

MS 340 Opening a Post

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Responsible Office: Chief of Staff; Office of Global Operations

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1.0 Authority

In accordance with the Peace Corps Act (22 U.S.C. 2500 et. seq.) and the Consolidated Appropriations Act of 2021, Section 7015:

- (1) Except as provided in paragraph (2), the Director of the Peace Corps may not open, close, significantly reduce, or suspend a domestic or overseas office or country program or reopen a mission or a Post unless the Director has notified and consulted with the appropriate congressional committees at least 15 days in advance.
- (2) With the exception of the re-opening of a mission or a Post, the Director of the Peace Corps may waive the application of paragraph (1) for a period of not more than 5 days after an action described in such paragraph if the Director determines such action is necessary to ameliorate a substantial security risk to Peace Corps Volunteers or other Peace Corps personnel.
- (3) For the purposes of this subsection, the term “appropriate congressional committees” means —
 - (a) the Committee on Foreign Affairs and the Committee on Appropriations of the House of Representatives; and
 - (b) the Committee on Foreign Relations and the Committee on Appropriations of the Senate.
- (4) Any notification of or determination that consultation with appropriate congressional committees is required in accordance with this subsection 2.0 shall be referred to the Office of Congressional Relations (OCR) and the Office of the General Counsel (OGC). OGC shall coordinate with OCR and provide guidance and clearance prior to congressional notification or consultation by the agency.

2.0 Purpose

This Manual Section provides Peace Corps policy for opening or reopening a Peace Corps Post in a country. Procedural guides for opening or re-opening a Post are set out in the Peace Corps New Country Assessment Guide (Attachment A) and New Country Entry Guide (Attachment B).

3.0 Policy

In keeping with its founding principles, the Peace Corps works only in those countries where it is invited by the host government to serve. An invitation from the host government to the Peace Corps to open or re-open a Peace Corps Post evidences this interest of the host country, and serves as the foundation of all actions to be taken by the agency to explore a possible Peace Corps program in that country. Generally, the Peace Corps requests that a formal invitation from the host government be sent to the Director of the Peace Corps as a serious expression of interest and as the basis for further steps in the process of opening a potential Peace Corps Post. Once an official invitation has been received by the Director, the Director may send an assessment team to the country to conduct a New Country Assessment (NCA) to study the feasibility of opening or re-opening a Post (*see* definitions in subsection 4.0).

The decision to proceed with a NCA is further informed by the Peace Corps annual Country Portfolio Review (CPR), defined below in 4.0(b). The CPR process for deciding whether or not

to recommend a NCA consists of presenting external, and sometimes internal data if the country is a re-entry, which helps to make the decision concerning the appropriateness of an assessment. This data typically concerns population sizes, crime rates, economic need and other information available in published external sources.

4.0 Definitions

- (a) **Post:** The principal office and any sub-offices of the Peace Corps in any host country. In some instances, the principal office and sub-offices may encompass Peace Corps operations in more than one host country.
- (b) **Country Portfolio Review (CPR):** A transparent and replicable process for informing decisions related to the Peace Corps' portfolio of countries and Volunteer levels in each country. Six priority areas are evaluated in the CPR process: (1) safety and security, (2) medical care of Volunteers, (3) host country need and strategic interest, (4) host country commitment and engagement, (5) programmatic impact, and (6) Post management and costs. (*See Attachment B of IPS 4-21 Peace Corps Overseas Post Operations during COVID-19 Response and Recovery for an overview of the CPR process.*)
- (c) **Open:** The initial establishment of a Peace Corps Post in a host country, formalized through a Country Agreement.
- (d) **Re-open:** The re-establishment of a Post that had previously been closed, with at least one U.S. Direct Hire assigned to the Post (*see IPS 4-21 Peace Corps Overseas Post Operations during COVID-19 Response and Recovery*).

5.0 Responsibilities

5.1 The Director

The Director is responsible for:

- (a) Authorizing the initiation of discussions with the Department of State and other relevant departments and agencies, as well as the host country government, regarding possible operations of the Peace Corps in a particular country;
- (b) Directing senior staff to conduct comprehensive assessments of relevant indicators and considerations necessary to determine the feasibility of operating a Peace Corps Post in the country, including, but not limited to, the country's need and support for Peace Corps operations; social and political stability, including the impact of adverse events in the country's history such as conflict and major natural disasters; safety and security and health concerns; as well as programming, administrative and financial aspects of operations;
- (c) Making final decisions on whether, and under what conditions, to proceed with opening a Post;

- (d) Maintaining adequate documentation of key decisions and recommendations related to opening or re-opening any overseas office or country program; and
- (e) If the decision is made to open a Post, selecting the Country Director.

5.2 Office of the General Counsel

The General Counsel is responsible for:

- (a) Providing legal review of and advice on the Director's decision memo regarding opening of a Post, and any required consultation with and notification to Congress regarding the opening of a new Post;
- (b) If a country agreement does not exist or a country agreement needs to be amended, notifying the Department of State that the Peace Corps intends to start negotiations and drafting of a new or amended country agreement between the United States and the host country government in accordance with the blanket authorization provided by the Department of State, regarding the establishment and operation of a Peace Corps Post in the country;
- (c) Negotiating and drafting the country agreement, and any other agreement, including memoranda of understanding with applicable ministries and interagency agreements with U.S. government agencies, as needed, coordinating with the Department of State, and managing the signing of all such agreements;
- (d) Reviewing and providing legal clearance for collocation and setback waivers for office space; and
- (e) Providing general legal advice and support, as needed.

