THE FOREIGN SERVICE JOURNAL

PUBLISHED BY THE AMERICAN FOREIGN SERVICE ASSOCIATION

JANUARY-FEBRUARY 2023

THE AFSA UNION AT 50

STANDING TOGETHER

THE FOREIGN SERVICE JOURNAL
January-February 2023 Volume 100, No. 1

Focus on AFSA as a Union at 50

Feature

THE FOREIGN SERVICE JOURNAL

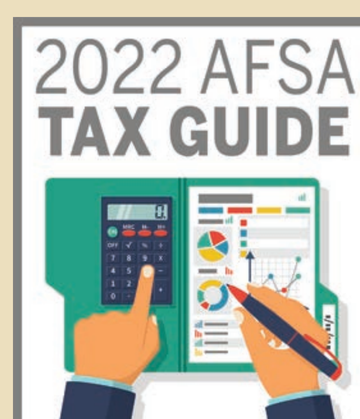
Perspectives

Departments

Marketplace

AFSA NEWS

THE OFFICIAL RECORD OF THE AMERICAN FOREIGN SERVICE ASSOCIATION



58

On the Cover—Art by Alexandra Bowman.

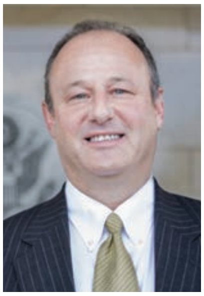
You Are AFSA: AFSA Needs You

BY ERIC RUBIN

As we look forward to a new year with sincere hopes for peace, health, and security, we do not mourn the end of 2022, a year that saw the return of large-scale war and suffering to the European continent, the lingering COVID-19 pandemic, and the increasing evidence of climate change affecting much of the world. We, America's professional diplomats and international development specialists, can be proud of our efforts to defend and advance our country's security and prosperity and the cause of peaceful settlement of disputes, which is the central meaning of diplomacy.

This new year is also an important one for AFSA. We celebrate the 50th anniversary of AFSA as the labor union and sole legal bargaining agent for the Foreign Service of all six foreign affairs agencies and departments—the Department of State, U.S. Agency for International Development, Foreign Commercial Service, Foreign Agricultural Service, Animal and Plant Health Inspection Service, and U.S. Agency for Global Media.

One by one, beginning in 1973, FS employees of the agencies elected AFSA as their bargaining agent, starting with



the State Department. In the Jan. 26, 1973, letter to AFSA board chair William Harrop, Secretary of State William Rogers writes:

There is an additional reason why 2023 is important: It is an election year for AFSA.

"Having received notice from the Executive Secretary of the Employee-Management Relations Commission of the certification that the American Foreign Service Association received a majority of the valid votes cast in the representation election among the eligible Foreign Service employees of the Department, I hereby accord recognition to your organization as exclusive representative.

"I am confident that the constructive and cooperative relationship between management officials and the organization representing Foreign Service employees envisioned by Executive Order 11636 will be our mutual goal under the exclusive recognition granted by this letter."

Ambassador Tom Boyatt, who was part of the AFSA team that led the way to unionization, tells this story as only he can, of how AFSA went from a polite diplomats' society to a strong union and powerful advocate for the career Foreign Service.

This is also AFSA's 99th year, and we are planning events and initiatives to mark not only AFSA's centennial in 2024, but also the centennial of the modern U.S. Foreign Service, created by the Rogers Act of 1924 that merged the diplomatic and consular services into one new federal corps.

There is an additional reason why 2023 is important: It is an election year for AFSA. Every two years, our members choose the governing board that oversees AFSA's mission and work. This year, we are heading into the election period with a series of proposed reforms to our bylaws that aim to take into account the changes in how we work and live in a world altered by pandemic and technology.

I strongly urge AFSA members to approve the proposed amendments as part of this election. The proposals were carefully considered before being issued, and the current board strongly believes that each will make the association stronger. We have taken the lessons of the last few years and attempted to apply them to AFSA's governance going forward. To that end, we suggest amendments relating to board meeting participation; the voting period for AFSA elections (reflecting the almost-exclusive use of online voting); making an allowance of board continuity during public emergencies; and updating old language that no longer appropriately describes how AFSA operates today.

An important proposed bylaw amendment would allow certain board representatives to serve from overseas. Until now, all AFSA Governing Board members have been required to be

Ambassador Eric Rubin is the president of the American Foreign Service Association.

resident in the Washington, D.C., area and attend monthly board meetings in person. If the changes are adopted, we will still require members of the AFSA Executive Committee as well as State and retiree representatives to be resident in the D.C. area, but other agency representatives will be able to serve from overseas and attend board meetings virtually. Therefore, up to a quarter of the board could serve from abroad.

We believe this is an essential change that will increase representation and participation without detracting from the effectiveness of the board. The full language of these proposals starts on page 53 in AFSA News and will be shared again with members by email in mid-January. You can also find it on the AFSA website at www.afsa.org/election.

In recent years, AFSA and the Foreign Service have navigated the treacherous shoals of impeachment, COVID, and the war in Ukraine. AFSA has helped achieve major changes to legislation that protect our members and their families and ensure that their service is less onerous, from in-state college tuition for FS kids to the guaranteed right to cancel leases and contracts in connection with service overseas.

AFSA has played a significant role in fixing the rules that govern assignments for members with special-needs children, and in navigating changes to Foreign Service entry and support for members with disabilities. AFSA has contributed to serious efforts to address the lack of diversity in our Service, and to combat bullying and toxic workplace culture. There is much more to be done.

That is why I am making an appeal to all AFSA members: please consider running for a seat on the AFSA Governing Board. The Call for Nominations is in this month's AFSA News and will be disseminated to members by email in mid-January. All seats on the board are open. The president and the four vice presidents for State, USAID, FCS, and FAS are full-time active-duty positions, considered as details to AFSA under our framework agreements with the agencies. The AFSA secretary and treasurer can be active-duty or retired, and the retiree VP comes from the constituency of retired members. All these positions, as well as the six State representative positions, require in-person attendance at monthly board meetings in Washington. If the bylaw amendments are approved, then other agency representative positions—one each for USAID, FCS, FAS, APHIS, and USAGM—can be filled by members in Washington or remotely.

We want AFSA to represent our Service in all of its diversity: racial and ethnic; gender; career tracks, skills, and backstops; geographic; and multi-agency service. To be successful, we need members to run for the AFSA Governing Board. Now that the election announcement is out, I hope that many of you will consider running for AFSA positions. Please reach out to current constituent vice presidents and representatives with any questions about the roles. The union and professional association is only as strong as its Governing Board. As we head into a new year that promises to bring new challenges and new opportunities, we need you to consider serving our Service, our members, and our profession.

Thank you for your membership, thank you for your dedication to service, and thank you for all that you do to support our country and the causes of diplomacy and international development. As always, AFSA is at your service: please email us at member@afsa.org.

The AFSA Union At 50

BY SHAWN DORMAN

Happy New Year, and happy 50th anniversary to the AFSA union!

What has it meant for the American Foreign Service Association to be the exclusive representative for the Foreign Service, and what does it mean for the future of diplomacy? Find out in this edition.

> The next AFSA Governing Board will usher in the second century of the U.S. Foreign Service, and AFSA, in 2024.

AFSA President Eric Rubin begins our coverage with a look at how AFSA secured unionization, highlighting the Jan. 26, 1973, letter from the Secretary of State confirming the new status for AFSA as the exclusive bargaining agent for the Foreign Service of the State Department.

There at the creation, Ambassador Tom Boyatt tells the compelling story of the entry- and mid-level diplomats who led the way, in “When Lightning Struck Twice: How AFSA’s ‘Young Turks’ Launched the Union.”

AFSA Retiree Vice President and former AFSA President John Naland then tells us *why* it matters that AFSA became a union. Highlighting the unique nature of a union that is also a professional association, he explains how AFSA is able to defend the interests of individual members while also looking out for the good of the Foreign Service as an institution and a profession.

USAID Vice President Jason Singer brings us a clear-eyed look at USAID’s need for a union and describes the crisis-level challenges to the survival of its Foreign Service. While “workforce planning” may not be a glamorous topic, Singer explains how “decades of hiring workarounds and the agency’s patchwork, fragmented, and seemingly ad hoc approach to strategic workforce planning have diluted USAID’s career employee workforce.” To rebuild, he points to opportunities available today.

In a collection of *FSJ* Archive excerpts, we trace the path to unionization over 50 years.

In the Speaking Out, “Schedule F: Let’s Deprofessionalize Government and Make America Irrelevant Again,” Ambassador Dennis Jett puts a fine point on the potential resurrection (and destructive power) of “Schedule F,” a Trump-era executive order (rescinded by President Biden) that would strip federal employees involved in policy work of career protections and due process.

In the Feature, Ambassador Ken Quinn, horrified by the combat-style attack on the 2022 Fourth of July parade in Highland Park, Illinois, remembers his harrowing experience in Cambodia 25 years ago, in “When Terror Strikes Home: Covering Our Children While Protecting All Americans.”

Shawn Dorman is the editor of The Foreign Service Journal.

Retired FSO Vincent Chiarello shares his Reflections on “Holding History in the Vatican’s Secret Archives.” And in the Local Lens, former FSO Michael Longhauser takes us to the Holy Fire ceremony in Jerusalem’s Church of the Holy Sepulchre held the day before Orthodox Easter every year for more than a millennium.

This month’s weighty AFSA News includes the ever-popular and useful annual tax guide as well as the call for nominations for the 2023-2025 AFSA Governing Board.

That’s right, AFSA is entering election season. Rules for running for office and a set of proposed bylaw amendments are spelled out in AFSA News. I hope every Foreign Service reader will take this opportunity to consider what you can do for your union. Maybe it’s time to run for an AFSA officer position. Nominations, including self-nominations, are due by Feb. 15.

The next AFSA Governing Board will usher in the second century of the U.S. Foreign Service, and AFSA, in 2024. Whether or not you run for office, please remember to participate in the election by voting in the AFSA election when that time comes.

As always, we want to hear from you. Please send letters and article submissions to journal@afsa.org.

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THE MAGAZINE FOR FOREIGN AFFAIRS PROFESSIONALS

The Foreign Service Journal (ISSN 0146-3543), 2101 E Street NW, Washington, D.C. 20037-2990 is published monthly, with combined January-February and July-August issues, by the American Foreign Service Association (AFSA), a private, nonprofit organization. Material appearing herein represents the opinions of the writers and does not necessarily represent the views of the *Journal*, the Editorial Board or AFSA. Writer queries and submissions are invited, preferably by email. The *Journal* is not responsible for unsolicited manuscripts, photos or illustrations. Advertising inquiries are invited. All advertising is subject to the publisher's approval. AFSA reserves the right to reject advertising that is not in keeping with its standards and objectives. The appearance of advertisements herein does not imply endorsement of goods or services offered. Opinions expressed in advertisements are the views of the advertisers and do not necessarily represent AFSA views or policy. *Journal* subscription: AFSA member–$20, included in annual dues; student–$30; others–$50; Single issue–$4.50. For foreign surface mail, add $18 per year; foreign airmail, $36 per year. Periodical postage paid at Washington, D.C., and at additional mailing offices. Indexed by the Public Affairs Information Services (PAIS).

Email: journal@afsa.org
Phone: (202) 338-4045
Fax: (202) 338-8244
Web: www.afsa.org/fsj
Address Changes: member@afsa.org

PRINTED IN THE U.S.A.

Postmaster: Send address changes to
AFSA, Attn: Address Change
2101 E Street NW
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WikiLeaks Harm: We Must Help

Yes, we must help those imprisoned because of talking to us.

I agree with Niels Marquardt in his Speaking Out piece in the October 2022 *FSJ*, "WikiLeaks Damage Lives On: The Case of Marafa Hamidou Yaya," that there should be no sympathy for Julian Assange nor, in my view, for Chelsea Manning. (It's helpful to remember that Assange's original extradition was for accusations of rape, sexual molestation, and coercion—he is not an upstanding guy.)

I don't know of any Foreign Service officers, especially any of those who have been in the Service more than a decade and who have written reporting cables, who feel differently.

Marquardt is right that especially in parts of Europe, Assange gets held up as some sort of hero for "exposing" the government through WikiLeaks (while they ignore the sexual assault charges, I guess). For years, when I've made points about why WikiLeaks was terrible for democracy, I've mentioned the lack of safety for our human rights contacts as the top reason. I wasn't, however, able to point to any particular example of that, until now.

In his article, Marquardt (a former ambassador to Cameroon) makes a strong case for helping the northern Cameroonian former government official Marafa Hamidou Yaya, whom Marquardt says years ago spoke in confidence to our embassy about his political intentions. When the cable went into WikiLeaks, the local press picked it up, and Yaya was arrested and jailed.

Now after 12 years in prison, Yaya is ailing. Yet despite U.N. and some U.S. efforts, he remains imprisoned, and Marquardt is pleading for the State Department to push hard for his release. I agree with Marquardt—and the seven other former U.S. ambassadors to Cameroon working with him—that we owe Mr. Yaya all our efforts to get him freed, and that the moment is now. He suggests we write to our members of Congress for support and also ask the Bureau of Intelligence and Research to look into finding other cases like Yaya's.

Even so many years later, it's never too late to help somebody who took time to talk with us believing the conversation would be kept safe. Even if not our fault that the cables got leaked, we do have a responsibility to help.

Kristin M. Kane
Foreign Service officer
Minister-Counselor
Washington, D.C.

Grievance System History Redux

John Naland's history of the FS grievance system in the October 2022 *Journal* accurately summarizes how the suicide of Foreign Service Officer Charles Thomas contributed to the FS Grievance Board's origins and provides new information on Thomas' tour at Embassy Mexico City.

But Naland's passing mention of the litigation brought by "the Civil Service union, the American Federation of Government Employees" (AFGE), overlooks the extent to which the initiative was led by Foreign Service officers, notably the late Gene Preston, Harrison Sherwood, Alison Palmer, and John Vincent.

They joined AFGE's State/AID Local 1534 in 1970 to challenge the absence of due process in Foreign Service selection-out and other personnel inequities and to create a grievance procedure and labor-management bargaining process. In the face of State's unyielding resistance, and AFSA's role at the time as a professional association, they believed a union affiliated with the AFL-CIO to be a more promising means to achieve their goals.

In 1971, Local 1534 and USIA's AFGE Local 1812 formed a Foreign Affairs Employees Council and created the Charles William Thomas Memorial Legal Defense Fund, with Preston serving as president of the council and the fund. The fund established a National Advisory Committee led by former Assistant Secretary of Labor Leo Werts, Ambassador Fulton Freeman, and AFGE National President Clyde Webber.

After much delay, the IRS gave the fund tax exempt status, the first time for a union-sponsored legal defense fund. AFL-CIO unions, foreign affairs employees, and individuals sympathetic to issues raised by Thomas's death contributed to the fund, which enabled it to retain the prestigious Washington firm Hogan and Hartson to challenge lack of selection-out due process in court.

In November 1971, attorneys William O. Bittman and George Miller met with Under Secretary of State for Management William Macomber and Director of Foreign Service Personnel Howard Mace to state their intent to seek an injunction on selection-out of serving officers who had not been given due process. I attended the meeting as the fund's USIA trustee with Preston and other union representatives and later served as the fund's president when Preston was assigned to Nigeria. The Thomas Fund agreed not to litigate in return for a moratorium on selection-out and initiation of collective bargaining negotiations leading to implementation of due process procedures.

Macomber and Mace refused to negotiate, but they instituted a moratorium as a way to block litigation. When State eventually lifted the moratorium, Bittman and Miller brought suit on behalf of several selected-out officers. In 1973, U.S. District Court Judge Gerhard Gesell ruled in *Lindsay v. Kissinger* that State's regulations were "constitutionally defective," that Foreign Service officers are "entitled to more than a conclusory form of notice," and that selection-out requires a "fair hearing" and "procedural safeguards."

As Naland observes, AFSA supported the suit with an amicus brief and thereafter played an important role in decisions to create the FSGB.

Bruce Gregory
Civil Service employee, retired
Washington, D.C.

Setting the Record Straight on Chile

September 11, 2023, will mark 50 years since the coup that overturned the government of Salvador Allende of Chile. Most Americans, and indeed most of the world, believe that the United States played a significant role in the undermining and overturning of Dr. Allende's government.

In actuality, the United States played a totally honorable role during the years of President Allende's rule, and I am writing because the occasion of the anniversary of the coup may give our government an opportunity to set the record straight. The esteem in which our country is held might benefit from a correct knowledge of the events of those years.

In 1973 it was easy to believe that the government of President Richard Nixon and his colleague Henry Kissinger would have been guilty of covert CIA activity to weaken and end the rule of an avowedly communist-socialist government. Indeed, in 1970, such plans were considered by the Nixon administration, and investigations by the U.S. Senate in 1975 revealed them.

A subcommittee of the Senate Foreign Relations Committee did a thorough investigation of those years in Chile, in 1975, under the chairmanship of Senator Frank Church (D-Idaho). Their findings are summarized in *The Last Two Years of Salvador Allende,* a history of the period written by my late husband, Nathaniel Davis, who was ambassador to Chile (1971-1973).

As the hearings drew to a close, Senator Church made this comment (page 331):

"As the chairman of the Senate Committee which investigated the Chilean affair, I wish to state for the record that Nathaniel Davis never appeared to have actively engaged in covert efforts to subvert the elected government of Chile. Rather, the available evidence suggested that Davis opposed such a conspiracy and sought to maintain a correct relationship with the Chilean regime."

Even with the findings of the Senate committee, there was not much inclination by anyone to defend the policies of President Nixon, who was by then out of office and disgraced. There were extensive attempts to find documents to verify the beliefs of Dr. Allende's supporters, but they were without success, and I have been assured that all documents that could be procured using the Freedom of Information Act have been investigated.

I will close with a story that has given me pleasure over the years. The chief administrative assistant during the Senate investigation was a young man named Greg Treverton. As the investigation was closing, Greg took my husband aside and said, "When we began the investigation, we thought that you were the 'bad guy,' the cowboy in the black hat. Now that we have finished, we realize that you were the cowboy in the white hat."

Elizabeth C. Davis
Wife of FSO Nathaniel Davis
Pomona, California

DEIA in Practice

It's hard to applaud an obituary, especially one that so intensely reflects overwhelming grief [Mohammad Ali Alnajadah, In Memory, November 2022 *FSJ*, page 74]. But AFSA's publication of the loss of a Foreign Service officer's same-sex partner shows the world that America practices the inclusive equality we preach.

I.G. Smyer
RLA/USAID, retired
Seattle, Washington

Share your thoughts about this month's issue.

Submit letters to the editor: journal@afsa.org

TALKING POINTS

Soccer Diplomacy

The group stage of the 2022 FIFA World Cup tournament, which drew to a close in early December, not only served up world-class athletics, but also highlighted geopolitical competition and domestic turmoil off the pitch.

In a face-off that many compared to the Cold War "Miracle on Ice" hockey match between the U.S. and the then Soviet Union in 1980, the Nov. 29 soccer match between the U.S. and Iran came amid heightened tensions between the two countries.

Following the refusal of Iranian players to sing their national anthem at the beginning of their match against England on Nov. 21—a gesture of solidarity with anti-government protesters at home—CNN reported that the families of team members were threatened with imprisonment and torture by the Iranian National Guard if the players failed to "behave."

Ultimately, Iran was knocked out of the competition by the U.S. team. But scenes of American players consoling their opponents after the final whistle brought a measure of humanity to the tenseness of competition, wrote Yahoo Sports.

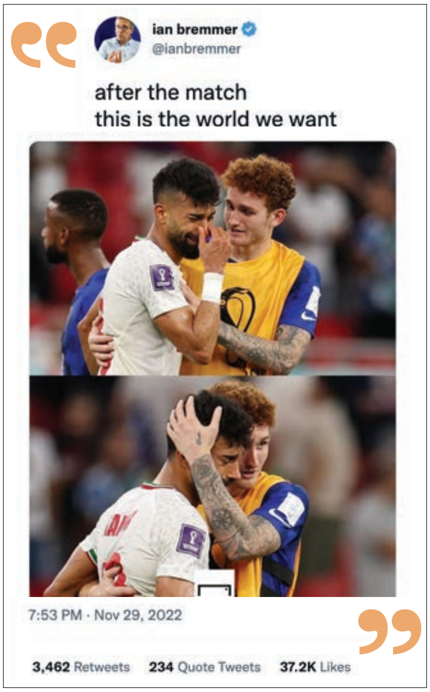
In a match that highlighted ethnonationalism in the Balkans, Serbia's 2-3 loss to Switzerland sparked offensive epithets from Serbian head coach Dragan Stojkovic against two Swiss players who have ethnic Albanian roots and family ties to Kosovo. FIFA has announced a probe into the alleged misconduct, including "racist actions of Serbian fans," according to Radio Free Europe.

Secretary of State Antony Blinken traveled to Doha to attend the tournament, using the trip to launch a bilateral dialogue with Qatari officials.

Yet despite the country's role as a strategic U.S. partner, hosting a large number of American troops at the Al-Udeid Air Base, which is the forward headquarters of U.S. Central Command and U.S. Air Force Central Command, the setting itself remained mired in controversy and human rights criticisms.

In a press release on Nov. 17, Human Rights Watch announced it was joining migrant workers and their families in demanding compensation from FIFA and Qatari authorities for "abuses, including unexplained deaths, that workers suffered preparing" infrastructure for the tournament.

Contemporary Quote



—Ian Bremmer, president of Eurasia Group, after Iran's loss to Team USA, in a Nov. 29 tweet.

Afghanistan Report Questions State, USAID

In its 57th quarterly report to Congress, released in October 2022, the Special Inspector General for Afghanistan Reconstruction (SIGAR) found that the U.S. has provided more than $1.1 billion in assistance to Afghanistan since the Taliban's takeover in August 2021. But how the funds were spent remains somewhat unclear.

SIGAR says that, for the first time in its history, it is "unable to provide … a full accounting of this U.S. government spending" because USAID and the Treasury Department "refused to cooperate with SIGAR in any capacity, while the State Department was selective in the information it provided … sharing high-level funding data but not details of agency-supported programs in Afghanistan."

The State Department and USAID deny the allegations.

One spokesperson told *Government Executive* in late October that "the State Department has provided SIGAR written responses to dozens of questions, as well as thousands of pages of responsive documents, analyses and spreadsheets describing dozens of programs that were part of the U.S. government's reconstruction effort in Afghanistan, despite the fact that the U.S. stopped providing assistance for the reconstruction of Afghanistan following the Taliban takeover in August 2021." USAID offered a similar statement.

On Oct. 25, House Representatives James Comer (R-Ky.) and Glenn Grothman (R-Wis.) sent a letter to SIGAR Director John Sopko that accused the Biden administration of "obstructing [SIGAR's] work by failing to produce required information." The letter, which serves to highlight how the withdrawal from Afghanistan has become steeped in partisanship, requests a briefing on oversight efforts.

As for the SIGAR report itself, one section is devoted to the suppression of one of reconstruction's most important achievements in the country: the development of an independent Afghan media. Since the Taliban takeover, the report states, the media sector has largely collapsed under restrictions and censorship. Without long-term, institutional support, Afghanistan's media may not withstand the Taliban's efforts to completely control the flow of information about the country.

SIGAR also noted the heightened personal safety risks and loss of empowerment for Afghan women and girls, and the acute risk faced by the health care and education sectors. The report concludes that current conditions are similar to those under the Taliban in the 1990s.

Finally, financial audits of U.S.-funded projects identified more than $10 million in questioned costs and deficiencies by government contractors.

COP27 Culminates in New Fund

As negotiations over a historic fund and fossil fuel emissions dragged on, the latest United Nations climate summit, COP27, lasted nearly two days longer than expected. By Nov. 20, however, a breakthrough agreement was announced that sets up a "loss and damage" fund offering vulnerable nations financial assistance in coping with the climate crisis, *The Washington Post* reported.

For more than 30 years, developing countries have called for such a fund, asking wealthier industrialized nations to provide compensation for the costs of climate disasters fueled by global warming. The U.S. and other countries have long blocked the proposal, fearing legal liability for greenhouse gas emissions. According to *The New York Times*, the new agreement says nations cannot be held legally liable for payments.

A relentless pressure campaign, led by Pakistan and supported by more than 130 developing nations, fought to establish the fund. The countries argued that they did little to contribute to a crisis that threatens their survival.

Despite this development, countries at the summit failed to commit to phasing down fossil fuels or coal.

"A fund for loss and damage is essential—but it's not an answer if the climate crisis washes a small island state off the map or turns an entire African country to desert. The world still needs a giant leap on climate ambition," U.N. Secretary-General António Guterres wrote in a Nov. 20 tweet.

No Respite for Ukraine

Despite hopes that the onset of winter might lead to a slowdown in fighting, the Kremlin's war of aggression rages on in Ukraine. November and December saw Russia step up its missile strikes against Ukrainian energy infrastructure, leading to rolling blackouts across the country and leaving many without heat and water as temperatures plummet.

Secretary of State Antony Blinken called the attacks "barbaric," *The Hill* reported. "We know President [Vladimir] Putin's playbook: freeze and starve Ukrainians, force them from their homes, drive up energy, food and other household costs, not only across Europe but around the world, and then try to splinter our coalition."

In addition to continuing to invest in Ukraine's defense—more than $19 billion since January 2021—the U.S., including

HEARD ON THE HILL

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Fighting Uyghur Persecution

H.R. 4785 [Uyghur Policy Act] will mandate Uyghur language instruction at the Foreign Service Institute and require the State Department to station a Uyghur-fluent officer at Mission China locations. The bill also authorizes support for Uyghur human rights activists and directs the U.S. Agency for Global Media to disseminate news and information regarding Uyghur genocide.

We must act now to leverage U.S. soft power, garner international support for Uyghurs and other ethnic minorities in Xinjiang, and equip the State Department with the tools it needs to better respond to Xi Jinping's genocidal campaign.

—Representative Young Kim (R-Calif.), H.R. 4785 bill sponsor, in a Nov. 29 floor statement.

The Need to Confirm Ambassadors

Today, diplomats are more critical than ever in advancing U.S. foreign policy and national security interests as the global security landscape is experiencing probably the most seismic shifts since World War II. And while our diplomatic impact is forged and sustained by the dedicated public servants of the Foreign Service, we must have qualified, confirmed ambassadors on the ground to lead and support them. To tackle the myriad complex challenges we're facing, we have to have ambassadors heading our embassies and representing us in multilateral organizations.

—Senator Jeanne Shaheen (D-N.H.) in a Senate Foreign Relations Committee nomination hearing on Nov. 29.

Podcast of the Month: *Odd Lots* (www.bloomberg.com/oddlots-podcast)

Bloomberg's podcast Odd Lots, co-hosted by financial journalists Joe Weisenthal and Tracy Alloway, explores complex economic issues and the latest market crazes every Monday and Thursday.

Recent episodes have covered the role of the economy in demonstrations across China, how the downturn in tech stocks will affect Silicon Valley, and the rise of Guyana in the global oil industry.

The appearance of a particular site or podcast is for information only and does not constitute an endorsement.

through USAID, is pledging additional money to help restore Ukraine's energy grid and repair and maintain destroyed equipment.

After U.S. National Security Adviser Jake Sullivan's quiet visit to Kyiv in early November, where, according to *The Washington Post*, he urged openness to diplomatic channels with Russia, Ukrainian President Volodymyr Zelenskyy outlined his conditions for peace negotiations. He said Ukraine requires "restoration of territorial integrity, respect for the United Nations charter, compensation for all material losses caused by the war, punishment for every war criminal, and guarantees that this does not happen again."

A spokesperson for the Kremlin said on Dec. 2 that "President Putin has been, is and remains open for negotiations. The most preferable way to achieve our interests is through peaceful, diplomatic means."

Such efforts proved successful when it was announced on Dec. 8 that Brittney Griner, the American basketball player jailed in Russia on drug charges, was freed in a prisoner swap with Russian arms dealer Viktor Bout.

Nevertheless, Department of Defense officials assess President Putin may use chemical weapons in Ukraine and other "unconventional warfare" tactics before resorting to a nuclear confrontation with NATO if his troops continue to lose ground, *Politico* reported on Nov. 23.

As of early December, Ukraine's drone strikes had begun reaching into Russia, hitting military bases and proving the country is capable of taking the war to the aggressor.

New Summit Features Senior U.S. Diplomat

The inaugural Global Women's Summit, co-hosted by Washington Post Live and journalist Tina Brown on Nov. 15, brought together women leaders from an array of sectors hailed for their courage, innovation, and trailblazing efforts.

"This is a moment when the world needs to hear from smart women who will not be silenced by censorship, patriarchy, or injustice," Brown said of the speaker lineup.

Among them was Ambassador to the United Nations Linda Thomas-Greenfield. In a conversation titled "Diplomat in the Fray," she discussed her career since joining the Foreign Service in 1982, political movements around the world led by women, and what the U.S. is doing to aid the people of Ukraine and Afghanistan. She also touched on Russian President Vladimir Putin's relationship with Iran and China.

Asked about how her current role speaks to the power of diplomacy, she said: "What I've learned is that, even with limitations, diplomacy is the best path that we have, and we need to continue to pursue a diplomatic path to achieve whatever it is we're trying to achieve, and we've had some successes. We got 143 member states in the [U.N.] Security Council to condemn Russia's annexations of Ukrainian territory."

Other speakers and panelists at the event included former Secretary of State Hillary Clinton, several U.S. women members of Congress and state representatives, Ukrainian First Lady Olena Zelenska, former Afghan parliamentarian Naheed A. Farid, and international female journalists, among many others.

G20 Takeaways

The two-day summit in Bali that brought together the world's Group of 20 (G20) wealthiest nations concluded in November 2022 with no joint declarations due to Russian opposition to any references to the war in Ukraine.

Nevertheless, some leaders adopted a declaration deploring the Kremlin's aggression in Ukraine and demanding its unconditional withdrawal, Reuters reported.

The day before the summit, President Joe Biden and Chinese President Xi Jinping held a highly anticipated bilateral meeting, the first between the two since President Biden took office. Perhaps the most concrete outcome was that Secretary Blinken now plans to visit China early this year—the highest-level U.S. visit to China in more than four years, NPR wrote.

By the close of the summit, G20 economies had agreed to pace their interest rate rises carefully to avoid spillovers, to take coordinated action to address food security challenges, and to work to limit the global temperature increase to 1.5 degrees Celsius.

Embassy Plans Run Afoul of Simians

Gambian activists and conservationists have condemned a plan to build an American embassy inside a park that's home to endangered Western Red Colobus monkeys.

On Oct. 27, the Gambian government said it had signed a memorandum of agreement to sell 10 hectares of land located within the Bijilo Forest Park and Nature Trail, near the capital of Banjul, to the U.S. government for the construction of a new embassy, according to Gambian outlet *The Voice*.

In a Facebook post, U.S. Embassy Banjul promised that "consistent with the United States' global environmental diplomacy pledge, we will construct a green embassy facility and collaborate with local environmental experts on the best ways to preserve the natural surroundings and abundant plant life at the project site."

The embassy would replace existing structures, Bloomberg reported, including the park's visitors center, without affecting the 51-hectare reserve itself.

This edition of Talking Points was compiled by Julia Wohlers.

50 Years Ago

Handbook of the Perfect Diplomat (1929)

In foreign politics, things are sometimes what they seem, but rarely what they are called.

We distinguish good diplomacy from bad by the results obtained and the price paid.

Official diplomacy must carry on in the world as it is, and not in the world as it should be.

An overwhelming success should be avoided, and never admitted. When negotiations are over, a true diplomat should make out that he has obtained less than he desired. Thus he prepares the way for asking more another time, and he does not leave his adversary with a rankling sense of defeat. …

People imagine that the difficulties of diplomatic dealings are only with foreign governments. It is not so. The most difficult [government] to deal with is generally your own.

Diplomacy can, and sometimes must, avail itself of a new technique. But its essence remains the same throughout the ages. Our arts are the immemorial devices of the peasant in the marketplace, buying and selling his wares.

Not all posts abroad are pleasant and healthy, nor are all governments and colleagues agreeable to deal with. …

When a diplomat comes home, he finds that he is out of touch with his own country. His friends have got used to doing without him.

—Excerpted from "Handbook of the Perfect Diplomat" (1929), by Italian diplomat Daniele Varè, translated for the Jan. 1972 FSJ.

Schedule F: Let's Deprofessionalize Government and Make America Irrelevant Again

BY DENNIS JETT

The 20th president of the United States had been in office only four months when he was shot by an assassin. He would no doubt be astounded if he knew that what his death helped accomplish may be undone in the 21st century. That would be the effect of Republican efforts to vastly increase the number of political appointees in government and gut the protections for civil servants against being fired for purely political reasons. A bill sponsored by Senator Tim Kaine (D-Va.) would help prevent that, but as of late November, it remains to be seen whether it will be enacted.

A little history helps explain why this matters and why such efforts would return American government to a 19th-century level of competence and capability. When James A. Garfield moved into the White House in 1881, the federal government operated almost entirely on a system of patronage. Anyone who helped get the president elected could line up for a cabinet position, a diplomatic posting, or any other federal job, because they were all up for grabs.

One of those in that line was Charles Guiteau. He asked to be named minister in Austria (that was the highest rank in an embassy; it would be another dozen years before the first American diplomat was given the title of ambassador). When that request was rejected, he said he would settle for vice consul in Paris. At that point, tired of his pleading, Secretary of State James G. Blaine told him he would get nothing because he had done nothing to help Garfield get elected.

Not taking rejection lightly, Guiteau stalked Garfield until he found him in Washington waiting to board a train. Since presidents went around without any security at that time, it was easy for Guiteau to walk up to Garfield and shoot him twice. Today, the wounds would have been serious but not life threatening. Thanks to the limits of 19th-century medicine, however, Garfield's slow and painful death came two months later.

The murder of the president by a patronage seeker prompted Congress to act on reforming the government's hiring practices. That, plus the realization that as America increasingly began to play a significant role on the world stage, it needed a government capable of supporting the country's ambitions and interests. It needed professionals.

Dennis Jett served as U.S. ambassador to Peru and Mozambique and on assignments in Argentina, Israel, Malawi, and Liberia during his 28-year Foreign Service career. He is a professor of international affairs at Penn State University and the author of American Ambassadors: A Guide for Aspiring Diplomats and Foreign Service Officers *(2nd ed., Palgrave Macmillan, 2022).*

The Pendleton Act

The result was passage of the Pendleton Act, which set up a system in which civil servants were hired after competitive exams and promoted on the basis of merit. Once employed, they also had the prospect of having a career in government, which provided an incentive to stay in its service.

The other reason for reform was the fact that filling all the jobs had become too big a burden. During the 19th century, the number of federal employees grew dramatically from fewer than 20,000 to more than 130,000. Industrialization and increasing international trade required having bureaucrats with specialized skills. The Pendleton Act covered only about 10 percent of the federal workforce, but it was a start. The act did not, however, cover the diplomatic service.

A couple decades later, Presidents Theodore Roosevelt and William Howard Taft saw the need for the same standards to be applied to diplomats. In 1912, President Taft explained the importance of that in his State of the Union report. (At that point, most presidents provided a written document to Congress rather than giving a speech before it, so the following does not read like a series of applause lines.) Taft wrote:

"At the beginning of the present administration the United States, having fully entered upon its position as a world power, with the responsibilities thrust upon it by the results of the

Spanish-American War, and already engaged in laying the groundwork of a vast foreign trade upon which it should one day become more and more dependent, found itself without the machinery for giving thorough attention to, and taking effective action on, a mass of intricate business vital to American interests in every country in the world.

"The Department of State was an archaic and inadequate machine lacking most of the attributes of the foreign office of any great modern power. Expert knowledge and professional training must evidently be the essence of this reorganization. President Cleveland had taken the first step toward introducing the merit system in the foreign service. That had been followed by the application of the merit principle, with excellent results, to the entire consular branch. Almost nothing, however, had been done in this direction with regard to the Diplomatic Service.

