



USAID
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**Functional Series 400
Personnel**

INTERIM UPDATE 09-03

SUBJECT: Authority to Extend Foreign Service Limited Appointments

NEW MATERIAL: This IU announces USAID's authority to extend Foreign Service Limited Appointments for up to 4 additional years as provided by Congress, specifically, Subsection 7059(g) of the FY 2009 Omnibus Spending Bill, P.L. 111-8.

EFFECTIVE DATE: 03/11/2009

POLICY

USAID/General Notice
OHR/FSP
05/06/2009

Subject: Authority to Extend Foreign Service Limited Appointments

Background: Since FY2005, the Agency has legislative authority to hire program funded non-career Foreign Service employees (FSL) with appointments lasting up to five (5) years. The overall goal of this hiring authority is to homogenize the workforce, reduce overhead costs, and fill critical program funded needs both in Washington and overseas. There are approximately 185 program funded FSL's worldwide, many of whom are serving in our Critical Priority Posts (CPCs). We have frozen new FSL hiring and plan to use this authority almost exclusively for CPCs or activities in support of CPCs.

The appointments of the FSL's hired since 2005 will be coming to an end in 2009. FSL's hired after 2005 will subsequently reach the end of the five (5) year term limit. We sought legislative authority to extend FSL's term appointments. Congress understood this need, particularly given the fact that USAID's Career Foreign Service under DLI is now beginning to expand. As a result, the Congress provided USAID with authority to extend FSL's for up to 4 additional years. Specifically, Subsection 7059(g) of the FY 2009 Omnibus Spending Bill, P.L. 111-8 provides:

SEC. 7059. (g) FOREIGN SERVICE LIMITED EXTENSIONS - Individuals hired and employed by USAID, with funds made available in this Act or prior Acts making appropriations for the Department of State, foreign operations, and related

programs, pursuant to the authority of Section 309 of the Foreign Service Act of 1980, may be extended for a period of up to four (4) years notwithstanding the limitation set forth in such section.

In order to ensure that both Mission and Washington operations work smoothly and that permanent FS positions can be created in accordance with the buildup culminating in the doubling of Foreign Service personnel by FY 2012, the Office of Human Resources (OHR) is issuing the following guidance regarding the utilization of this new authority as it relates to existing FSLs:

--Missions and Washington operating units will be provided with updated listings of FSLs currently serving in each bureau/office/mission and will be notified of the "not to exceed" (NTE) date for each FSL within six (6) months of their NTE date.

--Operating units requesting an extension of a specific FSL will be required to submit a programmatic justification for each extension.

--Requests from Missions and Washington operating units must be cleared by the appropriate regional bureau Deputy Assistant Administrator or relevant Washington Office Director before submission to OHR.

--OHR will review each request considering the FSL extension versus the availability of USAID permanent staff with required skills to meet the operating units' needs.

--If qualified USAID staff is available, the FSL extension will be disapproved and OE funding will be provided in order to establish a permanent non-FSL position.

--FSL extensions may be approved up to 4 years but, as described above, will be re-evaluated on an annual basis by OHR.

Point of Contact: Any questions concerning this Notice may be directed to Skip Kissinger, OHR/FSP/SP, (202) 712-5424

Notice 0517

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Remarks	This IU will remain active until the policy and procedure are incorporated into Series 400.

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