

# MS 341 Operational Status of Overseas Posts

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**Effective Date:** August 19, 2024

**Responsible Offices:** Office of Global Operations (OGO)

**Supersedes:** IPS 4-21, 2/16/2022

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Issuance Memo (08/19/2024)

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## 1.0 Purpose

This Manual Section defines the categories of “Operational Status” of a Post and provides Peace Corps policy for “Suspending” or “Closing” a Post.

## 2.0 Authority

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

- (a) Except as provided in paragraph (b), 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.
- (b) With the exception of the reopening of a mission or a Post, the Director of the Peace Corps may waive the application of paragraph (a) for a period of not more than five (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.
- (c) For the purposes of this subsection, the term “appropriate Congressional committees” means —

- (1) the Committee on Foreign Affairs and the Committee on Appropriations of the House of Representatives; and
  - (2) the Committee on Foreign Relations and the Committee on Appropriations of the Senate.
- (d) 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 the OCR and provide guidance and clearance prior to any Congressional notification or consultation by the agency.

### 3.0 Definitions

- (a) **Evacuation:** A partial or total withdrawal of “Volunteers” from a “Post” to another country, on a temporary or permanent basis, for operational reasons including, but not limited to, conditions, events, or circumstances with respect to which the Peace Corps determines that it cannot adequately ensure the health, safety, or security of Volunteers and “Staff.” (*See MS 460 Managing Overseas Emergencies.*)
- (b) **Operational Status:**
- (1) **Interim Operational Status:** A Post is deemed to be in Interim Operational Status if it meets one or more of the following two criteria:
    - (i) The Post is in the process of opening or reopening (*see MS 340 Opening a Post*); or
    - (ii) The Post was categorized as having been in an Interim Operational Status during the COVID-19 pandemic and continues to support host country partners and activities on a limited basis, as approved by the Office of Global Operations (OGO).
  - (2) **Full Operational Status:** A Post is deemed to be in Full Operational Status when Volunteers are present at Post, or all Volunteers have been evacuated but Post operations have not been “Suspended” or “Closed.” (*See MS 220 Leave for Volunteers and Trainees and MS 460 Managing Overseas Emergencies.*)
  - (3) **Suspended Status:** Also known as “Suspension.” A Post is deemed to be in Suspended Status when conditions at Post do not support Full Operational Status due to such occurrences as civil or political unrest, administrative barriers, and/or concerns for Volunteers' and/or Staff safety and security and health and no Volunteers are currently in service for the Post.
  - (4) **Closed Status:** Also known as “Closure.” A Post is deemed to be in Closed Status when there are no Volunteers, Staff, or offices operational in-country, and Post operations are terminated. Once the Director makes a decision to “Close” a Post,

some office operations and Staff are necessary as the Post transitions to Closed Status.

- (c) **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.
- (d) **Staff:** Includes U.S. Direct Hires (USDHs), Locally Employed Staff (LES), Personal Services Contractors (PSCs), and Foreign Service Nationals (FSNs)), unless otherwise indicated.
  - (1) **Caretaker LES:** LES expected to perform mission-critical duties as assigned either by a USDH supervisor acting in absentia, an LES supervisor, and/or third-party personnel as outlined in a personal services contract while the Post is in Interim Operational Status, Suspended Status, or transitioning to Closed Status.
  - (2) **Non-Caretaker LES:** LES who are not designated as Caretaker LES when the Post is in Suspended Status or Closed Status.
- (e) **Volunteers:** Includes Trainees, Volunteers, and Peace Corps Response Volunteers, unless otherwise indicated.

#### **4.0 Disruption of Post Operations**

- (a) The disruption of a Post's Full Operational Status can be precipitated by a range of circumstances, risks and potential risks including, but not limited, to:
  - (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, or
  - (6) Post management and costs.
- (b) If a Post encompasses more than one host country, the Evacuation of Volunteers and disruption of Post operations may be limited to a single host country rather than affecting the entire Post.