"Therefore, by an Executive Order I placed the Diplomatic Service up to the grade of secretary of embassy, inclusive, upon exactly the same strict nonpartisan basis of the merit system, rigid examination for appointment and promotion only for efficiency, as had been maintained without exception in the Consular Service."

A Professional Foreign Service

Not all presidents shared Taft's concern. Ironically, under the president most associated with international affairs, Woodrow Wilson, the professionalization of the State Department did not advance. Besides Wilson's attitude, it was hindered by the expectation that ambassadors would cover the entire cost of representational entertaining. That prompted Wilson to name several men to key posts who were noteworthy mainly for their wealth.

The murder of the president by a patronage seeker prompted Congress to act on reforming the government's hiring practices.

Following the end of World War I, Congress decided to legislate the professionalization of the diplomatic corps instead of leaving it entirely up to the president.

As the short history on the State Department's website explains: "After the war ended, Congress completed the prewar movement toward a fully professional and democratic Foreign Service. In 1924, the Rogers Act fundamentally reformed the foreign services by establishing a career organization based on competitive examination and merit promotion." The Foreign Service Act of 1980, prompted by the corruption of the Nixon administration, reenforced further the protections afforded career diplomats.

The purpose of all this history is to show that there is a long line of political leaders who appreciated the value of a Civil Service and Foreign Service largely composed of professional, career people.

They understood that government could not serve the country effectively if there were a massive turnover in federal employees every time a new occupant was in the White House. They also knew that America could not play a significant role in the world if the only requirement for a government job was loyalty to the president. It is bad enough that the United States is the only country in the world that sells the title of ambassador in exchange for campaign contributions. To vastly increase the number of government officials who obtained their job solely because they helped get the president elected would confirm in the eyes of the world that America should not be taken seriously.

A Resurrection of "Schedule F"?

Today, it is clear that the importance of the professionalization of government that brought an end to the 19th-century spoils system commands no respect in some quarters. According to media reports, people around the previous president are busy planning the resurrection of "Schedule F," the executive order issued by Donald Trump and promptly rescinded by President Joe Biden. It would strip any official who has anything to do with policy of any real career protections or due process. Government employees could essentially be fired at will or even on a whim.

The jobs placed on Schedule F would be all "positions of a confidential, policy-determining, policy-making, or policy-advocating character not normally subject to change as a result of a Presidential transition." That definition could cover as many as 50,000 positions. Trump has said he would reinstitute Schedule F in a second term.

Well-funded groups are reported to be developing lists of candidates to fill the jobs listed under Schedule F by building databases of people who are "vetted as being committed to Trump and his agenda." These groups are often staffed by former Trump aides and include the Center for Renewing America, the America First Policy Institute, the Conservative Partnership Institute, and the Heritage Foundation.

Even more jaw-dropping than Schedule F is H.R. 8550, a bill introduced in the House last July by Representative

Chip Roy of Texas and 14 Republican co-sponsors: Bob Good (Va.), Andy Harris (Md.), Mary Miller (Ill.), Troy Nehis (Texas), Michael Cloud (Texas), Roger Williams (Texas), Lance Gooden (Texas), Paul Gosar (Ariz.), Bob Gibbs (Ohio), Jeff Duncan (S.C.), Warren Davidson (Ohio), Byron Donalds (Fla.), Ken Buck (Colo.), and Lauren Boebert (Colo.). Called the Public Service Reform Act, it should really be titled the Public Service Extermination Act. It would make all federal jobs "at will," all 2 million of them. That would quite simply return the United States to a mid-19th-century style of governance and the squalor of the spoils system.

The proposed legislation makes its intent clear. It literally states that any employee of the executive branch "may be subject to any adverse personnel action (up to and including removal) for good cause, bad cause, or no cause at all; and may not challenge or otherwise appeal such action." No appeals by someone who was fired would be allowed except in the cases of whistleblowers or those who believe they were victims of discrimination. But the process is set up in a way to ensure those appeals would fall on deaf ears.

"Good cause, bad cause, or no cause at all." It is not clear whether the 15 representatives behind H.R. 8550 introduced it as a sick joke or because they actually think it deserves serious consideration.

Who would want to serve in government knowing they could be fired at any moment on any pretext without any recourse? Not only Garfield, but Roosevelt, Taft, Cleveland, and many other presidents must be turning in their graves. Charles Giteau, on the other hand, is surely enjoying the show.

Speaking Out is the *Journal*'s opinion forum, a place for lively discussion of issues affecting the U.S. Foreign Service and American diplomacy. The views expressed are those of the author; their publication here does not imply endorsement by the American Foreign Service Association. Responses are welcome; send them to journal@afsa.org.

When Lightning Struck Twice

How AFSA's "Young Turks" Launched the Union

Once a polite diplomats' society, AFSA is now a financially and politically strong union and a player on the wider stage—with the administration, Congress, and the American public.

BY THOMAS BOYATT

Next year, in 2024, we celebrate AFSA's centennial. For the first half of its century, AFSA was a small professional association with little income, a tiny staff, and almost no influence beyond its membership of American diplomats.

Then, in the late 1960s, lightning struck. Twice.

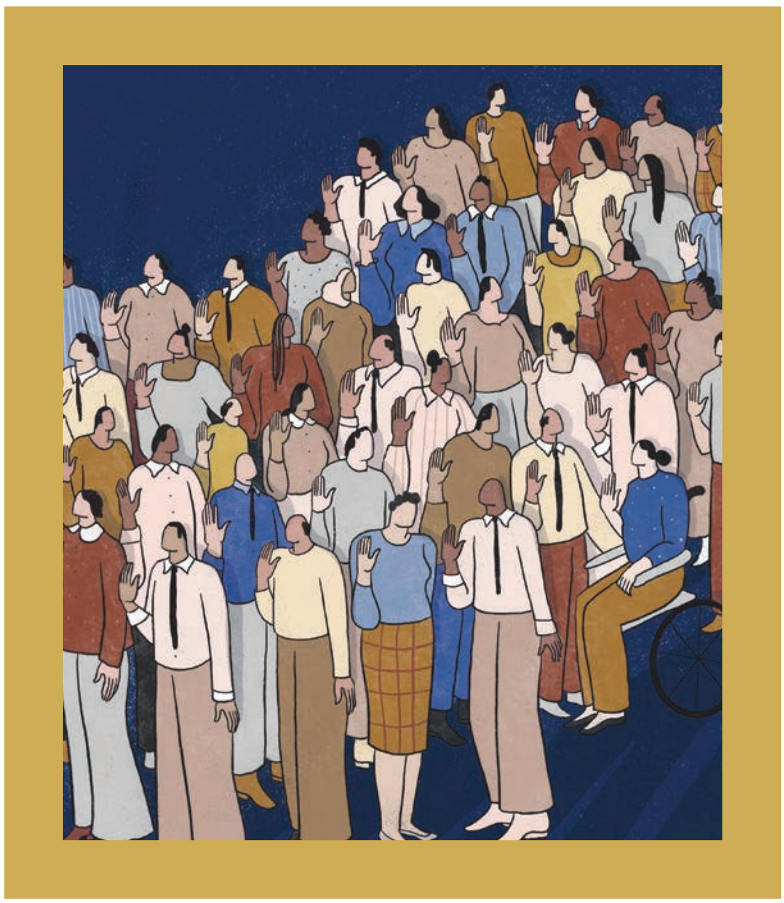
First, a group of junior and middle-grade Foreign Service officers (FSOs) decided to contest AFSA's 1967 leadership elections. The goals of these "Young Turks" (as we came to be called) were to use AFSA as a vehicle to:

- ☑ make the Foreign Service (FS) more professionally effective by giving AFSA a voice in the functioning of the personnel system;
- ☑ create safeguards against management abuse; and
- ☑ build AFSA's political and financial strength to the point that we could defend the Foreign Service as an institution and individual Foreign Service personnel against external political attacks.

From 1970 through 2019, Ambassador Thomas Boyatt served on various AFSA Governing Boards as president, vice president, secretary, treasurer (multiple times), retiree vice president, and retiree representative. An FSO from 1959 until 1985, he served as ambassador to Colombia and Upper Volta (now Burkina Faso) and chargé d'affaires in Chile, in addition to postings in Nicosia, Luxembourg, and Antofagasta (Chile). In Washington, D.C., he served as chief of staff for the assistant secretary for Near Eastern affairs and as director of the Office of Cypriot Affairs.

We had seen that from 1948 to 1952, President Harry S Truman and Secretary of State Dean Acheson did not protect the Service and FSOs from attacks by the Democrat-controlled House Un-American Activities Committee. Likewise, neither President Dwight Eisenhower nor Secretary of State John Foster Dulles had protected us from the depredations of Senator Joseph McCarthy (R-Wis.) from 1952 to 1956. The lesson was clear: In Washington, you must be able to defend yourself.

Second, in 1969 President Richard Nixon unexpectedly decreed, in Executive Order 11491, that there should be unions in the federal sector. Suddenly, there was a potential pathway for AFSA to secure and build political and financial power on a presidentially sanctioned basis as a union. It was the opportunity of a lifetime; but, of course, not everybody saw it that way. A period of disagreement and debate ensued, both within AFSA and within the Foreign Service generally.



ALEXANDRA BOWMAN.

We all know how the saga ends. AFSA did become a union. We celebrate this year the glorious golden anniversary of AFSA's election victories to become the union of all Foreign Service personnel. Indeed, in its half century, AFSA the union has put AFSA the professional association cum union on Washington's power map. This happy outcome, however, was by no means a foregone conclusion.

The years following Nixon's 1969 pronouncement were a time of strife and struggle. There were elections to be won and momentous negotiations to maximize the potential fruits of victory; and the costs of failure were correspondingly enormous. AFSA President Eric Rubin refers to this era as AFSA's "heroic age." Here is that story from the viewpoint of a combatant.

Three Elections and an Existential Negotiation

The AFSA Election of 1967. In the winter of 1966, the future Young Turks began to meet in Charlie Bray's basement to discuss how to improve the Foreign Service. We agreed on only two things: We had to have an institutional platform to reform the FS, and AFSA was the ideal organization for that purpose. Accordingly, Bray recruited Lannon Walker, and they organized a reform slate to contest every board and officer position in AFSA's 1967 election. The Young Turks won every seat. At that point we faced the reality that discussing reform is much easier than making it happen. There were consultations with management over the next two years, but no durable results.

The AFSA Election of 1969. With Walker posted overseas, Bray organized the second Young Turk slate, which swept all positions. Later, in 1969, the Nixon executive order raised the union issue, and that became the overriding focus for the Bray Board. From this point on, the protagonists were:

- **The American Federation of Government Employees (AFGE) and the Junior Foreign Service Officers Club (JFSOC)** wanted a single system for all government employees under E.O. 11491, the exclusion of all "managers" broadly defined from the union, and a three-year contract covering employee working conditions;
- **The Young Turks on the Bray Board and the soon-to-be-formed Harrop Board** strongly favored a union system, but one that was independent of the Civil Service and one that recognized the unique aspects of the Foreign Service. We also favored negotiation of personnel policy agencywide and a

FSJ DIGITAL ARCHIVE

The "Bray Board," headed by reformer Charles W. Bray III, steered AFSA from January through December 1970. The board prepared the way for AFSA's victories in representation elections and negotiations with management. Pictured here, from left: George B. Lambrakis, Alan Carter, Erland Heginbotham, Barbara Good, Richard T. Davies III, Bray, William G. Bradford, Princeton Lyman, William Harrop, and Robert Nevitt.

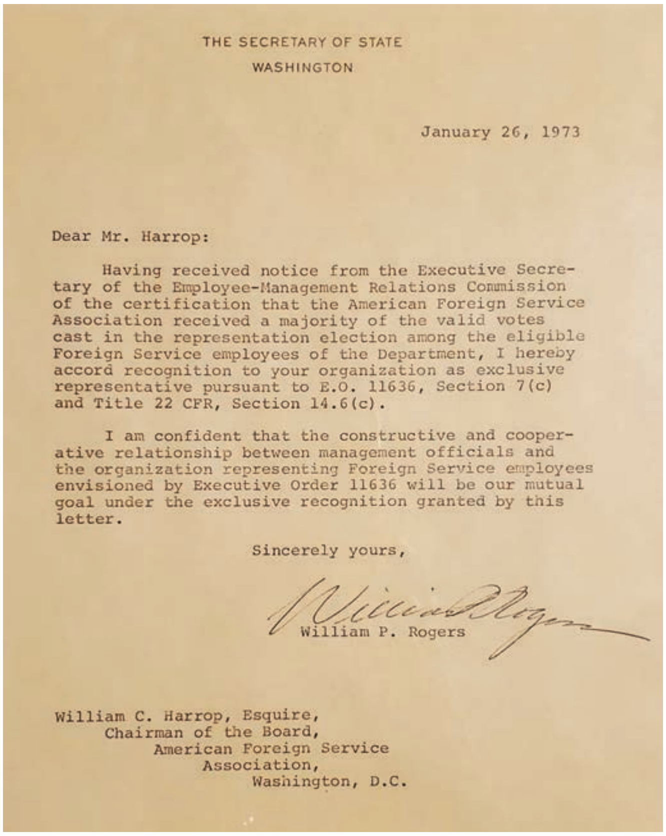
narrow definition of management official that would put the vast majority of FSOs in the bargaining unit; and,

• **State Department management's** overriding goal was to protect the special status conferred on the Secretary of State and the Foreign Service Director General by the Rogers Act of 1924. Interestingly, management itself was divided into two groups. Many senior officers—Bill Macomber, Nat Davis, Larry Eagleburger come immediately to mind—were in varying degrees sympathetic to the Young Turks' objectives. For them, love of the Foreign Service and its people trumped all else. Other managers, sovereign in their areas of expertise, had great difficulty accepting that they would have to negotiate with middle-grade political and economic officers (the AFSA leadership) with any disagreements going to third-party adjudicators.

While the above groups were forming and dissolving coalitions on the various questions that arose, AFSA President Bray had the challenge of discovering whether AFSA and the Foreign Service actually wanted a union. Bray held a worldwide referendum on the issue of whether AFSA should form a union. A statistically overwhelming 2,241 members participated, 25 percent of the total membership, with 85 percent favoring the proposal. Bray also proposed a formal board vote on participating in the upcoming union election. The proposal was strongly, but not unanimously, approved. Bray began meetings with management on the form of the new employee-management structure, but these discussions were overtaken by two developments that unfolded concurrently—namely, the 1971 AFSA election and a negotiation chaired by the Department of Labor on the form of our employee-management system to be detailed/codified in a separate Foreign Service executive order.

The Existential Negotiation over Executive Order 11636. In October 1969, President Nixon issued E.O. 11491 establishing an employee-management relations system for the federal government service, including the Foreign Service. Secretary of State William Rogers objected strongly to an FS employee–management system controlled by the Secretary of Labor rather than himself.

This disagreement reportedly went to the president, who decided in favor of Secretary Rogers. The Foreign Service would have its own employee-management system. However, the



THE SECRETARY OF STATE
WASHINGTON

January 26, 1973

Dear Mr. Harrop:

Having received notice from the Executive Secretary of the Employee-Management Relations Commission of the certification that the American Foreign Service Association received a majority of the valid votes cast in the representation election among the eligible Foreign Service employees of the Department, I hereby accord recognition to your organization as exclusive representative pursuant to E.O. 11636, Section 7(c) and Title 22 CFR, Section 14.6(c).

I am confident that the constructive and cooperative relationship between management officials and the organization representing Foreign Service employees envisioned by Executive Order 11636 will be our mutual goal under the exclusive recognition granted by this letter.

Sincerely yours,

William P. Rogers

William C. Harrop, Esquire,
Chairman of the Board,
American Foreign Service
Association,
Washington, D.C.

AFSA

Letter from Secretary of State William P. Rogers to AFSA Board Chair William C. Harrop affirming AFSA's recognition as the exclusive representative for the State Department's Foreign Service.

In the winter of 1966, the future Young Turks began to meet in Charlie Bray's basement to discuss how to improve the Foreign Service.

Labor Department was directed to conduct a negotiation among the parties (AFSA, JFSOC, AFGE, and State management) to produce an agreed executive order distinct and different from E.O. 11491. An administrative judge from the Labor Department was put in charge of the negotiations. The Macomber-Bray discussions were now moot.

The E.O. 11636 talks lasted for several months. AFGE and JFSOC argued to bring the Foreign Service under E.O. 11491. AFSA and State management argued for a separate E.O. 11636 recognizing the unique personnel system and working conditions of the Service. Management's overwhelming goal was a separate system, as made clear by Secretary Rogers. To achieve this, management needed AFSA. This leverage encouraged management to follow our lead on the more "technical" issues, as long as we supported a separate system. In the end, the provisions of E.O. 11636 were much more union-friendly than E.O. 11491, which applied to the Civil Service. Specifically:

☑ AFSA was a single bargaining unit for all FS personnel worldwide; AFGE bargaining units, by contrast, were mini sections of small units throughout the country.

☑ AFSA negotiated "personnel policies and procedures" on an agencywide basis; AFGE negotiated working conditions in each of thousands of bargaining units.

☑ AFSA only excluded personnel in specific management jobs, while all others were in the unit; AFGE, by contrast, excluded every manager broadly defined from the unit.

☑ AFSA's negotiations were "rolling." Either party could raise any issue at any time. By contrast, AFGE negotiated all issues during a fixed period every three years into a single contract.

☑ AFSA had input into the selection of members of the adjudicatory bodies; AFGE had no such inputs.

The provisions of E.O. 11636 made AFSA a major player in determining the personnel system and, therefore, the quality of U.S. diplomacy, while AFGE dealt with small problems in hundreds of small units. AFSA's mutually reinforcing dimensions of professional association and union provided a unique basis for AFSA to become a major force in the Foreign Service world.


COURTESY OF TOM BOYATT

Tom Boyatt celebrates a union election victory in Washington, D.C., in the mid-1970s.

Our duality continues to reinforce AFSA's strength. E.O. 11636 was clearly much more favorable to AFSA than the Civil Service system.

The AFSA Election of 1971. The intensity of the E.O. 11636 negotiations did not reduce AFSA's internal political differences. The contenders continued to, well, contend.

Bill Harrop brought together holdovers from the previous Governing Board including F. Allen "Tex" Harris, himself, and others. He also recruited a more aggressive cadre of candidates including myself, Hank Cohen, and Barbara Good, who favored E.O. 11636, recognizing the importance of an employee-management system separate from the Civil Service and the favorable terms and conditions emerging from the E.O. 11636 negotiations. We called ourselves the "Participation Slate." We were a coalition of political and economic officers from the regional bureaus, as well as secretaries, communicators, and representatives from the U.S. Information Agency and USAID.

In strong opposition was the "Members' Interest Slate," whose core group was the leadership of JFSOC. Although supporting a union in principle, they attacked from the left, strongly criticizing E.O. 11636 and the Participation Slate for its alleged sellout by accepting that E.O. They opposed the concept of AFSA as both a professional organization and a union, and generally projected a junior officer image although their slate was diversified.

For our part, the Participation Slate argued that AFSA could become an effective union while maintaining its status as a first-rate professional association. We supported E.O. 11636 because it emphasized the uniqueness and independence of the Foreign Service while providing a much stronger union role than E.O. 11491. Our goal was to reach out from the center of the AFSA polity to both right and left.

The open meeting debates were sharp, with both ideological and generational overtones. Each side worked the halls of State and sought to contact friends and sympathizers at posts abroad. When the votes were counted, the Participation Slate had swept all 11 Governing Board seats. The Members' Interest Slate fought well, their best vote-getter coming within 60 votes of our lowest scorer. But the Participation Slate won a clear mandate to lead AFSA into the world of unionism. Then it remained to be seen whether AFSA could defeat mighty AFGE to lead the Foreign Service into this new world.

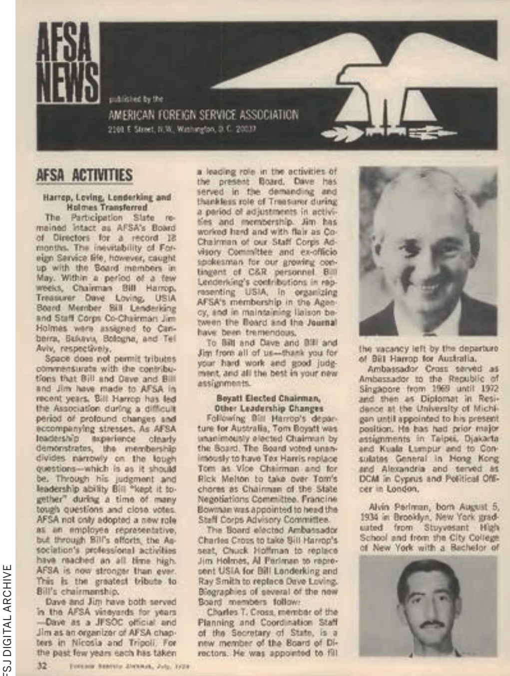
The Showdown: AFSA versus AFGE

E.O. 11636 and AFSA's internal election were both completed at the end of 1971. The Labor Department then established the "Employee Management Relations Committee" (EMRC) to oversee elections in the foreign affairs agencies (State, USAID, and USIA) under the aegis of E.O. 11636. An administrative law judge was assigned the task of managing that election.

On its face, the election was a David-versus-Goliath situation. AFGE already represented many in the Civil Service; it had millions of dollars to spend on campaigning; it could field scores of lawyers; and it was an affiliate of the all-powerful AFL-CIO. AFSA, on the other hand, did not formally represent anybody; we were financially insolvent (in fact, seriously in debt given the recent purchase of the headquarters building); we had no lawyers on staff (oh blissful time); and we were without institutional allies. But we had one huge advantage: We knew and loved the Foreign Service and its people, and that showed.

At its early March 1972 organizational meeting, the new AFSA board elected Bill Harrop as chairman and myself as vice chair, along with other officers and committee chairs. I was named "participation coordinator" with responsibility for obtaining a "showing of interest" to start the election process. The "showing" consisted of signed cards from at least 25 percent of the bargaining unit (2,000 cards from State, fewer from USIA and USAID) calling for elections.

I immediately recruited fellow Young Turks Rick Melton, Jack Binns, David Ransom, and other stalwarts to go door-to-door in State's halls and by diplomatic pouch to our friends overseas collecting signed cards. By the end of April, we had 1,000 signed "showings" from State alone. By May, cards were flowing in from overseas, and we exceeded the minimum necessary 2,000 cards, a number that was doubled by early June.



AFSA NEWS

published by the

AMERICAN FOREIGN SERVICE ASSOCIATION

2101 E Street, N.W., Washington, D.C. 20037

AFSA ACTIVITIES

Harrop, Loving, Lenderking and Holmes Transferred

The Participation Slate remained intact as AFSA's Board of Directors for a record 18 months. The inevitability of Foreign Service life, however, caught up with the Board members in May. Within a period of a few weeks, Chairman Bill Harrop, Treasurer Dave Loving, USIA Board Member Bill Lenderking and Staff Corps Co-Chairman Jim Holmes were assigned to Canberra, Bukavu, Bologna, and Tel Aviv, respectively.

Space does not permit tributes commensurate with the contributions that Bill and Dave and Bill and Jim have made to AFSA in recent years. Bill Harrop has led the Association during a difficult period of profound changes and accompanying stresses. As AFSA leadership experience clearly demonstrates, the membership divides narrowly on the tough questions—which is as it should be. Through his judgment and leadership ability Bill "kept it together" during a time of many tough questions and close votes. AFSA not only adopted a new role as an employee representative, but through Bill's efforts, the Association's professional activities have reached an all time high. AFSA is now stronger than ever. This is the greatest tribute to Bill's chairmanship.

Dave and Jim have both served in the AFSA vineyards for years—Dave as a JFSOC official and Jim as an organizer of AFSA chapters in Nicosia and Tripoli. For the past few years each has taken a leading role in the activities of the present Board. Dave has served in the demanding and thankless role of Treasurer during a period of adjustments in activities and membership. Jim has worked hard and with flair as Co-Chairman of our Staff Corps Advisory Committee and ex-officio spokesman for our growing contingent of C&R personnel. Bill Lenderking's contributions in representing USIA, in organizing AFSA's membership in the Agency, and in maintaining liaison between the Board and the **Journal** have been tremendous.

To Bill and Dave and Bill and Jim from all of us—thank you for your hard work and good judgment, and all the best in your new assignments.

Boyatt Elected Chairman, Other Leadership Changes

Following Bill Harrop's departure for Australia, Tom Boyatt was unanimously elected Chairman by the Board. The Board voted unanimously to have Tex Harris replace Tom as Vice Chairman and for Rick Melton to take over Tom's chores as Chairman of the State Negotiations Committee. Francine Bowman was appointed to head the Staff Corps Advisory Committee.

The Board elected Ambassador Charles Cross to take Bill Harrop's seat, Chuck Hoffman to replace Jim Holmes, Al Perlman to represent USIA for Bill Lenderking and Ray Smith to replace Dave Loving. Biographies of several of the new Board members follow:

Charles T. Cross, member of the Planning and Coordination Staff of the Secretary of State, is a new member of the Board of Directors. He was appointed to fill the vacancy left by the departure of Bill Harrop for Australia.

Ambassador Cross served as Ambassador to the Republic of Singapore from 1969 until 1972 and then as Diplomat in Residence at the University of Michigan until appointed to his present position. He has had prior major assignments in Taipei, Djakarta and Kuala Lumpur and to Consulates General in Hong Kong and Alexandria and served as DCM in Cyprus and Political Officer in London.

Alvin Perlman, born August 5, 1934 in Brooklyn, New York graduated from Stuyvesant High School and from the City College of New York with a Bachelor of

32

FSJ DIGITAL ARCHIVE

Announcement of leadership turnover at AFSA in the July 1973 *Foreign Service Journal* AFSA News section.

Our Participation Committee became the Election Committee. We petitioned the EMRC judge to hold representation elections in State, USAID, and USIA. At this juncture, AFGE, seeing our strength in gathering the showing of interest cards, realized they could not defeat AFSA in open elections. Calling on their platoons of lawyers, AFGE sought every delay possible. They alleged the showing of interest was void because Bill Harrop was a member of the Policy Planning Council and that Hank Cohen and I were similarly tainted because we had served on promotion boards. Eventually, the EMRC dismissed these and other stalling ploys and summoned AFSA and AFGE (who had filed 400 showing cards that allowed them to get on the ballot) to a pre-election conference in August.

On Sept. 26, 1972, the EMRC judge directed that a worldwide union election for Foreign Service employees at State, USIA, and USAID be held during a 52-day period beginning Oct. 10, 1972. AFSA proposed programs strengthening an independent Foreign Service and negotiations with management on personnel policies and procedures. But our main point was that we were, above all, members of the Foreign Service. To quote our final appeal: "Remember, AFSA belongs to us. AFSA has more active committee members working for you than AFGE has Foreign Service members. AFSA can take positions without checking with the AFL-CIO … or with AFGE headquarters (to clear the impact on the Civil Service). LET'S. DO. OUR OWN. THING."

State ballots were counted on Dec. 4, 1972. AFSA was the overwhelming victor with a 75 percent majority. At USIA, certification of our strong victory was delayed by AFGE's final, futile, protests. At USAID, management in extreme denial refused to hold elections. That silliness was overcome, elections were held, and AFSA won 80 percent of the vote. By the end of March 1973, AFSA Chairman Bill Harrop had received certification letters from the Secretary and the heads of the other foreign affairs agencies. AFSA now had the power and responsibility to negotiate personnel policies in the foreign affairs agencies and to defend and speak for their employees.

Bray held a worldwide referendum on the issue of whether AFSA should form a union.

Bringing Management to the Table: The AFSA Election of 1973

By late summer of 1972, it had been clear that AFSA would defeat AFGE in the October-November representation elections at State, USAID, and USIA. Accordingly, we organized a Negotiations Committee to have proposals ready to table with management as soon as we were certified. Our team of Bob Pelletreau, Rick Melton, Tex Harris, Jack Miklos, Bruce Hirshorn, Jim Holmes, Barbara Good, and Hank Cohen resembled the 1927 Yankees in firepower. In the days and weeks following AFSA's certification, we tabled more than 50 proposals from checkoff of dues (management collects and remits to AFSA) to kindergarten allowances and promotion precepts. Management was not only in denial; it was neither organized nor staffed to meet our "shock and awe" proposal blitz. A period of paralysis ensued, but we were clearly defining the agenda.

At the same time, Foreign Service realities caught up with the AFSA board. That spring and summer, Chairman Bill Harrop, Treasurer David Loving, USIA Representative Bill Lenderking, and Staff Corps Co-Chair Jim Holmes were transferred to Canberra, Bukavu, Bologna, and Tel Aviv, respectively, as reported in the July 1973 *FSJ*. Tom Boyatt, Tex Harris, and Rick Melton were elected AFSA chair, vice chair, and chair of the Negotiations Committee. Further, Tex Harris, who had been on leave without pay serving full time as AFSA's counselor, returned to the Foreign Service. Tex continued to push for a legislated grievance system for the Foreign Service. He succeeded with the passage of the "Bayh Bill" (S.782, a bill to provide for the establishment of a Foreign Service grievance system), which went into effect in 1976. Tex was replaced by Rick Williamson, who made enormous contributions during his tenure. Our season of change was capped in September when Henry Kissinger replaced William Rogers as Secretary of State.

I immediately sought a meeting with Henry Kissinger, which, to our surprise, was quickly arranged. On Sept. 6, Tex Harris, Hank Cohen, and I trooped into Kissinger's White House office. [Kissinger, then National Security Adviser, was to also become Secretary of State Sept. 23.] For 45 minutes, we

Suddenly, there was a potential pathway for AFSA to secure and build political and financial power on a presidentially sanctioned basis as a union.

outlined our objectives. I closed by informing the Secretary-designate that I would testify against unqualified ambassadorial nominees if so directed by the AFSA board. Kissinger closed by reminding me that he could "always send you to Chad," to the hilarity of all present, save myself. Our unanimous impression was that Kissinger realized we were beyond his diktat. He appeared inclined to accommodate many of our goals in exchange for "peace and quiet."

The news of the AFSA leadership's meeting with Kissinger swept through the department like a prairie fire. Most senior officers had not met with the incoming Secretary, and our meeting sent them a message. Soon the negotiating logjam was broken. In late 1973, the incumbent AFSA board was overwhelmingly reelected as the "Achievement Slate" to serve until 1975. By the end of the term of the last of the Young Turk boards, there was a dramatic increase in agreements with State (most notably) and the other foreign affairs agencies; new initiatives were undertaken, such as the hiring of AFSA's first staff lawyer, Cathy Waelder; representations to Congress were put in place; and the employee-management system had been well and truly launched.

Of course, AFSA history did not end in 1975. For five decades, generations of AFSA presidents, officers, and boards have taken AFSA up the growth curve and brought us to our current eminence. When we defeated AFGE, our budget was under $200,000; today the budget is nearly $6 million. Then we were in debt; today we have a "war chest" of more than $3 million. Today our legal staff alone is larger than the entire staff then. When we started there were no employee-management or grievance systems, and we did not represent anybody; today both systems are enshrined in the Foreign Service Act of 1980, and we represent all Foreign Service personnel of the foreign affairs agencies. Indeed, we have much to celebrate on this, our golden 50th.

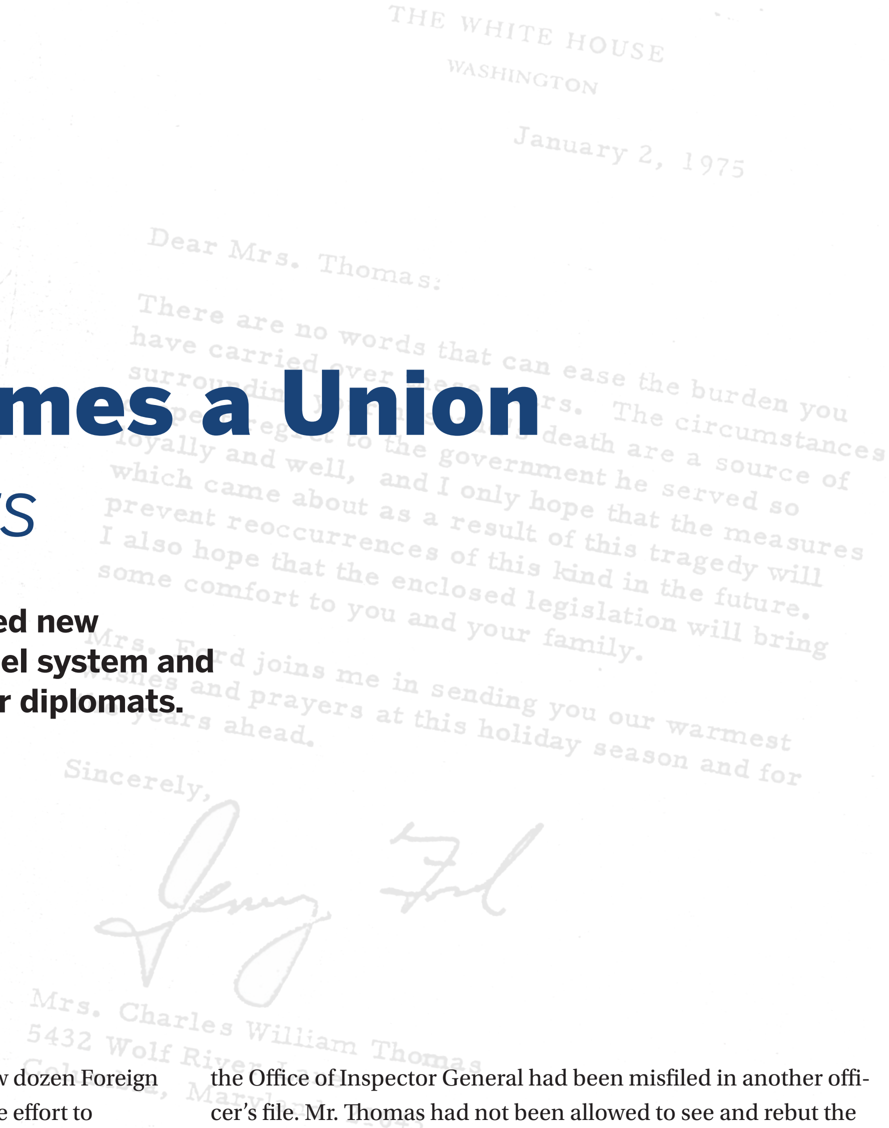
Today and Tomorrow

Recently, AFSA demonstrated political power at the outer edge of the hopes and dreams of the "Young Turks" 50 years ago. In 2017 President Donald Trump proposed a budget that reduced international affairs expenditures (the 150 account) by 37 percent. AFSA President Barbara Stephenson and her board and staff immediately engaged and encouraged an informal caucus composed of all Senate Democrats and about 12 national security Republicans, who worked to defeat the proposed drastic cuts. In the end, the caucus defeated the cuts and engineered a slight increase in the 150 account. The same process with the same result occurred with Trump's 2018, 2019, and 2020 budgets. It was a clear demonstration that AFSA has the means and will to defend the Foreign Service as an institution.

In 2020 President Trump's allies began a smear campaign against career FSO Marie Yovanovitch, our ambassador in Kyiv, because she would not participate in schemes to involve the Ukrainian government in anti-Biden activities in the middle of the presidential campaign. She was recalled to Washington and summoned to testify in the Trump impeachment trials and hearings. The smear campaign continued. AFSA President Eric Rubin and his team came out punching. They immediately reactivated the AFSA Legal Defense Fund for the FSOs under attack and raised $750,000 in a very short time. Our media and congressional networks were deluged with our narrative that FSOs swear to "defend the Constitution of the United States," not a particular administration or president. Marie Yovanovitch and her colleagues became and remain heroes. It was another clear demonstration that AFSA has the means and will to defend individual FSOs—promises made by the Young Turks and redeemed by our successors.

