



ADS Chapter 414

Foreign Service (FS) Appointments

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Table of Contents

<u>414.1</u>	<u>OVERVIEW</u>	<u>4</u>
<u>414.2</u>	<u>PRIMARY RESPONSIBILITIES</u>	<u>4</u>
<u>414.3</u>	<u>POLICY DIRECTIVES AND REQUIRED PROCEDURES</u>	<u>6</u>
<u>414.3.1</u>	<u>Foreign Service Appointments</u>	<u>6</u>
<u>414.3.1.1</u>	<u>Conditions of FS Employment</u>	<u>7</u>
<u>414.3.1.2</u>	<u>Effective Date of Appointment</u>	<u>9</u>
<u>414.3.1.3</u>	<u>Employment Forms.....</u>	<u>9</u>
<u>414.3.2</u>	<u>Types of FS Appointments</u>	<u>9</u>
<u>414.3.2.1</u>	<u>Limited Appointments</u>	<u>9</u>
<u>414.3.2.2</u>	<u>Career Candidate Appointments.....</u>	<u>10</u>
<u>414.3.2.3</u>	<u>Non-Career Appointments</u>	<u>11</u>
<u>414.3.2.4</u>	<u>Career Appointments.....</u>	<u>14</u>
<u>414.3.3</u>	<u>Other Employment Mechanisms</u>	<u>15</u>
<u>414.3.3.1</u>	<u>Recall to the Foreign Service.....</u>	<u>15</u>
<u>414.3.3.2</u>	<u>Reappointment of Former (Not Retired) Career FSOs</u>	<u>17</u>
<u>414.3.3.3</u>	<u>Ethics Implications</u>	<u>18</u>
<u>414.3.3.4</u>	<u>Mandatory Retirement and Retention of Foreign Service</u>	<u>19</u>
	<u>Employees at Age 65 or Older.....</u>	<u>19</u>
<u>414.3.3.5</u>	<u>Change from Non-Career to Career Candidate Appointment</u>	<u>19</u>
<u>414.3.3.6</u>	<u>Short-Term Appointment Roster (STAR)</u>	<u>19</u>
<u>414.3.4</u>	<u>Tenuring of Career Candidates</u>	<u>20</u>
<u>414.3.5</u>	<u>Foreign Service Pay.....</u>	<u>20</u>
<u>414.3.5.1</u>	<u>Appointment Salary</u>	<u>20</u>
<u>414.3.5.2</u>	<u>Within-Class Salary Increases</u>	<u>20</u>
<u>414.3.6</u>	<u>Retirement Coverage.....</u>	<u>21</u>
<u>414.3.7</u>	<u>Allowances, Differentials, and Other Benefits</u>	<u>21</u>
<u>414.3.8</u>	<u>Termination of Time-Limited Appointment.....</u>	<u>21</u>
<u>414.3.9</u>	<u>Reemployment.....</u>	<u>21</u>

<u>414.4</u>	<u>MANDATORY REFERENCES</u>	<u>22</u>
<u>414.4.1</u>	<u>External Mandatory References</u>	<u>22</u>
<u>414.4.2</u>	<u>Internal Mandatory References</u>	<u>23</u>
<u>414.4.3</u>	<u>Mandatory Forms.....</u>	<u>24</u>
<u>414.5</u>	<u>ADDITIONAL HELP</u>	<u>24</u>
<u>414.6</u>	<u>DEFINITIONS</u>	<u>25</u>

ADS 414 - Foreign Service (FS) Appointments

414.1 OVERVIEW

Effective Date: 10/16/2024

This chapter provides the policy directives and required procedures that govern Foreign Service (FS) appointments in USAID. This chapter does not apply to Civil Service (CS) to FS conversions, Foreign Service National (FSN), and U.S. Citizens Hired Abroad (American family and non-family members) appointments.

Policy directives and required procedures for other FS appointments are located in the following ADS chapters:

- [ADS 415, Civil Service-to-Foreign Service Appointment Program,](#)
- [ADS 422, Personnel Operations: Senior Foreign Service,](#)
- [ADS 495, Foreign Service National Direct Hire Personnel Administration,](#)
and
- [ADS 499, Overseas Employment Program](#)

414.2 PRIMARY RESPONSIBILITIES

Effective Date: 10/16/2024

- a. The **Deputy Assistant Administrator for Management and Resources (DA/MR)** is responsible for approving the assignments of FS officers on recall appointments to Senior Leadership Group positions, the separation of Senior Foreign Service (SFS) officers; and for approving allocations of FS, SFS, and Foreign Service Limited (FSL) positions among Operating Units (OUs).
- b. The **Chief Human Capital Officer (CHCO)**, or designee, is responsible for making final determinations for reemployment rights.
- c. The **Office of Human Capital and Talent Management, Senior Deputy Assistant Administrator (HCTM/SDAA, Foreign Service)**, is responsible for:
 1. Making final determinations for tenure;
 2. Making determinations for recall and reappointment to the FS;
 3. Reviewing appeals of decisions by the Director, HCTM/Foreign Service Center related to new positions designated as FSL;

4. Making determinations for separation of career-candidates and non-SFS career officers for performance; and
5. Extending a career candidate's five-year limited appointment in accordance with the restrictions in [ADS 414mad, The Tenure Policy and Process for Foreign Service Career Candidates](#).

d. The **Office of Human Capital and Talent Management, Foreign Service Center Director (HCTM/FSC)** is responsible for approving new FS appointments for career and non-career applicants and directing employees in administering all processes related to the appointment of employees covered by this ADS chapter. This includes:

1. Advising Bureaus and Independent Offices (B/IOs) on the appropriate appointment type to meet identified needs;
2. Approving new positions to be filled as FSL in line with established ceilings and OU allocations; and
3. Making decisions on the termination of time-limited non-career appointments (see [ADS 450, Termination of Time-Limited Appointments - Foreign Service](#)).

