

PART 301—PUBLIC ACCESS TO CLASSIFIED MATERIAL

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301.1 Introduction.

301.2 Requests for mandatory declassification review.

301.3 Action on requests for declassification review.

AUTHORITY: E.O. 12356, 43 FR 14874 dated April 2, 1982.

SOURCE: 49 FR 13692, Apr. 6, 1984, unless otherwise noted.

§301.1 Introduction.

The following regulations implement Executive Order 12356 and provide guidance for members of the public desiring a review for declassification of a document of the Peace Corps.

§301.2 Requests for mandatory declassification review.

(a) All information originally classified by the Peace Corps shall be subject to review for declassification.

(b) Requests for review of such information for declassification shall be in writing, addressed to the Peace Corps Director of Security, Peace Corps, Washington, DC 20526, and reasonably describe the information sought with sufficient specificity to enable its location with a reasonable amount of effort. Only requests made by a United States citizen or a permanent resident alien, a Federal agency or a State or local government will be considered.

(c) Requests relating to information, either derivatively classified by the Peace Corps or originally classified by another agency but in the possession of the Peace Corps, shall be forwarded, together with a copy of the record, to the originating agency. The transmittal may contain in Peace Corps recommendation for action.

§301.3 Action on requests for declassification review.

(a) The Director of Security shall present each request for declassification to the Peace Corps Classification Review Committee, which shall consist of the Associate Director for International Operations, the Associate Director for Management and the General Counsel, or their designees, together

with his or her recommendation for action.

(b) Every effort will be made to complete action on each request within 60 days of receipt thereof.

(c) Information shall be declassified or downgraded as soon as national security considerations permit. If the Classification Review Committee determines that the material for which review is requested no longer requires this protection, it shall be declassified and made available to the requester unless withholding is otherwise authorized by law.

(d) If the Peace Corps Classification Review Committee determines that requested information must remain classified, the requester shall be given prompt notice of the decision and, if possible, a brief explanation of why the information cannot be declassified.

(e) The Peace Corps may refuse to confirm or deny the existence or non-existence of requested information whenever the fact of its existence or non-existence is itself classified under E.O. 12356.

(f) A requester may appeal a refusal to declassify information to the Director of the Peace Corps, or the Director's designee. Appeals shall be in writing, addressed to the Director of the Peace Corps, Washington, DC 20526, and shall briefly state the reasons why the requester believes that the Peace Corps Classification Review Committee decision is in error. Appeals must be submitted within 30 days after receipt of notice of the Classification Review Committee decision. The decision of the Peace Corps Director, or designee, will be based on the entire record, and will be rendered in writing within 60 days after receipt of an appeal. The decision of the Director or Director's designee is the final Peace Corps action on a request.

PART 302—ORGANIZATION

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302.1 Introduction.

302.2 Central and field organization, established places at which, the officers from whom, and the methods whereby the public may secure information, make submittals, or request, or obtain decisions; and statements of the general course and

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methods by which its functions are channeled and determined.

302.3 Rules of procedure, description of forms available, the places at which forms may be obtained, and instructions as to the scope and content of all papers, reports, or examinations.

302.4 Substantive rules of general applicability adopted as authorized by law, and statements of general policy or interpretation of general applicability formulated and adopted by the agency.

AUTHORITY: Sec. 4, Pub. L. 87-239, Stat. 612 (22 U.S.C. 2503, as amended); 5 U.S.C. 552; E.O. 12137, 44 FR 29023, 3 CFR, 1979 Comp., p. 389.

SOURCE: 52 FR 47715, Dec. 16, 1987, unless otherwise noted.

EFFECTIVE DATE NOTE: At 69 FR 12274, Mar. 16, 2004, part 302 was removed, effective Apr. 15, 2004.

§ 302.1 Introduction.

The regulations of this part are issued pursuant to section 3 of the Administrative Procedure Act, 5 U.S.C. 552, effective July 4, 1967.

§ 302.2 Central and field organization, established places at which, the officers from whom, and the methods whereby the public may secure information, make submittals, or request, or obtain decisions; and statements of the general course and methods by which its functions are channeled and determined.