Looking back 50 years, I am gratified, even astonished, that we achieved so much in such a short time. I am also terrified by what I now realize but had no clue about at the time—namely, with one mistake, one lost election, or a botched negotiation over E.O. 11636, today's celebrations would not exist.

Looking forward, I am delighted that AFSA has the financial and political power to defend the Foreign Service and its people, but fear also lurks. Will future leaders have the wisdom to understand AFSA's capabilities and the courage to use the means available in defense of the Foreign Service as an institution and its people? I am hopeful. What is certain is that hard tests lie ahead. May God be with you, as certainly was the case with us at the rebirth of our unique association 50 years ago.



AFSA Becomes a Union

Why It Matters

In becoming a union, AFSA gained new powers to influence the personnel system and safeguard the interests of career diplomats.

BY JOHN K. NALAND

Half a century ago, a few dozen Foreign Service officers led the effort to combine AFSA's mission as a genteel professional association with the authority of a union empowered to negotiate with foreign affairs agencies for the interests of its members. The importance of becoming a union may not be obvious to current members of the Foreign Service. This article seeks to explain why it matters.

No Rights, No Recourse

In 1969 State Department FSO Charles William Thomas was separated from the Foreign Service after being passed over for promotion. Only 47 years old, with just 18 years of service, he did not qualify for a pension. After nearly two years of unsuccessful job searching, he committed suicide in despair, leaving a widow and young daughter.

Problems were belatedly discovered with his file that the promotion boards reviewed. A laudatory evaluation report from the Office of Inspector General had been misfiled in another officer's file. Mr. Thomas had not been allowed to see and rebut the single negative evaluation report in his file. Instead of encouraging boards to carefully consider employees in their final year of promotion eligibility, the promotion precepts cautioned against promoting such individuals.

This all happened because employees in those days had few rights. The personnel system was run by an old boy network of senior officers who managed the Foreign Service as they saw fit. Decisions on promotions and selection-out were not reviewable, either within the agency or by an independent third party. Employees were not allowed to see all the comments nor could they seek removal of falsely prejudicial remarks. Promotion and assignment rules were set without input from employee advocates.

The Thomas tragedy was just the highest-profile example of an unaccountable personnel system. Because it coincided with AFSA's rise to becoming a union, AFSA was able to step in to press for reforms. As an independent employee advocate, AFSA went directly to Congress to seek legislation creating a Foreign Service grievance system (established in 1976) to provide due process to employees deprived of a right or benefit authorized by law or regulation. As an energetic employee advocate, AFSA convinced the State Department to adopt the "annuity exception" allowing FS-2s and below, like Mr. Thomas, to remain on active duty to age 50 to qualify for a pension (that rule remains in effect a half century later).

John K. Naland is a retired Foreign Service officer serving his third term as AFSA retiree vice president. He earlier served twice as AFSA president and once as AFSA State vice president.

The personnel system was run by an old boy network of senior officers who managed the Foreign Service as they saw fit.

AFSA's Powers

In becoming a union, AFSA did not cease being the professional association of the Foreign Service; but it gained new powers to influence the personnel system and safeguard the interests of career diplomats as they work to promote U.S. security, prosperity, and democratic values.

As a union, AFSA has the right to negotiate with agency management over personnel policies and procedures affecting conditions of employment. Once a collective bargaining agreement is reached, an agency cannot ignore it. If agencies try to do that, the agreement is legally enforceable by AFSA appealing to third-party adjudicatory bodies such as the Foreign Service Grievance Board. AFSA can also file cohort grievances on behalf of specific groups of employees—for example, compelling the State Department to pay Meritorious Step Increases as AFSA did in the mid-2010s. AFSA can even force agencies to follow rules adopted in permissive negotiations outside of required collective bargaining—for example, securing a ruling that the State Department violated a negotiated agreement when it assigned a Civil Service employee as a deputy chief of mission over 12 Foreign Service bidders in 1999.

Significantly, the Foreign Service Act of 1980 gives AFSA a formal role in selecting the members of two of the third-party adjudicatory bodies to which AFSA may appeal: the Foreign Service Grievance Board (which rules on individual and cohort grievances and implementation disputes alleging breach of a collective bargaining agreement) and the Foreign Service Labor Relations Board (which rules on unfair labor practices, negotiability issues, and appeals of implementation disputes from the Grievance Board). In addition, AFSA has long been consulted on selecting members of the Foreign Service Impasse Disputes Panel (which rules on negotiating impasses arising during collective bargaining).

As union officials, the AFSA president and agency vice presidents have the right to speak independently to Congress without getting agency approval or violating the Anti-Lobbying Act. For example, as AFSA president in 2008, I testified before a Senate appropriations subcommittee about the need to increase Foreign Service hiring to refill positions transferred to Iraq from posts worldwide. Also testifying was the principal deputy assistant secretary of State for human resources. Before the session, when I asked her if she planned to request more staffing, she replied: "No, I must articulate administration policy, which is not asking for increases." But empowered by my independence as a union official, I did forcefully articulate that need in my testimony. A few months later, Congress approved funding for a major staffing increase.

The freedom to directly lobby Congress is one of AFSA's critical strengths as a union. The list of legislation over the past 50 years for which AFSA was the leading proponent or played an important advocacy role is a long one. It includes: creating the Foreign Service grievance system, exempting Foreign Service members from capital gains taxation on the sale of their primary residence after overseas service of up to 10 years, establishing Overseas Comparability Pay, helping to convince Congress not to move the visa function to the Department of Homeland Security after the 9/11 terrorist attacks, building a bipartisan coalition on Capitol Hill to block massive budget cuts to diplomacy and development during the Trump presidency, and gaining parity with the military for the Foreign Service on a range of benefits including in-state college tuition rates.

AFSA leaders may also speak independently to the media. For example, after Secretary of State Rex Tillerson decapitated the Senior Foreign Service in 2017 by slashing promotions and telling some of our most senior FSOs to clear out their desks, he gave the media erroneous statistics that understated the cuts. But AFSA obtained authoritative details on how many career ambassadors and other senior officers had been purged, and AFSA President Barbara Stephenson gave that information to the media, which reported the true numbers showing the damage. Her President's Views column in the December 2017 *Foreign Service Journal*, "Time to Ask Why," laid out the details and was quoted by most major media outlets. As soon as Tillerson was fired in 2018, promotions and hirings increased.

As a union, AFSA has assisted tens of thousands of members over the decades with grievances, investigations, discipline proposals, security clearance suspensions, and Equal Employment Opportunity complaints, as well as assignment, leave, medical, and other issues. AFSA has represented hundreds of members in Diplomatic Security, Office of Inspector General, and FBI interviews, and before Accountability Review Boards and congressional committees. AFSA's status as a union allowed it to pay more than $485,000 in legal bills for Foreign Service

AFSA Legislative Victories

Legislation for which AFSA was the leading proponent or played a critical advocacy role.

1975 After years of effort, legislation passes creating the Foreign Service grievance system.

1980 AFSA contributes to the drafting of the Foreign Service Act of 1980.

1998 The first of two decades of increased annual funding to upgrade embassy security is secured following the terrorist attacks on U.S. embassies in Kenya and Tanzania.

1999 Legislation mandating Law Enforcement Availability Pay (LEAP) for Diplomatic Security Special Agents is enacted.

2001 Increased funding for hiring is secured under Secretary of State Colin Powell after years of AFSA documenting the need in congressional testimony and public statements.

2002 Legislation is passed authorizing retirement credit to eligible family members who performed part-time, intermittent, temporary (PIT) service abroad between 1989 and 1998.

2003 Virtual locality pay is established so that Foreign Service members serving overseas prior to retirement have their pensions calculated based on the Washington, D.C., locality pay rate.

2003 Legislation exempting Foreign Service members from capital gains taxation on the sale of their primary residence after overseas service of up to 10 years is enacted.

2009 Overseas comparability pay is established, which currently boosts the salaries of overseas Foreign Service members by 21 percent (two-thirds of D.C. locality pay).

2009 A proposal to eliminate all funding for the Foreign Commercial Service is stopped.

2017 The beginning of four years of successful efforts to build a bipartisan coalition on Capitol Hill that rejected massive budget cuts to diplomacy and development sought by President Donald Trump.

2021 Legislation is adopted giving the Foreign Service parity with the uniformed military on benefits including in-state college tuition for students in their state of domicile and the ability to break certain leases/contracts without financial penalties.

2021 Legislation is signed into law providing employees additional financial support for brain injuries from anomalous health incidents (AHIs).

2021 Legislation is blocked that would have authorized a large mid-level entry program for the Foreign Service at the State Department.

members subpoenaed to testify in the Trump impeachment hearings so they would not suffer personal financial ruin. While ethics rules usually prohibit federal employees from accepting gifts, including free services, as a union AFSA is allowed to arrange for outside attorneys to represent its members. In effect, those private attorneys are providing services to AFSA, not to the employee. Thus, AFSA's payment of those legal bills is a benefit of AFSA membership, not a prohibited gift to the employee.

Not a Typical Union

Like other unions, AFSA works to address the concerns of individual members. But because AFSA is also a professional association, it sometimes puts greater priority on the long-term institutional well-being of the career Foreign Service. This focus on long-term issues contrasts with management officials at the State Department and other foreign affairs agencies, who sometimes seek to address short-term problems without considering longer-term implications for the Foreign Service career.

For example, when Secretary of State Colin Powell decided to require leadership and management training after each mid-level Foreign Service promotion, the Bureau of Personnel wanted to phase in the requirement over a decade. AFSA objected, urging a more rapid implementation to compel training-resistant members to comply for the good of the Service.

AFSA Labor Management Achievements

☑ Assisted tens of thousands of members over the decades with grievances, investigations, discipline proposals, security clearance suspensions, and Equal Employment Opportunity complaints, as well as assignment, leave, medical, and other issues.

☑ Blocked repeated State Department attempts over many years to assign Civil Service (CS) employees to career-enhancing Foreign Service (FS) positions overseas, ignoring the Foreign Service Act of 1980 requirement that FS jobs normally be filled by FS employees. For example, secured a ruling that the department violated a negotiated collective bargaining agreement by assigning a CS employee as a deputy chief of mission. Secured limits on the department's CS excursion program after it violated an agreement with AFSA by assigning CS employee to an Iran watcher position in London.

☑ Won or settled multiple cohort grievances over the decades on behalf of groups of FS members. For example, AFSA won a dispute over the way the Foreign Agricultural Service assigned two CS employees to overseas positions, persuaded the Foreign Commercial Service to permit employees to attend the Foreign Service Institute Job Search/Transition Program, settled a dispute with USAID over Foreign Service Limited employee assignments, secured payment of locality pay to employees attending training, won retroactive Meritorious Step Increases for more than 1,000 State Department employees, won a dispute regarding eligibility for Senior Foreign Service performance pay, and won deserved overtime pay for 49 Diplomatic Security (DS) agents.

☑ Worked during the 1990s to end discrimination in FS agencies based on sexual orientation by providing legal support to lesbian and gay members who were being targeted by DS, and worked with the employee group glifaa to expand benefits for same-sex partners.

☑ Filed amicus curia briefs in court successfully arguing that the Secretary of State may not reverse a Foreign Service Grievance Board decision overturning an employee's separation for cause and, in a separate case, that a consul general was acting within the scope of his employment when he was involved in a car accident overseas and thus may not be sued in civil court in the United States.

☑ Blocked State Department attempts over many years to amend the Foreign Service Act of 1980 to put employees with suspended security clearances in a leave-without-pay status, which could potentially last for years due to the slow process of restoring security clearances.

☑ Convinced the State Department not to repeal the annuity exception that allows FS-2s and below who TIC (time-in-class) out before becoming eligible for an immediate annuity to continue working until they are eligible.

☑ Assisted a dozen members in being found "not liable" after they were charged with security violations when the State Department retroactively classified emails sent from then–Secretary of State Hillary Clinton's private server.

☑ Represented hundreds of members in FBI and DS interviews and before subcommittees of Congress (including those investigating issuance of visas to 9/11 hijackers and the first Trump impeachment) and Accountability Review Boards (including for Cuba Anomalous Health Incidents, Benghazi, and the Nasar Square incident in Iraq).

☑ Pressed the State Department to create a process for employees to appeal assignment restrictions, and later secured legislation requiring the State Department to create an independent panel (outside DS) to decide assignment restriction appeal cases.

☑ Helped secure family-friendly reforms to the Special Needs Educational Allowance program.

☑ Negotiated procedural protections following the State Department's decision to allow DS to record subject and witness interviews without the requirement to get the consent of the employees.

☑ Convinced the State Department during the pandemic to offer administrative leave for COVID-related purposes and to bring on new hires remotely instead of freezing all FS hiring.

Milestones as a Union

1967 AFSA membership elects "Young Turks" led by Lannon Walker and Charlie Bray who begin the transformation of AFSA from a staid professional association to an advocacy organization.

1968 AFSA establishes awards for constructive dissent.

1969 Following President Richard Nixon's Executive Order 11491 allowing federal employees to unionize, AFSA leaders begin debating whether to seek recognition as the Foreign Service union.

1971 AFSA membership votes to seek recognition as a union. Tex Harris leads negotiations with State management on what becomes Executive Order 11636, setting labor-management rules for the Foreign Service.

1972 Bill Harrop and Tom Boyatt lead AFSA, competing with the American Federation of Government Employees (AFGE), to be selected by employees as the Foreign Service union.

1973 AFSA wins Foreign Service union-representation elections at the State Department, United States Information Agency (USIA), and USAID. (USIA included the Broadcasting Board of Governors [BBG], renamed U.S. Agency for Global Media [USAGM] in 2018.)

1975 AFSA hires first staff attorney.

1976 AFSA and State Department management reach agreement on regulations to implement grievance legislation enacted by Congress after years of debate.

1976 USIA Foreign Service members vote to leave AFSA to be represented by AFGE.

1982 AFSA hires first congressional lobbyist.

1983 AFSA establishes Legislative Action Fund.

1992 USIA Foreign Service members vote to leave AFGE to be represented again by AFSA.

1994 AFSA wins uncontested representation elections in the Foreign Agricultural Service and the Foreign Commercial Service.

1996 Publication of the first edition of AFSA's *Inside a U.S. Embassy* book.

1996 AFSA members joined by AFGE demonstrate in front of Main State, protesting the nearly monthlong federal government shutdown and employee furlough.

1999 After the merger of USIA and State, AFSA negotiates the incorporation of USIA's best practices into State's personnel system.

2000 Constructive dissent awards are expanded to include Foreign Service specialists.

2002 AFSA Political Action Committee is formed.

2006 AFSA creates a Legal Defense Fund, renamed the Richard C. Scissors LDF in 2007.

2013 AFSA wins uncontested representation election for Foreign Service employees of the Animal and Plant Health Inspection Service (APHIS) at the U.S. Department of Agriculture.

2017 The complete digital archive of *The Foreign Service Journal* (1919 through present) is made available online.

2019 Legal Defense Fund pays more than $485,000 in legal expenses of AFSA members called to testify in the first Trump impeachment.

AFSA's status as a union allowed it to pay more than $485,000 in legal bills for Foreign Service members subpoenaed to testify in the Trump impeachment hearings.

In that same era, citing large staffing gaps in mid-level positions, the Director General's office asked AFSA to agree to administratively promote all FS-4s instead of having them individually compete for promotion. AFSA refused, saying that even if the selection board promoted almost all of them, it could still hold back those not ready for greater responsibilities—that is, those whose promotion would be a disservice to them and to colleagues whom they would then supervise.

A significant difference between AFSA and Civil Service unions is that those unions do not represent supervisors. But thanks to the unique employee-management system negotiated by Ambassador (ret.) Tom Boyatt and others in the early 1970s, AFSA represents the entire Foreign Service worldwide, including supervisors and every cone, backstop, specialty, and rank with limited exceptions such as colleagues in ambassadorial and assistant secretary positions. In addition, many of the senior leaders whom AFSA does not legally represent are nevertheless AFSA members in its capacity as a professional association. Combined with the fact that more than 80 percent of Foreign Service members voluntarily pay AFSA dues (Civil Service unions average 30 percent), it means that AFSA truly is the "voice of the Foreign Service"—and thus carries added authority and influence with agency management, Congress, and the media.

Another difference between AFSA and Civil Service unions is that a higher percentage of retirees retain their membership after leaving active duty. Retiree dues not only fund advocacy on their behalf, but also advocacy for active-duty members still in harm's way. In addition, retirees are major contributors to the AFSA Political Action Committee and Legal Defense Fund. A dozen retirees who are former AFSA presidents meet from time to time with the current president to share their experiences and insights.

Other AFSA Strengths

As AFSA marks the semicentennial of becoming a union, it is useful to catalogue its other strengths. These strengths may prove critical in the future if political leaders again seek to cripple federal unions and deprofessionalize the career federal services.

AFSA has a strong professional staff. With just six employees when AFSA first became a union, it soon thereafter hired its first staff attorney followed by its first congressional lobbyist. Today, the staff totals 39, including seven attorneys. Eight have been with AFSA for more than 20 years, applying their deep experience to advancing member interests.

AFSA's *Foreign Service Journal* has been a forum for news, history, discussion, and debate about issues related to diplomacy and the Foreign Service since 1924. It presents diplomatic history through the lens of the practitioner with open access online for those inside and outside the Foreign Service. The *Journal* added its AFSA News section in 1968, providing a unique space for AFSA to track and share union activities and concerns.

Financial strength is another important asset. Over the past two decades, AFSA steadily amassed a "rainy day" reserve fund that now exceeds $3 million. Those resources are available to be drawn on if needed to wage legal or media battles to protect career diplomacy. The hundreds of thousands of dollars in donations to AFSA's Legal Defense Fund to pay attorney bills of impeachment witnesses show that additional funds can be raised in times of peril.

Finally, AFSA's 21-member Governing Board is another strength. Its members are popularly elected by the entire Foreign Service. The board includes representatives of all six foreign affairs agencies. Boards typically include FSOs and FS specialists, a variety of cones and grade levels, and retirees, as well as having gender and racial diversity. That diversity, of course, depends on who runs for office and whom the voters elect. So, each election cycle, AFSA members have the ability and opportunity to increase that variety of backgrounds and perspectives.

The Next 50 Years

Asked in 1787 what kind of government the Constitutional Convention had adopted, Benjamin Franklin replied, "A republic if you can keep it." That same note of caution applies to AFSA as a union. Current and future AFSA Governing Boards must not shy away from utilizing the union rights their predecessors won for them. And they must vigorously defend those rights should they be threatened.

FOCUS AFSA AS A UNION AT 50

Federal Unions and USAID
The Challenge for AFSA

A second-generation USAID FSO and AFSA vice president explains why the USAID Foreign Service needs a union and lays out workforce challenges facing the agency today.

BY JASON SINGER

“Why in the world would the Foreign Service need a union?” This is a question I am asked occasionally, as unions are not generally associated with globe-trotting diplomats and development experts, and too many individuals (inside and outside government) wrongly believe FSOs lead lives of glamour on the taxpayer’s dime. To be fair, as USAID FSOs we *are* lucky, and we are grateful for the privileges we have as career public servants with the agency. But a Foreign Service career brings unique personal and professional challenges and places demands on us and our families that become no less exacting over time; just the opposite.

Since July 2019, I have served as AFSA’s vice president for USAID, representing the agency’s more than 1,850 career Foreign Service (FS) officers and more than 400 non-career Foreign Service Limited (FSL) appointees. On the occasion of AFSA’s 50th anniversary as a union, I want to share a few thoughts on the value of AFSA’s role and the status of AFSA-USAID relations, including a few examples of problems that need to be addressed.

We juggle and struggle to do our work, advance our careers, care for our families at home and abroad, navigate (or sometimes hack through) the bureaucratic thicket, and maintain positivity. We are ever mindful of the trust and responsibility we carry, not just on behalf of our country writ large but our friends, neighbors, and communities, and those we seek to support. We want to focus on our work and the agency’s mission, confident that the agency has our back when it comes to our welfare, careers, and conditions of employment. We strive to sustain hope that the oft-cited mantra, “Our people are our most valuable resource,” is more than a talking point in periodic testimonies and town halls.

But regardless of agency rhetoric, policy, or good intentions, FSOs do find themselves in need of counsel, support, help, and advocacy, both as individuals and as part of the career Foreign Service. So, while USAID is not a textile factory floor, and I bear little resemblance to Norma Rae, there is no doubt that AFSA’s dual roles—as a union for individual officers and as

The son of a USAID FSO, Jason Singer is a Foreign Service officer with more than 25 years of public and private sector experience, including with USAID, the Department of the Treasury, and the National Security Council. He has served in a range of USAID domestic and overseas posts including Indonesia, Afghanistan, and India. He has tremendous respect for his USAID and interagency colleagues and a deep appreciation for their service.

Though USAID remains a foreign affairs agency, it no longer operates or staffs itself as an institution led by and centered on its Foreign Service.

an advocate for the Foreign Service as an institution—are both warranted and valuable.

AFSA's Role as the Voice of the Foreign Service

Nearly 80 percent of all active-duty Foreign Service members join AFSA (above 80 percent for USAID!), in addition to thousands of retired members. AFSA helps with virtually any issue its members confront—security clearances or violations, denial of tenure, employment-related performance evaluation, discipline/selection-out, pet travel, divorce, career counseling, and equal employment opportunity (EEO) and disciplinary processes. At USAID, AFSA also counsels members on the agency's still-new promotions process, work-life balance, pregnancy, divorce, adoptions, curtailments, extensions, assignments, allowances, evacuations, leave and benefits issues, and so on—the life of an FSO is not simple! Foreign Service members need a union, and AFSA is proud to represent them.

AFSA's role as "the voice of the Foreign Service" remains critical at USAID, where the influence and authorities of the Foreign Service have severely declined. Though USAID remains a foreign affairs agency, it no longer operates or staffs itself as an institution led by and centered on its Foreign Service. There are many reasons for this: the proliferation of Washington-driven initiatives; communications advancements extending the long arm of a predominantly non-FS Washington bureaucracy farther and faster afield; and the failure to define and support FS career pathways.

At USAID, the Foreign Service is too often treated simply as one among the agency's *many* "hiring mechanisms," with leadership failing to invest in FSOs as *career* public servants—and to be very clear, the Foreign Service is designed as a career service. Incentives matter, and USAID does not offer the appropriate career motivations needed to overcome the financial costs associated with a Washington, D.C., tour. The agency often claims that FSOs aren't "stepping up" to bid on Washington jobs, but at the same time, it limits or rejects extensions to Washington tours for FSOs—in large part because of a chronic FSO shortage. And, unlike State, USAID does not place senior FSOs in key operational and management positions such as head of the Management Bureau, assistant to the Administrator for human capital and talent management (HCTM), or chief human capital officer (CHCO).

The net result is a USAID headquarters where not only career General Service (GS) and career FS employees are the minority in many bureaus, but the technical expertise, field perspective, and hard-won mission experience of FSOs are too often either dismissed or simply drowned out. This diminishes the USAID Foreign Service as an institution. The proximate cause for this is USAID's long-standing lack of strategic workforce planning coupled with its outdated bifurcated budget structure.

As reported in the May 2022 OIG report, "Strategic Workforce Planning: Challenges Impair USAID's Ability to Establish a Comprehensive Human Capital Approach," USAID has worked for decades "to improve the efficiency and efficacy of its strategic workforce planning, yet despite these attempts, human capital management has remained one of the Agency's top challenges."

The agency is addicted to bureaucratic workarounds; it has consistently failed to invest authority, money, and staff in HCTM; and its budget complexities are coupled with sometimes opaque and questionable practices favoring non-career mechanisms.

AFSA, USAID, and Labor Dilution

Decades of hiring workarounds and the agency's patchwork, fragmented, and seemingly ad hoc approach to strategic workforce planning have diluted USAID's career employee workforce, complicating operations, management, and agency-union relations. USAID employs thousands of colleagues in Washington, D.C., and around the world, under temporary appointments and limited-term contracts including Foreign Service Limited (FSL) appointments, personal service contracts (PSCs), institutional support contracts (ISCs), or other time-limited mechanisms. As career employees shrink in proportion within the overall agency workforce, so too has the "voice" of the Foreign Service within USAID and the strength of AFSA and other federal unions representing career public servants.

And so I welcomed the Biden-Harris administration's focus on career public servants, including Executive Order 14003's declaration: "It is the policy of the United States to protect, empower, and rebuild the career Federal workforce." The president describes that workforce as "providing the expertise and experience necessary for the critical functioning of the Federal Government." Rebuilding the career workforce at USAID is long overdue but, as the president affirms, critical.

To her credit, Administrator Samantha Power called out these workforce shortcomings in her November 2021 speech, "A New Vision for Global Development." USAID has created unsustainable workarounds to fill staffing shortfalls, she acknowledged—some 90 percent of our positions in our Global Health, Humanitarian Assistance, and Conflict Prevention and Stabilization bureaus are on short-term contracts. "To this end, we will seek to increase our career workforce over the next four years," she vowed. "To build a brighter future, we need to staff our agency for the future."

The agency's "Transforming the Workforce Report to Congress 2022" further affirms the *problems* facing the agency vis-à-vis career employees, though it does not offer robust solutions: "USAID has long relied on a range of term-limited, non-career, and often NDH [non-direct-hire] mechanisms to staff needs that are not limited in duration. Those positions have included climate scientists, civilian-military liaisons, nutrition specialists, elections specialists, program managers, epidemiologists, and long-term institutional support for humanitarian assistance.

"This reliance on a hodge-podge of non-career and term-limited mechanisms … puts at risk the institutionalization and oversight of some of the Agency's highest-priority initiatives. For too long, we have relied on USAID's creative approaches to meet our staffing needs amid growing program budget and responsibilities. This has resulted in costly inefficiencies and staff who are working side-by-side under managers who must deal with different pay, benefits, and performance systems."

Shocking numbers and welcome words. Happily, the agency and Congress *have* modestly increased USAID's Fiscal Year 2022 OE budget to hire additional career employees with commitments for more—let's hope! And yet, the agency *is increasing hiring of non-career staffing mechanisms at a faster rate*, further diluting and unbalancing the career cadre—a far cry from the president's policy to "protect, empower, and rebuild." AFSA is tirelessly working to advance the president's agenda within the agency and work with agency colleagues to translate USAID's own commitments into action.

A Tale of Two Administrations

I have served as AFSA VP under two administrations that are on opposite ends of the labor-management spectrum, at least rhetorically. Under the previous administration, despite a White House that issued anti-union executive guidance and sought to end the country's nonpartisan Civil Service, AFSA enjoyed solid, respectful, and often productive relations with the previous USAID leadership.

Indeed, then–USAID Administrator Mark Green and his front office team neither touted the talking points nor leaned into many of the anti-union and anti-employee actions pushed by the White House. To be sure, it was no golden age of labor-management harmony, but agency leadership consulted with employees, valuing their professional technical skills, field knowledge, and perspectives as development professionals. USAID Inspector General findings on workforce concerns were acted on quickly, and a historic agency reorganization was informed and influenced through union consultations.

The counselor, the agency's highest-ranking career employee, was treated as an integral part of the front office team, and was regularly present, active, and respected in leadership fora and in helping to shape institutional change. There was even historic progress in advancing integration of career Foreign Service and Civil Service employees into those challenging bureaus cited by Administrator Power, i.e., the contractor strongholds of the Bureau for Humanitarian Assistance and the Bureau for Conflict Prevention and Stabilization, with commitment to future progress. Remember, this all took place under an administration that sought to implement "Schedule F," a new employment classification system that would have transferred thousands of career public servants into a new job category where they would lose much of their Civil Service protections, becoming de facto "at-will" workers.

Fast forward to 2021 when, on his second day in office, President Joe Biden issued Executive Order 14003, "Protecting the Federal Workforce." This was followed by additional extensive direction to executive agencies, including the February 2022 report "White House Task Force on Worker Organizing and Empowerment." That report stated: "When federal employees organize a union, they should have an effective voice in workplace issues through their union, and federal management should work closely with these unions to solve workplace issues in a manner that advances agencies' missions and produces high-performance workplaces." The White House continues to issue complementary guidance.

And yet the current USAID front office has never overtly acknowledged President Biden's employee- and union-focused executive order and, in fact, rapidly took a number of actions more in line with a Schedule F agenda. For example, the agency *created* and filled a new political position, the "Assistant to the Administrator for Human Capital and Talent Management," overseeing the CHCO and HCTM. This action raised both eyebrows and questions: *Why* would USAID, particularly under the Biden-Harris administration, politicize the career federal workforce? Indeed, as one concerned coalition expressed to Congress, "If government employees owe their jobs more to personal or political allegiance rather than merit, they will be more beholden to the party in power instead of the law of the land."

Further, the agency boasts very few FSOs in its most senior Washington positions, dampening the FS field perspective and contributions both inside the agency and in the interagency (see AFSA's tracker of senior appointments, which also highlights USAID's current paucity of career FSOs in senior USAID HQ roles). In contrast, both State's under secretary for management and Director General of the Foreign Service/Director of Global Talent are career FSOs; presumably, State leadership believes a foreign affairs agency benefits by having nonpartisan, career FSOs leading management and human capital operations.

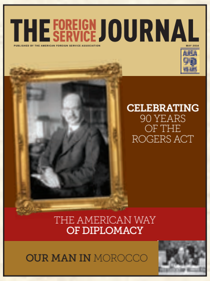
Shoots of Hope and Seeds of Change

This administration and current agency leadership certainly did not create all of these challenges, most of which require long-term solutions—structural, budgetary, policy-based, operational, and cultural. And while I am appreciative of the dialogue and engagement with agency counterparts at all levels, I remain highly concerned that USAID leadership refuses to actively and openly embrace and act on the president's clear mandate vis-à-vis unions and career public servants: To rebuild. To empower. To protect. Yes, this will be difficult, but since when did USAID shy away from difficult?

For 50 years, AFSA has defended our members and advocated for a strong, nonpartisan career Foreign Service, always seeking opportunities for collaboration while never shirking our duty. And now, AFSA and the agency have a unique and unprecedented opportunity to collaborate, breaking from a past that prompted the OIG May 2022 audit: "For nearly 30 years, USAID has worked to improve the efficiency and efficacy of its strategic workforce planning, yet despite these attempts, human capital management has remained one of the Agency's top challenges." I am ever hopeful that similar words will not open the OIG's 2030 report. And I am ever confident that if they do, AFSA will be there to help defend its members. Thank you for your service.

The *FSJ* on AFSA's Path to Unionization

From the *FSJ* Archive



In the Beginning: The Rogers Act of 1924

The need for such sweeping reform had been evident many years before Representative John Jacob Rogers, R-Mass., introduced his first Foreign Service reform bill in 1919. A decade earlier President Theodore Roosevelt had declared: "The spoils system of making appointments to and removals from office is so wholly and unmixedly evil, is so emphatically un-American and undemocratic, and is so potent a force for degradation in our public life, that it is difficult to believe that any intelligent man of ordinary decency who has looked into the matter can be its advocate. As a matter of fact, the arguments in favor of the merit system against the spoils system are not only convincing; they are absolutely unanswerable."

—Jim Lamont and Larry Cohen, May 2014

Toward a Modern Diplomacy

We must attempt to gauge the extent of our involvement abroad in the 1970's, and then determine the qualitative and quantitative requirements for personnel flowing from such involvement. We must also estimate how the new Administration might organize itself for the conduct of foreign affairs and then recommend the kind of personnel structure we believe will best serve the interests of the American people. …

No element of our deliberations was as difficult and complex as those involving the kind of basic personnel structure which would best meet the needs of the nation in the 1970's. There were many reasons for this. Quite literally the possible combinations of personnel systems that can be patched together are infinite. Indeed, we found this had been the history of our foreign affairs personnel framework over the past two decades.

We were somewhat handicapped by the fact that the concept of "The Foreign Service of the United States" as a single professional service which would provide staffing for all major foreign affairs had become almost completely eroded.

—Graham Martin, November 1968, Part II

A Message from the Board

Since the Board election of 1967, the Association has become a force to be reckoned with.

It has won increasing recognition from the leadership of the foreign-affairs agencies as the authoritative voice of their personnel.

It is forging links to the foreign affairs community in the Congress and outside the Government.

In "Toward a Modern Diplomacy," it has presented the elements of reform which are essential if the Government is to develop a rational and efficient machinery for the execution of foreign policy in the years ahead.

It has made tangible progress in protecting the members' interests. …

The bedrock of AFSA's concerns lies in the bread-and-butter issues which affect the conditions of work and daily life of every member. The Board will have proposals to make on a number of these. Both because it symbolizes existing inequities and because members are out of pocket every time they move to a new assignment, the transfer allowance will rank first on this list. …

The Board takes office at a time when the leadership of the foreign affairs agencies is searching for answers to the questions which the Association has raised. As an organization of men and women who have chosen to serve their country in the work of foreign affairs, we believe we are particularly qualified to help in that search. As an independent organization, we intend to keep putting the questions. We look forward to finding the answers together, in the interest of our common cause.

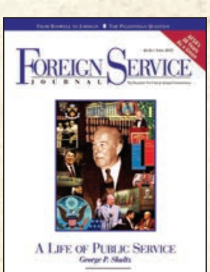
—AFSA Board of Directors, February 1970

Paving the Way for Unionization; "Who Do You Think You Are?"

Idar Rimestad, a career officer, gave [an account] in a 1990 interview. "I took Lannon Walker aside and said, 'You see that certificate on the wall, signed by the president? I think you will see my name on the top. Where in that certificate does it say that I am to abdicate my responsibilities to the Foreign Service Association? It doesn't, and I don't intend to do it!' So AFSA and I had an adversarial relationship; very much so. I think they were wrong."

In reply to Rimestad's challenge, Walker and the newly elected Young Turks called an open forum meeting that packed the Dean Acheson Auditorium and demonstrated that AFSA had the backing of its members. The change in administration in 1969 led to the replacement of Idar Rimestad by William Macomber, who was sympathetic to the reform agenda. He engaged AFSA fully in the shaping of management policy, well before the association's certification as a union in 1973.

—Harry W. Kopp, April 2013



AFSA Becomes a Union: The Reformers' Victory

The Macomber Era, 1969-73. During this period of challenge and reform, the Department of State was managed with energy and vision by Amb. William Butts Macomber. Appointed as the under secretary for administration (later renamed management) in 1969, Macomber came to the job extremely well prepared. A fast-talking, overactive, passionate Yankee Republican, he had already put in long years of service in Foggy Bottom. …

Macomber knew the department inside and out, cared about it, and wanted change. The demands for major reforms from AFSA's Young Turks, and later by the Harrop and Boyatt Participation Slates, made great sense to Macomber, who already wanted to break the State Department out of its "old boy" rut and had the wide-reaching personal connections on the Hill and in the White House needed to achieve change. Most importantly, he enjoyed the trust of Secretary of State William Rogers, who was dealing with Vietnam and myriad other major foreign policy issues and was only too happy to delegate management of the department. (It helped that Macomber's wife, Phyliss Bernau, was Rogers' longtime personal assistant.) …

Macomber had a vision not only for reforming the department, but also for changing the way American diplomacy was conducted. An energetic, demanding doer who could charm or ream as needed to get things done, he quickly recognized the utility of the AFSA "Young Turk" and "Participation" reform agendas—and the need to involve everyone in the reform process. So he drafted hundreds of State Department Foreign and Civil Service employees to serve on a dozen task forces examining almost every aspect of how the department conducted its business. Each group produced scores of recommendations which, after careful vetting by Macomber and a ritual blessing by Rogers and Irwin and the Board of the Foreign Service, eventually formed part of an action blueprint set forth in a fat green book boldly titled *Diplomacy for the 70s*. The proposals introduced the cone system and open bidding for jobs, emancipated wives from ratings and unpaid work, mandated gender equality, provided for due process in evaluations, allowed officers to see their "secret" performance appraisals and much more. …

In all these battles, AFSA was Macomber's strategic ally, but sometimes his tactical enemy. … But while such bureaucratic conflicts were always fiercely fought, they were waged deep inside the new territory of reform.