e. The **Office of Human Capital and Talent Management, Workforce Planning, Policy, and Systems Management (HCTM/PPSM)** is responsible for:

1. Analyzing skills assessments to determine skill gaps;
2. Developing workforce projections used to formulate recruitment plans;
3. Recommending FS allocations by Mission and B/IO; and
4. Formulating and interpreting human resources guidelines, policies, and regulations.

f. The **Office of Human Capital and Talent Management, Human Capital Services Center (HCTM/HCSC)** is responsible for processing appointments for retired or former Foreign Service Officers (FSOs) to Civil Service Limited appointments under the Short-Term Assignment Roster (STAR).

g. The **Tenure Board** is responsible for:

1. Reviewing the performance evaluation files of FS career candidates to determine whether each candidate has the potential to serve across a career span extending to and including class FS-01; and

2. Making recommendations to the CHCO on whether tenure should be granted, deferred, or denied.

h. Operating Units (Missions, B/IOs) are responsible for requesting approval to:

1. Establish a non-career FS position and/or fill a FS position with an employee on a non-career limited FS appointment;
2. Employ a retired FSO on a recall appointment; or
3. Reappoint a former career member of the FS to an unfilled position in their OU or in a backstop managed by their OU.

OUs are required to follow the procedures outlined in this ADS chapter for filling FSL positions and assigning officers on recall appointments.

414.3 POLICY DIRECTIVES AND REQUIRED PROCEDURES

414.3.1 Foreign Service Appointments

Effective Date: 10/16/2024

USAID, in accordance with section 101 of the [Foreign Service Act of 1980](#), as amended (hereafter referred to as “the Act”), and with the support of the Office of Civil Rights (OCR), the Office of the Administrator, Immediate Office, Office of the Chief Diversity, Equity, Inclusion, and Accessibility Officer (A/AID/DEIA) and HCTM’s Office of External Outreach and Strategic Recruitment (XOSR), implements policies and procedures that facilitate and encourage entry into, and advancement in, the FS by people from all segments of American society, as well as equal opportunity and equitable treatment for all.

The Agency's policy is to recruit and select the best qualified candidates available for FS appointments without regard to race, color, religion, sex (including pregnancy, gender identity, sexual orientation, or transgender status), genetic information, national origin, age, (except as limited by [Section 812 of the Act](#)), physical or mental disability, marital status, veteran status, status as a parent, geographic or educational affiliation within the United States, or political affiliation.

USAID considers the fact that an applicant for appointment as a FS career candidate is a veteran or disabled veteran (a preference eligible under [subparagraphs \(A\), \(B\), and \(C\) of 5 USC 2108\(3\)](#)) as an affirmative factor in the selection of applicants for initial appointment to the USAID Foreign Service (see [Section 301 of the Act](#)), depending on the candidate’s qualifications; education; and relevant experience, as defined in the vacancy announcement for positions in each backstop (see section [414.3.7.1](#)).

[Section 307 of the Act](#), allows new entry appointments up to and including FS-04. Mid-level FS career candidates are appointed, on a limited basis, up to and including

FS-02. All career candidate appointments are time-limited, must not exceed five years, and cannot be extended or renewed except as authorized in section **414.3.2.1**.

The FS is part of the civilian workforce of the Federal Government. FS employees are appointed in the excepted service and are not subject to the appointment requirements of the competitive service (see [Section 501 of the Act](#)).

414.3.1.1 Conditions of FS Employment

Effective Date: 10/16/2024

Applicants for appointment to the FS are subject to the following conditions of employment:

- a. **Age:** Career appointments in the FS are covered by the Act. Individuals must be at least 21 years old and must be appointed on or before their 60th birthday, unless the applicant is a preference-eligible individual, in which case they must be appointed before their 65th birthday. [Chapter 8, Section 812 of the Act](#) directs mandatory retirement at age 65. The maximum age for appointment under these regulations is based on the requirement that all career candidates must be able to complete the requisite eligibility period of five years to receive retirement benefits, before reaching the mandatory retirement age of 65, as prescribed by the Act.
- b. **Citizenship:** Appointees must be U.S. citizens at the time of application.
- c. **Employment Eligibility Verification (E-Verify):** HCTM must verify the employment eligibility of all new hires, as outlined in the [Employment Eligibility Verification Program \(E-Verify\)](#) implementing guidelines. E-Verify allows U.S. employers to authenticate name, date of birth (DOB), and social security number (SSN) against federal databases, in order to verify the employment eligibility of new hires.
- d. **Drug Testing:** All new hires who are appointed to USAID positions are subject to drug testing at the time of hire and throughout their career (see [ADS 410, Drug Free Workplace Program](#)).
- e. **Medical Clearance:** Prior to appointment, in consultation with the Department of State, Medical Director, Office of Medical Services (M/MED), USAID must determine that the employee or applicant is medically cleared for assignment overseas to a sufficient number of posts which would enable a full career in the FS (with or without reasonable accommodation) in career positions, and medically cleared for the post of assignment (or the posts of assignment, if the position is regional) for limited appointments, unless the CHCO, or designee, waives this requirement (see [ADS 414mab, Waiver Process for Medical Clearance Requirements for Initial Appointments, Tenure Review and Overseas Assignments in the Foreign Service](#)) for additional information on

the medical waiver process, and [ADS 111, Procedures for Providing Reasonable Accommodation](#)).

