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STATUTORY CHANGES IN THE AGENCY PERSONNEL PROGRAMS SINCE 1978

12. Provide the citation and date of any law enacted since 1978 which has significantly impacted the agency personnel program.

The Foreign Service Act of 1980 (Public Law 96-465).

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13. Describe briefly the personnel problem(s) addressed by law; the nature of the change introduced by the law; and a brief evaluation of the effect of the law on the agency personnel program.

~~Chapter Six of the Foreign Service Act of 1980 mandates an "up or out" career progression for Foreign Service officers.~~ As implemented by Department management, Foreign Service officers who reach FSO-1 (equivalent to GS-15) must decide whether they wish to compete for promotion to the Senior Foreign Service. If they opt to compete, their performance is reviewed by up to six annual promotion review panels. If they have not been promoted within this period, they are "selected out" and must leave the service. Those officers who do not opt to compete can continue in the Service until their maximum time in class (TIC) expires. For an FSO-1 the maximum is controlled by the number of years elapsed since promotion to FSO-3. An employee generally has a maximum of twenty years from the 0-3 promotion to his/her promotion to the Senior Foreign Service (or retirement for time in class) with no more than 15 years in any one grade.

The "twenty year factor" puts a premium on having the most career enhancing jobs at all times. Tours in less desirable bureaus, e.g., INR, may, it is perceived, slow down a career. In other words, many Foreign Service officers no longer feel that they have the time to stray from the main track to pursue career interests which, though worthy, keep them from reaching the top. This very likely accounts to a significant degree for the paucity of bids by Foreign Service officers for INR jobs.