—Tex Harris, June 2003

Truth or Consequences

Like all Americans, we at AFSA are concerned about protecting government secrets from spying. We believe, however, that the administration, in a well-intentioned effort to stem the recent spate of espionage, has placed the need to protect secrets ahead of the constitutional rights of its employees; has broken faith with those workers by reneging on promises not to implement several announced measures that abrogate those rights; and is ready to place unwarranted trust in an electronic countermeasure that has no scientific validity.

The president [Ronald Reagan] said in his January news conference that the plan for polygraph screening of State Department employees and other government workers has not been changed. The White House had promised in December, after Secretary Shultz threatened to resign rather than take a test, that the machine would only be used in investigations of espionage incidents, which had been the practice all along. …

The problems are twofold. First, they infringe on the liberties to which government employees, like all Americans, are entitled under the Constitution. There are already laws that punish persons who reveal classified information without infringing on their right to speak freely without prior government approval. …

The second problem is that, as a bipartisan congressional study reported in 1983, there is no evidence that the polygraph is a reliable screening mechanism. There is abundant evidence, however, that its well-established error rate will place the careers of thousands of Foreign Service employees in jeopardy. …

AFSA believes strongly that the government must take action to protect its secrets. This need not be done, however, in a manner that infringes on our rights as citizens. This also need not be done with a device that can only serve as an electronic Maginot Line.

—Association Views, February 1986

From Striped-Pants Set to White-Collar Union

AFSA has evolved with the Foreign Service, through isolationism the 1920s and 1930s, the eruption of World War II, vilification of the "old China hands" in the 1950s and the upheavals of the Vietnam War years in the 1960s and 1970s. It has changed from an organization that, in its early days, welcomed top managers from State's hierarchy as honorary officers to a union that protects the interests of the Foreign Service employees of the foreign affairs agencies. …

AFSA's agenda and priorities over the years have depended on who has served in its board slots and offices. A basic problem for AFSA is that it represents different constituencies from all ranks and specialties within five foreign affairs agencies. These members often have different interests and, depending on the issue, one group of constituents can oppose another.

Even with these inherent difficulties, AFSA has been a major player in influencing state's personnel policies for the Foreign Service. "The development of AFSA has played an important role in the evolution of the Department's personnel system over the past 30 years," State Department management expert William Bacchus said. … "AFSA is unique in American history in succeeding to maintain both a professional role and an organization with a union agenda," says former AFSA President Bill Harrop. … Just as defense forces must be maintained, "diplomatic forces and embassies must also be built up." …

AFSA President Dan Geisler agrees. "If AFSA does not speak out, the Foreign Service is not heard. We are the only voice operating independently of the administration and the Congress," he says. "We are the only voice that explains to the American people the vital importance of Foreign Service officers and specialists to our national security and domestic prosperity."

—Nancy A. Johnson, May 1999

Role Models: Lessons for Today from AFSA's Past

The reformers never lost their conviction that the Foreign Service, speaking as one through its union and professional association, could protect its institutional values and improve the work and lives of its members. …

Ever since the days recounted here, the American Foreign Service Association has been the champion of the men and women of the Service. Who speaks for the Service, if not AFSA? Not the under secretary for management, nor even the Director General or Secretary of State. No one now would be as naive as I once was, content to rely on the department to shield the Foreign Service from abuse.

Certainly the challenges we face today are as dire as those of the 1960s and 1970s. …

AFSA attends to the Foreign Service as an institution. It acts as a custodian of Foreign Service virtues, among them intelligence, judgment, integrity, courage, patriotism and sacrifice. It is up to you, AFSA's members, to ensure by your effort and vigilance that AFSA succeeds.

—Harry W. Kopp, May 2019

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THE FOREIGN SERVICE JOURNAL

FEATURE

When Terror Strikes Home

Covering Our Children While Protecting All Americans

Foreign Service crisis management can involve your own family. A career FSO and ambassador recalls his harrowing experience in Cambodia, and the lessons learned.

BY KENNETH M. QUINN

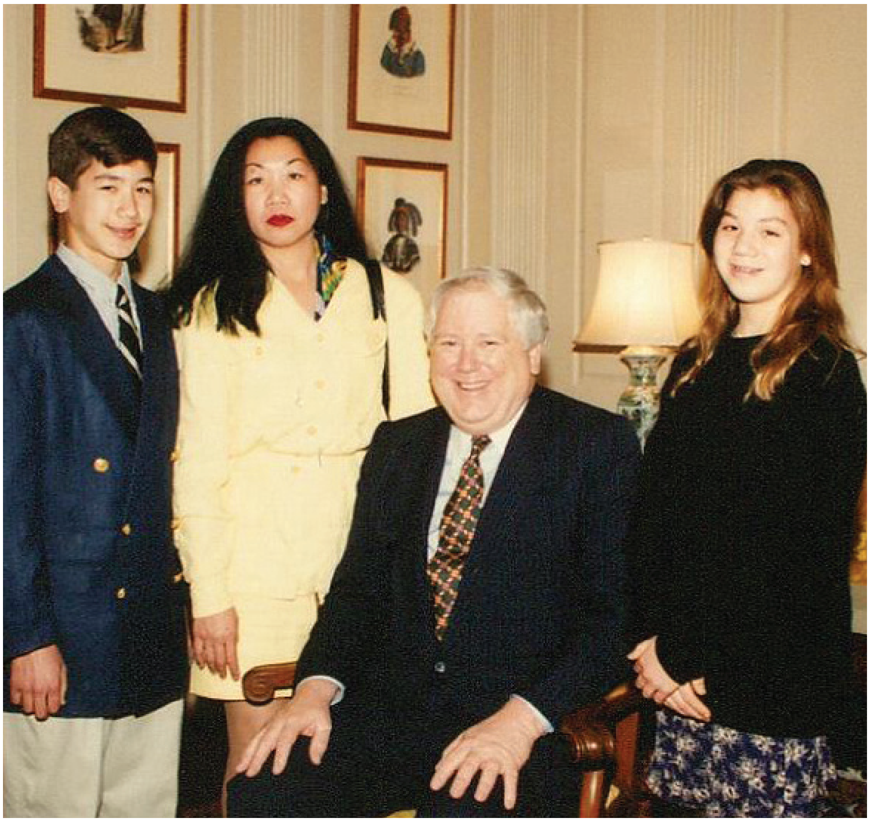
Of all the horrible images and tragic stories to emerge in 2022, the combat-style attack on Fourth of July parade attendees in Highland Park, Illinois, stands out for me. The assailant in this merciless act aimed to exact lethal casualties, stirring memories of what I had witnessed as a Foreign Service officer on the battlefield in Vietnam in the late 1960s. But it was the picture of little 2-year-old Aiden McCarthy wandering about in bloodied clothes, saved from death by being covered by his father's body, that prompted a particularly vivid recollection from my Foreign Service career: In 1997, in Cambodia, my wife and I had a very similar terror-filled experience, covering our children.

Kenneth M. Quinn served as U.S. ambassador to the Kingdom of Cambodia from 1996 to 1999. During a 32-year Foreign Service career, he was assigned for five years in Vietnam during the war, at the National Security Council, and as deputy chief of mission in the Philippines during two coup attempts. He received the State Department's Award for Heroism and is the only three-time recipient of the AFSA awards for intellectual courage and dissent. He is president emeritus of the World Food Prize and resides in Des Moines, Iowa.

A Meeting with Terror in Phnom Penh

It took place shortly before the Fourth of July in 1997, when I was serving as American ambassador in Cambodia. With the end of the school year in the U.S., my wife, Le Son, and our three teen and tween children had just arrived in Phnom Penh so we could spend the summer months together.

After a long period of violence, Cambodia now seemed to be at peace. The Khmer people, who had suffered so incomparably under the genocidal Khmer Rouge (almost 2 million of the total population of 7 million had perished under the draconian rule of Pol Pot) were slowly recovering under a United Nations–supported peace process and a new democratically elected coalition government, all put in place with critical U.S. involvement across the George H.W. Bush and Bill Clinton administrations. As deputy assistant secretary in State's Bureau of East Asian and Pacific Affairs, I had bridged those two political leaderships and was now in Cambodia to carry forward the support of the new government.


COURTESY OF KEN QUINN

In 1995, at the ceremony where he received the Arnold Raphel Award, Ambassador Kenneth Quinn poses with his wife, Le Son, and two of their children, Kelly and Shandon. (Their son Davin was at college and thus not able to attend the ceremony.) Shortly after, they traveled to Cambodia for his posting.

That night, however, the cease-fire that had provided a several years' respite from the two-decade-long civil war, abruptly ended as fighting broke out between the two main political factions that militarily occupied villas on Norodom Boulevard in the heart of the capital city. Our ambassadorial residence was right next to one of those heavily fortified villas, with sandbagged fighting positions manned by armed troops right outside the walls of our residence.

The first salvo was the firing of a rocket that, without any warning, struck our residence, blowing in the windows and narrowly missing the room where we were all gathered to watch a movie. Had the rocket struck just a few feet differently in either direction, it would likely have wounded or killed us all.

This explosion, which shook the house and shattered the windows, was instantaneously followed by an outbreak of automatic weapons fire surrounding the house. Suddenly, our residence was engulfed in an intense firefight. The incessant gunshots from just outside our walls were so loud and numerous that the sound permeated the entire house, bringing terror and the threat of imminent death directly into the family room.

In those few seconds I acted on instinct, following a deeply embedded parental impulse. Pulling our three children to the floor, my wife and I desperately covered them with our bodies. Now, even 25 years later, my clear recollection is of lying there and praying, as I had never prayed before, begging God to allow any bullets that came into our home to kill me and not our children. It was the moment when I fully understood just how much I loved my children, how absolutely ready I was to give my life to save theirs. I have to believe that Kevin and Irina McCarthy made that same desperate supplication right before they died in Highland Park.

Miraculously, none of us were harmed by that initial fusillade. As all this was transpiring, I almost simultaneously followed another instinct, this one inculcated by my experi-

Now, even 25 years later, my clear recollection is of lying there and praying, begging God to allow any bullets that came into our home to kill me and not our children.

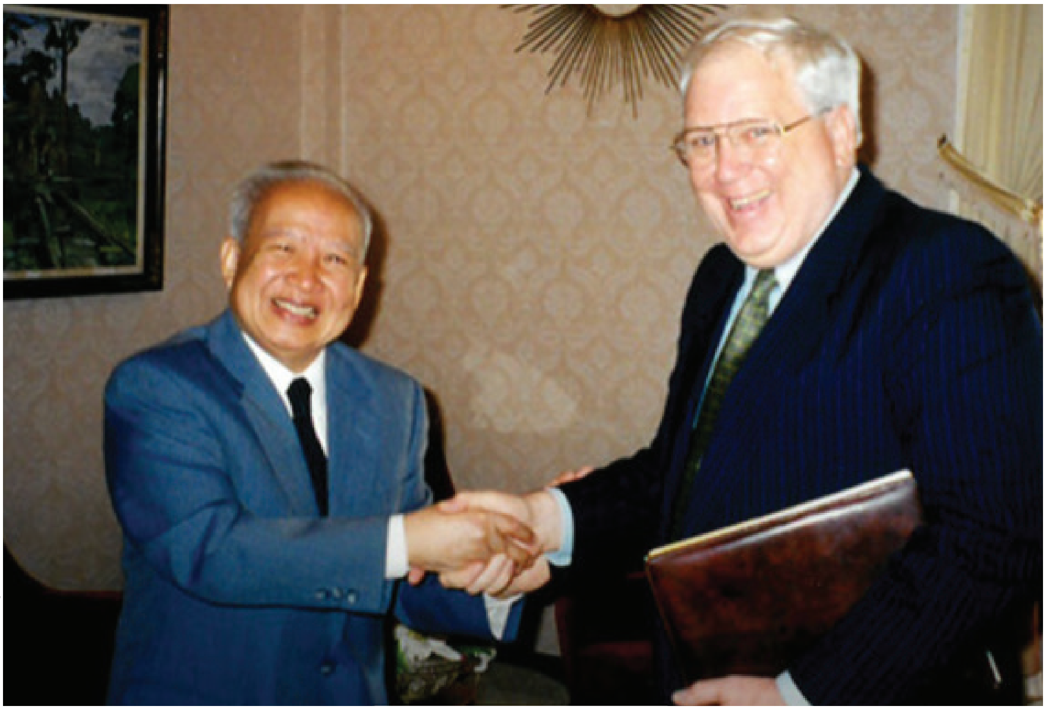
ences as deputy chief of mission in the Philippines during coup attempts against the government of President Corazon Aquino: the need to address the security of all Americans in the country.

Terror as an Occupational Hazard

Physically covering our children while lying on the floor, I reached up to grab my radio that linked me to my senior embassy staff. With it, I issued the order to activate our consular warden network to alert all American citizens to urgently take shelter and avoid moving about the city. Keeping the radio in place near one ear with one hand, I used my other hand to dial the phone number of the State Department's 24-hour Operation Center (which I had memorized) to report our precarious security situation. Our perilous situation was further exacerbated by the absence of any Marine Security Guards; we were literally a Benghazi-like embassy.

As the shooting began to subside, we moved the children to a more secure location inside the house, where any bullet would have to go through several walls to reach them. I then turned to the urgent need to get the two Cambodian factions to stop shooting. No one in the Cambodian government was answering their phones, so I had to cross Norodom Boulevard and get to the home of the interior minister. Waiting for a pause in the gunfire, I raced across the street and banged on the front door. I exhorted the minister, whose reception area looked like a war command center, to try to connect with his counterpart and get their troops to stop shooting. While I was there, he got through; and soon they agreed to halt the hostilities and exchange a liaison person to facilitate communications.

Over the next days and weeks, however, mutual suspicion and antagonism grew, and the threat of renewed warfare persisted. When the situation completely broke down and open warfare was again waged in the center of the capital city, our small embassy earned special recognition for our actions.



COURTESY OF KEN QUINN

In 1998, at the Royal Palace in Phnom Penh, Ambassador Kenneth Quinn (at right) meets with King Norodom Sihanouk about steps to take to encourage some candidates from the Royalist political party to return to Cambodia and contest the national election, an approach that was successful.

One of our first steps was providing interim protective arrangements for all Americans in the city by renting the ballroom of the Cambodiana Hotel. Remembering the lesson I learned in Manila, that we had to have such a place during the fighting, I beat the French ambassador in leasing the space in the most secure area in town. It served as a safe haven for more than a thousand of our citizens along with embassy families and nonessential staff while we worked to successfully evacuate almost all of them from the country.

In the absence of virtually all the local hotel staff, who deserted as the fighting intensified, my wife, Le Son, and our 12-year-old daughter, Kelly, worked in the kitchen helping prepare and serve food for their fellow American citizens. They were evacuated to Vietnam with the last tranche of American citizens.

During the days of July 5 and 6, the situation in the city became increasingly untenable, as marauding military units roamed about, and artillery shells struck randomly, including near the embassy, badly shaking the structure every time. Having sent all but the most essential personnel to the relative safety of the Cambodiana Hotel, we were down to a skeleton staff. I had given the order to destroy all of our classified paper records and was preparing to break up the secret codes in our communications room, the last step before abandoning the embassy completely.

A Diplomat's Job

It was then that two phone calls came to me. One was about a group of Mormon missionaries who were trapped amid the fighting going on near the airport. They had no way out and were desperate for evacuation.

No sooner had I hung up when another call came, from a Cambodian American who had been serving as a minister in the government but was now caught up in the internecine warfare. He was trapped in a construction project somewhere near the airport but would not disclose his exact location for fear that the phone call was being monitored, and he would be tracked down and killed.

He tearfully asked me to call his wife in Bangkok and say goodbye for him. As the battery on his cell phone was running down, we were suddenly disconnected. Not having any U.S. Marines or any other armed security force at the embassy, I thought there was only one thing I could do. Grabbing one embassy officer to go with me, we took my Chevrolet Impala, which served as the ambassador's "limo" and, unfurling the American flag on the front fender, drove toward the airport where black smoke rose and the sound of automatic weapons filled the air.

Driving through roadblocks and around troop formations, we arrived at the Mormon mission where the group leader rushed out and told me he had never been so glad to see the American flag in his life. With their safety assured, I continued driving toward the area where I believed the Cambodian American government official was hiding. Weaving around tanks and past advancing troops with the sound of gunshots resonating, I kept calling his number on my cell phone, leaving messages urging him to run out and jump in the car. But he never answered, and I could not tell if he had even been able to hear my messages. Eventually, we gave up and turned back to the embassy.

Our perilous situation was further exacerbated by the absence of any Marine Security Guards; we were literally a Benghazi-like embassy.

A few hours later, I went over to the hotel where hundreds of Americans were gathering. As I walked into the lobby with several of my interagency staff, many of our fellow citizens began clapping in appreciation for all that we had done to keep them safe. While I felt good that so many Americans had been able to be kept safe from the fighting, I still was despondent that I had not been able to help that one political leader.

But then I looked up, and there he was—a big, burly Cambodian man walking down the corridor toward me. I rushed up to him expressing amazement that he was alive and safe.

"I came looking for you and was afraid that you had been killed," I said.

"I know you did," he replied. "I saw you, but I didn't dare run out."

And then, contrary to all usual interpersonal aloofness that characterizes cultures in Southeast Asia, he stepped forward and threw his arms around me. Hugging me, he said something that I will never forget: "Now I know what it means to be an American."

Lessons Learned

Eventually, we evacuated more than 1,000 Americans from Cambodia and had the satisfaction of knowing that we did not have one citizen hurt, wounded, or killed. A few months later, after the fighting had subsided and Americans could return to the country, a man who said he was from Salt Lake City came to the embassy and asked to see me. When I expressed puzzlement about why he was there, he explained that he had been sent by the Church of Jesus Christ of Latter-day Saints to thank me for "your heroic efforts" to ensure that the Mormon missionaries in Cambodia were safe.

Remembering the lesson I learned in Manila, that we had to have such a place during the fighting, I beat the French ambassador in leasing the space in the most secure area in town.

I expressed appreciation for his message but explained that it was just part of the job being an American diplomat. We are employed to advance and protect America's interests and its citizens around the world, often in difficult and dangerous circumstances. Our career grants us a front-row seat to the making of history, and it also exposes us to potentially life-threatening challenges. Indeed, I was shot at, wounded, or under death threat in every foreign assignment I had during my three-decade Foreign Service career.

We learned another valuable lesson from our experience in Phnom Penh: When a violent political crisis is over, it really isn't over. Two years later, in 1999, our now high-school-age daughter and I arrived in Des Moines, Iowa. Having retired from my 32-year diplomatic career, I was about to take up leadership of the World Food Prize Foundation. Kelly was preparing to start training with her high school swim team.

One evening right around July 4, as she and I were sitting at home, we were suddenly transported back two years by a rat-a-tat-tat-tat sound that almost perfectly replicated those automatic weapons firing on that night in Phnom Penh. As we both instinctively dove to the floor, we locked eyes, and I said: "I think it's firecrackers going off for the Fourth of July …"

On every future Fourth, when they hear the sound of firecrackers going off, I imagine everyone caught in that Highland Park mass shooting will be painfully transported back to those terror-filled moments they experienced in 2022.

Call for Nominations: 2023-2025 AFSA Governing Board

Volunteering for service on the AFSA Governing Board means that you can represent your colleagues and help ensure that the voice of the Foreign Service is heard on the Hill and around the country. You will participate in the management and modernization of a multimillion-dollar organization with a large staff and real impact in Washington, including securing congressional funding for the Foreign Service, working to tell the story of diplomacy to our fellow Americans, and ensuring that all members of the Foreign Service are treated with fairness.

If this sounds like something you would be proud to do, please consider joining the next AFSA leadership team by running for a position on the 2023-2025 AFSA Governing Board. The Committee on Elections encourages members of all backgrounds to consider running; diversity is a core strength of any governing body.

Election Call

Election of AFSA Officers and Constituency Representatives.

This election call, issued in accordance with Article VII(2)(a) of the AFSA bylaws, constitutes a formal notice to all AFSA members of the opportunity to participate in the nomination and election of a new Governing Board.

Call for Nominations

Available Positions. The following positions will be filled in this election:

Officers
- President
- Secretary
- Treasurer
- Vice President for State
- Vice President for USAID
- Vice President for FCS
- Vice President for FAS
- Vice President for Retirees

Constituency Representatives
- State Department Representatives (6)
- USAID Representative (1)
- Alternate FCS Representative (1)
- Alternate FAS Representative (1)
- USAGM Representative (1)
- APHIS Representative (1)
- Retired Member Representatives (2)

These positions have two-year terms beginning July 15, 2023. AFSA bylaws require that Governing Board members participate via in-person attendance at regularly scheduled meetings of the board within 60 days of taking office on July 15 or appointment to office thereafter, and throughout their term in office.

The president and State, USAID, FCS, and FAS vice presidents are full-time positions detailed to AFSA. These employees are assigned over complement and are eligible for time-in-class extensions. The active-duty representative positions are not full time, but they are given a reasonable amount of official time to attend meetings regarding labor-management issues. Governing Board members are required to attend monthly lunchtime board meetings and may volunteer to serve on additional committees. To see position descriptions for all officer positions, go to http://www.afsa.org/board.

Nomination Procedures

Nominating Candidates. Any AFSA regular member in good standing (i.e., a member whose dues are automatically deducted or who has paid dues as of Feb. 15, 2023) may nominate any person (including self-nominations) for any of the available positions for which the nominee is eligible. The following requirements apply to nominations:

1. No member may nominate more than one person for each officer position, or more than the number of representatives established for each constituency. No member's name may appear on the ballot for more than one position.

2. All nominations must be submitted in writing by letter or email. To be valid,

Continued on page 51

CALENDAR

Please check www.afsa.org for the most up-to-date information.

December 5-April 3
AFSA Scholarship Applications Available

January 2
New Year's Day Observed AFSA Offices Closed

January 16
Martin Luther King Jr. Day AFSA Offices Closed

January 16
Governing Board Election Cycle for 2023-2025 Board Begins

January 18
12-2 p.m.
AFSA Governing Board Meeting

February 2
4:30-6:30 p.m.
Happy Hour: AFSA Celebrates 50 Years as a Union

February 15
12-2 p.m.
AFSA Governing Board Meeting

February 15
Nominations for Governing Board Election Due by 5 p.m. EST

February 20
Presidents' Day AFSA Offices Closed

February 27
12 p.m.
Virtual Meeting for Governing Board Election Candidates

March 15
12-2 p.m.
AFSA Governing Board Meeting

Contact: YazdgerdiTK@state.gov | (202) 647-8160

Focusing on Our Specialist Members

In March 2021, I wrote about AFSA's initiative to obtain an additional full-time representative to focus mainly on the needs of our specialist colleagues. I am pleased to report that, with the new Director General (DG) in place, AFSA has moved ahead with this proposal.

In October, we sent a formal notification memo to the DG asking for approval of the new position. To demonstrate the need for it, AFSA has proposed a two-year pilot program. At the end of this pilot, AFSA, in coordination with the DG and others, will evaluate the results to determine whether the position should be made permanent.

Why This Position Is Needed. The size of the Foreign Service at State has increased since AFSA's 1987 Framework Agreement with the department, growing by more than 30 percent in the last 20 years. Despite this remarkable increase, there is still only one dedicated State Department FS employee—the AFSA State Department vice president—to assist our State members with labor-management issues and to cover the myriad topics affecting today's Foreign Service.

Many don't know that most of the queries AFSA receives come from specialist members. With an additional official full-time position, AFSA can more effectively represent the more than 5,000 specialists at the department, including 2,000 Diplomatic Security special agents and some 3,000 others spread across 19 skill codes, including information management specialists, office management specialists, general services specialists, medical providers, and couriers, to name just a few. These employees have unique skill sets and unique needs for AFSA support, from promotion rates to overtime pay to professional development.

This is not about case work. Individual cases would continue to be handled by AFSA's Labor Management staff. Yet, as the exclusive representative of FS specialists, AFSA needs to increase our elected leader bandwidth to more effectively represent their issues to management.

The current AFSA Governing Board has six elected State Department representatives. But, despite our best efforts to recruit more specialists to serve on the board, only one of the current representatives is a specialist. Also, these six positions are volunteer jobs; the incumbents must take care of AFSA business outside their normal work hours.

Having an additional full-time position that primarily addresses specialist issues would help AFSA enormously. It would also allow AFSA a surge capacity, should we be faced with another pandemic

With this additional official full-time position, AFSA can more effectively represent the more than 5,000 specialists at the department.

or global catastrophe that affects all our members.

New M Specialist Advocate. We were gratified to hear recently that Under Secretary for Management John Bass (M) now has a specialist advocate on staff. Like AFSA, U/S Bass has realized that more attention needs to be paid to specialist issues, which are more varied and complicated than those affecting generalists. Doing so will build morale and help with retention of this critical part of the department's workforce. AFSA has already reached out to this advocate and hopes to engage further.

Next Steps. As of late November, our proposal, which has been nearly three years in the making, is on the DG's desk. We are certainly not counting our chickens and assuming department approval, but we believe we have made strong arguments in favor, backed by supporting data.

We also believe that this position will be in the department's interest. AFSA can be a more knowledgeable and engaging partner if we have our own advocate for specialist issues.

Of course, even if the position is not approved, we will continue to do our best to provide the highest level of service to all our members, including specialists.

We have informed the department that if the full-time position is approved, AFSA will include it in the January 2023 call for nominations for the 2023-2025 Governing Board term. Specifically, we would not create a new position, but use one of the existing six elected State representative slots. Any AFSA member in good standing would be able to run for this position, and, although membership elects the incumbent, we believe that knowledge of and interest in specialist issues would be a plus.

We are also hoping that with this initiative we can create more interest among specialists in running for State rep positions in general. I echo AFSA President Eric Rubin's pitch for every AFSA member to consider serving on the Governing Board. It is a rewarding experience! And we are looking for candidates from all backgrounds.

Please let us know what you think about AFSA's initiative regarding this position at member@afsa.org.

Contact: jsinger@usaid.gov | (202) 712-5267

USAID's Workforce Report to Congress

It's not an international bestseller, but USAID's 2022 "Transforming the Workforce Report to Congress" is a thoughtful 12-page read. It eschews the agency's usual tagline, "Our people are our most important resource" (though they are!), and instead acknowledges that "USAID has long relied on a range of term-limited, non-career, and often NDH [non-direct hire] mechanisms to staff needs that are not limited in duration."

While it falls short on specific actions and commensurate resources—human and financial—needed to achieve the goals, the report offers a succinct and frank assessment. It was prepared in response to a congressional request (thank you, Congress!) and, to its credit, avoids the temptation to be too Pollyannaish. Here are a few highlights.

The report opens with: "USAID will use data and analytics to optimally align the workforce with our priorities and identify the optimal workforce composition."

The agency is making great strides to rebuild its workforce model and related capacities—no easy task. Management of USAID's overall workforce is fragmented, with authorities spread across multiple bureaus, missions, and offices. USAID colleagues are funded by various "flavors" of budgetary resources and managed through a multiplicity of contracts, appointments, agreements, and understandings.

I hope that as the agency looks at additional reorganization efforts, it seriously considers unifying all things workforce under an empowered and robustly staffed Human Capital and Talent Management (HCTM) Office—a long-term but overdue step.

Meanwhile, kudos to the understaffed but extremely committed teams working across the agency on this goal through "People Analytics" and related strategic workforce planning efforts. Thank you!

The report highlights the agency's Global Development Partnership Initiative (GDPI), whose goals include growing the permanent FS to 2,500 and the CS to 2,250 by FY25—ambitious and welcomed! Indeed, the report acknowledges that "U.S. leadership starts with being present, being at the table, and having the right expertise. USAID's presence overseas has always marked the U.S. government's comparative advantage as the global development leader."

We know too well that USAID does not have a deep bench of FSOs; it is hard to "be present" without people. And while we could not achieve our mission without Foreign Service National colleagues, there are roles, authorities, and actions that require the skills, experience, and presence of a career FSO; USAID is part of the U.S. national security apparatus and, per Congress, "a career foreign service, characterized by excellence and professionalism, is essential in the national interest to assist the President and the Secretary of State in conducting the foreign affairs of the United States."

Increasing FSO numbers (and getting those FSOs trained, mentored, and deployed) would hopefully set a new permanent FSO baseline and provide the space for some long overdue efforts, such as establishing a permanent training float and enhancing long-term training and detail opportunities that our State Department counterparts enjoy.

Although a welcome plan, GDPI will not succeed without congressional support. In that vein, I hope that agency leadership will demonstrate greater ownership and marketing of GDPI, including with the broader development stakeholder community.

Finally, let me highlight the excerpt below, which might be the bureaucratic equivalent of saying, "The Emperor has no clothes!"

"This reliance on a hodgepodge of non-career and term-limited mechanisms, such as Foreign Service Limited (FSL), U.S. Personal Services Contractors (USPSCs), Institutional Support Contractors (ISCs), staff under Participating Agency Service Agreement (PASA)/Interagency Agreements (IAAs), fellows, and others, puts at risk the institutionalization and oversight of some of the agency's highest-priority initiatives.

"For too long, we have relied on USAID's creative approaches to meet our staffing needs amid growing program budget and responsibilities. This has resulted in costly inefficiencies and staff who are working side-by-side under managers who must deal with different pay, benefits, and performance systems. The new approach presented in this report does not mean the elimination of these mechanisms, which can still support hiring special skills or limited-term needs. It means that USAID is prioritizing the core capacities and functions required for our organization to operate."

Uncharacteristically, I have little to add!

Transforming the agency's workforce will not be easy. It will not be quick. It will require true ownership by agency leadership and support from Congress. But the same can be said for all our development work. I encourage you to read and share the report with your networks and keep it in mind as we all work to strengthen USAID's effectiveness and impact.

Please share your thoughts with me at singer@afsa.org. ■

Contact: naland@afsa.org

AFSA's Good Works: Scholarship Program

Throughout your career and now in retirement, AFSA has operated a variety of programs that advance the collective or individual interests of its members.

They include the AFSA Memorial Plaques, a dozen awards for constructive dissent or exemplary performance, foreign language proficiency awards, and the Legal Defense Fund.

The oldest of AFSA's "good works" is the AFSA Scholarship Fund, which dates to 1926. Unless you have a child who was recently aided by the fund, you may not be aware of just how large and beneficial it is. Below is a short overview.

The AFSA Scholarship Fund began with a $25,000 donation (equivalent to $420,000 today) from Elizabeth Templeton Bishop Harriman in honor of her son, Oliver Bishop Harriman—a 39-year-old career diplomat who died of a heart attack while serving as chargé d'affaires at Embassy Copenhagen.

The first scholarships were awarded in 1927. Initially focused on financial need, AFSA added academic merit scholarships in 1976.

Over the decades, donations from AFSA members—including occasional large bequests—rolled in. Initially invested in U.S. savings bonds, the funds were later moved to a diversified portfolio including stocks, and the Scholarship Fund grew as the stock market rose.

With annual withdrawals limited to 5 percent of the fund's average value over the previous five years, the fund grows over the long term and avoids sharp cuts in scholarships during market downturns. This long-term growth makes the fund self-sustaining and allows AFSA to increase individual award amounts from time to time to keep up with inflation.

AFSA stopped active fundraising for scholarships in 2016, asking members to instead support AFSA's Fund for American Diplomacy. As of late 2022, the Scholarship Fund exceeded $11 million. In 2022, AFSA distributed more than $400,000 in scholarships.

That is a lot of money, but having chaired the AFSA Scholarship Committee for the past five years, I can testify that each year all available funding is exhausted, leaving many deserving Foreign Service kids below the cutoff line.

Most scholarship money is dedicated to need-based financial aid. Those awards are open to high school seniors and college students in each year of their undergraduate studies. Aid is distributed according to financial need as documented on the applicant's Expected Family Contribution (EFC) as calculated by the U.S. Department of Education's Free Application for Federal Student Aid (FAFSA). EFC is calculated according to a formula established by federal law that considers the family's income and assets.

The oldest of AFSA's "good works" is the AFSA Scholarship Fund, which dates to 1926. You may not be aware of just how large and beneficial it is.

In 2022, AFSA awarded $263,000 in financial aid. Most was from the AFSA Scholarship Fund, with additional funding from DACOR, the Associates of the American Foreign Service Worldwide, and several privately endowed funds.

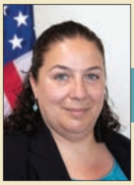
Awards were given to 74 students with grants ranging from $6,000 to $2,000. With a total of 134 applicants, the 60 youths whose EFC fell below the cutoff line unfortunately received nothing.

Merit awards are the second component of AFSA's scholarship program. Academic merit awards, art merit awards, and community service awards are open to graduating high school seniors and gap year students. Awardees are selected by approximately 44 volunteer judges serving on six judging panels. The AFSA Scholarship Committee finalizes the selections and designates the winner of the best essay award.

In 2022, AFSA distributed $143,500 in merit awards. All funding came from the Scholarship Fund. A total of 48 awards were given to 38 students, some of whom received awards in more than one category.

Most awards were for $3,500, with lower amounts for honorable mentions and best essay winners. With a total of 127 applicants, 80 youths unfortunately received nothing.

AFSA stopped publicizing the names of recipients of need-based financial aid in 2017 out of concern for their financial privacy. But photos of academic merit award winners are printed each year in *The Foreign Service Journal*, typically in September. Merit winners are invited to be honored at the Youth Awards Ceremony organized each summer by the Foreign Service Youth Foundation in the Department of State's George C. Marshall Center.



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Time to Modernize Our Collective Bargaining Agreement

In 1995, Match.com was launched, allowing hopeful paramours to submit photos of themselves via fax. That year was also the last time the collective bargaining agreement (CBA) between FAS and AFSA was substantially renegotiated (amusingly, it too references a fax machine). Since then, only changes to the CBA that were required by law have been made, leading to an outdated agreement begging for a refresh.

Fast forward to 2023: We have an important opportunity to collaborate with FAS to modernize the structure and substance of our CBA—and to do so in a way that allows us to better serve our stakeholders, the agency, and its Foreign Service officers (FSOs).

Which changes would help us achieve this lofty goal? AFSA is very thankful to the almost one-third of our small but mighty corps that has offered to help us tackle this large undertaking by providing input, including on the following topics.

Promotions. Like all Foreign Service agencies, ours operates under merit principles (known as the "up-or-out" system). It is essential that the process used by selection boards results in the promotion of those who are truly the highest performers—and that management trusts that the rank-ordered lists they receive reflect this.

We will need to consult on the competencies under which FSOs will be evaluated, ensuring that the boards can make clear linkages between the competencies and actual performance and achievement.

Otherwise, we risk the dating app pitfall in which someone who initially appears to the boards to be Superman more closely resembles Homer Simpson in reality. Changes to the structure of the employee, rater, and/or reviewer statements may help support merit principles and should be thoughtfully considered.

In addition, the boards may benefit from additional guidance, such as what board members should be seeing from FSOs in each class and competency. For example, what constitutes demonstrating "leadership" in the Class of Counselor versus Class 1?

Performance Management. Many have suggested creating a new section of the CBA focused on performance management to facilitate both performance improvement and accountability, including via 360 reviews in the second year of each assignment. The 360s could be conducted prior to midyear reviews and involve everyone the FSO supervises (including locally employed staff), plus colleagues serving in specific positions at the embassy, FAS Washington, D.C., and the interagency. At least one professional coaching session could help the FSO digest the feedback and suggest training options that would be beneficial.

While 360s would not be part of the FSO's Employee Evaluation Report or official record, they would provide additional data points for raters and reviewers. They would also increase accountability for poor performance and encourage honest performance discussions throughout the year.

TIC/TIS. A key aspect of a merit-based system is that FSOs must be promoted within a certain number of years or face mandatory retirement when exceeding time-in-class (TIC) or time-in-service (TIS) limits. This is an area where increased alignment with other Foreign Service agencies may increase equity and consistency.