- f. **Qualifications/Suitability:** Applicants' qualifications and suitability for appointment are determined by recruitment panels convened by HCTM/FSC which conduct a formal evaluation of the candidates' education, skills, and experience during the panel's rating, ranking, and interview processes. HCTM establishes minimum qualifications for each backstop and class level in the FS which are included in advertisements for positions (see the Minimum Qualifications table for FS [[ADS 415maa](#)] and for FSL [[ADS 414map](#)]). The formal evaluation process is outlined in [ADS 468, Foreign Service Personnel Recruitment](#).
 - g. **Security Clearance:** Appointees to the career FS and to limited FS appointments overseas are required to obtain and maintain a "Top Secret" security clearance. Appointees to limited non-career positions in USAID/Washington (USAID/W) must obtain and maintain the level of security clearance established for their positions (see [EO 10450, as amended](#)).
 - h. **Selective Service Registration:** All male U.S. citizens who are between the ages of 18 and 25 are required to provide proof of registration for the selective service under the Military Selective Service Act, section 3. U.S. citizens or immigrants who are born male and changed their gender to female are still required to register. Individuals who are born female and changed their gender to male are not required to register (see <https://www.sss.gov/register/who-needs-to-register/#p7>). Those who are not registered or knowingly and willfully did not register before the requirement terminated or became inapplicable to them are ineligible for appointment to a position in an Executive Agency (see [5 USC 3328](#)).
- If a candidate is not registered, as is required by law, they must consult with the Selective Service System (SSS) to get information on registration requirements and to become registered. Online registration is accepted. Candidates must complete registration during pre-employment processing, otherwise the candidate is ineligible for appointment (see the [SSS Web site](#) for additional information and guidance for unregistered applicants who have passed their 26th birthday).
- i. **Worldwide Availability:** Applicants hired under career or career candidate appointments must certify their availability and willingness to serve in any post to which USAID assigns them for which they are medically cleared, with or without a reasonable accommodation.
 - j. **Voluntary Separation Repayment Requirement:** Newly hired FSOs are required to sign the applicable Conditions of Employment (for career, career candidate, or non-career appointments) form (see [ADS 414mae](#)) and a

[Voluntary Separation Repayment Agreement](#), if assigned immediately overseas.

414.3.1.2 Effective Date of Appointment

Effective Date: 10/16/2024

An appointment is effective on the date the appointee begins duty and is available to perform a federal function. HCTM/FSC establishes effective dates for all appointments to the Agency in consultation with the candidates approved for hire.

414.3.1.3 Employment Forms

Effective Date: 10/16/2024

A list of employment forms required for new-hire FS employees to complete upon beginning duty can be found in [ADS 414mae](#).

414.3.2 Types of FS Appointments

Effective Date: 10/16/2024

Based on the needs of the Agency, USAID offers three types of FS appointments including limited, temporary, and career appointments.

- An FSL appointment is for no more than five years, except as authorized in Section **414.3.2.1.b** or otherwise authorized by law.
- A temporary appointment is an appointment that is limited by its terms to a period of one year or less. It is appropriate for overseas and Washington-based positions demanding skills that are required to address an urgent, temporary, time-bound need for development expertise.
- A career appointment is an unlimited appointment given to a tenured employee.

FS appointments may include part-time and job-sharing employment for career officers, if appropriate, based on the responsibilities of the position and the needs of both the Agency and employees. Managers and supervisors are encouraged to support employee requests for part-time and job sharing if such requests can be reasonably accommodated. See [3 FAM 2337.5](#) for further information on part-time employment and job sharing.

FS appointments are governed by the sub-policies below.

414.3.2.1 Limited Appointments

Effective Date: 10/16/2024

A limited appointment is an appointment of a specified duration usually from one to five years and includes career candidate, temporary (less than one year), and other non-career appointments.

414.3.2.2 Career Candidate Appointments

Effective Date: 10/16/2024

Career candidate appointments are time-limited, must not exceed five years, and cannot be extended or renewed except as provided in [Section 309\(b\)\(3\) of the Act](#) and [Chapter 43 of Title 38, United States Code](#), which pertains to employee rights under the [Uniformed Services Employment and Reemployment Rights Act of 1994 \(USERRA\)](#).

Career candidate appointments are appropriate for positions that require skills linked to long-term USAID FS staffing needs. HCTM/FSC appoints career candidates to positions in a specific backstop. Since these positions are filled competitively in response to the Agency's needs in the technical area, career candidates may not seek to change the backstop for which they were selected prior to completion of their first overseas assignment. This maintains the integrity of the competitive selection process. It also maintains workforce planning requirements and ensures that career candidates gain sufficient experience for tenure. Further information about tenuring can be found in [ADS 459, USAID's Foreign Service Career Candidate Program](#) and in [ADS 414mad](#).

On rare occasions, when Agency needs dictate, HCTM may change a career candidate's backstop prior to completion of the first overseas assignment. HCTM must formally approve and announce an assignment to a new backstop.

Career candidates are:

- a. Appointed to salary classes up to FS-04, based on advertised vacancy announcements, and if appointed at a class below FS-04, are eligible for administratively-determined promotions up to FS-04 under the Agency's career training program for new hires. In rare instances, HCTM appoints new mid-level officers at the FS-03 to FS-02 class, in limited numbers.
- b. Required to serve trial periods, in accordance with [Section 306 of the Act](#).
- c. Required to participate in the FS performance evaluation cycle from April through March (see [ADS 461, FS and SFS Performance Management](#)).
- d. Reviewed by the Foreign Service Promotion Boards, once they are at the FS-04 level and when they meet the eligibility criteria, unless they meet one of the exceptions criteria or apply for and are approved for a waiver (see [ADS 463, Foreign Service and Senior Foreign Service Promotion Eligibility Requirements and Procedures](#)).

- e. Reviewed by Tenure Board(s) at the conclusion of the trial period to determine and make recommendations as to whether USAID should offer them tenure as career FSOs. The decision to tenure is based on the performance and conduct of the career candidates, their potential to assume greater responsibility, and the successful completion of overseas service, medical and security clearances, and language proficiency (see [ADS 414mad](#)).
- f. Required to recertify their availability for worldwide assignment and service at the time of tenure review.
- g. Not eligible for part-time or job-sharing due to the limited time period within which they must obtain tenure (see [Chapter 3, Section 309\(b\)\(3\), and Section 703\(a\) and \(c\) of the Foreign Service Act of 1980, as amended](#)).

