

AFSA AND THE FOREIGN SERVICE ACT OF 1980

The constituents of Rep. Dante Fascell, D-Fla., in southern Miami/Dade County were a lot more concerned about astronomical interest rates and gasoline shortages in the late 1970s than they were about how the Foreign Service was organized.

So there was little to cause the future chairman of the House Foreign Affairs Committee to devote countless hours to this issue apart from his own abiding passion for strengthening this critical but neglected institution of government.

The hostage crisis in Iran would soon bring the Foreign Service of the United States into sharp public focus. However, when deliberations on the Foreign Service Act began, the tendency was toward the fragmentation of the Service, symbolized by the creation of a separate Foreign Commercial Service in the Department of Commerce.

For many of us in the middle ranks of the Foreign Service during this period, the choice was: "reform it or leave it." For their own reasons, Secretary of State Cyrus Vance and his management team also saw the need for substantial change, and began drafting a new Foreign Service Act to replace the Rogers Act of 1924 and the Foreign Service Act of 1946. On a parallel track, and following in the footsteps of the earlier reform effort led by a group known as the "Young Turks," a group of FSOs, including myself, ran as a slate in the 1979 AFSA Governing Board elections, calling ourselves the "Professional Renewal Organization (FS PROs)."

Following a hotly contested campaign, we received a strong mandate for our declared intention of shaping and supporting a new Foreign Service Act, though many had misgivings about the process. In the existing climate, there was genuine concern that the exercise was designed to merge the Foreign Service into the Civil Service System or to curtail its special benefits.

Thus, an unlikely coalition with quite distinct objectives formed among congressional leaders, foreign affairs management and the members of the Service. The AFSA team consulted by telegram with our constituents around the globe and created an agenda of

over 200 individual issues that needed to be addressed. Our goal was the creation of a single Foreign Service able to represent effectively the broad range of U.S. international interests and to provide a fulfilling career for its members. Over the next year, hundreds of AFSA volunteers — staff members, FS employees of all levels, spouses and retirees — formed committees to define

these issues, negotiate with management and make our case publicly and on the Hill. Late into the night and on weekends, on top of our day jobs, we engaged in negotiations that frequently were every bit as intense as those the Foreign Service conducts with other nations.

The issues we confronted were as much internal to our own constituencies as they were external. We sought, above all, to develop ongoing mechanisms for the Service itself to deal with these points since most of them are inherent to our profession. Key issues included the following:

FOLLOWING IN THE FOOTSTEPS OF THE "YOUNG TURKS," THE AFSA GOVERNING BOARD PLAYED A KEY ROLE LEADING UP TO THE FOREIGN SERVICE ACT OF 1980.

BY KEN BLEAKLEY

Creating a single Foreign Service system embracing different government agencies.

This basic reaffirmation of the principles of the Rogers Act brought both State management and AFSA into conflict with a formidable group of opponents. Other foreign affairs agencies were jealous of their own prerogatives. Sen. Jesse Helms, R-N.C., who later became a strong proponent of consolidation of foreign affairs functions, ardently fought the concept of a single Foreign Service that he viewed as “elitist.” The AFL-CIO saw the seeds of the demise of its “Foreign Service” bargaining unit in USIA and fielded, by our count, eight of its lobbyists to block it. Large numbers of individuals who had slipped into the Foreign Service personnel system over the years without being available for worldwide service felt threatened, though their Foreign Service privileges were grandfathered.

Had it not been for the intense public focus on the common plight of those being held hostage in our embassy in Tehran, it is doubtful that the basic premise of the U.S. Foreign Service would have survived into the 1980s. Those heroic women and men made an enduring contribution to U.S. foreign affairs. From Tehran, Charge d’Affaires Bruce Laingen, who was permitted some communication from his confinement in the Iranian Foreign Ministry, was in consultation with us as we put forth our positions on the act. So too was Ambassador Diego Asencio, separately being held hostage in Bogotá.