At the State Department, FSOs have 27 years to get promoted to the Senior Foreign Service (SFS). However, in FAS, our TIC/TIS clocks start upon commissioning. Therefore, our system unintentionally punishes high performers who get commissioned quickly and therefore only have a total of 25 years to reach the SFS. In addition, State Department FSOs receive TIC/TIS exemptions for hard language training, which incentivizes service in typically harder-to-fill posts. Carefully considering whether—and how—to align with the State Department in these areas will be critical.

Pay and Awards. There is a clear need to demystify pay calculations for SFS officers and to increase consistency with the processes used in other Foreign Service agencies and in USDA's senior executive service. We will seek to clarify how FSOs are converted from Class 1 to Counselor and how performance pay and other adjustments are calculated.

It's also important to document the pay calculations FAS uses when FSOs get promoted into Class 1, 2, and 3. This additional transparency will help increase understanding and avoid future pay issues.

Other topics discussed recently in this column, such as the need for additional FSO-designated positions at headquarters as we rightsize our Foreign Service, and how to prevent a repeat of the attrition crisis from which we are currently rebuilding, will also be areas of interest. And finally, AFSA looks forward to weighing possible changes to the eligibility criteria for the SFS.

Since 1995, Match.com has continued to modernize and innovate, reflecting generational changes, increased efficiency, and ongoing improvement. AFSA looks forward to thoughtful discussions with FAS and its FSOs toward similar outcomes.

Contact: ranado@afsa.org

Communication: A Two-Way Street Named Action

Assuming the role of AFSA vice president for the Foreign Commercial Service on the heels of the pandemic, I've been able to observe personnel "re-engaging" in the halls of the Department of Commerce after relying on the virtual world for the past two years.

Like many in D.C., I have learned to value more than ever the chance to hold in-person meetings with colleagues. Seizing on this opportunity, I'm now prioritizing the need for optimal communication with our internal and external stakeholders.

During my first meetings with various members of our leadership team, I stressed the need for increased communication with the field, not only to present priorities but to obtain input that should be considered when drafting strategies and new policies. My efforts to establish regular meetings with the deputy director general (DDG) and Global Talent Management (GTM) team have been reciprocated.

During his first meeting with the FCS Director General (DG), AFSA President Eric Rubin further reinforced the need for regular communication with the field to establish trusted and valued relationships with leadership. Yet communication is only as effective as the action that results. I was pleased when the DG conducted his first townhall meeting, and, like many of you, I was eager to hear from him and his team on their current activities and goals. This was a positive action by our DG/DDG, and, as they both encouraged, I would recommend you follow up with them to relay your ideas and concerns.

In my first months as VP, I have worked regularly with management on numerous issues such as Senior Foreign Service (SFS) pay and awards, the timeliness of promotion announcements (delayed significantly in 2021), and the need for the 2022 bidding season to open on time (to avoid a 2021 repeat of delayed onward assignments), among other issues.

This ongoing communication has facilitated the approval of SFS pay/awards (albeit very late and something we are already discussing to avoid in the future), the alignment of promotion announcements with historical timeframes (yet it seems late, as our period of review ended one month earlier this year), and the opening of bidding season on time (with a new iBid that we hope will be fixed). In all these cases, I am confident that consistent communication has led to positive actions.

Working with AFSA's Director of Advocacy Kim Greenplate, I have embraced the opportunity for congressional engagement to further advocate for a substantial budget increase to Global Markets (GM), beyond what our department has requested.

I will continue to stress the need for open dialogue, but most importantly, for positive action resulting in the increased well-being of our Commercial Service team.

Communicating our members' significant accomplishments—in commercial diplomacy, advocacy, trade promotion, SelectUSA, business counseling and matchmaking, commercial intelligence gathering, etc.—has been simple given the quality of your successes.

Highlighting your substantial work globally in countering malign actors has been a privilege, as this success is not widely known. Discussing the need to increase our GM budget beyond the current earmark is critical to support GM's strategy to increase our worldwide footprint, both in terms of offices and staff, and to provide you with the additional resources needed to accomplish your mission.

I know that there are many more conversations to be had and, most importantly, actions that must be taken. Numerous concerns fielded by AFSA are related to GTM responses and the ability to execute common administrative actions in a timely, accurate manner. These are legacy issues that should not continue to be commonplace, and many fall outside AFSA's direct bargaining ability.

However, given the quantity of inquiries, I have continued to relay these concerns to our management team and to stress that such issues directly affect officers' morale.

AFSA strongly supports the need for our GTM team to finally acquire necessary technology to automate many of the functions that are currently conducted manually (yes, in 2022), thereby providing our GTM colleagues the appropriate time to focus and *act* on your inquiries and concerns. GTM needs modern technology to optimize their efficiency, and you deserve an optimal customer-oriented experience.

I will continue to stress the need for open dialogue, but most importantly, for positive action resulting in the increased well-being of our Commercial Service team. While we may not always obtain the optimal result, establishing clear lines of communication can lead to action, and in the words of Winston Churchill, "I never worry about action, but only inaction."

Call for Nominations
Continued from page 45

they must, without exception, be received no later than 5 p.m. EST on Feb. 15, 2023. All written nominations must be addressed to the AFSA Committee on Elections, 2101 E Street NW, Washington, D.C., 20037. Email nominations shall be sent to election@afsa.org.

3. Nominations may be submitted individually or in slates. To qualify as a slate, a proposed slate must have a minimum of four candidates from at least two constituencies. Slate designations will be noted on the ballot.

Qualifications for Governing Board Membership. Individuals meeting the following qualifications are eligible for nomination to one of the available positions:

1. The individual must be an AFSA regular member in good standing by Feb. 15, 2023, and remain in good standing through the election process and, if elected, for his or her term of office.

2. The individual must not have a conflict of interest as defined in Section 1017(e) of the Foreign Service Act. Please see the "Conflicts of Interest" section below for more information.

3. Active-duty members presenting themselves as candidate for president or constituency vice president must hold an active security clearance.

Conflicts of Interest. Section 1017(e) of the Foreign Service Act restricts employees serving in certain positions within their agencies from participating in labor-management issues while serving on the Governing Board. Management officials and confidential employees, as well as those in positions that may raise or appear to raise a conflict of interest (as defined below) when the new Governing Board takes office on July 15, may not participate in Governing Board discussion, deliberations, or decisions relating to labor-management issues. They may participate in AFSA Board activities that do not relate to labor-management issues. The Foreign Service Act also imposes a two-year pre- and post-AFSA "cooling off" period on employees who occupied or will occupy positions within their agency that involve labor-management relations or the formulation of personnel policies and programs of a foreign affairs agency.

a. Section 1017(e) of the Act, 22 USC 4117(e) states: "Participation in labor organizations restricted. (1) Notwithstanding any other provision of this subchapter (A) participation in the management of a labor organization for purposes of collective bargaining or acting as a representative of a labor organization for such purposes is prohibited under this subchapter (i) on the part of any management official or confidential employee; (ii) on the part of any individual who has served as a management official or confidential employee during the preceding two years; or (iii) on the part of any other employee if the participation or activity would result in a conflict of interest or apparent conflict of interest or would otherwise be incompatible with law or with the official functions of such employee; and (B) service as a management official or confidential employee is prohibited on the part of any individual having participated in the management of a labor organization for purposes of collective bargaining or having acted as a representative of a labor organization during the preceding two years. (2) For the purposes of paragraph (1)(A)(ii) and paragraph (1)(B), the term 'management official' does not include (A) any chief of mission; (B) any principal officer or deputy principal officer; (C) any administrative or personnel officer abroad; or (D) any individual described in section 4102(12)(B), (C), or (D) of this title who is not involved in the administration of this subchapter or in the formulation of the personnel policies and programs of the Department."

b. Section 1002 (12), 22 USC 4102(12) of the Act defines a management official as "an individual who: is a chief of mission or principal officer; occupies a position of comparable importance to chief of mission or principal officer; is serving as a deputy to the foregoing positions; is assigned to the Office of the Inspector General; or is engaged in labor-management relations or the formulation of personnel policies and programs of a foreign affairs agency."

c. Section 1002 (6), 22 USC 4102(6) of the Act defines a confidential employee as "an employee who acts in a confidential capacity with respect to an individual who formulates or effectuates management policies in labor-management relations." Employees who may have a conflict of interest or potential conflict of interest include those who are "engaged in personnel work in other than a purely clerical capacity" (for example, employees assigned to non-clerical positions within the Global Talent Management Bureau) and "employees engaged in criminal or national security investigations of other employees or who audit the work of

Important Dates

Feb. 15	Deadline for nominations
March 1	Nominees announced by email to all voting members
March 25	Deadline for paper ballot requests
March 29	Election town hall (virtual)
April 3	Ballots mailed to voters
May 18	Ballots due by 8 a.m.; ballots counted
July 15	New Governing Board takes office; approved bylaw amendments go into effect

individuals to ensure that their functions are discharged honestly and with integrity" (such as employees assigned to DS investigative units or those assigned to the OIG). See Section 1012(1) and (2), 22 USC 4112(1) and (2) of the Foreign Service Act.

As discussed above, the Foreign Service Act precludes these categories of individuals from participating in labor-management issues while serving on the Governing Board.

The Foreign Service Act also imposes a two-year pre- and post- "cooling-off period," which restricts the movement of Foreign Service employees between certain positions on the AFSA Governing Board and certain Washington, D.C.–based positions.

Pre-AFSA restrictions. Any individual who has served: 1) in a management position in Washington in which he or she has engaged in labor-management relations or the formulation of personnel policies and programs; or 2) as a confidential employee to one of these management officials within two years prior to taking office in AFSA, is precluded from participating in labor-management issues while serving on the Governing Board.

Post-AFSA restrictions. Employees who have participated in collective bargaining while serving on the AFSA Governing Board may not serve: 1) in a management position in Washington that involves labor-management relations or the formulation of personnel policies and programs; or 2) as a confidential employee to such management positions, for two years after leaving AFSA. Members should consider these restrictions before deciding whether to run for AFSA Governing Board positions covered by these restrictions.

Please direct questions regarding this issue to AFSA General Counsel Sharon Papp by email: papp@afsa.org. All other election-related queries should be addressed to the Committee on Elections by email at election@afsa.org.

In addition to the above, due to AFSA efforts to educate Congress on issues related to Foreign Service conditions of employment, legislative proposals, and other issues directly impacting the Foreign Service, employees serving in congressional fellowships may not serve on the AFSA Governing Board. A conflict or potential conflict of interest exists between their position in AFSA and their official duties. AFSA members serving as congressional fellows may run for the AFSA Governing Board provided their fellowship ends before the incoming board takes office on July 15, 2023.

Accepting a Nomination

1. A nominee can indicate his or her acceptance of a nomination by written response to the Committee on Elections (using the same addresses indicated above under "Nominating Candidates"). Following receipt of nominations, an authorized representative of the Committee on Elections will promptly communicate with each nominee (excluding members who nominate themselves) to confirm their willingness to be a candidate. Nominees must confirm their acceptance in writing (using the same addresses indicated above under "Nominating Candidates") to the Committee on Elections no later than 5 p.m. EST on Feb. 24, 2023. Any nominee whose written acceptance of nomination is not received by the Committee on Elections by this time will be considered to have declined candidacy.

2. All candidates accepting a nomination must identify the position or positions they have filled for the past two years prior to accepting the nomination. All candidates not seeking a full-time AFSA position (President, State VP, USAID VP, FCS VP, FAS VP) must also identify the agency position they will be serving in beginning on July 15, 2023, when the board takes office. This information is necessary to ensure compliance with Section 1017(e) of the Foreign Service Act.

Campaigning

1. Campaign Statements. All candidates will be given the opportunity to submit campaign statements for dissemination to AFSA members with the election ballots. Further information regarding such statements and editorial deadlines will be contained in the "Instructions to Candidates," which will be posted by the Committee on Elections at www.afsa.org/elections no later than Jan. 15, 2023.

2. Supplementary Statements. Should candidates wish to mail supplementary statements to the membership, AFSA will make its membership mailing list or address labels available to the candidate upon request and at their expense. Further information on this and other campaign procedures will be included in the "Instructions to Candidates" mentioned above.

3. Other Methods of Communication. Department of Labor requirements prohibit individuals from using government or employer resources (including email accounts) to campaign for AFSA positions.

Voting

Each current AFSA member (as of March 3, 2023) will receive a ballot on or about April 3, 2023. Candidates or their representatives may observe the ballot distribution process if they so desire. Each member may cast one vote for President, Secretary, Treasurer, and, in addition, one vote for a constituency Vice President and each Representative position in the member's constituency.

Regular members may cast their votes for candidates listed on the official ballot, or by writing in the name(s) of member(s) eligible as of Feb. 15, 2023, or by

Continued on page 55

Proposed Bylaw Amendments

The Governing Board is proposing nine bylaw amendments to be voted on during the 2023 AFSA Elections. The proposed bylaw changes would:

(1) Shorten the AFSA Governing Board election voting period;

(2) Change procedures for accepting write-in candidates in Governing Board elections;

(3) Change Governing Board residency and participation requirements to allow for virtual participation by some members;

(4) Change requirements for Committee on Elections membership, and make the Governance Committee and Legal Defense Committee permanent committees;

(5) Constrain the Governing Board's ability to enter into nonessential multiyear financial commitments;

(6) Change the threshold for member-initiated referenda and bylaw amendments;

(7) Remove the requirement for Governing Board approval of AFSA associate members;

(8) Streamline wording on post representatives and AFSA chapters; and,

(9) Allow the Governing Board to meet and cast votes virtually during public emergencies.

The changes would become effective immediately if approved by two-thirds of the valid votes received from members.

Explanation of Proposed Changes

Amendment Number 1—Election Period

Amend Article VIII, Section 2(h) by striking *"no fewer than 45 days after the mailing of the ballots"* and inserting *"no less than 15 days after the mailing of the ballots."*

Justification: The current 45-day voting period for AFSA elections was established in the era when all voting was by paper ballots mailed to members and mailed back by them. In the 2020 AFSA elections, 98 percent of votes were cast online and only 49 ballots were mailed in. The long election period can be shortened by reducing the voting window from 45 to 15 days. Members who wish to vote by mail may still do so. Months before the start of the voting period, AFSA will send an AFSAnet and print a notice in *The Foreign Service Journal*, inviting interested members to request ballots that AFSA will then mail to them weeks before the start of the 15-day voting period.

Amendment Number 2—Election Procedures

Amend Article VIII, Section 2(i) by adding "*For any position receiving only write-in votes, if the leading candidate does not receive at least five votes, then the Governing Board shall fill the position.*"

Justification: In recent election cycles, Governing Board positions in the Foreign Service agencies having fewer than 300 members sometimes have had no candidates or have had several write-in candidates supported by only one member. The current bylaws do not establish procedures for filling the position in such situations.

Amendment Number 3—Governing Board Residency and Participation Requirements

Amend Article V, Section 8 by striking the current text and inserting *"The president, secretary, treasurer, constituency vice presidents, and representatives of constituencies with more than 299 members shall participate via in-person attendance at regularly scheduled meetings of the board within 60 days of taking office on July 15 or appointment to office thereafter, and throughout their term in office. If they are unable to participate via in-person attendance at regularly scheduled meetings of the board, e.g., because of transfer, they shall submit their resignations. Representatives and alternate representatives of constituencies with fewer than 300 members may participate virtually in board meetings. Board members may be removed from office by a majority vote of the board after four absences in any 12-month period from regularly scheduled meetings of the board."*

And amend Article V, Section 5(b) by striking *"A majority of the members of the board shall constitute a quorum and must be present for any vote. Board members who will be outside the Washington area for a board meeting may leave a written proxy with another board member who shall vote that proxy in accordance with the wishes of the absent member or, absent indication of such preferences, in accordance with his or her own preference*" and inserting *"A majority of the members of the board shall constitute a quorum either by in-person or virtual attendance. Board members required by Article V, Section 8 to participate via in-person residence may participate virtually two times in any 12-month period. Board members unable to participate in-person or virtually at a given board meeting may leave a written proxy with another board member to vote on behalf of that absent member."*

Justification: Experience with virtual Governing Board meetings during the COVID-19 pandemic showed that it can be done, but that in-person meetings allow for better discussion and decision-making. Nevertheless, given the recurring difficulty of finding members to fill the representative and alternate representative positions of the Foreign Service agencies having fewer than 300 members, opening those positions to candidates anywhere in the world may make it easier to fill those positions. And while those board members would then necessarily have to participate virtually, it is still important for the purposes of discussion and decision-making for the locally resident board members to participate in-person most of the time.

Amendment Number 4—Standing Committees

Amend Article VII, Section 1 by striking in Section (b) *"The Committee on Elections shall be composed of at least five members, including a chair and at least one member from each constituency"* and inserting *"The Committee on Elections shall be composed of at least five members, including a chair and at least one member from each constituency when possible."*

By inserting a new Section (g) *"Governance Committee: The board shall appoint and determine the terms of the chair and members of the Governance Committee who, under the overall guidance of the board, shall make recommendations for amendments to bylaws and new or updated standard operating procedures."*

And by inserting a new Section (h) *"Legal Defense Fund Committee: The board shall appoint and determine the terms of the chair and members of the Legal Defense Fund Committee who, under the overall guidance of the board, shall make recommendations to the board for disbursements from the Legal Defense Fund and fulfill other duties as assigned by the Fund's Standard Operating Procedures."*

Justification: The amendment regarding the Committee on Elections responds to the reality that it is not always possible to find volunteers from the smaller Foreign Service agencies to serve on that committee. The two bylaw additions establish the Governance Committee and Legal Defense Fund Committee, which have operated as ad hoc committees in recent decades, as permanent committees.

Amendment Number 5—Multiyear Financial Commitments

Amend Article V, Section 2 adding a new subsection (h): *"The board may not enter into multiyear financial commitments beyond its term of office plus 90 days except for ongoing multiyear commitments that are critical to the daily operation of the association, such as cleaning, maintenance, information technology, telephonic services, and/or accounting software and database management. This provision may be overridden by a supermajority vote of two-thirds of the board."*

Justification: This provision prohibits the board from making long-term financial commitments that subsequent boards must continue to honor unless a two-thirds supermajority of the board finds that it is in the best interest of the association.

Amendment Number 6—Referenda and Bylaw Amendments

In both Article IX, Section 2 and Article X, Section 1(a) strike *"100 regular members"* and insert *"two percent of regular members."*

Justification: Currently just 100 out of AFSA's 16,800 members can trigger a membership-wide referendum or bylaw amendment vote. Triggering such a vote outside the regular biannual voting period would cost more than $30,000 to conduct. Raising the threshold to 2 percent of the membership (currently approximately 336 members) would ensure that the substantial added expense would only be borne if a significant number of members called for it.

Amendment Number 7—Board Approval of Associate Members

Amend Article III, Section 3 by striking "by the board."

Justification: The current requirement for the Governing Board to vote to accept or decline applications for associate membership is a poor use of Governing Board meeting time. That task can be delegated to an ad hoc committee of the board or to AFSA staff.

Amendment Number 8—Chapters and Post Representatives

Amend Article VII, Section 3 by striking the current text and inserting *"Post Chapters and Representatives: Regular members assigned outside of the Washington area may form a chapter for their post and elect an AFSA representative. In the absence of such an election, AFSA may appoint such a representative. The activities of chapters and their post representatives shall be consistent with these bylaws, the board's guidance, and the association's agreements with the foreign affairs agencies."*

Justification: This streamlines the current wording.

Amendment Number 9—Meetings during Public Emergencies

Amend Article V, Section 5 by adding a new subsection (c): "*Should local regulations, emergency declarations, or general safety or security conditions warrant, board meetings may be held virtually by agreement of a simple majority of board members. Any votes taken during such meetings shall count as final and will not require recertification during an in-person meeting.*"

Justification: This allows the Governing Board to continue to make decisions even if it is unable to meet in person due to safety or security conditions.

Procedures

The complete bylaw amendment procedure can be found in Article X of the AFSA bylaws, which are available at www.afsa.org/bylaws. The AFSA Committee on Elections is responsible for conducting the polling on amendments. The process of amending the AFSA bylaws requires notification to the AFSA membership, with a 45-day period for submission of statements in opposition.

No such statements were received by the Dec. 12, 2022, deadline.

Questions may be sent by email to election@afsa.org or by mail to:

Chair, AFSA Committee on Elections
2101 E Street NW
Washington DC 20037

Call for Nominations
Continued from page 52

doing both. To be valid, a ballot must be received by 8 a.m. EDT on May 18, 2023, either (i) at the address indicated on the envelope accompanying the ballot or (ii) by online vote. More detailed balloting instructions will accompany the ballots.

Note that the election cycle this year is one month shorter than in previous years. To reflect modern methods of communication, the cycle has been altered to the shortest possible allowed by AFSA's bylaws. The actual voting period remains the same, at 45 days.

Vote Counting and Announcement of Results

On or about May 18, 2023, the Committee on Elections will oversee ballot tabulation and declare elected the candidate receiving the greatest number of votes for each position. Candidates or their representatives may be present during the tally and may challenge the validity of any vote or the eligibility of any voter.

The committee will inform candidates individually of the election results by the swiftest possible means and will publish the names of all elected candidates in the next issue of *The Foreign Service Journal*. Elected candidates will take office on July 15, 2023, as provided in the bylaws.

The Committee on Elections members and supporting staff members may be reached at election@afsa.org.

Members of the Committee on Elections

Dao M. Le (FCS, chair), John Dinkelman (State), Mort Dworken (retiree), Marcia Friedman (State), Erin Nicholson (USAID).

Staff Members: Ásgeir Sigfússon, Executive Director; Sharon Papp, General Counsel.

AFSA Dues Increase for 2023

In accordance with Article IV of the AFSA Bylaws, the Governing Board can choose to increase dues by no more than the cumulative increase in the national Consumer Price Index, published by the Department of Labor, since the effective date of the previous dues increase.

For 2023, AFSA has increased dues by 8.5 percent for all individual membership categories. In concrete terms, this amounts to an increase of between 37 cents and $1.55 per pay period for active-duty members and between 44 cents and $1.56 per month for retirees, depending on an individual's membership category.

Active-duty and retired members paying dues via payroll and annuity deduction will see a small increase in the amount automatically deducted from their paychecks and annuities. Those paying annually will be billed the new rate on their regularly scheduled renewal date. AFSA last increased its membership dues rate in January 2022.

2023 Active-Duty Dues Rates

Category	2022 Annual	2023 Annnual	2022 Biweekly	2023 Biweekly
SFS	$474.73	$515.08	$18.26	$19.81
FS 1, 2, 3	$370.19	$401.66	$14.24	$15.45
FS 4, 5, 6	$210.95	$228.88	$8.11	$8.80
FS 7, 8, 9	$114.83	$124.59	$4.42	$4.79

2023 Retiree Dues Rates

Category	2022 Annual	2023 Annual	2022 Monthly	2023 Monthly
RT4	$220.80	$239.57	$18.40	$19.96
RT3	$178.95	$194.16	$14.91	$16.18
RT2	$131.32	$142.48	$10.94	$11.87
RT1	$86.11	$93.43	$7.18	$7.79
RTS	$62.17	$67.45	$5.18	$5.62

2023 Associate Dues Rates

Category	2022 Annual	2023 Annual
Associate Member	$127.78	$138.64

View from Washington

Challenges Facing the Foreign Service


AFSA President Eric Rubin.

During an Oct. 25 virtual "View from Washington" meeting for FS retirees, AFSA President Eric Rubin outlined priority Foreign Service issues that AFSA is working to address.

"We're coming back to some semblance of normalcy," he said, noting that AFSA was able to hold its constructive dissent and outstanding performance awards ceremony in person at the State Department in October for the first time in three years. He thanked Director General Marcia Bernicat for her attendance and efforts to make clear that she considers AFSA an important partner, and also saluted Secretary of State Antony Blinken and Director of Policy Planning Staff Salman Ahmed for their commitment to the dissent process.

"We had a lot of nominations for constructive dissent this year, in a change from the past five to 10 years," Ambassador Rubin reported. "Many of the people we honored got policy changed. Recognition is due to this administration for taking [dissent] very seriously."

AFSA's current priorities for the Foreign Service, Rubin said, include addressing problems with the Office of Personnel Management's Employee Express system, which has blocked many users from accessing their benefits statements, and improving the pace of nominations and confirmations.

"The idea that we're so powerful and influential that we don't need to staff our key jobs is infuriating, and it's a problem on all sides: the Senate and the administration. We're pushing very hard on that," he said.

Since 1991, Rubin told the audience, U.S. spending on diplomacy and foreign assistance has decreased dramatically. "We're not being funded to compete in the world, and it's our job as AFSA to say that," he said. "This is a bipartisan problem, and there seems to be no sense of urgency. Many of our embassies and consulates are desperately understaffed, and there's a danger to having first-tour officers serve as section chiefs; that should never happen."

Because the Biden administration kept many ambassadors in place at the start of the presidential term, current figures are close to 30 percent political appointees and 70 percent career ambassadors, Rubin explained, and AFSA continues to demand that all new nominees be qualified for the role, as the Foreign Service Act of 1980 requires.

He outlined other areas of concern for AFSA: An excess of Foreign Service Limited five-year appointments, particularly at USAID, has caused concern, and the slow rate of visa adjudications is "an absolute disaster," Rubin said. AFSA believes the funding model must be amended to address the backlog and to mitigate damage done to the U.S. economy and higher education by lagging visa rates.

Assignment restrictions continue to unfairly limit some FS members, and the lack of due process in security investigations has prompted an active dialogue between the association and the Diplomatic Security Service.

Changes to the Foreign Service Officer Test, a key component of the entry process, caught AFSA off guard in 2022 when they were announced without any prior consultation. "At this point, we've been adequately briefed, and AFSA will treat this new approach like a pilot program," Rubin said. "We're prepared to push back if we see a situation that isn't working."

Kim Greenplate, AFSA's director for advocacy, presented the association's congressional priorities. The outcome of those efforts will be described in her March *FSJ* column in AFSA News and in AFSA's quarterly Advocacy Update to members.

The discussion ended with a Q&A session. In response to a question about the U.S. embassy in Moscow, Rubin conveyed the dire conditions faced by employees on the mission's skeleton staff.

"We salute our colleagues and will continue to do everything we can to support them," he said in closing. "I'm deeply appreciative of what our people are doing under really hard circumstances; this is the Foreign Service at its best."

AFSA hosts a "View from Washington" session with FS retirees every quarter. Watch the recording of this event at http://bit.ly/ViewOct2022.

AFSA Governing Board Meeting, November 16, 2022

The board met in person at AFSA headquarters.

2023 Budget: The Governing Board voted to approve the FY23 AFSA budget.

Awards: At the recommendation of the Awards and Plaques Committee, the board approved the following change to the awards nomination criteria: "Unless a compelling justification is presented, self-nominations for awards, or nominations of immediate family members, will not be accepted."

AFSA Honors 2022 Sinclaire Language Award Recipients

Proficiency in foreign languages is a vital skill for members of the U.S. Foreign Service, not only for professional development but also for personal security and success at post.

Each year since 1982, AFSA has recognized the outstanding accomplishments of FS members in the study and use of difficult languages through the Matilda W. Sinclaire Awards program. AFSA established this program with a generous bequest from former Foreign Service Officer Matilda W. Sinclaire, who sought "to promote and reward superior achievement by career officers of the Foreign Service … while studying one of the Category III or IV languages under the auspices of the Foreign Service Institute."

Any career or career-conditional member of the Foreign Service from the Department of State, USAID, Foreign Commercial Service, Foreign Agricultural Service, U.S. Agency for Global Media, or Animal and Plant Health Inspection Service is eligible for the award.

Recipients are selected by a committee comprising the dean (or designee) of the FSI School of Language Studies and the AFSA Awards and Plaques Committee. Each winner receives $1,500 and a certificate of recognition.

This year's recipients demonstrated dedication to and extraordinary skills in their chosen language through their engagement in a variety of in-language activities in and out of the classroom to improve fluency.

We are pleased to announce the 2022 Sinclaire Award recipients:

- **Virgilio Bisio:** Chinese
- **Devon Gan:** Farsi
- **Chanel Grice:** Vietnamese
- **Philmon Haile:** Turkmen
- **Aaron Huang:** Vietnamese
- **Audrey Stevens:** Turkish
- **Elisabeth Stratton:** Arabic
- **Sarah Samantha Yee:** Georgian
- **Yang Zhang Monteiro:** Georgian

For more information on the Sinclaire Awards, contact AFSA Awards Coordinator Theo Horn at horn@afsa.org, or visit afsa.org/sinclaire. Nominations for the 2023 Sinclaire Awards are now being accepted; the deadline is Aug. 25, 2023.

FEHB Insurance and Benefits Presentation

On Nov. 15, AFSA welcomed Paula Jakub, CEO and executive vice president of the American Foreign Service Protective Association and subject matter expert in federal health benefits, for a Zoom presentation to speak to both active-duty and retired members about the 2023 Federal Employees Health Benefits (FEHB) Insurance and Benefits Program.

Ms. Jakub informed attendees that under FEHB, the U.S. government pays about 70 percent of each enrollee's premium, and the average premium for 2023 has increased by 8.7 percent—the largest increase in more than a decade.

This jump, she said, reflects the higher use of outpatient services and facilities; increased use of professional services; and increased use and unit cost of specialty drugs. While these medications have a positive impact on health and quality of life, their average cost stands at about $20,000 per patient, increasing 43 percent since 2016.

She explained that the health care industry is still experiencing reverberations from the pandemic: Because of COVID-19, many patients put off regular medical exams, leading to delayed diagnosis of and treatment for issues including diabetes, cancer, and musculoskeletal conditions. One positive effect, however, is that social distancing measures made telehealth and telemedicine a more accepted, mainstream form of treatment that can increase patient access to care.

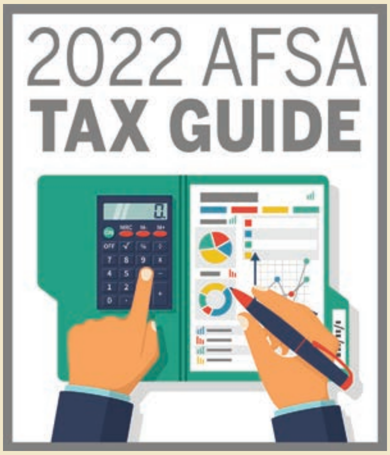
In terms of comprehensive FEHB benefits, Ms. Jakub pointed out that the Office for Personnel Management works closely with each plan in the program to provide wide-ranging benefits for employees and annuitants. For 2023, plans continue to include mental health and substance use disorder support, and coverage for COVID-19 countermeasures. Also, four plans now include infertility treatment and support.

Moving forward, Ms. Jakub encouraged attendees to take stock of their overall health so they can plan appropriately for their health care needs. She recommended taking a health risk assessment, getting a biometric screening, and joining wellness incentive programs included in certain FEHB plans.

To learn more, AFSA members can view the entire presentation on AFSA's YouTube channel, @AFSAtube.

2022 Federal and State Tax Provisions for the Foreign Service

The American Foreign Service Association is pleased to present the 2022 Tax Guide, your first step to self-help for filing 2022 tax returns. This annual guide summarizes many of the tax laws that members of the Foreign Service community will find relevant, including expiration of recent legislation and information on tax issues affecting investments in real estate, capital gains, alimony, virtual currency/digital assets, the Foreign Earned Income Exclusion (FEIE), filings related to foreign assets and income, and other important topics relevant for 2022 tax returns.



Although we try to be accurate, this article reviews complex tax issues affecting many individuals differently. Readers should always follow up with IRS product pages for each form and publication mentioned, which are designed as extensions of the PDF versions and instructions. Always check the applicability and "last reviewed" dates of these resources.

Even then, statutes and case law are the only completely authoritative sources. Many credits, deductions, or other calculations (e.g., depreciation, foreign asset reporting, or 1031 exchanges) are best done by a competent professional. Consultation with a tax professional for complete answers to specific questions is recommended; readers cannot rely on this article or the IRS website as a justification for their position on a tax return.

Congress passed the Infrastructure Investment and Jobs Act on Nov. 15, 2021, followed by the Inflation Reduction Act (IRA) in 2022. These bills contained limited tax legislation affecting individuals. The Infrastructure Investment and Jobs Act updated some legislation related to virtual currency/digital assets, as explained in the section on this topic below. The IRA extended certain energy tax credits and added new credits related to energy-efficient vehicles. This article does not discuss the IRA energy credits, so readers are encouraged to review the information at https://www.irs.gov/inflation-reduction-act-of-2022 and www.energystar.gov/about/federal_tax_credits for more details on these credits.

Following the federal section is the state-by-state guide, which includes information on state domicile, income tax rates, and retirement incentives.

AFSA Senior Labor Management Adviser James Yorke (YorkeJ@state.gov), who assists with compiling the Tax Guide, would like to thank Christine Elsea Mandojana, CPA, CFP® of CEM Global Tax Planning, LLC, and her team for preparing the section on federal tax provisions. Thanks also to Hallie Aronson, Esq., and Shannon Smith, Esq., of Withers Bergman, LLP, for their contributions, particularly regarding foreign accounts and asset reporting.

Filing Deadlines and Extensions

The deadline for filing 2022 individual income tax returns is April 18, 2023. U.S. citizens and resident aliens living outside the United States are allowed an automatic two-month extension for filing and paying federal taxes to June 15, 2023. To qualify for the June 15 automatic extension, a taxpayer must meet the following requirements: (1) on the regular tax return due date, the taxpayer is living outside of, and their main place of business or post is outside of the United States and Puerto Rico (or the taxpayer is in the military or Naval Service on duty outside the United States or Puerto Rico); and (2) the taxpayer attaches a statement to the tax return specifying their qualifications for this automatic extension. Taxpayers claiming the extension should also write "taxpayer abroad" at the top of Form 1040.

An additional extension to Oct. 16, 2023, may be obtained by filing Form 4868. Certain taxpayers claiming the Foreign Earned Income Exclusion (FEIE) on their federal tax return may qualify to extend their return beyond the Oct. 16 deadline using Form 2350 (instead of Form 4868). An extension to Dec. 15 may be available to certain overseas taxpayers who filed a Form 4868 but are unable to meet the Oct. 16 deadline due to certain qualifying circumstances.

We recommend that you consult with a qualified tax professional before availing yourself of these additional extensions. Taxpayers who take advantage of a federal extension must also check their state filing deadlines to avoid inadvertently missing them, because many states do not conform to the same federal extensions or extension deadlines.

Although the IRS should not charge interest or late payment penalties for returns filed under the June 15 automatic deadline, they often do. The taxpayer generally must call the IRS to have the interest or late penalties removed. For returns extended beyond June 15, however, the extension granted to the taxpayer is an extension to file but not an extension to pay. As such, the IRS will charge late payment penalties and interest for payments made after the April 18 deadline. Most states will likewise charge late payment penalties and interest for tax payments made after the state's initial tax filing deadline.

Form 1040 Has Been Revised for 2022

As has been the case for decades, U.S. taxpayers must report "all income from whatever source derived" on IRS Form 1040, which has been revised again this year. Note that this article discusses the most recent draft as of Sept. 1, 2022; the form may change before the final 2022 Form 1040 and accompanying schedules are approved. Adjustments, deductions, and credits remain matters of "legislative grace," so it is important to understand those statutes, regulations, forms, and instructions when you claim a credit or deduction.

Form 1040 Line 1: The 2022 draft Form 1040 has been revised to itemize the types of wage income a taxpayer may receive rather than including all wage income on one line as on prior versions of Form 1040. Note in particular that household employee wages are itemized for household workers who have not received a W2, since household workers not working for a company that provides these services are generally considered employees and not self-employed contractors.

Schedule 1: Report additional income and adjustments, such as tax refunds or credits; alimony received for certain divorces (discussed on page 65); unincorporated or single-member LLC business income or loss (see Schedule C); rental real estate, royalties, or other pass-through business income (see Schedule E); unemployment compensation; FEIE income, student loan interest deduction, one-half deduction for self-employment taxes, and educator expenses.

Schedule 2: Report additional taxes such as the alternative minimum tax, self-employment tax, and household employment taxes.