414.3.2.3 Non-Career Appointments

Effective Date: 10/16/2024

Non-Career FSL Appointments are time-limited appointments appropriate for filling certain overseas and Washington-based positions either in situations that require skills currently unavailable in the career FS workforce, when the Agency does not have sufficient career Operating Expense (OE) funded full-time positions to meet an Agency staffing need, or when program funds are the appropriate funding mechanism for a position (see [ADS 415](#) which covers limited appointments to existing FS positions that are available to CS employees under the CS-to-FS program). HCTM must consider FSL appointments in the context of broader workforce planning including, but not limited to, meeting needs for positions that require direct hire staff authority and skills transfer to U.S. direct hires. The DA/MR approves allocations of FS, SFS, and FSL positions among OUs based on the recommendations of the Agency's Strategic Workforce Planning Council. The HCTM/FSC Director approves position descriptions and makes FSL appointments in line with these allocations.

The HCTM/FSC Director reviews positions filled by FSLs on a regular basis in light of the composition and skills of the FS workforce. HCTM/FSC advertises positions designated to be filled by career FSOs in the Foreign Service Major Listing up to one year in advance of the end of the term of the current FSL appointees. HCTM/FSC may also advertise these positions through other bidding opportunities, like the FS Assignment listing or a special bidding opportunity.

Non-career FSL appointments may be:

- Program-funded worldwide, in accordance with statutory provisions authorized in USAID's annual appropriations.
- OE-funded, unless limited by USAID's annual appropriations.

- Classified at the FS-01 to FS-04 levels, based on the duties articulated in the position description and in accordance with the minimum qualifications for each backstop and class (see [ADS 414map, FSL Minimum Qualifications Table](#)).
- Time-limited for an initial period of one to five years, depending on the needs of the Agency, for both OE and program-funded positions, and are not to exceed the statutory limit set by the appropriations act for the year in which the funds to support the FSL were appropriated.
- If the initial appointment is less than five years, it may be extended in one or two year increments up to five years and, after that five years, it may be extended up to an additional four years, for a maximum of nine years total (not to exceed the statutory limit set by the appropriations act). All FSL extension requests must be submitted to HCTM/FSC six months prior to the expiration of the appointment. This allows HCTM/FSC to determine if the positions should be designated as FS and validated and advertised through the FS assignment system.
- May never exceed the current Congressionally-mandated nine-year term limit or other requirements imposed by law.
- May be terminated at any time, according to the [Foreign Service Act](#) and the policies and procedures in [ADS 450, Termination of Time-Limited Appointments - Foreign Service \(FS\)](#).

Non-career FSL employees:

- Are subject to the requirements in [ADS 461](#) for annual performance management and development, including to submit Annual Accomplishment Records and to receive Annual Performance Evaluations;
- Are not eligible for promotion and therefore are not reviewed by the FS Promotion Boards;
- Are not eligible to participate in the Foreign Service Open Assignment System, unless an exception is made as a part of a Special Bidding Opportunity (see [ADS 436](#));
- Are not required to be available worldwide;

- Are required to obtain and maintain a security and medical clearance appropriate to their duties and location, as defined in their position description;
- Are eligible for reemployment to serve the unexpired portion of their limited appointment if called or volunteer for active military duty, subject to the conditions in [Chapter 43 of Title 38, United States Code](#), which pertain to USERRA;
- May supervise other employees, even without prior supervisory experience, provided they receive orientation regarding the foreign service performance management and promotion systems and the civil service performance evaluation system when they supervise such employees;
- Who have served five to nine years on one continuous FSL appointment or up to nine years on more than one consecutive appointment, may only be eligible for a new appointment after taking a one-year break in FSL service; and
- Who are CS employees, may retain reemployment rights in accordance with [ADS 412, Reemployment Rights](#).

FS Career Employees:

- Who wish to serve in an advertised FSL position must resign from their career FS appointment to accept the new non-career limited appointment.
- May request reappointment to the career service in accordance with the provisions of section **414.3.3**. Officers will be reappointed to the class level at which they left the career service and will receive a directed assignment.

Operating Units Employing Non-Career FSL Employees:

- Must request HCTM/FSC Director approval to establish an FSL position via action memo cleared through the appropriate Bureau Deputy Assistant Administrator (DAA) or Independent Office Director (see required [Action Memo Template to Establish an FSL Position](#));
- Must outline and follow a competitive recruitment process that includes advertising the position through external sources to encourage a diverse pool of qualified applicants, and that results in a candidate selection memo to the HCTM/FSC Director as outlined in the [Action Memo Template to Appoint an FSL](#). Selecting officials must verify and document in this

memo whether the applicant has been a political appointee or Presidential appointee during the past five years;

- Must consider the applicants' status as a former active duty or disabled veteran as defined in 22 USC 3941(c) as an affirmative factor in the selection process, in compliance with the Foreign Service Act, by including any fully qualified preference eligible applicant in the interview pool. The hiring B/IO must include this affirmative factor in the job opportunity announcement along with instructions on how to submit supporting documentation. In the selection memo requesting approval of the FSL appointment, the hiring B/IO must include how they considered preference eligible veteran applicants;
- Are responsible for monitoring the termination date of the appointment and coordinating with HCTM/FSC on steps required to extend, advertise the position, or terminate the appointment;
- May backfill a vacant FSL position only for the time remaining in the approved position request, unless the position is vacated within the first year, in which case the new appointment may be for five years;
- Must submit a request and programmatic justification to HCTM/FSC at least six months before the expiration of the FSL employee's appointment for each one to two-year extension desired (see required [Action Memo Template to Extend an FSL Appointment](#)); and
- May submit appeals in writing to the HCTM/SDAA, or designee, within ten business days if an FSL request is denied.