Ken Bleakley joined the Foreign Service in 1963, serving in the Dominican Republic, Spain, Panama, Bolivia and El Salvador. He was AFSA president from 1979 to 1981, when he left to become DCM in El Salvador, and later served as senior deputy U.S. coordinator for international communications and information policy.

After retiring from the Foreign Service in 1992, Bleakley founded First Personal Communications Inc., subsequently acquired by FONEMED, LLC. He is now the president and CEO of FONEMED (www.fonemed.com), which builds and operates medical call centers worldwide.

For many of us in the middle ranks of the Foreign Service during this period, the choice was: “reform it or leave it.”

The outcome was a final version of the Foreign Service Act that begins with a finding that: “A career Foreign Service, characterized by excellence and professionalism, is essential in the national interest.”

Reconciling the conflicting needs for a reliable promotion system, up-or-out procedures, rewards for years of faithful ser-

vice, and retention of specialized skills. By the late 1970s, promotions in the Foreign Service had come to a virtual standstill as extensions of time in a single class or in multiple-classes, as well as reluctance to use selection-out for low ranking, became commonplace in the senior ranks. Compounding the situation was a perception that the Foreign Service was out of step with the Civil Service after the creation of the Senior Executive Service with a threshold that did not then exist in the Foreign Service. This was an especially divisive issue pitting senior officers threatened by change against others who demanded it. The senior officers who were most vocal in their opposition, however, never organized themselves into a cohesive interest group, unlike other groups with special concerns such as the staff corps, USIA and Foreign Commercial Service officers, spouses, and minority groups. Each of these groups had formal organizations and presented the AFSA Governing Board with strong positions on the issues of special interest to them.

A Team Effort

Foreign Service members stationed around the world worked with the AFSA team in debating and influencing every provision of the chapter of the act dealing with promotion and retention. We insisted on transition provisions to ease the impact on those most affected by the new provisions. At one point, debate with management over critical details of these provisions became so intense that the AFSA delegation walked out of the talks and threatened to scuttle the act. In the end, we believed we had achieved a fair balance between protection of individual officers and the need for fluidity within the system. We never doubted, however, that the subject would require constant monitoring by our successors to preserve this precarious balance.

F O C U S

Recognizing and rewarding the professional nature of support functions in the Service and enhancing the status of spouses accompanying personnel overseas. During the 1970s, more names of those killed in overseas service were added to the AFSA memorial plaques in the State Department lobby than in the entire previous history of the U.S. The world of diplomacy was changing, and increased danger was an important aspect of it. Members of all agencies and all specialties — communicators, secretaries, security personnel, couriers and many others — shared the essential demands of worldwide availability, as did their spouses. It was time to eliminate the distinction between “officers” and other members of the Service labeled simply as “employees,” as well as to deal with the special issues affecting spouses.

Thea De Rouville, a career Foreign Service staff officer and the only non-member of the PRO slate, was elected vice president of AFSA in 1979. She mobilized

the “staff corps” worldwide and turned dissidence into an effective and articulate vehicle of reform. Her contributions to the formation and implementation of the Foreign Service Act profoundly changed the structure of the institution. The Association of American Foreign Service Women, now the Associates of the American Foreign Service Worldwide, ensured that spousal concerns, particularly employment opportunities, survivor benefits and protection for former spouses, all received appropriate attention.

The legislation that emerged in 1980 seeks to avoid the distinctions that previously existed that implied preferential status to one category or another. It consistently refers to all Foreign Service personnel as “members of the Service” and establishes a single Foreign Service pay schedule. And it provides for training for spouses and protection for former spouses.

Balancing the role of the professional organization representing all members, including senior



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officials and management, with that of labor union. Pat Schroeder, D-Colo., Chairman of the House Post Office and Civil Service Committee, sought to assure consistency between the Foreign Service Act and the Civil Service Act wherever possible. However, this required a framework that could reconcile Civil Service "rank in job" provisions with the Foreign Service "rank in person" system, under which members periodically move into and out of management positions. To deal with this conflict required creation of a personnel system unique to the Foreign Service in which positions, not rank, determine who is "management" (and therefore is excluded from the bargaining unit while in that position).