Schedule 3: Claim credits such as the foreign tax credit, credit for child and dependent care, and education credits.

The lettered schedules, commonly A through E, remain as follows:

(A) Itemized deductions, e.g., medical and dental expenses, deductible taxes and interest paid, gifts to charity, casualty losses from a federally declared disaster, and others. Taxpayers should file Schedule A only if their itemized deductions are higher than the standard deduction for the tax year.

(B) Interest, dividends, and foreign trusts and accounts.

(C) Profit or loss from business (sole proprietors and single-member LLCs).

(D) Capital gains and losses, e.g., investment sales and certain capital gains from the sale of certain realty and virtual currency investments.

(E) Supplemental income and loss from rental real estate, royalties, partnerships, S corporations, estates, and trusts.

Many other lettered schedules and incentive-specific forms (e.g., Form 8283 Noncash Charitable Contributions, Form 8889 Health Savings Accounts, Form 8938 Specified Foreign Financial Assets) and corresponding worksheets may be necessary. All are available from the IRS, most with corresponding product pages and instructions.

AFSA recommends that members review the IRS Form 1040 information webpage, "About Form 1040, U.S. Individual Income Tax Return;" the Form 1040 Instructions; Publication 17, "Your Federal Income Tax;" and this year's IRS Nationwide Income Tax Forums Online.

2022 Individual Income Tax Rates and Brackets

2022 Individual Income Tax Rates & Brackets				
Married Filing Jointly				
Bracket	Lower Limit	Upper Limit	Max Tax Per Individual Bracket	Max Possible Incremental Tax for Income Within Bracket Range
10%	$0	$20,550	$2,055	$2,055
12%	$20,551	$83,550	$7,560	$9,615
22%	$83,551	$178,150	$20,812	$30,427
24%	$178,151	$340,100	$38,868	$69,295
32%	$340,101	$431,900	$29,376	$98,671
35%	$431,901	$647,850	$75,583	$174,254
37%	$647,851	-	-	-
Head of Household				
Bracket	Lower Limit	Upper Limit	Max Tax Per Individual Bracket	Max Possible Incremental Tax for Income Within Bracket Range
10%	$0	$14,650	$1,465	$1,465
12%	$14,651	$55,900	$4,950	$6,415
22%	$55,901	$89,050	$7,293	$13,708
24%	$89,051	$170,050	$19,440	$33,148
32%	$170,051	$215,950	$14,688	$47,836
35%	$215,951	$539,900	$113,383	$161,219
37%	$539,901	-	-	-
Unmarried				
Bracket	Lower Limit	Upper Limit	Max Tax Per Individual Bracket	Max Possible Incremental Tax for Income Within Bracket Range
10%	$0	$10,275	$1,028	$1,028
12%	$10,276	$41,775	$3,780	$4,808
22%	$41,776	$89,075	$10,406	$15,214
24%	$89,076	$170,050	$19,434	$34,648
32%	$170,051	$215,950	$14,688	$49,336
35%	$215,951	$539,900	$113,383	$162,718
37%	$539,901	-	-	-

2023 Form W-4 Withholding Certificate

Taxpayers usually do not think to revise their Form W-4 withholdings until April or until they have paid their final 2022 taxes. Delaying a Form W-4 update may result in taxpayers withholding taxes on their wages based on an old calculation for several months of 2023. Don't wait. AFSA recommends readers revise their Form W-4 via their human resources office or through their employer's online portal (e.g., Employee Express for State Department employees) as soon as possible. Promptly doing so will help you avoid over-withholding or playing catch-up due to under-withholding for several months.

For help in calculating withholding, the IRS built a withholding estimator (www.irs.gov/W4App). Please note that this estimator may not work well for taxpayers with rental properties, those claiming the FEIE, or for those who potentially have other complicated tax issues in their returns. Taxpayers with these complications should complete the worksheets provided with Form W-4 and/or consult a tax professional.

Please take particular note that the withholding necessary for a married couple filing jointly with two incomes should account for both spouses' incomes. If both incomes are not accounted for on each spouse's withholding, then the married filing jointly return may be under-withheld for taxes due upon filing. The Form W-4 includes optional methods to account for two or more incomes on the withholding under Step 2. Form W-4 no longer allows exemptions for dependents but does account for the child and other dependent tax credits available under current law.

Standard Deduction

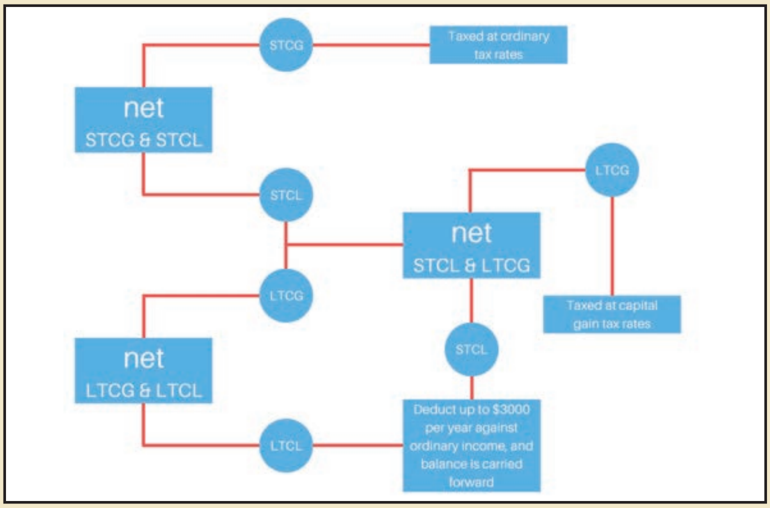
The standard deduction has increased this year to:

- $25,900 married filing jointly (MFJ),
- $19,400 for heads of household (HOH), specifically defined by Internal Revenue Code (IRC) Section 2(b), and
- $12,950 for single taxpayers and married individuals filing separately (MFS).

The personal exemption remains $0 for 2022.

Capital Gains for Sale of Capital Assets Such As Stocks and Similar Securities

Determining the correct tax rate for capital gains requires taxpayers to first categorize their capital gains into short-term (gain from investments held for less than one year) and long-term (gain from investments held for one year or more). Next, taxpayers net their short-term capital gains (STCG) against their short-term capital losses (STCL), and their long-term capital gains (LTCG) against their long-term capital losses (LTCL). The results are taxed per the illustration below:



Any net LTCG that results from this process is taxed at the capital gains rates in the table below.

There are exceptions to these rates for certain types of capital gains, such as Section 1202 qualified small business stock, net capital gains from collectibles, and Section 1250 unrecaptured gains (explained in "Investments in Real Estate," on page 61).

2022 Capital Gain Tax Rates & Brackets		
Single		
Bracket	Lower Limit	Upper Limit
0%	$0	$40,400
15%	$40,401	$445,850
20%	$445,851+	
Married Filing Jointly or Qualified Surviving Spouse		
Bracket	Lower Limit	Upper Limit
0%	$0	$83,350
15%	$83,351	$517,200
20%	$501,601+	
Head of Household		
Bracket	Lower Limit	Upper Limit
0%	$0	$55,800
15%	$55,801	$488,500
20%	$473,751+	
Married Filing Separately		
Bracket	Lower Limit	Upper Limit
0%	$0	$41,675
15%	$41,676	$258,600
20%	$250,801+	

Finally, and closely related, an additional 3.8 percent net investment income tax may apply to some forms of investment income, including some capital gains for taxpayers with modified adjusted gross income (AGI) above:

- $250,000 for those MFJ or qualifying surviving spouse with a dependent child,
- $200,000 HOH or single, and
- $125,000 for those MFS.

1099-K: Payment Card and Third-Party Network Transactions

The reporting requirements for business transactions processed through third-party payment settlement entities (PSE) such as Venmo and PayPal have changed beginning with 2022 transactions. A taxpayer who receives amounts from business transactions through a PSE that exceed $600 (regardless of the number of individual transactions) will be issued a 1099-K by the PSE for 2022. The 1099-K will need to be accounted for on the taxpayer's 2022 tax return. Readers should ensure they code transactions through PSEs correctly so only business-related transactions are reported on Form 1099-K. Readers should also confirm if the payment service they are using is a PSE. Certain money transfer services, such as Zelle, are not PSEs and are not required to issue Form 1099-K.

Virtual Currency / Digital Assets

In recent years, the IRS has placed increased scrutiny on virtual currency transactions (now referred to as a digital asset, along with many other types of digital assets such as NFTs). The draft 2022 Form 1040 illustrates this increased scrutiny by requiring taxpayers to confirm in a check box on page 1 of Form 1040 whether the taxpayer received as a reward, award, or payment for property or services or sold, exchanged, gifted, or otherwise disposed of any digital asset or a financial interest in any digital asset during 2022. In addition to confirming if a reportable transaction occurred during 2022, members must be sure to complete the forms necessary to report the transaction when required and any resulting income or deductions. Further, virtual currency / digital assets held in accounts outside the United States should be reported as a foreign asset on the FinCen114 (FBAR) and Form 8938 if reporting thresholds are met. The IRS has provided FAQs related to virtual currency, which can be found at https://bit.ly/virtual-currency-transactions.

Readers should particularly note that taxpayers who use virtual currency to pay for goods or services or who sell virtual currency must report the transaction(s) on their income tax return. Taxpayers who receive virtual currency as payment for services must report currency received as income on their tax return. Virtual currency that a taxpayer holds as an investment is generally taxed as a capital gain or loss, as described in the preceding section. Many other types of virtual currency / digital asset transactions must also be reported on the taxpayer's tax return.

AFSA recommends consulting IRS Notice 2014-21, Revenue Ruling 2019-24 and the FAQs to determine the tax treatment, if any, of a transaction.

Investments in Real Estate

Taxpayers generally invest in real estate in five scenarios:

Scenario 1: To live in as their personal residence.

Scenario 2: For use as a vacation home.

Scenario 3: To live in as their personal residence, but may rent it out at times when not living in it.

Scenario 4: To rent to a third party strictly for investment income purposes with no personal use.

Scenario 5: To rent as a short-term rental (e.g., Airbnb).

Adjusted Basis

In all five scenarios, it is important to properly calculate the adjusted basis of the property. Please refer to Tax Topic 703; Publication 551; Form 1040 Schedule D with instructions; IRC Sections 1011, 1012, and 1014 through 1017; and associated tax regulations beginning at 26 CFR Sec. 1.1012-1. Recent iterations of the annual tax seminar offered by the Foreign Service Institute have illustrated how mistakes in tracking basis can result in incorrectly calculated depreciation of rental properties and incorrectly reported gain or loss from the sale of real estate. Please contact the FSI Transition Center for a link to view the most recent seminar, which discusses the permitted approaches to correct mistakes in basis.

Scenario 1: Personal Residence Never Rented. While living in the property as a personal residence, a taxpayer may deduct mortgage interest and property taxes as an itemized deduction on Schedule A, subject to limitations. Current tax law allows a taxpayer to deduct mortgage interest up to current mortgage limits ($375,000 MFS/$750,000 MFJ unless the mortgage meets the requirements for grandfathered mortgage limit of $500,000 MFS/$1 million MFJ) for up to two properties, a personal residence, and a second home personally used by the taxpayer. Interest paid on home equity loans (including popular HELOCs) is no longer deductible unless the proceeds from the loan are used to substantially improve the property on which the HELOC is taken, and the total mortgage loan balance (including home equity loans) stays within the permitted mortgage limits.

Scenario 2: Vacation Home. A vacation home is a home that may be used by you and is rented out at times during the year. If you use the vacation home without renting it out, you may deduct the mortgage interest and property taxes on Schedule A, subject to limits as described in Scenario 1. If you rent out your vacation home for less than 15 days during the year, you are not required to report the rental income on your tax return and you may still deduct the mortgage interest and real estate taxes on Schedule A. If you rent the vacation home out more than 14 days, but use it personally for the greater of 14 days or 10 percent of the number of days rented, it is considered a personal residence and you may not deduct rental expenses greater than rental income. Mortgage interest and real estate taxes allocated to personal use are reported on Schedule A, subject to limitations. Mortgage interest, real estate taxes, and other deductible expenses (including depreciation) allocated to rental use are reported on Schedule E using the vacation home rules. Note that in cases when there is fractional ownership of a vacation home, a taxpayer must include the personal use of all co-owners of the vacation home in determining whether it is considered a personal residence.

Scenarios 3 and 4: Rental Property. Real estate that you purchase as a personal use home and then convert to rental status (or vice versa) or real estate that you purchase for immediate rental to a third party both have similar requirements for calculating depreciation during the rental period and for capital gain or loss calculations upon sale. During periods when the property is rented, the taxpayer must report the gross rental income received and deductible expenses paid on Schedule E. Please review the annual Foreign Service Institute Tax Seminar presented each February (contact the FSI Transition Center for a link to view the most recent seminar) for complications to consider when deciding which expenses are immediately deductible and which expenses must be capitalized and depreciated during rental use.

Scenario 5: Short-Term Rental. Real estate that you rent on a short-term basis may be treated differently on your tax return from long-term rentals. Income and expenses could be reported on Schedule C or Schedule E, depending on whether substantial services are provided to renters. AFSA recommends Publication 527 for examples of substantial services. In addition, readers need to consider the average period of customer (renter) use, which can change the treatment of the rental activity from a passive activity (requiring Form 8582) to a nonpassive activity. Consult Treasury Regulation 1.469-1T for the exceptions to the passive activity rules related to short-term rentals. Finally, the depreciable life of a short-term rental property may be 39 years rather than the usual 27.5 years for residential rental property if the property is being rented on a transient basis (and thus considered nonresidential real property for these purposes). Readers are referred to IRC Section 168.

Depreciating Real Property Used to Produce Income

During periods when real estate is rented, the IRS requires the taxpayer to depreciate the property over the IRS-defined recovery period. To calculate annual depreciation, a taxpayer must know: (1) the property's adjusted cost basis and fair market value at time of rental conversion (the taxpayer must use the lower of the fair market value or adjusted basis as the depreciable basis); (2) adjustments to basis (tracked throughout the life of the property); (3) the date the property was placed in service as income-producing; and (4) the IRS-mandated depreciation method and convention. The IRS requires a taxpayer to depreciate buildings, certain land improvements, and other types of capital assets—all annually. The IRS, however, prohibits a taxpayer from depreciating land, including the land on which a depreciable asset sits. So, land values must be accounted for separately. Property used for personal purposes may not be depreciated and claimed for tax purposes.

Taxpayers who believe they have sufficiently documented their property to begin using it for income-producing purposes should contact a tax professional to properly set up the property for tax reporting purposes, calculate deductible expenses (including depreciation), account for income derived from the property, and file correct tax forms on time each year. Readers should note that the depreciable basis of the property must be adjusted for prior mandatory depreciation deductions when a previously rented property converts back to rental use after a period of personal use. Failure to include the proper amount of depreciation on Schedule E can result in an incorrect accounting method, which may require a change in accounting method (Form 3115) or an amended return, depending on the mistake made and/or the number of years depreciation was improperly reported on Schedule E.

AFSA recommends also reading Tax Topics 703 (basis), 704 (depreciation), and 414 (rental property); the Schedule E and Form 1040 instructions; IRC Sections 167 (depreciation), 1012 (cost basis), 1011 (adjusted basis), and 1016 (adjustments to basis); associated basis and depreciation regulations; and Publications 527 and 946.

Selling a Principal Residence—IRC Section 121

Taxpayers who sell real estate used as a principal residence at some time during the taxpayer's ownership may qualify to exclude all or a portion of their net taxable capital gain under the provisions of IRC Section 121. A taxpayer who used the property as a principal residence and also rented out the property at any time during ownership can only exclude the qualifying IRC Section 121 capital gain, which is the capital gain other than the gain created under IRC Section 1250 (see below for a discussion of IRC Section 1250). IRC Section 121 allows an exclusion of qualifying capital gain up to $500,000 MFJ or $250,000 for all other filing statuses. To qualify for the full IRC Section 121 exclusion, the taxpayer(s): (1) must have owned the home and lived there at any time for at least two of the last five years before the date of the sale (but see Military Families Relief Act, below); (2) cannot have acquired the home in a 1031 exchange within the five years before the date of the sale; and (3) cannot have claimed this exclusion during the two years before the date of the sale.

An exclusion of gain for a fraction of these upper limits may be possible if one or more of the above requirements are not met. Taxpayers who sell their principal residence for a profit of more than $250,000 ($500,000 for MFJ) will owe capital gains tax on the excess. Additionally, capital gain attributed to periods of nonqualified use cannot be excluded under IRC Section 121. AFSA recommends Topic 701, Publication 523, IRC Sec. 121, and related regulations.

Military Families Tax Relief Act of 2003

According to the Military Families Tax Relief Act of 2003 (which AFSA was instrumental in enacting), the five-year period to qualify for the exclusion under IRC Section 121 may be suspended for members of the Foreign Service for up to 10 years during which the taxpayer has been on a qualifying Foreign Service assignment. This act also excludes periods of "qualified official extended duty" from nonqualified use treatment. In addition to the recommended reading from the previous section, AFSA recommends IRC Sec. 121(d)(9) and 26 CFR Sec. 1.121-5.

Selling a Property That Was Previously Rented—IRC Section 1250

Taxpayers who sell a property that was used as a rental property at any time during the taxpayer's ownership must reduce the property's adjusted basis by the mandatory depreciation required during the rental period of the property (even if the taxpayer did not properly claim depreciation deductions) before calculating the final net taxable capital gain from the property sale. The portion of the net capital gain created from the mandatory depreciation (whether or not claimed during the rental period(s)) is taxed as IRC Section 1250 unrecaptured gain and is not eligible for capital gain exclusion under IRC Section 121. The portion of the remaining net capital gain is eligible for exclusion under IRC Section 121 if all requirements are met. Due to the impact of IRC Section 1250 unrecaptured gain rules, taxpayers who sell a property that was previously rented often still have a tax bill due even if they qualify to exclude a portion of their net capital gain under IRC Section 121. AFSA recommends Topic 701, Publication 523, IRC Sec. 1250, and related regulations.

Non-Rental Business Use of Home

Although most Foreign Service families find themselves in government-funded housing overseas much of the time, some may own property in the United States that they both occupy for personal purposes and use to operate a private business on the side. To qualify for a deduction for business-related expenses for a portion of a residence used for a business, a taxpayer must use a portion of their home exclusively and regularly as a principal place of business (and file a Schedule C to report the business activity). A taxpayer who meets that threshold must then either calculate the actual expenses of the home office—e.g., cost of a business phone/internet line and the business use portion of state and local property taxes, utilities, mortgage interest, and depreciation—or use the IRS' simplified method based on a flat rate for the square footage used for business (up to a maximum of 300 square feet). For more information, contact a professional and follow up with IRS Topic 509, Publication 587, the instructions for Form 8829, 1040 Schedule C, and IRC Sections 162, 212, and associated regulations.

Three Separate but Related Child and Dependent Credits

Child Tax Credit. The American Rescue Plan Act (ARPA) signed into law on March 11, 2021, made significant changes to the child tax credit that were only effective on 2021 tax returns. As of the writing of this article, Congress has not extended these changes past 2021, though it is possible Congress could do so before the start of the 2023 tax filing season for 2022 tax returns. However, unless the 2021 law is extended, a qualifying child for purposes of 2022 tax returns is once again one who has not attained age 17 by Dec. 31, 2022. Further, the child tax credit reverts to $2,000 for each qualifying child. The qualifying income thresholds to claim a child tax credit are as follows: modified adjusted gross income up to $400,000 if MFJ, or up to $200,000 for all other filing statuses for the maximum $2,000 per qualifying child. The child tax credit is fully refundable up to $1,500 per child.

Other Dependent Credit. A separate but related Other Dependent Credit of up to $500 is available, often for those who do not meet the qualifying child requirement or for other dependent relatives. Calculate both the child tax credit and the other dependent credit on the Child Tax Credit and Credit for Other Dependents Worksheet. The worksheet and a flow chart for determining "Who Qualifies as Your Dependent?" are in the Form 1040 instructions. AFSA also recommends IRS Publication 5307, Publication 972, the instructions for 2022 Schedule 8812, and IRC Sec. 24 for the Child Tax Credit and Other Dependent Credit.

Child and Dependent Care Tax Credit. Qualifying taxpayers with a qualifying dependent may be separately eligible for a credit for part of their child and dependent care expenses. A qualifying taxpayer is a taxpayer who earned income (not excluded under FEIE), looked for work and received earned income by the end of the tax year, or was a qualifying full-time student during the tax year. Most MFS taxpayers will not qualify. In the case of married taxpayers, both taxpayers must meet at least one of these requirements. Changes made by ARPA for 2021 as it relates to this credit have not been extended after 2021 as of the writing of this article. As such, for 2022, the dollar limit for child and dependent care qualifying expenses reverts to the pre-2021 limit of $3,000 for one qualifying individual and $6,000 for two or more qualifying individuals. Taxpayers who utilize a Dependent Care FSAFEDS (DCFSA) account to pay for qualifying dependent care expenses must still file Form 2441 to report that they used the funds for qualifying dependent care.

In addition, the rule enacted by ARPA making the child and dependent care credit refundable was also applicable only to 2021 and has not been extended as of the writing of this article.

To claim this credit for foreign care providers who do not have a U.S. taxpayer identification number (either a Social Security Number or Employer Identification Number), enter "LAFCP" (Living Abroad Foreign Care Provider) on Form 2441 in the space for the care provider's taxpayer identification number. AFSA recommends IRS Tax Topic 602, Form 2441 and instructions, as well as Form 1040 Schedule 3 and corresponding Form 1040 instructions.

For all three credits related to children and dependents, qualifying child rules can quickly become complex, especially in the case of divorce or separation.

Health Care Savings Account (HSA) and Flexible Savings Account (FSA)

In 2022, taxpayers covered by a self-only high-deductible insurance plan may contribute up to $3,650 to an HSA. Individuals with family high-deductible insurance coverage may contribute up to $7,300 for 2022. HSA 2022 contributions are due by the 2022 individual tax filing deadline (currently April 18, 2023).

Distinct from an HSA, an FSA is a tax-advantaged account allowing an employee to contribute pre-tax wages to pay for qualifying medical expenses (as in the case of the Health Care FSAFEDS account) or to pay for qualifying dependent care (as in the case of the DCFSA account). The Consolidation Appropriation Act (CAA) signed by Congress on Dec. 27, 2020, permits FSA administrators to allow certain carryover and grace periods for FSA accounts. FSAFEDS has adopted many of these provisions. Health Care FSAFEDS (HCFSA) allows re-enrolled participants for the 2022 plan year to carry over $570 of unspent HCFSA funds to the next year.

As of this article's writing, the Dependent Care FSA limit for 2022 tax returns reverts to $5,000, because the ARPA 2021 temporary increase has not been extended.

Readers should take note that masks, hand sanitizers, and sanitizing wipes used to prevent the spread of COVID-19 are now qualifying expenses for HCFSA funds (per IRS announcement 2021-7). Additionally, the CARES Act permanently expanded the definition of qualifying medical expenses to include feminine hygiene products and over-the-counter medications purchased after Dec. 31, 2019. This expanded definition allows taxpayers to withdraw funds from HSAs or FSAs (such as the HCFSA) to pay for these expenses. The IRS also announced that the cost of COVID-19 home testing is an eligible medical expense and may be paid or reimbursed from HSAs or FSAs. AFSA recommends Publication 969, the Form 8889 instructions, and the FSA Feds website.

Deductions for Moving for a New Job & Retiring from Overseas Are No Longer Available

The personal costs incurred to move to a new job (IRC Sec. 217(j)) and for moving back to the United States after retiring from overseas are not deductible following amendments included in the 2017 Tax Cuts and Jobs Act (TCJA). Only active-duty members of the armed forces should use Form 3903 to calculate and deduct their moving expenses from their military moves. Visit the IRS web page "Moving Expenses to and from the United States," read Publication 521, and contact a professional to discuss future planning opportunities on these issues for 2026—the tax year many provisions of the TCJA sunset.

Official Relocation Under the Foreign Service Act Is Not Taxed (PCS, R&R, Medevac)

All travel authorized under Section 901 of the Foreign Service Act—which includes permanent change of station (PCS), representational travel, R&R, emergency visitation travel, and medevac—is exempt from taxation per IRC Sec. 912. Charleston General Financial Services secured advice from the IRS to this effect, which is consistent with IRS guidance issued in April 2018. None of these reimbursements appear on a W-2 for State Department employees. Non–State Department employees and anyone who doubts they are traveling under the Foreign Service Act should contact a professional to determine what relocation expenses may be taxable.

Personally Incurred Expenses for Home Leave and R&R

Personal expenses paid by a direct-hire employee while on R&R are not tax deductible. Prior to the 2017 TCJA, lodging, food, and transportation expenses paid by the employee on official home leave were deductible on Schedule A as unreimbursed employee business expenses. The TCJA eliminated the tax deduction for most unreimbursed employee business expenses, so these expenses cannot be deducted until 2026 (filed April 2027). The Schedule A line 16 "other itemized deductions" section is not appropriate for deducting these expenses.

Representational & Official Residence Expenses

Certain Foreign Service employees receive a nontaxable allowance for representation expenses. If the actual expenses exceed the allowance, the excess expenses are not deductible under current tax law. Further, other Foreign Service employees incurring expenses related to their job may not deduct such expenses.

Alimony for Divorces, Settlements, and Modifications

Alimony paid pursuant to agreements and orders entered into before Jan. 1, 2019, is deductible by the payer and taxed as income to the payee. Alimony payments paid pursuant to divorce or separation instruments entered into or modified after Dec. 31, 2018, are not deductible by the payer or taxed as income to the payee. Any modifications after Dec. 31, 2018, to agreements finalized before Jan. 1, 2019, must explicitly state that the repeal of the alimony and maintenance rules will apply to the modification, otherwise the pre-2019 rules apply. Taxpayers should read Form 1040 Schedule 1, the Form 1040 Instructions, and Tax Topic 452. Note TCJA generally repealed IRC Section 71 and 26 CFR 1.71-1 for agreements entered into after Dec. 31, 2018.

Required Minimum Distributions (RMD) from Inherited IRAs and Retirement Accounts

For inherited traditional IRAs and retirement plan accounts (Account) where the Account owner dies after Dec. 31, 2019, the 2019 SECURE Act changed some rules for RMDs and distinguished between an eligible designated beneficiary (EDB) and other beneficiaries (non-EDBs). EDBs include the surviving spouse, a disabled individual, a chronically ill individual, a minor child until age 21, or an individual not more than 10 years younger than the Account owner. Generally, an EDB may take distributions over the EDB's life expectancy. However, non-EDBs must withdraw the entire Account by the 10th calendar year following the year of the Account owner's post-2019 death. Proposed regulations issued in February 2022 attempted to clarify that non-EDBs who inherit the Account before the deceased owner's required beginning date (RBD) of distributions must withdraw the entire Account before the end of the 10th calendar year following the owner's death. If the Account owner died on or after their RBD, the proposed regulations further state that non-EBDs must take annual RMDs (based on the non-EDBs lifespan) for years 1-9 and receive the remaining balance in the 10th calendar year. Prior to these proposed regulations, non-EDBs who inherited Accounts in 2020 reasonably expected they could wait until the end of the 10-year period to withdraw the entire Account. Due to the confusion caused by the non-EDB withdrawal rules in the proposed regulations, the IRS issued Notice 2022-53 on Oct. 7, 2022, which postpones the implementation of the final regulations regarding RMDs to no earlier than the 2023 distribution calendar and eliminates penalties for non-EDBs required to take RMDs under the 2019 SECURE Act who did not take RMDs during 2021 and 2022. We must await the final regulations to know if taxpayers who did not take RMDs in 2021 and 2022 will be required to take those RMDs together with 2023 or if taxpayers can forgo entirely 2021 and 2022 RMDs and just start taking RMDs correctly in 2023.

Foreign Earned Income Exclusion (FEIE)

Taxpayers living and working overseas may be eligible for the FEIE. In 2022, the first $112,000 of gross taxable income earned overseas as a non-U.S. government employee or self-employed person may be excluded from federal income taxes but not from self-employment taxes.

To qualify to claim this exclusion, the taxpayer must:

(1) Establish a tax home in a foreign country;

(2) Either (a) meet the "bona fide residence" test, or (b) meet the "physical presence" test; and

(3) File a Form 1040 tax return with Form 2555 for the year the FEIE is claimed.

Tax Home

The tax home is the general area of the taxpayer's "main place of business, employment, or post of duty" (i.e., where the taxpayer is "permanently or indefinitely engaged to work as an employee or self-employed individual").

The U.S. Tax Court has explained that the congressional purpose of the FEIE is to offset duplicative costs of maintaining distinct U.S. and foreign households. Increasing ties to the foreign country by personally paying for a foreign household, paying local taxes, waiving diplomatic immunity for matters related to your job, paying for vacation travel back to the United States, becoming a resident of the foreign country, and working in the foreign country long-term are other factors the federal courts have cumulatively recognized as establishing a foreign tax home.

Bona Fide Residence Test

The bona fide residence test is a facts and circumstances test aimed at assessing whether the taxpayer intends to make a home outside the United States for an indefinite period. This test requires that the taxpayer be a bona fide resident of a foreign country for an uninterrupted period that includes (at a minimum) an entire tax year (Jan. 1 through Dec. 31). The taxpayer may leave the foreign country for brief or temporary trips back to the United States (for periods not greater than six months in a calendar year) or elsewhere during the bona fide resident period but must have a clear intention of returning to the foreign country.

Physical Presence Test

The physical presence test requires that a taxpayer be present in a foreign country for at least 330 full (midnight-to-midnight) days during any 12 consecutive months that begin or end in the tax return filing year (the 12-month period may be different from the tax year). Taxpayers who qualify for the physical presence test using a 12-month period other than a full calendar year are required to prorate the maximum exclusion allowed for that tax year. Travel days to and from the United States generally do not count toward the total for days inside the foreign country (they are considered U.S. days).

Other FEIE Considerations

AFSA understands that IRS auditors have denied the FEIE for Foreign Service spouses and dependents for failing to meet the bona fide residence or tax home elements of this test. Members of the Foreign Service community have successfully used the physical presence test when bona fide residence cannot be established. Those who rely on physical presence should contemporaneously document travel days and retain copies of visas and tickets to substantiate their calculation.

Taxpayers should note that the FEIE excludes the income from the bottom tax brackets, thus leaving remaining ordinary income on the return to be taxed at the higher tax brackets applicable to the return. Consequently, for certain married taxpayers, filing separately may result in a combined lower tax liability than filing jointly. We recommend that taxpayers consult with a qualified tax professional to ascertain the most advantageous filing status for each tax year.

Foreign Accounts and Asset Reporting

U.S. tax reporting is often more complicated for members of the Foreign Service community, particularly when offshore postings give rise to offshore assets. It is common for non–Foreign Service spouses to take jobs in the local economy, through which foreign bank account and pension interests are acquired, giving rise to enhanced U.S. tax and reporting obligations. Similarly, many Foreign Service spouses own businesses organized outside the United States, which require additional U.S. reporting beyond income and deduction items. Even the most well-intentioned and diligent taxpayers can run afoul of the minefield of reporting requirements that exist for U.S. persons (citizens, residents, and Green Card holders) who have offshore income and assets. As the pool of accountants and tax attorneys with the expertise to identify and correctly complete the specific forms that need be filed is limited, it can be a challenge to obtain accurate advice and report correctly. The penalties for failing to file or making mistakes on foreign reporting forms are severe, often disproportionate to the infraction.

U.S. persons are taxed on their worldwide income and must file Form 1040, regardless of where they are living. In addition to the basic tax return, Foreign Service taxpayers may also be required to report a wide variety of offshore assets and activities on specific U.S. reporting forms, even if such activities occur abroad and even if the assets earn $0 in income. For example, U.S. persons with ownership or signature authority over a foreign bank account must denote this interest in Part III of Schedule B of Form 1040. This often-overlooked section of the return (signed under penalties of perjury) lets the IRS know when to expect a Foreign Bank and Financial Accounts Report (FBAR). A Schedule B misstatement can be used against the taxpayer by the IRS when assessing penalties.

The FBAR form is required from taxpayers with non-U.S. bank accounts and other offshore assets (including life insurance policies and pensions) that have an aggregate value greater than $10,000 at any time during the year. Failing to report an asset on an FBAR can lead to penalties ranging from $14,489 per account, per year (for a non-willful error) up to the greater of $144,866 or 50 percent of each account balance, per account, per year (for a more serious offense, such as those with Schedule B errors). Willful failures and errors can result in additional penalties (which may exceed the value of the asset) and even jail time.

Taxpayers with interests in certain foreign financial assets must also file Form 8938 if the total value of such assets exceeds the applicable statutory reporting threshold. Errors relating to this form may result in a penalty of $10,000 per year. Additional tax forms must be filed by taxpayers who:

(1) have interests in or engage in transactions with offshore entities, trusts and pensions;

(2) have investments in foreign mutual funds;

(3) own business interests organized outside the United States;

(4) receive substantial gifts or inheritances from non-U.S. persons; and/or

(5) wish to claim the benefit of a treaty-based return position.

Many of these reporting forms must be filed even if they have no impact on tax liability. The statute of limitations for assessment on a foreign reporting form does not close until three years after the form is filed.

Qualified Business Income Deduction (QBID)

In an attempt to equalize the taxes paid by sole proprietorships and pass-through entities with those paid by C corporations, the TCJA created a deduction for up to 20 percent of qualified business income (QBI), qualified real estate investment trusts (REIT) income, and publicly traded partnership income. Calculate the QBID on Form 8995, for which the associated instructions are essential.

Pass-through entities such as S Corporations, LLCs, and sole proprietorships located in the U.S. can claim this deduction if they otherwise qualify. Business income earned outside the United States is not QBI—the income must be earned in a U.S. trade or business. Although "trade or business" is not specifically defined in the Internal Revenue Code, tax courts have taken a facts and circumstances approach in deciding whether an activity is a trade or business. If a taxpayer is renting out their personal residence while overseas, it is generally not a trade or business for QBID purposes unless the taxpayer's main source of income and/or main employment activity is from renting and managing rental real estate. Some trusts and estates may be eligible for the QBID, however, income earned as an employee of a C Corporation does not qualify. The Code specifies that certain trades and businesses, such as law firms, accounting firms, and consulting businesses, do not qualify for the QBID unless the taxpayer's taxable income is under certain thresholds ($340,100 for MFJ, $170,050 for MFS and all other returns). Other complicated limits and requirements may apply.

Federal Estate and Gift Taxes

In 2022, the first $12.06 million of a decedent's aggregate estate (up to $24.12 million for a surviving spouse with a portability election on Form 1041) was exempt from the federal estate tax. The same amounts apply to (and are reduced by) lifetime gift-giving over the annual gift exclusion, which is $16,000 per donee ($32,000 for gifts split by married couples on Form 709) for 2022 but rises to $17,000 per donee for 2023. Other limits apply to gifts to non-U.S. citizens or gifts between spouses where both spouses are not U.S. citizens.

Those who contribute to 529 Education Savings Plans should note that such a contribution is considered a completed gift and is applied to that taxpayer's annual gift exclusion for the donee. Taxpayers interested in front-loading a 529 plan to maximize their tax-free earnings can select a five-year contribution option allowing them to contribute during one tax year up to the annual gift tax exclusion ($16,000 for 2022) for up to five years ($80,000 maximum for 2022). Taxpayers choosing this five-year option must file a Form 709 Gift Tax Return, selecting the five-year election, and they cannot give additional amounts to the same donee during the tax years they have chosen to contribute the $16,000 per year maximum 529 plan contribution.

Wage Overpayments

Each year, many readers of this article receive an overpayment of wage income that they must repay in a future year. With the roll-out of the new Charleston payroll system, even more readers of this article have been affected by inaccurate pay, including wage overpayments.

If you are overpaid wages in a tax year and you repay the full overpayment in the same tax year, then there is generally no action required on that year's tax return. Your employer should have already accounted for the repayment of overpaid wages in your W2 for the tax year without further action required by you.