(a) The following are statements of the central and field organization of the Peace Corps:

(1) *Central Organization*—(i) *Director*. As head of the Peace Corps, the Director is responsible for all the activities of the agency. He or she is assisted by a Deputy Director, a Chief of Staff, and the following staff units:

(A) The Office of the General Counsel which provides legal advice and assistance relating to Peace Corps programs and activities;

(B) The Office of Congressional Relations which serves as primary informational contact between Congress and the Peace Corps, advising the Director and other senior managers on governmental and legislative affairs;

(C) The Office of Public Affairs which promotes awareness of the Peace Corps, monitors agency news coverage and prepares/disseminates national news releases and other information about the Peace Corps. The Office also

coordinates agency activities and maintains files relating to graphic, photographic and audiovisual services and works closely with the Advertising Council on placement on public service announcements;

(D) The office of Private Sector Relations/Development Education which coordinates private sector support and participation in Peace Corps activities;

(E) The Executive Secretariat which manages correspondence and other documents on behalf of the Director.

(ii) Office of the Associate Director for International Operations consists of the Regional Offices for Africa; Inter-America; and North Africa, Near East, Asia and Pacific; and the Office of Training and Program Support. The immediate office of the Associate Director includes the Overseas Staff Training and the United Nations Volunteer Program staff.

(A) The Regional offices are responsible for the negotiation, establishment and operation of Peace Corps projects overseas and for the training of Peace Corps Volunteers for such projects. They also provide, on behalf of the Director, policy guidance and immediate supervision to Peace Corps staff and operations overseas.

(B) The Office of Training and Program Support provides technical assistance and policy direction in the development of effective program and training strategies/designs, and coordinates a wide variety of program and training services.

(iii) The Office of the Associate Director for Management consists of the following offices:

A) The Office of Medical Services which provides medical screening for applicants and health care services to Volunteers and in-country staff.

(B) The Office of Special Services which provides personal and administrative support to Peace Corps trainees and Volunteers, and their families.

(C) The Office of Personnel Policy and Operations which provides Agency personnel services.

(D) The Office of Financial Management which provides accounting, contracting and budget operations.

(E) The Office of Planning and Policy Analysis which provides support to the

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Agency in the areas of policy, planning, assessment and management information.

(F) The Office of Administrative Services which provides administrative and logistical support to the Agency.

(G) The Office of Information Resources Management which manages the Agency's information resources and central computer facility.

(H) The Office of Compliance which carries out Agency audit, investigation, internal controls and equal opportunity functions.

(iv) The Office of the Associate Director for Volunteer Recruitment and Selection consists of the following offices:

(A) The Office of Recruitment which directs the operational and managerial aspects of headquarters and domestic field recruitment activities in support of the recruitment of qualified Peace Corps trainees.

(B) The Office of Placement which conducts final placement, processing and orientation of Peace Corps applicants in preparation for final selection and training.

(2) *Domestic Field Organization*

Regional Peace Corps Recruitment Offices: (i) Chicago Regional Office, 175 West Jackson Boulevard, Room A-531, Chicago, Illinois 60604. (Oversees Area Offices in Atlanta, Chicago, Detroit, Kansas City and Minneapolis.)

(ii) New York Regional Office, 1515 Broadway, Room 3515, New York, New York 10036. (Oversees Area Offices in Miami, Puerto Rico, Washington, DC, Philadelphia, New York City and Boston.)

(iii) San Francisco Regional Office, 211 Main Street, Room 533, San Francisco, California 94105. (Oversees Area Offices in San Francisco, Seattle, Denver, Los Angeles, and Dallas.)

(3) *Foreign Field Organization—(i) Africa Region.*

Benin, Cotonou
Botswana, Gaborone
Burundi, Bujumbura
Cameroon, Yaounde
Central African Republic, Bangui
Chad, N'Djamena
Gabon, Libreville
The Gambia, Banjul
Ghana, Accra
Guinea, Conakry
Kenya, Nairobi

Lesotho, Maseru
Liberia, Monrovia
Malawi, Lilongwe
Mali, Bamako
Mauritania, Nouakchott
Niger, Niamey
Rwanda, Kigali
Senegal, Dakar
Sierra Leone, Freetown
Swaziland, Mbabane
Tanzania, Dar es Salaam
Zaire, Kinshasa
Togo, Lome