5.3 Office of Global Operations

The Associate Director for the Office of Global Operations and the appropriate Regional Director are responsible for coordinating the primary activities in opening or re-opening a Post in the Region, including:

- (a) Overseeing and conducting the country assessment;
- (b) Working with Regional staff on all operational aspects of the proposed Post, including defining its strategic direction;
- (c) Discussing with Peace Corps Response whether Peace Corps Response Volunteers (PCRVs) should be assigned to the new Post;
- (d) Working with the Office of Volunteer Recruitment and Selection (VRS) to assess the availability of qualified applicants;
- (e) When a decision has been made to open a Post, coordinating between Regional staff and VRS to incorporate new Trainee requests into recruitment plans;

- (f) In coordination with VRS and/or Peace Corps Response, developing a plan and timetable for the arrival of the first group of Trainees or PCRVs, taking into account other support needs of the new Post;
- (g) Establishing preliminary liaisons with:
 - (1) The United States Embassy, other U.S. government agencies, host country ministries and agencies, third country agencies, and other organizations in-country, such as non-governmental organizations;
 - (2) Peace Corps support staff at headquarters or overseas; and
 - (3) Officials of the host country's Embassy in Washington, DC, the Department of State (particularly the desk officer), and other U.S. public and private organizations;
- (h) Coordinating with the Department of State, including the United States Chief of Mission in the host country with respect to:
 - (1) the date for the Peace Corps' entry into the country and such other matters as may be appropriate;
 - (2) NSDD-38 approvals for United States Direct Hires and Foreign Service National (FSN) staff; and
 - (3) Obtaining any required clearances;
- (i) Determining the staging and other pre-departure needs of the Post's Volunteers and Trainees (V/Ts);
- (j) Working with Office of Management, Office of the Chief Information Officer, Office of Chief Financial Officer, Office of Acquisitions and Contracts Management, Office of Health Services, Office of Safety and Security, VRS, and other offices as appropriate to support opening the Post;
- (k) Establishing the staffing patterns for country of entry in consultation with the Office of Human Resources;
- (l) Coordinating and requesting funding of operational costs for the opening year and the following years;
- (m) In coordination with the Office of Safety and Security and the Office of Health Services, ensuring that all systems necessary to support V/Ts, to include safety and security and medical care, are properly established and functioning prior to the arrival of the first V/Ts (transfer-extensions or PCRVs);
- (n) Maintaining the records associated with the NCA and entry; and

- (o) Keeping the Director, OGC, and OCR apprised of activities pertaining to the opening or reopening of a Post.

5.4 Office of Safety and Security

The Associate Director for Safety and Security is responsible for:

- (a) In coordination with the Associate Director for the Office of Global Operations and the appropriate Regional Director, conducting a comprehensive safety and security assessment for the Director's review and providing recommendations and mitigating strategies required for regarding the viability of Peace Corps operations;
- (b) Working with the Office of Global Operations and the appropriate Regional Director and Country Director to ensure that necessary security waivers and approvals have been obtained for the Peace Corps office, in accordance with the applicable directives in the Foreign Affairs Manual and Foreign Affairs Handbook, prior to the arrival of the first V/Ts (transfer-extensions or PCRVs) in country; and
- (c) Working with the Country Director to ensure that the safety and security policies and programs to support V/Ts are properly established prior to their arrival.

5.5 Office of Health Services

The Associate Director for Health Services is responsible for:

- (a) In coordination with the Associate Director for the Office of Global Operations and the appropriate Regional Director, conducting a medical and psycho-social assessment, which shall consider and document the medical and mental health capabilities, risks, and challenges in the country, in order to determine if conditions in the country are conducive for Peace Corps operations;
- (b) Recommending the principal components of the medical and mental health care program required for V/Ts in the country, which should include access to clinical resources, medical supplies, and medical evacuation options; and
- (c) Ensuring that an appropriate medical and mental health care program has been established prior to the arrival of the first V/Ts.

5.6 Office of Congressional Relations

The Director of OCR, in consultation with OGC, is responsible for appropriate consultation with and/or notification of Congress regarding the opening, reopening, closure, significant reduction, or suspension of an overseas office or country program in accordance with legal requirements.

5.7 Office of Management

The Associate Director of Management acts as the Senior Agency Official for Records Management and is responsible for coordinating with the Regional Director and Country

Directors to establish a records program for new Posts that meets the legal requirements under the Federal Records Act and other legislation and regulations.

6.0 Procedures

Updates to MS 340's implementing procedures, contained in Attachments A and B to this Manual Section, will become effective when approved by the Office of Global Operations, Office of Safety and Security, Office of Health Services, OGC, Office of Management, Office of the Chief Financial Officer, Office of the Chief Information Officer, and the Office of Human Resources.

7.0 Effective Date

The effective date of this Manual Section is the date of issuance.