If you are overpaid wages and you repay the overpayment in a later tax year, then you must determine if you can recoup any of the taxes you paid on the repaid wages.

Wage Repayments Less Than $3,000. If you were overpaid less than $3,000 and you repaid the overpayment in a later tax year, then you will not be able to recoup any of the federal income taxes you originally paid on the repaid wages. The TCJA eliminated most miscellaneous itemized deductions subject to a 2-percent AGI floor, including the itemized deduction permitted for wage repayments less than $3,000. Please note that you cannot file a Form 1040X (amended return) for the year of overpayment to reduce your taxable wages for wage amounts repaid in a later tax year.

Wage Repayments $3,000 or More. If you were overpaid $3,000 or more, and you repaid the overpayment in a later tax year, you can file an IRC 1341 claim of right credit for the federal income taxes you paid in the year you received the overpayment on the tax return for the year you repay the wages. IRS Publication 525 provides detailed examples of how to calculate the credit for your tax return under the "Repayments" section of the publication.

Repaid Social Security and Medicare Taxes

You can recoup repaid social security and Medicare taxes paid on wage overpayments by filing a claim for refund using Form 843. If you repaid wages subject to the additional Medicare tax, you must file a Form 1040X for the year in which you received the overpaid wages to claim a refund of overpaid additional Medicare taxes. However, you cannot recoup the federal income taxes from a wage repayment on the Form 1040X.

Retirement Savings in TSP, 401(k)s, and IRAs

Individuals may contribute up to $20,500 to 401(k) plans, the Thrift Savings Plan, and 403(b) plans in 2022. Taxpayers age 50 and older may make additional catch-up contributions of $6,500 to their qualified employer workplace retirement plan. The 2022 Traditional IRA and Roth contribution limits (in total) are still $6,000 for those under age 50 and $7,000 for those age 50 and older. The 2022 tax year deadline for contributing to a Roth IRA or Traditional IRA is April 18, 2023. The IRS charges a penalty for Roth or IRA contributions over the allowed limits. Over-contributions for the tax year being filed, however, may be removed without penalty by the filing due date (with extensions) of the tax return. Contributions to a 401(k), TSP, or 403(b) plan may be made only via payroll deductions, the last of which is possible during the last pay period paid by Dec. 31, 2022. MFJ self-employed spouses working outside the United States who elect the FEIE can make a spousal Roth or Traditional IRA contribution as permitted by income thresholds. Taxpayers with modified AGI above the permitted Roth contribution threshold may want to consider a back-door Roth contribution strategy. In 2022, Congress considered legislation to eliminate back-door Roth contributions and Roth conversions. While this proposed legislation appears to have stalled in Congress, it could be reconsidered in future legislation.

Itemized Deductions Still Allowed via Schedule A

Although the TCJA removed the overall cap for itemized deductions, it suspended miscellaneous itemized deductions, to the extent they exceed 2 percent of AGI, through 2025. Schedule A and the instructions are the best guide for what remains deductible for itemizers. The following three sections provide updates on a few often-used itemized deductions.

1) Medical and Dental: Deduct for Expenses Over 7.5 Percent of AGI

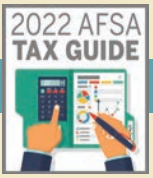
The 2022 deduction for unreimbursed medical and dental expenses is possible only to the extent qualifying expenses exceed 7.5 percent of a taxpayer's AGI. This 7.5 percent threshold was set to expire after 2020, but Congress permanently extended it under the COVID-19 relief legislation in December 2020. AFSA recommends that members claiming these deductions read IRS Publication 502, Tax Topic 502, and IRC Section 213.

2) Taxes, Including State and Local Property

The TCJA limits itemized deductions for state and local taxes to $10,000 ($5,000 for married filing separately). For more on these provisions, refer to IRS Notice 2019-12, Treasury Decision 98-64, 26 CFR Section 1-170A-1(h)(3), Tax Topic 503, and IRC Sections 164 and 170(c).

3) Charitable Contributions

The Taxpayer Certainty and Disaster Tax Relief Act of 2020 (TCDTR) extension of the increased charitable deduction for cash contributions to 100 percent of a taxpayer's income base for 2021 was not extended for 2022 as of the writing of this article. As such, the limit reverts to 60 percent for cash contributions. Contributions must be made to a



qualified organization (e.g., a Section 501(c)(3) nonprofit organized in the U.S.). Taxpayers are required to retain documentary evidence (e.g., canceled checks or written communication from the charity) for all cash contributions. Non-cash contributions require a receipt regardless of the value of the contribution. For cash and non-cash contributions of $250 or more, the charity must provide an official tax receipt along with an additional acknowledgment stating whether any goods or services were given in return for the donation. If any goods or services are received, the acknowledgment should provide a description and a good faith estimate of the goods or services received by the donor. Taxpayers must have the complete official tax receipt of contributions on or before the earlier of the date a return is filed or the due date (including extensions) for filing such return. Taxpayers obtaining receipts from a charity after these dates may be denied a charitable deduction. For non-cash contributions in excess of $500, the taxpayer must complete Form 8283 (Non-cash Charitable Contributions) and attach it to their Form 1040. Contributions over $5,000 require a written appraisal.

For more information, AFSA recommends Tax Topic 506, Publication 526, Publication 1771, the Schedule A and Form 1040 instructions, and IRC Section 170.

As of the writing of this article, Congress did not extend the $300/$600 below the line deduction for taxpayers who do not itemize. For 2022, charitable contributions are deductible only for taxpayers who itemize.

Conclusion

Changes particularly due to the expiration of prior tax legislation and to require itemization of wage/salary income were made to draft Form 1040 and the numbered schedules for 2022 that we reviewed when writing this article. However, there may be additional changes to the final Form 1040 when it is released for 2022 tax returns. Although there was some tax legislation affecting individuals, for the most part, few significant tax law changes will affect 2022 returns, pending any legislation passed after the writing of this article.

We encourage readers to monitor significant tax law changes that may be finalized in the coming months and retroactively applied to 2022 tax returns. While AFSA encourages its members to continue their tax education by reading the Internal Revenue Code, IRS regulations, and referenced IRS publications, there is no substitute for professional help for specific questions, particularly for complex international income and assets issues. Though not comprehensive, we hope this guide provides a useful summary of the significant tax laws and updates that may have an impact on your 2022 tax returns. Best wishes for the coming tax filing season.

STATE TAX PROVISIONS

Liability: Every employer, including the State Department and other foreign affairs agencies, is required to withhold state taxes for the location where the employee either lives or works. Employees serving overseas, however, must maintain a state of domicile in the United States where they may be liable for income tax; the consequent tax liability that the employee faces will vary greatly from state to state.

Further, the many laws on taxability of Foreign Service pensions and annuities also vary by state. This section briefly covers both those situations. (In addition, see separate box on state tax withholding for State employees, and we encourage you to read the CGFS Knowledge Base article on the Tax Guide page of the AFSA website.)

Domicile and Residency

Many criteria are used in determining which state is a citizen's domicile. One of the strongest determinants is prolonged physical presence, a standard that Foreign Service personnel frequently cannot meet due to overseas service. In such cases, the states will make a determination of the individual's income tax status based on other factors, including where the individual has family ties, has been filing resident tax returns, is registered to vote, has a driver's license, owns property, or where the person has bank accounts or other financial holdings.

In the case of Foreign Service employees, the domicile might be the state from which they joined the Service, where their home leave address is, or where they intend to return upon separation. For the purposes of this article, the term "domicile" refers to legal residence; some states also define it as permanent residence. "Residence" refers to physical presence in the state. Foreign Service personnel must continue to pay taxes to the state of domicile (or to the District of Columbia) while residing outside the state, including during assignments abroad, unless the state of residence does not require it.

Members are encouraged to review the Overseas Briefing Center's guide to Residence and Domicile, available on AFSA's website at www.afsa.org/domicile.

Domestic Employees in the D.C. Area

Foreign Service employees residing in the metropolitan Washington, D.C., area are generally required to pay income tax to the District of Columbia, Maryland, or Virginia, in addition to paying tax to the state of their domicile.

Virginia requires tax returns from most temporary residents as well. Most states allow a credit, however, so that the taxpayer pays the higher tax rate of the two states, with each state receiving a share.

We recommend that you maintain ties with your state of domicile—by, for instance, continuing to also file tax returns in that state if appropriate—so that when you leave the D.C. area for another overseas assignment, you can demonstrate to the District of Columbia, Maryland, or Virginia your affiliation to your home state.

When Overseas

If possible, avoid using the D.C. or Dulles, Va., pouch zip code as your return address on your federal return because, in some cases, the D.C. and Virginia tax authorities have sought back taxes from those who have used this address.

Teleworking Domestically

If you are working in a state that is not your permanent legal domicile, you could trigger a tax reporting requirement as a statutory resident or non-resident. If you work even one day in a state, you should review that state's law for the reporting/filing requirements.

States That Have No Income Tax

There are currently seven states with no state income tax: Alaska, Florida, Nevada, South Dakota, Texas, Washington, and Wyoming. In addition, New Hampshire and Tennessee have no tax on earned income, but do tax profits from the sale of bonds and property.

States That Do Not Tax Non-Resident Domiciliaries

There are 10 states that, under certain conditions, do not tax income earned while the taxpayer is outside the state: California, Connecticut, Idaho, Minnesota, Missouri, New Jersey, New York, Oregon, Pennsylvania (but see entry for Pennsylvania below), and West Virginia. The requirements for all except California, Idaho, and Oregon are that the individual should not have a permanent "place of abode" in the state, should have a permanent "place of abode" outside the state, and should not be physically present for more than 30 days during the tax year. California allows up to 45 days in the state during a tax year.

All 10 states require the filing of non-resident returns for all income earned from in-state sources. Foreign Service employees should also keep in mind that states could challenge the status of overseas government housing in the future.

The "State Overviews" section below gives brief state-by-state information on tax liability, with addresses provided to get further information or tax forms. Tax rates are provided where possible.

As always, members are advised to double-check with their state's tax authorities. While AFSA makes every attempt to provide the most up-to-date information, readers with specific questions should consult a tax expert in the state in question. We provide the website address for each state's tax authority

TAX WITHHOLDING WHEN ASSIGNED DOMESTICALLY

The State Department withholds an employee's state taxes according to his or her "regular place of duty" when assigned domestically—for details, see "New Procedures for Withholding and Reporting Employees' State and District of Columbia Income Taxes," Announcement No. 22394 (Nov. 4, 2014; available via the intranet). This announcement reflects some jurisdictions' imposition of income taxes on non-residents who derive income within their boundaries despite residence or domicile elsewhere.

Members residing or domiciled in a jurisdiction other than the one in which they earn income may need state taxes to be withheld for their residence and domicile jurisdictions. If you reside or are domiciled in a jurisdiction other than that of your regular place of duty, you may secure an exemption from this withholding method by satisfying the requirements detailed by CGFS Knowledgebase (available via the intranet at http://kb.gfs.state.gov/) Issue 39479.

Note that the Bureau of the Comptroller and Global Financial Services does not adjudicate state income tax elections when you are serving overseas, since in those circumstances, it is the employee's responsibility to accurately designate a state for which income taxes will be withheld. On the employee's return to a domestic assignment, however, CGFS will evaluate the employee's state tax withholding election based on his or her new official domestic duty station pursuant to Announcement No. 22394.

Finally, this determination does not mean that you must relinquish your state of domicile if it is different from your official duty station. "Domicile" and "residence" are different from "regular place of duty." As long as you maintain your ties to your home state, you will be able to change your withholding back, if you wish, to your home state when you go overseas. See the Overseas Briefing Center's guide to Residence and Domicile, available on AFSA's website at www.afsa.org/domicile.

in the state-by-state guide, and an email address or link where available. Some states do not offer customer service via email.

We also recommend the Tax Foundation website at www.taxfoundation.org, which provides a great deal of useful-information, including a table showing tax rates for all states for 2022 at https://taxfoundation.org/publications/state-individual-income-tax-rates-and-brackets.

STATE OVERVIEWS

ALABAMA

Individuals domiciled in Alabama are considered residents and are subject to tax on their entire income regardless of their physical presence in the state. Alabama's individual income tax rates range from 2 percent on taxable income under $500 for single taxpayers and $1,000 for married filing jointly, to 5 percent over $3,000 for single taxpayers and $6,000 for married filing jointly.

Write: Alabama Department of Revenue, 50 N. Ripley St., Montgomery AL 36130.

Phone: (334) 242-1170, Option #1

Website: https://revenue.alabama.gov

Email: Link through the website, About Us then Email Us.

ALASKA

Alaska does not tax individual income or intangible or personal property. It has no state sales and use, franchise, or fiduciary tax. However, some municipalities levy sales, property, and use taxes.

Write: Tax Division, Alaska Department of Revenue, P.O. Box 110420, Juneau AK 99811-0420.

Phone: (907) 465-2320

Website: www.tax.state.ak.us

ARIZONA

Individuals domiciled in Arizona are considered residents and are taxed on any income that is included in the Federal Adjusted Gross Income, regardless of their physical presence in the state. Arizona's tax rate ranges in four brackets from 2.59 percent of taxable income under $55,615 for married filing jointly and $27,808 for single filers to 4.5 percent for income over $333,684 married filing jointly or $166,843 for single filers.

Write: Arizona Department of Revenue, Customer Care, P.O. Box 29086, Phoenix AZ 85038-9086.

Phone: (602) 255-3381

Website: www.azdor.gov

Email: taxpayerassistance@azdor.gov

ARKANSAS

Individuals domiciled in Arkansas are considered residents and are taxed on their entire income regardless of their physical presence in the state. The Arkansas tax rate ranges in six brackets from a minimum of 2 percent to a maximum of 5.5 percent of net taxable income over $8,500.

Write: Department of Finance and Administration, Income Tax Section, P.O. Box 8110, Little Rock AR 72203-3628.

Phone: (501) 682-1100

Website: www.arkansas.gov/dfa

Email: individual.income@dfa.arkansas.gov

CALIFORNIA

Foreign Service employees domiciled in California must establish non-residency to avoid liability for California taxes (see Franchise Tax Board Publication 1031). However, a "safe harbor" provision allows anyone who is domiciled in state but is out of the state on an employment-related contract for at least 546 consecutive days to be considered a non-resident. This applies to most FS employees and their spouses, but members domiciled in California are advised to study FTB Publication 1031 for exceptions and exemptions. The California tax rate ranges in eight brackets from 1 percent of taxable income under $9,325 for singles and $18,650 for joint filers, to 12.3 percent on taxable income over $625,369 for singles and $1,000,000 for joint filers. Non-resident domiciliaries are advised to file on Form 540NR.

Write: Personal Income Taxes, Franchise Tax Board, P.O. Box 942840, Sacramento CA 94240-0040.

Phone: (800) 852-5711 (inside the U.S.); (916) 845-6500 (outside the U.S.)

Website: www.ftb.ca.gov

Email: Link through the website's Contact Us tab.

COLORADO

Individuals domiciled in Colorado are considered residents and are subject to tax on their entire income regardless of their physical presence in the state. Colorado's tax rate is a flat 4.55 percent of federal taxable income, plus or minus allowable modifications.

Write: Department of Revenue, Taxpayer Service Division, P.O. Box 17087, Denver CO 80217-0087.

Phone: (303) 238-7378

Website: Tax.Colorado.gov

Email: DOR_TaxpayerService@state.co.us

CONNECTICUT

Connecticut domiciliaries may qualify for non-resident tax treatment under either of two exceptions as follows: Group A—the domiciliary 1) did not maintain a permanent place of abode inside Connecticut for the entire tax year; and 2) maintains a permanent place of abode outside the state for the entire tax year; and 3) spends not more than 30 days in the aggregate in the state during the tax year.

Group B—the domiciliary 1) in any period of 548 consecutive days, is present in a foreign country for at least 450 days; and 2) during the 548-day period, is not present in Connecticut for more than 90 days; and 3) does not maintain a permanent place of abode in the state at which the domiciliary's spouse or minor children are present for more than 90 days.

Connecticut's tax rate for married filing jointly rises from 3 percent on the first $20,000 in six steps to 6.9 percent of the excess over $500,000, and 6.99 percent over $1,000,000. For singles, it is 3 percent on the first $10,000, rising in six steps to 6.9 percent of the excess over $250,000 and 6.99 percent over $500,000.

Write: Department of Revenue Services, 450 Columbus Blvd., Suite 1, Hartford CT 06103.

Phone: (860) 297-5962

Website: www.ct.gov/drs

Email: Contact through the website's Contact Us page.

DELAWARE

Individuals domiciled in Delaware are considered residents and are subject to tax on their entire income regardless of their physical presence in the state. Delaware's graduated tax rate rises in six steps from 2.2 percent of taxable income under $5,000 to 6.6 percent of taxable income over $60,000.

Write: Division of Revenue, Taxpayers Assistance Section, State Office Building, 820 N. French St., Wilmington DE 19801.

Phone: (302) 577-8200

Website: www.revenue.delaware.gov

Email: DOR_PublicService@delaware.gov

DISTRICT OF COLUMBIA

Individuals domiciled in the District of Columbia are considered residents and are subject to tax on their entire income regardless of their physical presence there. Individuals domiciled elsewhere are also considered residents for tax purposes for the portion of any calendar year in which they are physically present in the district for 183 days or more. The district's tax rates change in 2022 to 4 percent if income is less than $10,000; 6 percent between $10,000 and $40,000; 6.5 percent between $40,000 and $60,000; 8.5 percent between $60,000 and $250,000; 9.25 percent between $250,000 and $500,000; 9.75 percent between $500,000 and $1,000,000; and 10.75 percent over $1,000,000.

Write: Office of Tax and Revenue, Customer Service Center, 1101 4th St. SW, Suite 270 West, Washington DC 20024.

Phone: (202) 727-4829

Website: www.otr.cfo.dc.gov

Email: taxhelp@dc.gov

Circular 230 Notice: Pursuant to U.S. Treasury Department Regulations, all tax advice herein is neither intended nor written to be used, and may not be used, for the purposes of avoiding tax-related penalties under the Internal Revenue Code or promoting, marketing, or recommending advice on any tax-related matters.

FLORIDA

Florida does not impose personal income, inheritance, gift, or intangible personal property taxes. Real property is taxed at 100 percent of its value; there are many exemptions, but tax (homestead) exemptions are only available if you own and permanently reside on the property. Sales and use tax is 6 percent. There are additional county sales taxes that could make the combined rate as high as 8.3 percent.

Write: Taxpayer Services, Florida Department of Revenue, 5050 W. Tennessee St., Bldg. L, Tallahassee FL 32399-0112.

Phone: (850) 488-6800

Website: floridarevenue.com/taxes

Email: Use Ask a Tax Question on the website's Contact page.

GEORGIA

Individuals domiciled in Georgia are considered residents and are subject to tax on their entire income regardless of their physical presence in the state. Georgia's tax rate rises in six steps to a maximum of 5.75 percent of taxable income over $10,000 and above for joint married filers and $7,000 for single filers.

Write: Georgia Department of Revenue, Taxpayer Services Division, 1800 Century Blvd. NE, Atlanta GA 30345-3205.

Phone: (877) 423-6711, Option #2; or contact through Georgia Tax Center (log-in required).

Website: http://dor.georgia.gov/taxes

Email: Link through the website's Contact Us page.

HAWAII

Individuals domiciled in Hawaii are considered residents and are subject to tax on their entire income regardless of their physical presence in the state. Hawaii's tax rate is 1.4 percent on taxable income below $2,400 for single filers and $4,800 for joint filers, rising in 11 steps to a maximum of 11 percent for taxable income above $200,000 for single filers and $400,000 for joint filers.

Write: Oahu District Office, Taxpayer Services Branch, P.O. Box 259, Honolulu HI 96809-0259.

Phone: (800) 222-3229 or (808) 587-4242
Website: http://tax.hawaii.gov
Email: Taxpayer.Services@hawaii.gov

IDAHO

Individuals domiciled in Idaho for an entire tax year are considered residents and are subject to tax on their entire income. However, you are considered a non-resident if: 1) you are an Idaho resident who lived outside Idaho for at least 445 days in a 15-month period; and 2) after satisfying the 15-month period, you spent less than 60 days in Idaho during the year; and 3) you did not have a personal residence in Idaho for yourself or your family during any part of the calendar year; and 4) you did not claim Idaho as your federal tax home for deducting away-from-home expenses on your federal return; and 5) you were not employed on the staff of a U.S. senator; and 6) you did not hold an elective or appointive office of the U.S. government other than the armed forces or a career appointment in the U.S. Foreign Service (see Idaho Code Sections 63-3013 and 63-3030). Idaho's tax rate rises in four steps from a minimum of 1 percent to a maximum of 6 percent on the amount of Idaho taxable income over $7,939 for singles and $15,878 for married filers. Non-residents must file an Idaho income tax return if their gross income from Idaho sources is $2,500 or more.

Write: Idaho State Tax Commission, P.O. Box 36, Boise ID 83722-0410.
Phone: (800) 972-7660 or (208) 334-7660
Website: www.tax.idaho.gov
Email: taxrep@tax.idaho.gov

ILLINOIS

Individuals domiciled in Illinois are considered residents and are subject to tax on their entire income regardless of their physical presence in the state. Illinois charges a flat rate income tax rate for individuals of 4.95 percent of net income.

Write: Illinois Department of Revenue, P.O. Box 19014, Springfield IL 62794-9014.
Phone: (800) 732-8866 or (217) 782-3336
Website: www.revenue.state.il.us
Email: REV.TA-IIT@illinois.gov

INDIANA

Individuals domiciled in Indiana are considered residents and are subject to tax on their entire income regardless of their physical presence in the state. Indiana's tax rate is a flat 3.23 percent of Federal Adjusted Gross Income. Several counties also charge a county income tax.

Write: Indiana Department of Revenue, Individual Income Tax, P.O. Box 7207, Indianapolis IN 46207-7207.

Phone: (317) 232-2240
Website: www.in.gov/dor
Email: Link through the website's Contact Us tab.

IOWA

Individuals domiciled in Iowa are considered residents and are subject to tax on their entire income to the extent that income is taxable on the person's federal income tax returns. Iowa's tax rate rises in eight steps from 0.33 percent to a maximum 8.53 percent of taxable income over $78,435, for both single and joint filers.

Write: Taxpayer Services, Iowa Department of Revenue, P.O. Box 10457, Des Moines IA 50306-0457.
Phone: (515) 281-3114 or (800) 367-3388
Website: https://tax.iowa.gov
Email: Link through the website's Contact Us page.

KANSAS

Individuals domiciled in Kansas are considered residents and are subject to tax on their entire income regardless of their physical presence in the state. Kansas' tax rate is 3.1 percent on Kansas taxable income under $15,000 for single filers and under $30,000 for joint filers, rising to 5.7 percent on income over $30,000 for single filers and $60,000 for joint filers.

Write: Kansas Taxpayer Assistance Center, Scott State Office Building, 120 SE 10th Ave., Topeka KS 66612-1103.
Phone: (785) 368-8222
Website: www.ksrevenue.gov
Email: kdor_tac@ks.gov

KENTUCKY

Individuals domiciled in Kentucky are considered residents and are subject to tax on their entire income regardless of their physical presence in the state. Kentucky's tax rate is a flat 5 percent.

Write: Kentucky Department of Revenue, 501 High St., Frankfort KY 40601.
Phone: (502) 564-4581
Website: revenue.ky.gov
Email: Link through the website's Contact Us tab.

LOUISIANA

Individuals domiciled in Louisiana are considered residents and are subject to tax on their entire income regardless of their physical presence in the state. Louisiana's tax rate in 2022 is 1.85 percent for the first $12,500 for single filers or $25,000 for joint filers, 3.5 percent over $12,500 for single filers and over $25,000 for joint filers, and 4.25 percent over $50,000 for single filers or $100,000 for joint filers.

Write: Taxpayer Services Division, Individual Income Tax Section, Louisiana Department of Revenue, P.O. Box 201, Baton Rouge LA 70821-0201.
Phone: (855) 307-3893
Website: www.revenue.louisiana.gov
Email: Link through the website's Contact LDR Online tab on the Contact Us page.

MAINE

Individuals domiciled in Maine are considered residents and are subject to tax on their entire income. Since Jan. 1, 2007, however, there have been "safe harbor" provisions. Under the General Safe Harbor provision, Maine domiciliaries are treated as non-residents if they satisfy all three of the following conditions: 1) they did not maintain a permanent place of abode in Maine for the entire taxable year; and 2) they maintained a permanent place of abode outside Maine for the entire taxable year; and 3) they spent no more than 30 days in the aggregate in Maine during the taxable year. Under the Foreign Safe Harbor provision, Maine domiciliaries are also treated as non-residents if they are present in a foreign country for 450 days in a 548-day period and do not spend more than 90 days in Maine during that period. Maine's tax rate is 5.8 percent on Maine taxable income below $23,000 for singles and $46,000 for joint filers, 6.75 percent up to $54,450 for singles and $108,900 for married filing jointly, and 7.15 percent over those amounts.

Write: Maine Revenue Services, Income Tax Assistance, P.O. Box 9107, Augusta ME 04332-9107.
Phone: (207) 626-8475
Website: www.maine.gov/revenue
Email: income.tax@maine.gov

MARYLAND

Individuals domiciled in Maryland are considered residents and are subject to tax on their entire income regardless of their physical presence in the state. Individuals domiciled elsewhere are also considered residents for tax purposes for the portion of any calendar year in which they are physically present in the state for an aggregated total of 183 days or more. Maryland's tax rate is 4.75 percent of taxable income over $3,000 up to $100,000 if filing singly and $150,000 if filing jointly. It then rises in four steps to 5.75 percent of taxable income over $250,000 for singles and over $300,000 for married filers. In addition, Baltimore City and the 23 Maryland counties impose a local income tax, which is a percentage of the Maryland taxable income, using Line 31 of Form 502 or Line 9 of Form 503. The local factor varies from 2.25 percent in Worcester County (and for non-residents) to 3.2 percent in Baltimore City and County, and in Caroline, Dorchester, Howard, Kent, Montgomery, Prince George's, Queen Anne's, Somerset, Washington, and Wicomico (see website for details on all counties).

Write: Comptroller of Maryland, Revenue Administration Center, Taxpayer Service Section, 110 Carroll St., Annapolis MD 21411-0001.

Phone: (800) 638-2937 or (410) 260-7980

Website: www.marylandtaxes.com

Email: taxhelp@marylandtaxes.gov

MASSACHUSETTS

Individuals domiciled in Massachusetts are considered residents and are subject to tax on their entire income regardless of their physical presence in the state. Salaries and most interest and dividend income are taxed at a flat rate of 5 percent. Some income (e.g., short-term capital gains) remains taxed at 12 percent.

Write: Massachusetts Department of Revenue, Taxpayer Services Division, P.O. Box 7010, Boston MA 02204.

Phone: (617) 887-6367

Website: https://www.mass.gov/dor

Email: Link through the website's Contact Us tab.

MICHIGAN

Individuals domiciled in Michigan are considered residents and are subject to tax on their entire income regardless of their physical presence in the state. Michigan's tax is 4.25 percent. Some Michigan cities impose an additional income tax of 1 or 2 percent. Detroit imposes an additional 2.4 percent income tax.

Write: Michigan Department of Treasury, 430 W. Allegan St., Lansing MI 48922.

Phone: (517) 636-4486

Website: www.michigan.gov/treasury

Email: treasIndTax@michigan.gov

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MINNESOTA

Individuals domiciled in Minnesota are considered residents and are subject to tax on their entire income regardless of their physical presence in the state. Minnesota's tax rate is 5.35 percent on taxable income up to $28,080 for singles or $41,050 for married joint filers, rising in three steps to a maximum of 9.85 percent on taxable income over $171,220 for single filers or $284,810 for married filing jointly.

Write: Minnesota Department of Revenue, 600 North Robert St., St. Paul MN 55101.

Phone: (800) 657-3666 or (651) 556-3000

Website: www.revenue.state.mn.us

Email: individual.incometax@state.mn.us

MISSISSIPPI

Individuals domiciled in Mississippi are considered residents and are subject to tax on their entire income regardless of their physical presence in the state. Mississippi's tax rate is 3 percent on the first $5,000 of taxable income (first $1,000 exempt), 4 percent on the next $5,000, and 5 percent on taxable income over $10,000 for all taxpayers, whether filing singly or jointly.

Write: Department of Revenue, P.O. Box 1033, Jackson MS 39215-1033.

Phone: (601) 923-7700

Website: www.dor.ms.gov

Email: Link through the website's Contact Us tab.

MISSOURI

An individual domiciled in Missouri is considered a non-resident and is not liable for tax on Missouri income if the individual has no permanent residence in Missouri, has a permanent residence elsewhere, and is not physically present in the state for more than 30 days during the tax year. Missouri calculates tax on a graduated scale up to $8,704 of taxable income. Any taxable income over $8,704 is taxed at a rate of 5.4 percent.

Write: Individual Income Tax, P.O. Box 2200, Jefferson City MO 65105-2200.

Phone: (573) 751-3505

Website: https://dor.mo.gov/taxation

Email: income@dor.mo.gov

MONTANA

Individuals domiciled in Montana are considered residents and are subject to tax on their entire income regardless of their physical presence in the state. Montana's tax rate rises in seven steps from 1 percent of taxable income under $3,100 to a maximum of 6.75 percent of taxable income over $18,800. See the website for various deductions and exemptions.

Write: Montana Department of Revenue, P.O. Box 5805, Helena MT 59604-5805.

Phone: (406) 444-6900

Website: https://mtrevenue.gov

Email: Link through the website's Contact Us tab.

NEBRASKA

Individuals domiciled in Nebraska are considered residents and are subject to tax on their entire income regardless of their physical presence in the state. The individual income tax rates range in four steps from a minimum of 2.46 percent to a maximum of 6.84 percent of the excess over $33,180 for singles and $66,360 for joint filers.

Write: Department of Revenue, 301 Centennial Mall South, P.O. Box 94818, Lincoln NE 68509-4818.

Phone: (402) 471-5729

Website: www.revenue.state.ne.us

Email: Link through the website's Contact Us tab.

NEVADA

Nevada does not tax personal income. Sales and use tax varies from 6.85 percent to 8.1 percent depending on local jurisdiction. Additional ad valorem personal and real property taxes are also levied.

Write: Nevada Department of Taxation, 1550 College Pkwy., Suite 115, Carson City NV 89706.

Phone: (775) 684-2000

Website: www.tax.state.nv.us

NEW HAMPSHIRE

The state imposes no personal income tax on earned income and no general sales tax. The state does levy, among other taxes, a 5 percent tax on interest and dividend income of more than $2,400 annually for single filers and $4,800 annually for joint filers. There is no inheritance tax. Applicable taxes apply to part-year residents.

Write: Taxpayer Services Division, P.O. Box 637, Concord NH 03302-0637.

Phone: (603) 230-5000

Website: www.revenue.nh.gov

Email: Link through website's Contact Us page.

NEW JERSEY

A New Jersey domiciliary is considered a non-resident for New Jersey tax purposes if the individual has no permanent residence in New Jersey, has a permanent residence elsewhere, and is not physically in the state for more than 30 days during the tax year. Filing a return is not required (unless the non-resident has New Jersey–source income), but it is recommended to preserve domicile status. Filing is required on Form 1040-NR for revenue derived from in-state sources. Tax liability is calculated as a variable lump sum plus a percentage from a minimum of 1.4 percent of taxable gross income up to $20,000, in three steps to 6.37 percent between $75,000 and $500,000, and a maximum of 8.97 percent on taxable gross income over $500,000 for both single and joint filers. There is also a top rate of 10.75 percent for income over $1,000,000.

Write: New Jersey Division of Taxation, Technical Services Branch, P.O. Box 281, Trenton NJ 08695-0281.

Phone: (609) 292-6400

Website: www.state.nj.us/treasury/taxation

Email: Link through the website's Contact Us tab.

NEW MEXICO

Individuals domiciled in New Mexico are considered residents and are subject to tax on their entire income regardless of their physical presence in the state. The basis for New Mexico's calculation is the Federal Adjusted Gross Income figure. Rates rise in four steps from a minimum of 1.7 percent to a maximum of 5.9 percent on New Mexico taxable income over $210,000 for single filers and $315,000 for married filing jointly.

Write: New Mexico Taxation and Revenue Department, 1100 South St. Francis Drive, Santa Fe NM 875045.

Phone: (505) 827-0700

Website: www.tax.newmexico.gov

Email: Link through the website's Email Us tab.

NEW YORK

There is no tax liability for out-of-state income if you have no permanent residence in New York, have a permanent residence elsewhere, and are not present in the state more than 30 days during the tax year or you were in a foreign country for at least 450 days during any period of 548 consecutive days; and you, your spouse, and minor children spent 90 days or less in New York state during this 548-day period. Filing a return is not required, but it is recommended to preserve domicile status. The tax rate rises in six steps from a minimum of 4.5 percent to 6.33 percent of taxable income over $21,400 for single filers and $43,000 for married filing jointly; 6.25 percent on taxable income over $80,650 for single filers and $161,550 for joint filers; 6.85 percent on taxable income over $215,400 for single filers or $323,200 for joint filers; and 9.65 percent over $1,077,550 for single filers and over $2,155,350 for joint filers. In New York City, the maximum rate is 3.876 percent over $50,000 for single filers and over $90,000 for joint filers. Filing is required on Form IT-203 for revenue derived from New York sources.

Foreign Service employees assigned to USUN for a normal tour of duty are considered to be resident in New York state for tax purposes. See TSB-M-09(2)I of Jan. 16, 2009, at http://www.tax.ny.gov/pdf/memos/income/m09_2i.pdf.

Write: New York State Department of Taxation and Finance, Personal Income Tax Information, W.A. Harriman Campus, Albany NY 12227.

Phone: (518) 457-5181

Website: www.tax.ny.gov

Email: Link through the website's Answer Center tab.

NORTH CAROLINA

Individuals domiciled in North Carolina are considered residents and are subject to tax on their entire income regardless of their physical presence in the state. North Carolina's flat tax rate is 4.99 percent for 2022. Residents must also report and pay a "use tax" on purchases made outside the state for use in North Carolina.

Write: North Carolina Department of Revenue, P.O. Box 25000, Raleigh NC 27640-0640.

Phone: (877) 252-4052 or (919) 814-9701 for international callers

Website: www.dornc.com
Email: Link through the website's Contact Us tab.

NORTH DAKOTA

Individuals domiciled in North Dakota and serving outside the state are considered residents and are subject to tax on their entire income. Tax rates range in four steps from 1.1 percent on North Dakota taxable income up to $40,525 for singles and $67,700 for joint filers to a maximum of 2.9 percent on taxable income over $445,000 for both single and joint filers.

Write: Office of State Tax Commissioner, State Capitol, 600 E. Boulevard Ave., Dept. 127, Bismarck ND 58505-0599.
Phone: (701) 328-7088
Website: www.nd.gov/tax
Email: individualtax@nd.gov

OHIO

Individuals domiciled in Ohio are considered residents and their income is subject to tax, using the Federal Adjusted Gross Income figure as a starting base. Ohio's tax rate starts at a minimum of 2.85 percent on taxable income up to $22,150, rising in four steps to a maximum of 4.797 percent on taxable income over $221,300 for single and joint filers. Ohio also charges a school district income tax of between 0.5 and 2 percent, depending on jurisdiction.

Write: Ohio Department of Taxation, Taxpayer Services Center, P.O. Box 530, Columbus OH 43216-0530.
Phone: (800) 282-1780 or (614) 387-0224
Website: www.tax.ohio.gov
Email: Link through the website's Contact Us tab.

OKLAHOMA

Individuals domiciled in Oklahoma are considered residents and are subject to tax on their entire income regardless of their physical presence in the state. Oklahoma's tax rate rises in five steps to a maximum of 4.75 percent on taxable income over $7,200 for single filers and $12,200 for married filing jointly.

Write: Oklahoma Tax Commission, Oklahoma City OK 73194.
Phone: (405) 521-3160
Website: ok.gov/tax
Email: Link through the website's General: Contact Us page.