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This conflict also affected the crucial issue of representation in grievance proceedings. AFSA sought to have discretion as to whom it represented in such proceedings. We did not want to be compelled to support cases that would undermine service discipline, but we did wish to represent all members in issues where the principles of the profession were at stake.

In the end, we were reasonably successful in broadening the base of the bargaining unit. However, we were unsuccessful in narrowing the scope of our grievance representation responsibilities; AFSA is not permitted to deny grievance representation based on its view of the merits of the case.

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and promotion system that is representative of all Americans, and defining the use of non-career personnel. It was our perception that the growing use of Foreign Service Reserve officers and Civil Service employees to fill overseas positions, and the existence of "Foreign Service" personnel with no commitment to overseas service, had seriously undermined the principles of the Rogers Act.

This tendency was also evident in the trend toward appointing non-career personnel as ambassadors, frequently without regard to their qualifications.

In addition, we recognized the need for the Foreign Service to rectify all too many years of under-representation of minorities and women, particularly in the upper ranks, but to do so without sacrificing the objective, competitive criteria for recruitment, promotion and retention on which the Foreign Service is based.

All of these issues were sensitive and charged with emotion. It was necessary for leaders of the AFSA team to meet privately with Under Secretary for Management Ben Read, as well as with Secretary Cyrus Vance, Deputy Secretary Warren Christopher and Under Secretary for Political Affairs David Newsom, to reconcile divergent views on the subject. Out of these informal sessions we developed the compromises that we were able to present jointly to the Hill and to our own constituency.

The Outcome

The general provisions of the Foreign Service Act captured the essence of these compromises in laying out the need for a professional service, the qualities required of its members, the merit principles to be followed in recruitment, advancement and separation, and the measures, including affirmative action, for achieving a more representative Service. The act was equally forceful in prescribing narrow criteria for use of non-career people to fill Foreign Service positions, especially ambassadorial appointments.

In the end, we got most of what we went after. We also achieved pay raises for many Foreign Service

Two FSOs, Bruce Laingen and Diego Asencio, contributed to AFSA's efforts even while being held hostage in Tehran and Bogotá, respectively.

employees. The compensation provisions were incidental to the act, but proved a major incentive to Foreign Service recruitment and retention. By resetting pay equivalencies at specific levels, it was possible to raise junior and middle-grade Foreign Service pay to the levels that their Civil Service counterparts of similar experience and education were earning. Similarly, introducing

performance pay (despite the opposition of several senior FSOs who considered it demeaning) benefited senior members of the Foreign Service by providing tangible rewards for exceptional service. Finally, the reaffirmation and expansion of pension provisions, hardship and danger differentials and the introduction of special differentials for those required to perform additional work on a regular basis spread these benefits widely throughout the Service.

In promoting these and other core concerns of the Service, the advice and support of former FSO Rep. Jim Leach, R-Iowa, were invaluable. So, too, was the contribution of AFSA Retiree Representative Amb. Charlie Whitehouse in winning the active support of the Senate Foreign Relations Chairman, Claiborne Pell, D-R.I. But most crucially, whenever we needed to mobilize our "troops" to overcome the objections of Sen. Helms or the AFL-CIO to specific provisions, or the general apathy of most of the Congress toward this arcane bill, AFSA members and their families visited the Hill, made phone calls, wrote letters, and sent telegrams from around the world.

The many professional issues we sought to address did not and will not go away. However, I believe those of us who participated in the process of overhauling the Foreign Service created better mechanisms for dealing with them — and not just in the 1980 Act itself. The devil is in the details, but the carefully crafted conference report accompanying the legislation has frequently given our successors ammunition to bolster AFSA's interpretation of the act. ■