## **5.0 Roles and Responsibilities**

### **5.1 Headquarters Offices**

#### **5.1.1 Office of the Director**

For Suspension or Closure of a Post, the Director:

- (a) Authorizes the Evacuation of Volunteers and the return to service of evacuated Volunteers (*see* MS 460).
- (b) Ensures the agency conducts comprehensive assessments and considerations necessary to determine the continued assignment of Volunteers to a Peace Corps program in a host country.
- (c) Ensures adequate documentation is maintained of key decisions and recommendations related to Suspension or Closure.
- (d) Ensures timely and appropriate notification regarding potential reopening, significant reduction, Suspension, or Closure of the Post in any host country, which may only be made (1) by OCR, in consultation with the OGC, to the Office of Management and Budget and relevant Congressional committees; and (2) by the Office of the Director, or their designee, to the Department of State, the U.S. Ambassador to the country where the Post is located, and the host country government.
- (e) Approves the timing and content of the formal notification of Suspension or Closure to be given to the host government through the U.S. Ambassador.
- (f) Approves the timing and content of the formal notification of Suspension or Closure to be given to Volunteers, Staff, and the public.
- (g) Ensures the agency develops guidelines and a process for the periodic assessment and possible reduction of staffing levels at a Post in Suspended Status.

#### **5.1.2 Office of Global Operations**

The Office of Global Operations (OGO):

- (a) Ensures reviews are conducted at least annually to assess the Operational Status of Peace Corps Posts.
- (b) Creates an accessible document tracking the Operational Status of each Post and makes the list available to other offices.
- (c) Authorizes the delay and cancellation of invitations for Invitees and Peace Corps Response Volunteers after consultation with the Office of Volunteer Recruitment and Selection (VRS) and, as appropriate, Peace Corps Response, and ensures notification to relevant offices.

- (d) Approves staffing and operational plans to effectuate the significant reduction of a Post in Interim or Suspended Operational Status or for which a Closure decision has been made, in consultation with OGC, Office of Human Resources (OHR), the Office of the Chief Financial Officer (OCFO), Office of Management, and others as appropriate.
- (e) Submits, as appropriate, Decision Memos to the Director regarding the Suspension and/or Closure of a Post.
- (f) Notifies, in a timely manner, the Office of Inspector General of Suspension and Closure decisions.
- (g) Keeps the Director, OGC, OCR, and Office of Strategic Information Research and Planning (OSIRP) apprised of any change in the Operational Status of a Post and posts the information quarterly so that it is accessible to everyone within the agency.

### **5.1.3 Region**

The relevant Region:

- (a) Notifies the Associate Director of OGO (AD/OGO) when a change in a Post's Operational Status needs to be considered.
- (b) Ensures the Post has the support needed as decisions are formulated and implemented regarding the Operational Status of a Post, including Suspension or Closure of a Post.
- (c) Oversees the preparation of staffing and operational plans for Posts in Suspended or Closed Operational Status and in response to routine operational reviews.
- (d) Consults with OHR, OCFO, and OGC before submitting recommendations to the AD/OGO regarding staffing and operational plans for a Post in Suspended or Closed Operational Status.
- (e) Prepares plans for the delay or cancellation of invitations for Invitees and Peace Corps Response Volunteers, in consultation with VRS and, as appropriate, Peace Corps Response, and briefs the AD/OGO accordingly.
- (f) Approves Volunteers' termination status and Close of Service (COS) dates after consultation with OGC. (*See MS 284 Early Termination of Service and MS 281 Completion of Service Date Advancement and Extension of Service.*)
- (g) Authorizes Volunteers' final departure dates and ensures Volunteers' safe and timely departure from Post (*see MS 460*).
- (h) Informs and works with other offices as appropriate to support the transition of Post operations.

### **5.1.3 Office of the General Counsel**

The Office of the General Counsel (OGC):

- (a) Provides legal review and advice with respect to decisions regarding the Operational Status of a Post.
- (b) Provides legal review of, and advice to, Posts on any actions to be taken by agency offices as set forth in this Manual Section and/or related to the Suspension or Closure of Posts, including Staff reduction plans, leases, or partnership agreements.

