 the functioning and activities of the Global Health Corps,
- 18 including the feasibility, cost, utility, and desirability of
- 19 establishing incentives to recruit candidates into the
- 20 Corps.

21 SEC. 7. AUTHORIZATION OF APPROPRIATIONS.

- There are authorized to be appropriated such sums
- 23 as may be necessary to carry out this Act and the amend-
- 24 ments made by this Act.