

Policy: Reappointment of Former Members of the Foreign Service

Section 1. Purpose. To establish U.S. Commercial Service policy for reappointment of former career members of the U.S. Commercial Service Foreign Service to Foreign Service positions.

Section 2. Authority. Section 308 (b) of the Foreign Service Act of 1980 (22 USC 3901 et. Seq.) establishes the authority to reappoint former career members of the Service under Section 302 (a) (1) or 303, without regard to Section 306, in a salary class appropriate in light of the qualifications and experience of the individual being reappointed. Reappointments under the provisions of Section 302 (a) (1) will be made by the President, with the advice of the Senate.

Section 3. Coverage. This issuance applies to all former U.S. Department of Commerce career Foreign Service Officers except the following: those who retired or who were separated under Sections 607 (Time-in-Class (TIC)), 608 (performance), or 610 (separation for cause) of the Foreign Service Act, or who resigned or retired in lieu of selection-out, or separation for cause, or after a proposal for disciplinary action was issued.

Section 4. Reappointment Policies.

.01 Eligibility for Reappointment. Applicants must:

- a. Be available for directed assignment worldwide.
- b. Be available to complete the full term of the assignment (typically three-to-four years).
- c. Be available to complete any required language training in Washington, DC.
- d. Apply within timing parameters stipulated in Section 4.02 below.
- e. Not have:
 1. previously received an offer of reappointment, or
 2. terminated the reappointment process after the Reappointment Panel interview, or
 3. been terminated for failure to adhere to reappointment procedures, or
 4. applied and been rejected after the Reappointment Panel interview.

.02 When Individuals Are Eligible to Apply.

- a. Applicants who separated as members of the Senior Foreign Service (SFS; Officer Counselor and above) may apply at any time after separation.
- b. Non-SFS applicants who remained employed full time in the International Trade Administration (ITA) may apply for reappointment not later than seven years from the date of separation.
- c. Non-SFS applicants who did not remain employed full time in ITA may apply for reappointment not later than five years from the date of separation.

.03 Class of Reappointment. Former members will be reappointed to a class no higher than the class from which they separated.

.04 Determination of Need. Reappointment opportunities will be based on a rigorous determination of need developed by Commercial Service Human Capital (CSHC) and certified by the Director General.

.05 Applicant Evaluation and Selection.

- a. Applicants will be evaluated by a Reappointment Panel selected by the Director General, and consisting of two career Foreign Service Officers and one civil service employee, all of whom are at least one grade above the grade proposed for reappointment of the applicant.
- b. A Reappointment Panel will conduct an interview (which may be in person or remote), and will make a recommendation to the Director General, who will make the final decision. For recommendations in favor of reappointment, the Director General must also concur and in such cases will sign a letter offering the applicant reemployment, subject to completion of pre-employment clearances. If the Director General does not concur, the applicant will be notified that the application was not successful. If the Panel does not recommend reappointment, the Director General may supersede the Panel and offer reappointment. In such cases, the Director General must provide a memorandum to the file containing a supporting rationale. The applicant will be notified of the outcome.
- c. The decision of the Director General is final and may not be appealed.
- d. A Reappointment Panel may recommend that the applicant be hired at a lower class than that requested by the applicant and certified by the Director General. However, in such cases, a new Certificate of Need, at the lower class level, must be prepared. Final determination of grade at reappointment is made by the Director General; actual salary determination within the approved grade is made by CSHC.