(ii) *Inter-America Region*

Belize, Belize City
Costa Rica, San Jose
Dominican Republic, Santo Domingo
Eastern Caribbean, Bridgetown, Barbados
Ecuador, Quito
Guatemala, Guatemala City
Haiti, Port-au-Prince
Honduras, Tegucigalpa
Jamaica, Kingston
Paraguay, Asuncion
Turks and Caicos Islands (Santo Domingo, Dominican Republic)

(iii) *North Africa, Near East Asia and Pacific Region*

Cook Islands (Apia, Western Samoa)
Fiji, Suva
Federated States of Micronesia, Pohnpei
Kiribati (Honiara, Solomon Islands)
Marshall Islands, Majuro
Morocco, Rabat
Nepal, Kathmandu
Papua New Guinea, Port Moresby
Philippines, Manila
Republic of Palau (Pohnpei, F.S.M)
Seychelles, Victoria
Solomon Islands, Honiara
Sri Lanka, Colombo
Thailand, Bangkok
Tonga, Nuku'alofa
Tunisia, Tunis
Tuvalu (Suva, Fiji)
Western Samoa, Apia
Yemen Arab Republic, Sana'a

(b) Any person desiring information concerning a matter handled by the Peace Corps, or any persons desiring to make a submittal or request in connection with such a matter, should communicate either orally or in writing with the appropriate office. If the office receiving the communications does not have jurisdiction to handle the matter, the communication, if written, will be forwarded to the proper office, or, if oral, the person will be advised how to proceed.

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§ 302.3 Rules of procedure, description of forms available, the places at which forms may be obtained, and instructions as to the scope and content of all papers, reports, or examinations.

Forms regarding the following listed matters and instructions relating thereto may be obtained upon application to the offices listed below.

Application for Peace Corps, Office of Recruitment, Room P-301.

Volunteer Service, Peace Corps, 806 Connecticut Avenue NW., Washington, DC 20526, or the Peace Corps area recruitment offices listed in § 302.2(a)(2).

§ 302.4 Substantive rules of general applicability adopted as authorized by law, and statements of general policy or interpretation of general applicability formulated and adopted by the agency.

The Peace Corps regulations published under the provisions of the Administrative Procedure Act are found in part 301 of title 22 of the Code of Federal Regulations and the FEDERAL REGISTER. These regulations are supplemented from time to time by amendments appearing initially in the FEDERAL REGISTER.

PART 303—PROCEDURES FOR DISCLOSURE OF INFORMATION UNDER THE FREEDOM OF INFORMATION ACT

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303.14 Procedures for responding to a subpoena.

AUTHORITY: 5 U.S.C. 552; 22 U.S.C. 2501, et. seq.; E.O. 12137, 44 FR 29023, 3 CFR, 1979 Comp., p. 389; E.O. 12600, 52 FR 23781, 3 CFR, 1987 Comp., p. 235.

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SOURCE: 68 FR 66008, Nov. 25, 2003, unless otherwise noted.

§ 303.1 Purpose.

This part sets out the rules and procedures the Peace Corps follows in making records available to the public under the Freedom of Information Act (FOIA).

§ 303.2 Definitions.

As used in this part—

(a) *Commercial use request* means a request from or on behalf of one who seeks information for a use or purpose that furthers the commercial, trade, or profit interests of the requester or the person on whose behalf the request is made. In determining whether a requester has made a commercial use request, the Peace Corps will look to the use to which a requester will put the documents requested. When the Peace Corps has reasonable cause to doubt the requester's stated use of the records sought, or where the use is not clear from the request itself, it will seek additional clarification before assigning the request to a category.

(b) *Duplication* means the process of making a copy of a record requested pursuant to this part. Such copies can take the form of paper copy, microform, audio-visual materials, or machine readable electronic documents, among others.

(c) *Educational institution* means a preschool, a public or private elementary or secondary school, an institution of undergraduate or graduate higher education, or an institution of professional or vocational education which operates a program or programs of scholarly research.

(d) *Non-commercial scientific institution* means an institution that is not operated on a "commercial" basis and which is operated solely for the purpose of conducting scientific research, the results of which are not intended to promote any particular product or industry.

(e) *OIG records* means those records as defined generally in this section which originated with or are in the possession and control of the Office of Inspector General (OIG) of the Peace Corps which have been compiled for