#### **5.1.4 Office of Congressional Relations**

The Office of Congressional Relations (OCR), in consultation with OGC, is responsible for consultation with and/or notification of Congress regarding the reopening, significant reduction, Suspension, or Closure of an overseas office or country program in accordance with legal requirements.

#### **5.1.5 Office of Safety and Security**

The Office of Safety and Security (OSS), in coordination with the relevant Region, is responsible for conducting safety and security assessments, and making recommendations relevant to the Operational Status of a Post. OSS also provides recommendations and mitigating safety and security strategies and supports OCR as needed in responding to Congressional inquiries and briefings.

#### **5.1.6 Office of Health Services**

The Office of Health Services (OHS), in coordination with the relevant RD, is responsible for conducting assessments of healthcare capabilities and health risks and providing recommendations and mitigating strategies, as necessary. In the event of a Post's Closure, OHS advises Peace Corps Medical Officers (PCMOs) on the COS health evaluation, post-service health benefits information, maintenance of medical records, disposition of medical supplies and equipment, and other activities related to Closure of a Post's medical office.

#### **5.1.7 Office of the Chief Financial Officer**

The Office of the Chief Financial Officer (OCFO) is responsible for advising and supporting the Region and Post on financial and administrative matters related to Operational Status. The sub-office of Acquisition and Contract Management (OCFO/ACM) provides review and advice on any contractual actions to be taken by a Post related to Staff reduction plans that include LES, leases, or supplies/services contracts.

#### **5.1.8 Office of Management**

The Office of Management, through its Office of Administrative Services, ensures appropriate support to the Post and Region regarding Volunteers' travel and oversees disposition of property and issues pertaining to Staff occupational safety and health.

#### **5.1.9 Office of Communications**

In coordination with the relevant Region, the Office of Communications issues all public communications, including talking points, press releases, and agency communication with U.S.

media and the public. In consultation with the U.S. Embassy's Public Affairs Office, it provides guidance to the impacted Posts on responding to local media inquiries.

#### **5.1.10 Office of Human Resources**

The Office of Human Resources (OHR), in coordination with the relevant Region, oversees and authorizes personnel actions regarding the acquisition, reassignment, or termination of USDHs.

#### **5.1.11 Office of the Chief Information Officer**

The Office of the Chief Information Officer (OCIO), in coordination with the Region and OCFO, advises Post on the disposition of a Post's information systems, including telecommunications and computer equipment. The Chief Information Officer acts as the Senior Agency Official for Records Management and is responsible, in coordination with the relevant RD, OGC, and Post, to ensure that Post's records management, retention, and disposition meet the legal requirements of the Federal Records Act and other applicable laws and regulations.

### **5.2 Post**

#### **5.2.1 Country Director**

The Country Director (CD):

- (a) Keeps the RD and the Chief of Mission informed of significant in-country issues related to Post operations, including assessment of potential governmental, institutional, and public reaction to the withdrawal or return of Volunteers, and other significant impacts upon the Post's Operational Status.
- (b) May inform the Chief of Mission, Volunteers, Staff, and host country partners of decisions to initiate Suspension or Closure of the Post, once the Director has made a decision to initiate Suspension or Closure of the Post and determined the timing and content of notification, and the RD authorizes the CD to make such notifications.
- (c) Develops, reviews, and manages staffing and operational plans and procedures related to the Suspension or Closure of the Post, in consultation with the appropriate RD.
- (d) Determines what technical and personnel assistance related to Suspension or Closure of the Post is needed from Peace Corps Headquarters, and requests assistance accordingly.
- (e) Plans, in coordination with the U.S. Embassy, correspondence with host country government officials and partners, and, in the event of Closure, a close-out ceremony, as appropriate.
- (f) Informs the U.S. Embassy of any in-country media inquiries and coordinates in-country media responses through the U.S. Embassy and in consultation with the Peace Corps Office of Communications.
- (g) Ensures Staff adhere to agency policies and requirements regarding the Suspension and Closure of a Post, including but not limited to:



- (1) Financial obligations and disposition of property, as specified by the Office of Management;
- (2) Records retention and disposition, as specified by the Agency Records Officer in OCIO;
- (3) Transfer and disposal of medical supplies and narcotics, as specified by MS 734 *Medical Supplies and Equipment*;
- (4) In consultation with OCFO/ACM, Region, and OGC, termination/end of contracts by an Overseas Contracting Officer including personal services contracts, leases, and supplies/services contracts in accordance with MS 732 *Peace Corps Overseas Acquisition System* and the Overseas Contracting Handbook (OCH); and
- (5) In consultation with OGC, any other agency policies and procedures and local laws related to the withdrawal of Volunteers, termination of Staff, and/or Closure of a Post.

## **6.0 Suspension and Closure Decision Process and Authorization**

**6.1** Authorization for the Suspension or Closure of a Post may only be made by the Director. The Director's authorization shall be documented in a Decision Memo, setting forth the criteria on which the decision was made.

### **6.2 Criteria and Assessments**

- (a) To determine whether a Post should be Suspended or Closed, assessments shall be conducted and a report with findings and recommendations shall be prepared by the relevant Region, in coordination with OSS, OGC, and OHS as appropriate, and presented to the AD/OGO, who shall submit the report to the Office of the Director. The report should, at a minimum, include the following:
  - (1) Assessment process and findings.
  - (2) Recommendations regarding future Post operations, including:
    - (i) Criteria that must be met for continuation and/or resumption of Peace Corps operations and the reassignment of Volunteers to the Post.
    - (ii) Mitigating strategies, if any, that would enable the reassignment of Volunteers.
    - (iii) Timelines and milestones for making final determinations about the Post's continued Suspended Status.
- (b) Once a Post is Suspended, assessment findings will be monitored and revised, as needed by the Region, OSS, and OHS, in their roles as core members of the Headquarters Response Team (*see* MS 460).

- (c) The following assessments shall be conducted prior to and during a Post's Suspended Status, as appropriate for the circumstances at the Post.

(1) Safety and Security Factors

OSS, in coordination with the relevant Region and CD, will lead and document safety and security assessments and take into consideration criteria such as:

- (i) Terrorism or political instability;
- (ii) Civil unrest;
- (iii) Armed conflict;
- (iv) Crime rates;
- (v) Law enforcement capabilities;
- (vi) Natural and manmade disasters;
- (vii) Transportation;
- (viii) Communications and technology; and
- (ix) Environmental challenges.

(2) Health and Medical System Factors

OHS, in coordination with the relevant Region, CD, and OSS, will lead and document health and medical system assessments and take into consideration criteria such as:

- (i) Significant degradation of the host country's health care system;
- (ii) Significant prevalence of serious infectious disease that is not mitigated by vaccines, prophylactics, or behaviors;
- (iii) Inability of Post to hire or retain qualified PCMOs; and
- (iv) Medical transportation barriers that hinder emergency responses.

(3) Administrative and Financial Factors

The relevant Region, in consultation with the OGC, OCFO, and, if relevant, the Office of Management, will lead and document administrative and financial assessments and take into consideration criteria, such as:

- (i) Inability to obtain necessary visas;
- (ii) Inability to hire or retain sufficient, qualified Staff; and

- (iii) Inability to payroll Staff and conduct basic financial transactions due to economic or banking system challenges.

#### (4) Host Country Need and Commitment Factors

The Region, in consultation with VRS, the Office of Overseas Programming and Training Support, and, if relevant, Peace Corps Response, will lead and document programmatic assessments and take into consideration criteria, such as the correlation between the host country's expressed need and the Peace Corps' ability to recruit Volunteers with suitable qualifications and to train them for appropriate assignments.