414.3.2.4 Career Appointments

Effective Date: 10/16/2024

Career appointments are appointments granted to FS employees who have achieved tenure at USAID.

Career employees are:

- a. Subject to Time-in Class (TIC) rules covered in [ADS 440, Time-in-Class \(TIC\) Limitations and Limited Career Extensions \(LCEs\)](#) and mandatory retirement rules in [Section 812 of the Act](#).
- b. Subject to commissioning requirements detailed in [ADS 435, Commissions, Titles and Rank](#).

- c. Not subject to any restrictions on changing backstop but backstop changes are based on Agency workforce needs.

414.3.3 Other Employment Mechanisms

Effective Date: 10/16/2024

HCTM uses a variety of employment mechanisms to fill FS positions approved for recruitment. Besides appointing individuals to their first federal position, HCTM has the flexibility to:

- Make recall appointments of retired FSOs (see [Section 308 of the Act](#) and section **414.3.3.1**);
- Reappoint former (not retired) career FSOs (see [Section 308 of the Act](#) and section **414.3.3.2**);
- Retain FS employees at age 65 or older (see section **414.3.3.4** and [ADS 414mao](#));
- Appoint CS employees to non-career FS appointments, as authorized in [ADS 415](#);
- Change CS employees from non-career to career candidate appointments (see section **414.3.3.5**); and
- Use the STAR to bring retired FS and CS employees back under short-term CS appointments (see section **414.3.3.7**).

414.3.3.1 Recall to the Foreign Service

Effective Date: 10/16/2024

[Section 308\(a\) of the Act](#) specifies that “a retired career member of the FS may be recalled to any appropriate salary class or rate, except that a retired career member of the SFS may not be recalled to a salary class higher than the one in which they were serving at the time of retirement (unless appointed to such higher class by the President, by and with the advice and consent of the Senate).”

Officers recalled to service can carry out the full range of FSO delegated authorities. Therefore, this option may be used to fill Senior Leadership Group (SLG) positions the Agency has been unable to fill from the existing workforce. Positions filled by recalled employees must be funded in accordance with [ADS 601, Funding Source Policy](#), which provides funding source policy guidance.

The Agency permits the duration of a recall for up to two years. A recall may be extended at management’s discretion if the position is advertised during the assignment cycle in which the appointment ends and for which a qualified career FSO has not been assigned.

In accordance with Agency policy outlined in [ADS 463](#), recalled FSOs are not reviewed by Performance Boards and are not eligible for performance pay, but are evaluated under [ADS 461](#). If a recalled officer's performance is not satisfactory, the CHCO, or designee, has the authority to terminate the employee's appointment, in accordance with [Section 612 of the Act](#) and as set forth in [ADS 450](#).

Recalled employees accrue leave and are eligible for benefits such as allowances and differentials on the same basis as career members of the FS.

The CHCO, or designee, has the authority to approve recalls under [Section 308\(a\) of the Act](#). Recall appointments to SLG positions also require review by the SLG Panel and the approval of the USAID Administrator, or designee.

The steps to recall a retired FSO at any level are as follows:

1. The memorandum must state the proposed position, note prior advertisement (USAID may consider a recall after a position has been advertised a second time and remains without a qualified career FSO bidder, or to meet an urgent need to temporarily fill a priority vacancy).
2. The respective B/IO may identify a qualified retired career FSO (e.g. from the STAR roster, outreach to the USAID Alumni Association, in consultation with the Backstop Coordinator) and propose the candidate to HCTM with an Action Memorandum to the CHCO. The Memorandum must state the proposed position, note prior advertisement of the position to eligible bidders, and describe the proposed candidate's qualifications for the position. The candidate's Curriculum Vitae (CV) must be attached.
3. The Bureau for Management, Office of Management Policy, Budget and Performance (M/MPBP) must clear all memos requesting approval to use recall authority.
4. For SLG candidates, HCTM sends the proposed appointment and candidate's CV to the SLG Panel for review, and if the SLG Panel recommends the proposed appointment, HCTM completes the normal vetting of an SLG candidate and submits the request to the Administrator for approval of the specific assignment. Upon the Administrator's approval, the respective B/IO requests Chief of Mission concurrence for any overseas principal officer position.
5. A Human Resources Specialist in HCTM/FSC initiates and coordinates medical and security clearances for the recall candidate. Once all clearances are completed, HCTM/FSC processes the recall appointment.

Retired FSOs recalled to active duty under the provisions of [Section 823 of the Act](#) are entitled to the full salary of the class in which they are serving in lieu of their annuity. During the recall service, payment of the annuity is suspended and retirement contributions are deducted from the recalled officer's salary.

Retirement Counselors in the HCTM, Human Capital Services Center, Employee Services and Benefits Division (HCTM/HCSC/ESB) may provide annuitants detailed information regarding a recall appointment and its potential effects on their retirement and survivor benefits. It is incumbent upon retired FSOs to notify the Department of State's Retirement Office of any reemployment and provide a copy of their appointment [Notification of Personnel Action \(SF-50\)](#).

414.3.3.2 Reappointment of Former (Not Retired) Career FSOs

Effective Date: 10/16/2024

[Section 308\(b\) of the Act](#) states that former career FSOs may be reappointed in order to meet the needs of the FS. This applies to tenured officers who resigned and later wish to resume their careers in the FS. Former USAID career FSOs are reappointed by HCTM/FSC as career members in a salary class that is appropriate to their qualifications and experience and with the same TIC remaining as when they separated from the service. FSOs who previously served in another foreign affairs agency or the USAID Office of Inspector General, if reappointed to USAID's FS, are reappointed as career candidates and must meet tenuring and promotion requirements established for all FS career candidates entering the Agency. After reappointment, the FS evaluation and promotion processes apply (see [ADS 461](#) and [ADS 463](#)). Prior USAID overseas assignment service and time in grade count toward promotion eligibility.