### **6.3 Coordination of Assessments**

The relevant RD shall ensure the timely and thorough conduct of the assessment and the presentation of findings and recommendations, with the participation of all relevant offices.

### **7.0 Host Country Agreements**

In the event of a Post's Closure, the country agreement remains in force unless expressly terminated by the U.S. or the host country government. Memoranda of Understanding (MOUs) between the Post and a sector ministry may be discontinued with the appropriate written notice to the subject ministry.

### **8.0 Volunteers and Trainees (V/Ts)**

**8.1** V/Ts who are evacuated from the host country may be temporarily relocated to another Post or neighboring country, and/or sent to their homes-of-record. Volunteers who are sent to their homes-of-record may be placed on administrative hold while assessments are conducted to determine the future of Post operations (*see* MS 460 and MS 220).

**8.2** Suspension or Closure of a Post requires the termination of V/Ts' service at that Post. V/Ts may be eligible to transfer, reinstate, or reenroll for continued or future Peace Corps service. V/Ts may also be eligible for interrupted service or COS date advancement (*see* MS 281, MS 282, and MS 284).

### **9.0 Staffing following Suspension and Closure Decisions**

**9.1** Once the Director has made an official decision to Suspend or Close a Post, the Region, in consultation with the CD, shall prepare a staffing plan that addresses continuing needs for certain roles at Post.

**9.2** The Region shall consult with the OCFO, OHR, and OGC in formulating recommendations to the AD/OGO.

**9.3** The AD/OGO must approve staffing plans before Post Staff are informed of any change in their employment or contract status.

**9.4** When determining which Staff are needed during a Post's Suspended Status or transition to Closed Status, the Region must consider:

- (a) OSS' assessment regarding the Post's safety and security environment to ensure that Staff who may be asked to continue to work can reasonably be expected do so in a safe manner;
- (b) Whether the performance of certain duties are contingent on the presence of a USDH supervisor; and
- (c) Whether there is sufficient supervisory oversight of the performance of such duties.

**9.5** The Post's CD and Overseas Contracting Officer must consult with Region, OCFO/ACM, and OGC prior to making announcements to LES regarding their continued engagement with the Peace Corps and/or initiating consultation with any local lawyer regarding the termination/end of a personal services contract or FSN engagement due to Post Closure or Suspension.

- (a) Personnel actions for LES, including the minimum notice period, shall be in accordance with policies and procedures appropriate for the Staff member's engagement category. For PSCs, this includes their personal services contract and guidance specified in MS 732 *Peace Corps Overseas Acquisition System* and the OCH.
- (b) The Post's Overseas Contracting Officer must consult with the appropriate Embassy staff about any actions contemplated to be taken regarding FSNs, OGC, and local labor counsel as determined by OGC.

**9.6** OHR must be consulted before any decisions are made regarding the potential reassignment or termination of a USDH.

**9.7** When the Operational Status of a Post is Suspended or Closed:

- (a) USDHs may be reassigned or assigned temporary duties at other Peace Corps Posts or at Peace Corps Headquarters, pending approval by the AD/OGO and OHR and completion of OSS' security review.
- (b) Pending Suspension or Closure of a Post, and during Suspension of a Post, when there are a limited number of, or no, Volunteers at Post, LES may be assigned additional or alternative temporary duties at that Post, upon approval by the CD, as indicated in the personal services contract's "Statement of Work."
- (c) Pending a Post's Suspension or Closure, and during a Post's Suspension, in consultation with the relevant Region and in accordance with the procedures on "Personal Service Contractor Details" in the OCH, LES may be given temporary duty assignments (TDYs) or temporary details to another Post or to Peace Corps Headquarters.

## **10.0 Post Management**

Oversight and management of a Post may be assigned to a Post in another Peace Corps host country, following the Director's authorization in a Decision Memo that sets forth the criteria on which the decision was made.

## **11.0 Procedures**

Procedures implementing this Manual Section shall be developed by OGO, in consultation with OGC and OCFO.

## **12.0 Effective Date**

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