Former FSOs are reappointed to fill a specific position in order to meet Agency priorities. Assignments to the initial position are directed by HCTM/FSC, in coordination with the respective B/IO, before an appointment is offered. To meet Agency priorities, reappointments may only be considered to fill positions that the Agency has been unable to fill from the existing workforce when there is a lack of qualified bidders or to meet another urgent and compelling Agency need. After the reappointed officer satisfies the initial directed assignment, the officer is required to participate in the FS assignment process for subsequent assignments.

Former career members of the FS may also be reappointed under section (301) (d)(2) of the Act, that is, by the President with the consent of the Senate.

Salary and support costs for reappointed FSOs are OE-funded. Since reappointed officers resume their FS careers, each reappointment counts against attrition and may reduce the number of new hires authorized each year.

The steps to reappoint a former FSO are as follows:

1. Former career (not retired) FSOs who are interested in reemployment are referred to the HCTM/FSC's Assignments and Career Counseling Division (HCTM/FSC/ACC) and to the respective technical B/IO for their backstop for consideration for current openings.
2. HCTM/FSC verifies that the individual was a career FSO and is eligible for reemployment under [Section 308\(b\) of the Act](#). HCTM/FSC also verifies that there are no security, performance, or other disciplinary issues on record that should inform a rehire decision.
3. An Assignments and Career Counselor (ACC) in HCTM/FSC confirms with HCTM/PPSM's Workforce Planning Division that there is a need for FSOs in the candidate's backstop and, if so, advises the former FSO of any unfilled eligible positions that are available in the appropriate backstop(s).
4. The ACC notifies the relevant technical B/IO (for example, the Bureau for Global Health for BS-50, the Office of General Counsel for BS-85, etc.) of the reappointment option. If the technical B/IO agrees to a potential reappointment, HCTM/FSC convenes a Technical Review Committee (TRC) to review on-going backstop needs and the qualifications, references, and performance of the former officer. The HCTM/FSC chairs the TRC. The CHCO, or designee, approves the members of the TRC, which includes B/IO representatives and a staff member from HCTM/PPSM's Workforce Planning Division. The candidate must obtain a positive TRC recommendation to advance to the next step of the reappointment process.
5. The respective technical B/IO proposes the candidate to HCTM with an Action Memorandum to the CHCO, or designee. The memo must state the proposed position, note prior advertisement of the position to eligible bidders or other urgent and compelling Agency needs, and describe the proposed candidate's qualifications for the position. The candidate's Curriculum Vitae (CV) must be attached. M/MPBP must clear the Action Memorandum.
6. After the CHCO, or designee, approves the candidate, a Human Resources Specialist in HCTM/FSC extends an offer of reappointment. Reappointment assignments are announced on the FS Assignment System (FSAS) Approval page of the [HCTM Website](#).

A candidate who is denied reappointment, due to issues of conduct, performance, or security, may not be reconsidered for future reappointment; those who are denied reappointment, due to workforce needs, may be reconsidered after a full calendar year has passed from the date of the TRC memo.

414.3.3.3 Ethics Implications

Effective Date: 10/16/2024

Reemployment under one of these mechanisms may have ethics implications. Based on where a FSO was previously employed, prior to the potential recall or reappointment, there may be impact on the duties the individual may perform for the Agency, as employees are generally prohibited from participating in any matter in which their former non-federal employer within the past year is involved. If there are any ethical concerns or questions about a prospective appointment under one of these mechanisms, the TRC must consult an ethics official in the Office of the General Counsel, Ethics and Administration (GC/EA) before a recommendation to reappoint is made or an offer of employment is extended.

414.3.3.4 Mandatory Retirement and Retention of Foreign Service Employees at Age 65 or Older

Effective Date: 10/16/2024

In accordance with [Section 812 of the Act](#), an employee who is not preference eligible must be retired from the FS at the end of the month in which they reach age 65 and have at least five years of service under the FS Retirement System, excluding military and naval service. Preference-eligible employees must be retired from the FS on the date the employee reaches five years of service. However, in accordance with [Section 812 \(b\)\(2\) of the Act](#), when it is determined to be in the public interest, the CHCO may grant approval to retain on active duty an employee who has reached their mandatory retirement age (MRA) for a period not to exceed five years (see [ADS 414mao](#) for policy and procedures for waiver of the Mandatory Retirement Age). The employee is retired on the last day of the month in which they complete such authorized service under the waiver, or the “not to exceed” TIC date, whichever comes sooner.

414.3.3.5 Change from Non-Career to Career Candidate Appointment

Effective Date: 10/16/2024

Under certain circumstances, CS employees that are given non-career FSL appointments are eligible to request to convert to FS career candidate status, in accordance with the provisions of [ADS 415](#).

414.3.3.6 Short-Term Appointment Roster (STAR)

Effective Date: 10/16/2024

The STAR provides a listing of USAID retirees at the GS-13 or FS-2 grade/class or above who have expressed interest in short-term temporary assignments overseas or in Washington. When a Mission or USAID/W B/IO has a sudden short-term staffing need for which there is no immediate practical solution, a STAR appointment may be an appropriate mechanism.

Individuals employed by USAID through STAR receive temporary (not to exceed 120 days) CS appointments. The STAR appointment counts against the B/IO's vacant positions, and the B/IO is responsible for all costs associated with the position. For further information on STAR appointments, including the current roster and to request such an appointment, please submit a ticket to the [HR HelpDesk](#).

414.3.4 Tenuring of Career Candidates

Effective Date: 10/16/2024

“Tenuring” is a process that changes a career candidate from limited to career status after a successful trial period with the Agency. Tenure decisions in USAID are based on recommendations by a FS Tenure Board.

To be tenured as a career FSO, a candidate must possess demonstrated potential, assuming normal growth and career development, to serve effectively as a career FSO over a normal career span that extends to and includes class FS-01. The candidate must also have met all eligibility requirements by the date specified and have satisfactory work performance (see [ADS 414mad](#)).

In making its tenuring recommendation, the Tenure Board reviews the performance evaluation files of career candidates. If a career candidate does not obtain tenure, USAID terminates the employee’s limited appointment and separates them from the FS.

USAID places no numerical limit on the number of employees eligible for tenure. Employees are not reviewed comparatively with other career candidates but on an individual basis.

The operations of the Tenure Board and precepts used by the Board in making its recommendations are described in detail in [ADS 414mad](#) and [ADS 414mac, Precepts for USAID’s Foreign Service Tenure Board](#).

414.3.5 Foreign Service Pay

Effective Date: 10/16/2024

Policy directives and required procedures for FS pay for new appointees and current FS employees are located in [ADS 470, Pay Under the Foreign Service](#), and [Sections 307, 403, 404](#), and [406 of the Act](#).

For more information about FS pay when stationed abroad, see [ADS 470mad, Foreign Service Comparability Pay](#).

414.3.5.1 Appointment Salary

Effective Date: 10/16/2024

HCTM/FSC determines the appointment salary for all categories of FS employees, in accordance with the policy directives and required procedures established in [ADS 470](#).

414.3.5.2 Within-Class Salary Increases

Effective Date: 10/16/2024

All FS non-career, career candidate, and career employees are eligible to receive periodic within-class salary increases if the employees are paid at a step below the

maximum step of their salary class, in accordance with [Section 406 of the Act](#) and [ADS 470](#).

414.3.6 Retirement Coverage

Effective Date: 10/16/2024

Generally, FS appointees receive retirement coverage as follows:

- FS non-career employees may be covered under the Civil Service Retirement System (CSRS), Civil Service Retirement System (CSRS) Offset, or Federal Employees Retirement System (FERS), as appropriate.
- FS career candidates are covered by the Foreign Service Pension System (FSPS), unless they were covered under another retirement system (for example, CSRS, FERS) and converted without a break in service.

HCTM/FSC determines the appropriate retirement coverage for all FS employees, including former career employees who are reappointed or recalled.

414.3.7 Allowances, Differentials, and Other Benefits

Effective Date: 10/16/2024

Allowances, differentials, and other benefits authorized by law, rule, or regulation are available to employees covered under this ADS chapter (see [ADS 477, Allowances and Differentials](#)).

414.3.8 Termination of Time-Limited Appointment

Effective Date: 10/16/2024

[Section 612 of the Act](#) provides the authority for terminating FSL appointments, except for cause, at any time if the needs of the service so require. Separation for cause is covered under [Section 610 of the Act](#) (see [ADS 450](#)).

The SDAA/HCTM is responsible for terminating, at any time, the appointment of a career candidate employee serving under a limited appointment prior to the expiration date of the appointment. The SDAA/HCTM makes determinations for separation of career candidate employees for performance.

414.3.9 Reemployment

Effective Date: 10/16/2024

An employee of any U.S Government agency who accepts, with the consent of the head of that agency, a limited appointment in the FS under section 309 of the [Foreign Service Act of 1980](#) is entitled, upon the expiration of that appointment, to be reemployed in that employee's former position or in a corresponding or higher position in that agency. Upon reemployment under this section, an employee is entitled to any within-grade increases in pay which the employee would have received if the employee

had remained in the former position in the agency (see [Subchapter B, Section 11.20 \(a\) \(3\) of Title 22 United States Code](#), [Section 3597 of Title 5 United States Code](#), [Section 310 of the Act](#), and [ADS 412, Reemployment Rights](#)).

If the USAID Administrator, or their designee, consents to the limited appointment, HCTM must grant reemployment rights in writing to the employee before the entry on duty (EOD) date of the limited FS appointment. If the USAID Administrator, or designee, does not consent to the limited appointment, HCTM must notify the employee in writing and the employee may be required to resign their career appointment with USAID in order to take the FSL appointment.

414.4 MANDATORY REFERENCES

414.4.1 External Mandatory References

Effective Date: 10/16/2024

- a. [5 USC 2108, Veterans; Disabled Veteran; Preference Eligible](#)
- b. [5 USC 3328, Selective Service Registration](#)
- c. [5 USC 3597, Reemployment Following Limited Appointment in the Foreign Service](#)
- d. [16 FAM 215, Appeal of Medical Clearance Decision and 16 FAM 216, Administrative Waiver of Medical Standards for Candidates](#)
- e. [38 U.S.C. 43, Employment and Reemployment Rights of Members of the Uniformed Service](#)
- f. [Consolidated Appropriations Act, 2016](#)
- g. [Executive Order 10450, as amended](#)
- h. [Foreign Service Act of 1980, as amended; sections 301, 302, 303, 306, 307, 308, 309, 310, 403, 404, 406, 610, 612, 702, 703, 805, 806, 812, 815, 816, 823, 824, 825, and 904](#)
- i. [Homeland Security Presidential Directive 12](#)
- j. [Pub. L. 111-8, Omnibus Appropriations Act, 2009, Section 7059\(g\) Foreign Service Limited Extensions](#)
- k. [Pub. L. 113-291, National Defense Authorization Act for Fiscal Year 2015](#)
- l. [Selective Service System \(www.sss.gov\)](#)

m. [Uniformed Services Employment and Reemployment Rights Act of 1994 \(USERRA\)](#)

414.4.2 **Internal Mandatory References**

Effective Date: 10/16/2024

- a. [ADS 103, Delegations of Authority](#)
- b. [ADS 410, Drug-Free Workplace Program](#)
- c. [ADS 412, Reemployment Rights](#)
- d. [ADS 414mab, Waiver Process for Medical Clearance Requirements for Initial Appointments, Tenure Review and Overseas Assignments in the Foreign Service](#)
- e. [ADS 414mac, Precepts for USAID's Foreign Service Tenure Board](#)
- f. [ADS 414mad, The Tenuring Policy and Process for Foreign Service Career Candidates](#)
- g. [ADS 414mae, List of Employment Forms](#)
- h. [ADS 414mak, Foreign Service Retirement and Disability System](#)
- i. [ADS 414mal, Action Memo Template to Establish an FSL Position](#)
- j. [ADS 414 mam, Action Memo Template to Appoint an FSL](#)
- k. [ADS 414man, Action Memo Template to Extend an FSL Appointment](#)
- l. [ADS 414mao, Mandatory Retirement Age Waivers](#)
- m. [ADS 414map, Minimum Years of Experience Required for FSL Entry Level by Backstop and Class](#)
- n. [ADS 415, Civil Service to Foreign Service Appointment Program](#)
- o. [ADS 415maa, Years of Experience and Degree Required for FS Entry](#)
- p. [ADS 435, Commissions, Titles and Rank](#)
- r. [ADS 438, Foreign Language Program](#)
- s. [ADS 440, Time-in-Class \(TIC\) Limitations and Limited Career Extensions \(LCEs\)](#)

- t. [ADS 450, Termination of Limited Appointments](#)
- u. [ADS 461, Foreign Service and Senior Foreign Service Employee Performance Management and Development Program](#)
- v. [ADS 463, Foreign Service and Senior Foreign Service Promotion Eligibility Requirements and Procedures](#)
- w. [ADS 468, Foreign Service Personnel Recruitment](#)
- x. [ADS 470, Pay Under the Foreign Service](#)
- y. [ADS 470mac, Foreign Service Comparability Pay](#)
- z. [ADS 477, Allowances and Differentials](#)
- aa. [ADS 499, Overseas Employment Program](#)
- ab. [ADS 601, Funding Source Policy](#)
- ac. [Foreign Service Limited Position Opportunity Agency Notice Template](#)

414.4.3 Mandatory Forms

Effective Date: 10/16/2024

- a. [Authorization for Release of Medical Information, DS-6563](#)
- b. [Conditions of Employment for Career Foreign Service Employees](#)
- c. [Conditions of Employment for Time-Limited Foreign Service Career Candidate Employees](#)
- d. [Conditions of Employment for Time-Limited Foreign Service Non-Career Employees Assigned to Overseas Mission](#)
- e. [Conversion Evaluation Form, AID 415-2](#)
- f. [Employment Eligibility Verification Program \(E-Verify\)](#)
- g. [Notification of Personnel Action \(SF-50\)](#)
- h. [SF-86, Questionnaire for National Security Positions](#)
- i. [Tenure Evaluation Form \(TEF\), AID 414-1](#)

414.5 ADDITIONAL HELP

Effective Date: 10/16/2024

There are no Additional Help documents for this chapter.

414.6 DEFINITIONS

Effective Date: 10/16/2024

See the [ADS Glossary](#) for all ADS terms and definitions.

Appointing Officer

A person having power by law or by lawfully delegated authority to make appointments. (Chapter 414)

Appointment - Limited

An appointment of a specified duration from one to five years. (Chapter [413](#) and 414)

Appointment - Temporary

An appointment limited to a period of one year or less. (Chapter [413](#) and 414)

Backstop

Numeric code used to identify the skill category of a particular position. (Chapter 414 and [415](#))

Career Appointment

An appointment given to tenured employees. Individuals appointed or converted to career appointments are subject to Time-in Class (TIC) limitations and mandatory retirement rules. (Chapter [412](#) and 414)

Career Candidate Appointment

An employee hired for a time-limited appointment that is intended to lead to a full career with the Agency following successful completion of tenure requirements. (Chapter [412](#) and 414)

Excepted Service

Positions in the federal service not subject to appointment requirements of the competitive service. Exceptions to the normal, competitive requirements are authorized by law, executive order, and/or regulation. (Chapters [412](#), [413](#), 414)

Non-Career Appointee

An employee hired for a limited appointment, not to exceed five years, that is not intended to lead to a full career with the Agency. (Chapter 414 and [415](#))

Performance Evaluation File (PEF)

Consists of all documents to be reviewed by Promotion, Performance, Performance Standards, or Tenure Boards, in accordance with relevant ADS Chapters. The file may include Annual Accomplishment Records, Operating Unit Context Statements, Annual Performance Evaluations, Annual Evaluation Forms, Tenure Evaluation Forms, MultiSource Ratings, training record, awards, assignments history, disciplinary actions,

and language scores. (**Chapters 414, [461](#), [463](#), [464](#)**)

Qualifications

Education, experience, and other prerequisites to employment or placement in a Foreign Service position in USAID. (**Chapter 414**)

Recalled FS Employee

A career FS employee who retired under the Foreign Service Retirement and Disability System (FSRDS) or Foreign Service Pension System (FSPS) and is returned to active duty status in the same personnel category as the individual was serving at the time of retirement and to any appropriate salary class or rate. (**Chapter 414**)

Suitability

The basic standard (in EO 10450) requiring that an individual's appointment to or retention in the Federal Service must promote the efficiency of the Service. Suitability is only applicable to direct-hire employees (**Chapter 414**)

Tenure

A process that changes a career candidate from limited or conditional to career status. (**Chapter 414**)

Tenure Board

A Board established by the Foreign Service Act of 1980, as amended, to review all career candidates who meet eligibility for conversion to career status. (**Chapter 414**)

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