OREGON

Individuals domiciled in Oregon are considered residents and are subject to tax on their entire income regardless of their physical presence in the state. Oregon's tax rate rises from 4.75 percent on taxable income over $3,650 for single filers and $7,300 for married filing jointly, in three steps to 9.9 percent on taxable income over $125,000 for single filers and $250,000 for joint filers. Oregon has no sales tax.

Write: Oregon Department of Revenue, 955 Center St. NE, Salem OR 97301-2555.
Phone: (800) 356-4222 or (503) 378-4988
Website: www.oregon.gov/dor
Email: questions.dor@oregon.gov

PENNSYLVANIA

Pennsylvania's tax rate is a flat 3.07 percent. Pennsylvania tax authorities have ruled that Pennsylvania residents in the U.S. Foreign Service are not on active duty for state tax purposes, and thus their income is taxable compensation. For non–Foreign Service state residents, there is no tax liability for out-of-state income if the individual has no permanent residence in the state, has a permanent residence elsewhere, and spends no more than 30 days in the state during the tax year. However, Pennsylvania does not consider government quarters overseas to be a "permanent residence elsewhere." Filing a return is not required, but it is recommended to preserve domicile status. File Form PA-40 for all income derived from Pennsylvania sources.

Write: Commonwealth of Pennsylvania, Department of Revenue, Taxpayer Services Department, Harrisburg PA 17128-1061.
Phone: (717) 787-8201
Website: www.revenue.pa.gov
Email: Link through the website's Contact Us tab.

PUERTO RICO

Individuals who are domiciled in Puerto Rico are considered residents and are subject to tax on their entire income regardless of their physical presence in the Commonwealth. Normally, they may claim a credit with certain limitations for income taxes paid to the United States on any income from sources outside Puerto Rico. Refer to the website for details of tax bands and percentages.

Write: Departamento de Hacienda, P.O. Box 9024140, San Juan PR 00902-4140.
Phone: (787) 622-0123, Option #8
Website: www.hacienda.gobierno.pr
Email: info@hacienda.gobierno.pr

RHODE ISLAND

Individuals domiciled in Rhode Island are considered residents and are subject to tax on their entire income regardless of their physical presence in the state. The Rhode Island tax rate is 3.75 percent of taxable income up to $68,200 for all filers, 4.75 percent for income over $68,200, and 5.99 percent of taxable income over $155,050 for all filers. Also, a 2010 change treats capital gains as ordinary taxable income. Refer to the tax division's website for current information and handy filing hints, as well as for forms and regulations.

Write: Rhode Island Division of Taxation, Taxpayer Assistance Section, One Capitol Hill, Providence RI 02908-5801.

Phone: (401) 574-8829, Option #3

Website: www.tax.ri.gov

Email: Tax.Assist@tax.ri.gov

SOUTH CAROLINA

Individuals domiciled in South Carolina are considered residents and are subject to tax on their entire income regardless of their physical presence in the state. South Carolina's tax rates rise in six steps to a maximum of 7 percent of South Carolina taxable income over $16,040 for all filers.

Write: South Carolina Tax Commission, P.O. Box 125, Columbia SC 29214.

Phone: (844) 898-8542, Option #1; or (803) 898-5000

Website: https://dor.sc.gov

Email: iitax@dor.sc.gov, or through the website's Contact Us tab.

SOUTH DAKOTA

There is no state income tax and no state inheritance tax. State sales and use tax is 4.5 percent; municipalities may add up to an additional 3 percent.

Write: South Dakota Department of Revenue, 445 East Capitol Ave., Pierre SD 57501-3185.

Phone: (605) 773-3311 or (800) 829-9188

Website: https://dor.sd.gov

Email: Link through the website's Contact Us tab.

TENNESSEE

Salaries and wages are not subject to state income tax. After 2021 Tennessee is now completely free of income taxes as the Hall Tax on bond and note interest and stock dividends was repealed beginning Jan. 1, 2021.

Write: Tennessee Department of Revenue (Attention: Taxpayer Services), 500 Deaderick St., Nashville TN 37242.

Phone: (615) 253-0600

Website: www.tn.gov/revenue

Email: TN.Revenue@tn.gov

TEXAS

There is no state personal income tax. State sales tax is 6.25 percent with local additions adding up to 2 percent.

Write: Texas Comptroller, P.O. Box 13528, Capitol Station, Austin TX 78711-3528.

Phone: (888) 334-4112

Website: www.comptroller.texas.gov

Email: Link through the website's Contact Us page.

UTAH

Utah has a flat tax of 4.95 percent on all income. Individuals domiciled in Utah are considered residents and are subject to Utah state tax. Utah requires that all Federal Adjusted Gross Income reported on the federal return be reported on the state return regardless of the taxpayer's physical presence in the state. Some taxpayers will be able to claim either a taxpayer tax credit or a retirement tax credit, or both (see website for explanation).

Write: Utah State Tax Commission, Taxpayer Services Division, 210 North 1950 West, Salt Lake City UT 84134.

Phone: (800) 662-4335 or (801) 297-2200

Website: www.tax.utah.gov

Email: Link through the website's Contact Us tab.

VERMONT

Individuals domiciled in Vermont are considered residents and are subject to tax on their entire income regardless of their physical presence in the state. Tax rates range from 3.35 percent on taxable income under $40,950 for singles and $68,400 for joint filers, to a maximum of 8.75 percent on taxable income over $206,950 for singles and $251,950 for joint filers.

Write: Vermont Department of Taxes, Taxpayer Services Division, 133 State St., Montpelier VT 05602.

Phone: (802) 828-2865 or (866) 828-2865

Website: www.tax.vermont.gov

Email: tax.individualincome@vermont.gov, or through the website's Contact Us tab.

VIRGINIA

Individuals domiciled in Virginia are considered residents and are subject to tax on their entire income regardless of their physical presence in the state. Individuals domiciled elsewhere are also considered residents for tax purposes for the portion of any calendar year in which they are physically present in the state for 183 days or more. These individuals should file using Form 760. In addition, Virginia requires non-residents to file Form 763 if their Virginia Adjusted Gross Income (which includes any federal salary paid during the time they are residing in Virginia) exceeds $11,950 for single filers and married filing separately, or $23,900 for married filing jointly.

Individual tax rates are 2 percent if taxable income is less than $3,000; $60 plus 3 percent of excess over $3,000 if taxable income is between $3,000 and $5,000; $120 plus 5 percent of excess over $5,000 if taxable income is between $5,000 and $17,000; and $720 plus 5.75 percent if taxable income is over $17,000. In addition, using Form R-1H, Virginia allows employers of household help to elect to pay state unemployment tax annually instead of quarterly.

Write: Virginia Tax, Office of Customer Services, P.O. Box 1115, Richmond VA 23218-1115.

Phone: (804) 367-8031

Website: www.tax.virginia.gov

Email: Link through the website's Contact Us tab.

WASHINGTON

There is no state income tax and no tax on intangibles such as bank accounts, stocks, and bonds. Capital gains are taxed at 7 percent. Residents may deduct Washington sales tax on their federal tax returns if they itemize deductions. State tax rate is 7 percent and local additions can increase that to as much as 9 percent in some areas.

Write: Washington State Department of Revenue, Taxpayer Services, P.O. Box 47478, Olympia WA 98504-7478.

Phone: (360) 705-6705

Website: www.dor.wa.gov

Email: Link through the website's Contact Us tab.

WEST VIRGINIA

There is no tax liability for out-of-state income if the individual has no permanent residence in West Virginia, has a permanent residence elsewhere, and spends no more than 30 days of the tax year in West Virginia. However, non-resident domiciliaries are required to file a return on Form IT-140 for all income derived from West Virginia sources. Tax rates rise in four steps from 4 percent of taxable income over $10,000 for single and joint filers, to 6.5 percent of taxable income over $60,000 for single and joint filers.

Write: Department of Tax and Revenue, The Revenue Center, 1001 Lee St. E., Charleston WV 25337-3784.

Phone: (800) 982-8297 or (304) 558-3333

Website: www.wvtax.gov

Email: taxhelp@wv.gov

WISCONSIN

Individuals domiciled in Wisconsin are considered residents and are subject to tax on their entire income regardless of where the income is earned. Wisconsin's tax rate rises in four steps from 4.65 percent on income over $12,760 for single filers or $17,010 for joint filers, 5.3 percent over $25,520 for single filers and $34,030 for joint filers, and 7.65 percent on income over $280,950 for single filers or $374,600 for joint filers.

Write: Wisconsin Department of Revenue, Customer Service Bureau, P.O. Box 59, Madison WI 53785-0001, or P.O. Box 268, Madison WI 53790-0001.

Phone: (608) 266-2486

Website: www.revenue.wi.gov

Email: Link through the website's Contact Us tab or email dorincome@wisconsin.gov.

WYOMING

There is no state income tax and no tax on intangibles such as bank accounts, stocks, or bonds. State sales tax is 4 percent. Local jurisdictions may add another 2 percent sales tax and 4 percent for lodging.

Write: Wyoming Department of Revenue, 122 West 25th St., Suite E301, Herschler Building East, Cheyenne WY 82002-0110.

Phone: (307) 777-5200

Website: http://revenue.wyo.gov

Email: dor@wyo.gov

2022 STATE PENSION AND ANNUITY TAX

The laws regarding the taxation of Foreign Service annuities vary greatly from state to state. In addition to those states that have no income tax or no tax on personal income, there are several states that do not tax income derived from pensions and annuities. Idaho taxes Foreign Service annuities received for years worked before Oct. 1, 1991, while exempting certain categories of Civil Service employees. Several websites provide more detail on individual state taxes for retirees, but one of the more comprehensive is the **Retirement Living Information Center** at www.retirementliving.com/taxes-by-state, which is recommended for further information.

ALABAMA

Social Security and U.S. government pensions are not taxable. The Alabama state sales tax is 4 percent. Depending on the municipality, combined local and state sales tax could be as high as 11 percent.

ALASKA

No personal income tax. No state sales or use tax, but most municipalities levy sales and/or use taxes of between 2 and 7 percent and/or a property tax. If over age 65, you may be able to claim an exemption.

ARIZONA

U.S. government pensions are fully taxed but up to $2,500 may be excluded for each taxpayer. There is also a $2,100 exemption for each taxpayer age 65 or over. Social Security is excluded from taxable income. Arizona state sales and use tax is 5.6 percent, with additions up to 2.8 percent depending on the county and/or city.

ARKANSAS

The first $6,000 of income from any retirement plan or IRA is exempt (to a maximum of $6,000 overall). Social Security is excluded from taxable income. There is no estate or inheritance tax. State sales and use tax is 6.5 percent; city and county taxes may add another 5 percent.

CALIFORNIA

Pensions and annuities are fully taxable. Social Security is excluded from taxable income. The sales and use tax rate varies from 7.25 percent (the statewide rate) to 11 percent in some areas.

COLORADO

Up to $24,000 of pension or Social Security income can be excluded if an individual is age 65 or over. Up to $20,000 is exempt if age 55 to 64. State sales tax is 2.9 percent; local additions can increase it to as much as 11.2 percent.

CONNECTICUT

Pensions and annuities are fully taxable for residents. Social Security is exempt if Federal Adjusted Gross Income is less than $75,000 for singles or $100,000 for joint filers. Connecticut exempts 14 percent of income from pensions and annuities using those same income qualifiers. This phased-in exemption will increase by 14 percent each year until it reaches 100 percent in tax year 2025. Statewide sales tax is 6.35 percent. No local additions.

DELAWARE

Government pension exclusions per person: $2,000 is exempt under age 60; $12,500 if age 60 or over. If over age 65 and you do not itemize, there is an additional standard deduction of $2,500. Social Security is excluded from taxable income. Delaware does not impose a sales tax.

DISTRICT OF COLUMBIA

Pensions and annuities are fully taxed for residents. Social Security is excluded from taxable income. Sales and use tax is 6 percent, with higher rates for some commodities (liquor, meals, etc.).

FLORIDA

There is no personal income, inheritance, gift tax, or tax on intangible property. All property is taxable at 100 percent of its valuation—many exemptions are available. The state sales and use tax is 6 percent. There are additional county sales taxes, which could make the combined rate as high as 9.5 percent.

GEORGIA

Up to $35,000 of retirement income may be excludable for those age 62 or older or totally disabled. Up to $65,000 of retirement income may be excludable for taxpayers who are age 65 or older. Social Security is excluded from taxable income. Sales tax is 4 percent statewide, with additions of up to 4.9 percent depending on jurisdiction.

HAWAII

Pension and annuity distributions from a government pension plan are not taxed in Hawaii. If the employee contributed to the plan, such as a 401(k) with employer matching, only employer contributions are exempt. Social Security is excluded from taxable income. Hawaii charges a general excise tax of 4 percent instead of sales tax.

IDAHO

If the individual is age 65 or older, or age 62 or older and disabled, Civil Service Retirement System and Foreign Service Retirement and Disability System pensions qualify for a deduction. Refer to Form 39R for details. Federal Employees' Retirement System or Foreign Service Pension System pensions do not qualify for this deduction. The deduction is reduced dollar for dollar by Social Security benefits. Social Security itself is not taxed. Idaho state sales tax is 6 percent; some local jurisdictions add as much as another 3 percent.

ILLINOIS

Illinois does not tax U.S. government pensions, TSP distributions, or Social Security. State sales tax is 6.25 percent. Local additions can raise sales tax to 11 percent in some jurisdictions.

INDIANA

Social Security is excluded from taxable income. All other retirement income is taxed at the flat 3.23 percent Indiana income tax rate. Sales tax and use tax is 7 percent.

IOWA

Generally taxable. Taxpayers who are at least 55 years old can exclude up to $6,000 ($12,000 for joint filers) of federally taxed distributions from a pension, annuity, IRA, or other retirement plans. Social Security is excluded from taxable income. Statewide sales tax is 6 percent; local option taxes can add up to another 2 percent.

KANSAS

U.S. government pensions are not taxed. There is an extra deduction of $850 if over age 65. Other pensions are fully taxed along with income from a 401(k) or IRA. Social Security is exempt if Federal Adjusted Gross Income is under $75,000. State sales tax is 6.5 percent, with additions of up to 4.1 percent depending on jurisdiction.

KENTUCKY

Government pension income is exempt if retired before Jan. 1, 1998. If retired after Dec. 31, 1997, pension/annuity income up to $31,110 remains excludable depending on date of retirement. Social Security is excluded from taxable income. Sales and use tax is 6 percent statewide, with no local sales or use taxes.

LOUISIANA

Federal retirement benefits are exempt from state income tax. There is an exemption of $6,000 of other annual retirement income received by any person age 65 or over. Married filing jointly may exclude $12,000. Social Security is excluded from taxable income. State sales tax is 4.45 percent with local additions up to a possible total of 7 percent. Use tax is 8 percent regardless of the purchaser's location.

MAINE

Recipients of a government-sponsored pension or annuity who are filing singly may deduct up to $10,000 ($25,000 for married filing jointly) on income that is included in their Federal Adjusted Gross Income, reduced by all Social Security and railroad benefits. For those age 65 and over, there is an additional standard deduction of $1,600 (filing singly) or $2,600 (married filing jointly). Sales tax is 5.5 percent.

MARYLAND

Those over 65 or permanently disabled, or who have a totally disabled spouse, can exclude up to $34,300 income from a pension or 401(k). Also, all individuals 65 years or older are entitled to an extra $1,000 personal exemption in addition to the regular $3,200 personal exemption available to all taxpayers. Social Security is excluded from taxable income. See the worksheet and instructions in the Maryland Resident Tax Booklet. General sales tax is 6 percent.

MASSACHUSETTS

Federal pensions and Social Security are excluded from Massachusetts gross income. Each taxpayer over age 65 is allowed an additional $700 exemption on other income. Sales tax is 6.25 percent.

MICHIGAN

Federal and state/local government pensions may be partially exempt, based on the year you were born and the source of the pension.
(a) If born before 1946, private pension or IRA benefits included in AGI are partially exempt; public pensions are exempt.
(b) If born after 1946 and before 1952, the exemption for public and private pensions is limited to $20,000 for singles and $40,000 for married filers.
(c) If born after 1952, you are not eligible for any exemption until reaching age 67. Taxpayers have two options when they turn 67 years old: either deduct $20,000 from all income sources ($40,000 for joint filers) or claim personal exemptions and deduct Social Security, military, and railroad retirement income. Social Security is excluded from taxable income. Full details are at https://www.michigan.gov/taxes/iit/pension/2021-retirement-pension-information#1.

Michigan's state sales tax rate is 6 percent. There are no city, local, or county sales taxes.

MINNESOTA

Social Security income is taxed by Minnesota to the same extent it is on your federal return, unless it's your only source of income. All federal pensions are taxable, but single taxpayers who are over age 65 or disabled may exclude some income if Federal Adjusted Gross Income is under $33,700 and nontaxable Social Security is under $9,600. For a couple who are both over age 65, the limits are $42,000 for Federal Adjusted Gross Income and $12,000 for nontaxable Social Security. Statewide sales and use tax is 6.875 percent; a few cities and counties also add a sales tax, which can be as high as 8.375 percent.

MISSISSIPPI

Social Security, qualified retirement income from federal, state, and private retirement systems, and income from IRAs are exempt from Mississippi tax. There is an additional exemption of $1,500 on other income if over age 65. Statewide sales tax is 7 percent.

MISSOURI

Missouri taxes all retirement income, including Social Security. Up to 65 percent of public pension income may be deducted if Missouri Adjusted Gross Income is less than $100,000 when married filing jointly or $85,000 for single filers, up to a limit of $39,014 for each spouse. The maximum private pension deduction is $6,000. You may also deduct 100 percent of Social Security income if over age 62 and Federal Adjusted Gross Income is less than the limits above. Sales tax is 4.23 percent; local sales and use tax additions may raise the total to 10.1 percent.

MONTANA

Montana taxes all pension and retirement income received while residing in Montana. Those over age 65 can exempt an additional $800 of interest income for single taxpayers and $1,600 for married joint filers. For taxpayers with an AGI income under $25,000 (single filers) or $32,000 (joint filers), all Social Security retirement income is deductible. For taxpayers above those limits but below $34,000 (single filers) or $44,000 (joint filers), half of Social Security retirement income is deductible. Above those second-level limits, 15 percent is deductible. Montana has no general sales tax, but tax is levied on the sale of various commodities.

NEBRASKA

U.S. government pensions and annuities are fully taxable. Social Security is taxable but single filers with $43,000 in AGI or less ($58,000 married filing jointly) may subtract their Social Security income. State sales tax is 5.5 percent; local taxes may add another 2.5 percent.

NEVADA

No personal income tax. Sales and use tax varies from

6.85 to 8.1 percent, depending on local jurisdiction.

NEW HAMPSHIRE
No personal income tax. There is no inheritance tax. There is a 5-percent tax on interest/dividend income over $2,400 for singles ($4,800 married filing jointly). A $1,200 exemption is available for those age 65 or over. No general sales tax. Several services (prepared food, hotel rooms, etc.) are taxed at 9 percent.

NEW JERSEY
Pensions and annuities from civilian government service are subject to state income tax, with exemptions for those age 62 or older or totally and permanently disabled. See this link, however, for the distinction between the "Three-Year Rule Method" and the "General Rule Method" for contributory pension plans: https://bit.ly/new-jersey-taxation. Taxpayers age 62 or older with $100,000 or less in state income can exclude up to $60,000 of pension, annuity, IRA, or other retirement plan income; those married filing jointly up to $150,000; those married filing separately up to $50,000 each; and $75,000 for single filers. These exclusions are eliminated for New Jersey gross incomes over $100,000. Residents over age 65 may be eligible for an additional $1,000 personal exemption. Social Security is excluded from taxable income. State sales tax is 6.63 percent.

NEW MEXICO
All pensions and annuities are taxed as part of Federal Adjusted Gross Income. Taxpayers age 65 or older may exempt up to $8,000 (single) or $16,000 (joint) from any income source if their income is under $28,500 (individual filers) or $51,000 (married filing jointly). The exemption is reduced as income increases, disappearing altogether at $51,000. State tax rate is 5.13 percent. Local taxes combined with state sales tax can be as high as just over 9 percent.

NEW YORK
Social Security, U.S. government pensions, and annuities are not taxed. For those over age 59½, up to $20,000 of other annuity income (e.g., Thrift Savings Plan) may be excluded. See N.Y. Tax Publication 36 at https://bit.ly/income-taxation for details. Sales tax is 4 percent statewide. Other local taxes may add up to an additional 4.875 percent.

NORTH CAROLINA
Pursuant to the "Bailey" decision (see http://dornc.com/taxes/individual/benefits.html), government retirement benefits received by federal retirees who had five years of creditable service in a federal retirement system on Aug. 12, 1989, are exempt from North Carolina income tax. Those who do not have five years of creditable service on Aug. 12, 1989, must pay North Carolina tax on their federal annuities. State sales tax is 4.75 percent; local taxes may increase this by up to 2.75 percent.

NORTH DAKOTA
All pensions and annuities are taxed. Taxpayers can exclude $5,000 of pension income from civil service, and some other qualified, plans. Social Security is excluded from taxable income. General sales tax is 5 percent; local jurisdictions impose up to 3.5 percent more.

OHIO
Retirement income is taxed. Taxpayers age 65 and over may take a credit of up to $200 per return. Social Security is excluded from taxable income. State sales tax is 5.75 percent. Counties and regional transit authorities may add to this, but the total must not exceed 8.75 percent.

OKLAHOMA
Individuals receiving FERS/FSPS or private pensions may exempt up to $10,000, but not to exceed the amount included in the Federal Adjusted Gross Income. One hundred percent of a federal pension paid in lieu of Social Security (i.e., CSRS and FSRDS—"old system"—including the CSRS/FSRDS portion of an annuity paid under both systems) is exempt. Social Security included in FAGI is exempt. State sales tax 4.5 percent. County and local tax rates vary for a total sales tax of up to 11 percent. The average Oklahoma sales tax is around 9 percent.

OREGON
Generally, all retirement income is subject to Oregon tax when received by an Oregon resident. However, federal retirees who retired on or before Oct. 1, 1991, may exempt their entire federal pension; those who worked both before and after Oct. 1, 1991, must prorate their exemption using the instructions in the tax booklet. (The portion of that pension for the years before Oct. 1, 1991, is not taxed.) Oregon Retirement Income Credit allows for a credit of up to $6,250, depending on household income. Social Security is excluded from taxable income. Oregon has no sales tax.

PENNSYLVANIA
All retirement income is tax exempt for Pennsylvania residents age 60 and older. This includes public and private pensions, Social Security income, and civil service annuities. Pennsylvania sales tax is 6 percent. Other taxing entities may add up to 2 percent.

PUERTO RICO
The first $11,000 of income received from a federal pension can be excluded for individuals under age 60. For those age 60 and older, the exclusion is $15,000. If the individual receives more than one federal pension, the exclusion applies to each pension or annuity

separately. Social Security is excluded from taxable income.

RHODE ISLAND
U.S. government pensions and annuities are fully taxable. Social Security is taxed to the extent it is federally taxed. Joint filers at retirement age with a Federal Adjusted Gross Income over $111,200 ($88,950 for single filers) pay tax on Social Security benefits. Higher-income seniors are not eligible for the Rhode Island income tax exemption on private, government, or military retirement plan payouts. Out-of-state government pensions are fully taxed. Sales tax is 7 percent; meals and beverages are 8 percent.

SOUTH CAROLINA
Retirement income is taxed, but individuals over age 65 can exempt $10,000 of qualified retirement income; those age 65 or over may claim a $15,000 deduction on qualified retirement income ($30,000 if both spouses are over 65), but must reduce this figure by any other retirement exclusion claimed. Social Security is excluded from taxable income. Sales tax is 6 percent plus up to 3 percent in some counties. Residents age 85 and older pay 5 percent.

SOUTH DAKOTA
No personal income tax or inheritance tax. State sales and use tax is 4.5 percent; municipalities may add up to an additional 2.75 percent. Residents age 66 and older and have an annual income under $12,880 (single) or total household income under $17,420 are eligible for a sales tax refund.

TENNESSEE
Social Security, pension income, and income from IRAs and TSP are not subject to personal income tax. State sales tax is 5 percent on food; it is 7 percent on other goods, with between 1.5 and 2.75 percent added, depending on jurisdiction.

TEXAS
No personal income tax or inheritance tax. State sales tax is 6.25 percent. Local options can raise the rate to 8.25 percent.

UTAH
Utah has a flat tax rate of 4.95 percent of all income. For taxpayers over age 65, there is a retirement tax credit of $450 for single filers and $900 for joint filers. Qualifying modified Adjusted Gross Income levels are under $25,000 for single residents and less than $32,000 for joint filers. Married taxpayers who file separate returns are eligible with a modified AGI under $34,000. See the state website for details. State sales tax ranges from 5.95 percent to 8.60 percent, depending on local jurisdiction.

VERMONT
U.S. government pensions and annuities are fully taxable. Social Security benefits are taxed for single filer income greater than $45,000 annually or over $60,000 for joint filers. Out-of-state government pensions and other retirement income are taxed at rates from 3.35 percent to 8.75 percent. State general sales tax is 6 percent; local option taxes may raise the total to 7 percent (higher on some commodities).

VIRGINIA
Individuals born before Jan 1, 1939, can claim a $12,000 deduction. If you were born between Jan. 2, 1939, and Jan. 1, 1956, your age deduction is based on your income. The maximum $12,000 deduction is reduced by one dollar for each dollar by which Adjusted Gross Income exceeds $50,000 for single, and $75,000 for married, taxpayers. All taxpayers age 65 and over receive an additional personal exemption of $800. Social Security is excluded from taxable income. The estate tax was repealed for all deaths after July 1, 2007. The general sales tax rate is 5.3 percent (4.3 percent state tax and 1 percent local tax, with an extra 0.7 percent in Northern Virginia).

WASHINGTON
No personal income tax. Retirement income is not taxed. State sales tax is 7 percent; rates are updated quarterly. Local taxes may increase the total to as much as 9 percent.

WEST VIRGINIA
All retirement income is taxed with the first $8,000 (individual filers) or $16,000 (married filing jointly) being exempt. Out-of-state government pensions qualify for this exemption. In 2022, Social Security is not taxed if Federal Adjusted Gross Income does not exceed $100,000 (married filing jointly) or $50,000 (filing singly). State sales tax is 6 percent, with additions of between 0.5 and 1 percent in some jurisdictions.

WISCONSIN
Pensions and annuities are fully taxable. Social Security is excluded from taxable income. Those age 65 and over may take two personal deductions totaling $950. Benefits received from a federal retirement system account established before Dec. 31, 1963, are not taxable. Those age 65 and over and with a Federal Adjusted Gross Income of less than $15,000 (single filers) or $30,000 (joint filers) may exclude $5,000 of income from federal retirement systems or IRAs. Those over age 65 may take an additional personal deduction of $250. State sales tax is 5 percent; local taxes may add another 1.75 percent.

WYOMING
No personal income tax. State sales tax is 4 percent. Local taxes may add up to 2 percent on sales and 4 percent on lodging.

Eli William Bizic, 83, a retired Foreign Service officer, passed away on Sept. 4, 2022, in McLean, Va.

Mr. Bizic was born April 8, 1939, in Rochester, Pa., to Eli and Helene Bizic. As a child, he moved frequently; his father's job with the U.S. Air Force and NASA took him from the East Coast to the Midwest, the West Coast, and even to Tokyo for a few years.

In 1957 Mr. Bizic graduated from Clover Park High School in Tacoma, Wash., with honors and recognition for his achievements in football, student council, drama, and choir.

He went on to study at the University of Southern California, where he received a B.A. in international relations in 1961 after completing study abroad programs at the University of Maryland in Munich, Germany, the University of Paris (known as the Sorbonne), and the Institute for American Universities in Aix-en-Provence, France.

He continued his education at the University of Texas at Austin where he obtained his law degree in 1964.

That year, he was sworn in as a member of the U.S. Foreign Service. He embarked on his first assignment to Rabat, Morocco, followed by Tangier.

During this assignment he met the love of his life, Evelyn, who was working at the U.S. consulate in Casablanca. They married in 1968 and spent their honeymoon driving across the United States in his convertible, followed by a cruise across the Atlantic. Mr. Bizic took great joy in all their adventures together.

He was fluent in French and German and learned Arabic at the Middle East Centre for Arab Studies in Shemlan, Lebanon. Subsequent assignments included Beirut, Tel Aviv, Bern, and Vienna, his last overseas post, where he served as economic counselor.

During his 25-year State Department career, Mr. Bizic was recognized for many accomplishments. He received the Meritorious Honor Award in 1981 for serving as the principal liaison between the Swiss and U.S. governments during the initial stage of the hostage crisis in Iran. In 1988 he was honored for his dedication and superior performance as an FSO.

Always happy to come back to the Washington, D.C., area between assignments or on home leave, Mr. and Mrs. Bizic, along with their daughters, Natalie and Elizabeth, enjoyed the many cultures and overseas experiences in which they were immersed.

After Mr. Bizic retired from the Foreign Service, his career continued for another 25 years, beginning at the United Nations in New York. He later led the National Phi Alpha Delta Law Fraternity and worked as an attorney advising on immigration and citizenship cases and issues concerning the Freedom of Information Act, and as a consultant for the State Department's Passport Agency.

A member of the State Bar of Texas since 1964, Mr. Bizic was admitted to the U.S. Supreme Court Bar nearly 30 years later as an attorney and counselor.

As he approached full retirement, Mr. Bizic joined his wife in managing her Georgetown antique store. The couple shared an appreciation for fine art and antiques, which was evident not only in the store, but also in their home, where personal finds collected throughout their travels together were showcased.

Mr. Bizic's love for travel, fun, and family infused each decade of his life. He fulfilled his thirst for knowledge and adventure with his family on their many trips to the south of France and the slopes of the Alps while in Europe, and their day trips to the Chesapeake Bay while at home in McLean. Of all his accomplishments, he viewed his family as his greatest.

Mr. Bizic is survived by his adoring wife of 54 years, Evelyn, of McLean, Va., and his loving daughters, Natalie McCollum (husband Carl and daughter Sophia) of McKinney, Texas, and Elizabeth Bizic Cole (husband Peter and children Parker and Ella) of McLean, Va.

William L. Jacobsen Jr., 85, a retired Foreign Service officer and former ambassador, died in Easton, Md., on Sept. 20, 2022.

Born in Seattle, Wash., Mr. Jacobsen graduated from the University of Washington and later earned a master's degree at Harvard University. In his teens and college years, he paid for his education by working summers as a commercial salmon fisherman.

After beginning a teaching career in the Seattle Public School System, Mr. Jacobsen and his first wife traveled to Japan in 1961 as the first sister-city exchange teachers representing Seattle in Kobe, Japan. They remained for three years, during which time he played baseball on the U.S. Consulate General Kobe team.

Mr. Jacobsen entered the U.S. Foreign Service in 1966. His first overseas assignments were to Rio de Janeiro, São Paulo, and Belem, respectively.

From 1971 to 1974, he served in Lisbon as press attaché. He was present in April 1974 for the Carnation Revolution, when a military coup overthrew the civilian authoritarian government and started the move toward decolonization.

In late 1974 he was assigned to Lourenço Marques (now Maputo) as public affairs officer. Attaining independence in June 1975, the new Frelimo government asked that Jacobsen—then serving as chargé d'affaires—be replaced after diplomatic relations were established with the U.S.

In October 1975, he departed Mozambique by road with two U.S. Information Service vehicles, stopping only to pick up his two daughters at school in Swaziland, before continuing on to his ongoing post in Johannesburg.

There he was branch public affairs officer and directed the U.S. Cultural Center. During this stint, he established a USIS reading room in Soweto.

Following an assignment to the U.S. Information Agency in Washington, he spent the 1980-1981 academic year at Harvard's Kennedy School of Government. He organized and led a seminar on U.S.–South African relations at its Institute of Politics.

In 1981 he was assigned as deputy chief of mission in Gaborone. In 1984, following a bomb explosion that killed two American officials in northern Namibia, he took over as U.S. liaison office director in Windhoek.

Returning to Washington in 1985 as a member of the South African Working Group, he traveled to 28 states and Puerto Rico explaining and defending U.S. policies in southern Africa. He became director of African affairs at the National Security Council in 1988.

In 1989 Mr. Jacobsen was appointed U.S. ambassador to Guinea-Bissau, serving there until 1992. He then served as assistant inspector general at USIA until his retirement in 1993.

After retirement, Ambassador Jacobsen followed his second wife, Monica, on her international assignments with UNICEF, and worked as a consultant in Lesotho, Sierra Leone, Morocco, and Indonesia. He served as an election supervisor in 1999 for the U.N.-sponsored referendum in East Timor and spent February-July 2000 in Dili as the lone U.S. official working to establish a liaison office in East Timor, the foundation for an embassy after independence.

Returning to the U.S. in 2002, the couple purchased an inn on Maryland's Eastern Shore and operated Sinclair House B&B Inn on Tilghman Island until 2007.

Mr. Jacobsen's first marriage to Linda Perkins Jacobsen ended in divorce. He is survived by his wife, Monica Stecher de Jacobsen, of Easton, Md.; daughters Heidi Hannapel of Durham, N.C., and Kristina Bouweiri of Ashburn, Va.; son Karl-Eric Jacobsen in Brazil; two stepdaughters, Isabel A. Stecher and Claudia A. Stecher; 11 grandchildren; four step-grandchildren; and two great-grandchildren.

■ **Sarah (née Debbink) Langenkamp,** 42, a Foreign Service officer, was tragically killed by a vehicle when biking in her Bethesda, Md., neighborhood on Aug. 25, 2022.

Ms. Langenkamp and her family had just returned to the D.C. area following the evacuation of Embassy Kyiv and the conclusion of their tours supporting Mission Ukraine.

An exceptional Foreign Service officer, Ms. Langenkamp leaves behind a powerful legacy of diplomacy, mentorship, and leadership in Ukraine, in the Bureau of European Affairs, and beyond.

Born in San Diego on Nov. 8, 1979, Ms. Langenkamp moved with her parents to Oconomowoc, Wis., in 1983. She had three siblings. Her father, Dirk Debbink, retired from the U.S. Navy at the rank of vice admiral in 2012 after serving as chief of the U.S. Navy Reserve.

Ms. Langenkamp attended Boston College, studying political science and graduating summa cum laude in 2002. She was a fluent French speaker after a year studying and working in Paris, a period that engendered in her a lifelong love of French culture and wine.

Prior to her diplomatic career, Ms. Langenkamp briefly worked for the Scowcroft Group and with the Asia Foundation while moonlighting as a waitress and restaurant manager. She credited the latter jobs as having taught her customer service.

She joined State in 2005 and served overseas in Haiti, Uganda, Côte d'Ivoire, and Ukraine, with domestic assignments in the bureaus of Near Eastern Affairs, European Affairs, International Organization Affairs, and, most recently, at the National Defense University.

Volunteering to serve in Iraq in 2009, Ms. Langenkamp worked in the embassy's political-military office, managing border control issues to block terrorists from infiltrating the country and managing military drawdown issues as the U.S. military presence decreased.

In 2014 the State Department elevated her to the position of deputy director of the Office of United Nations Political Affairs, a full grade above her ranking, where she supervised officers senior to her.

As head of the Bureau of International Narcotics and Law Enforcement's program in Ukraine, she was the heart and soul of Embassy Kyiv's anti-corruption efforts, and she brought her intellect, diplomatic skill, and strategic vision to strengthening Ukraine's democracy.

When Russia invaded Ukraine on Feb. 24, Ms. Langenkamp and her husband Dan, the embassy press attaché, made the difficult decision to serve apart from their children, who were evacuated, to continue supporting Ukraine. She delivered resources and assistance to support Ukraine's efforts and also cared for her Ukrainian colleagues, helping get them to safety and supporting them as they continued their mission.

Colleagues who worked with her describe a model leader whose passion, commitment, and dedication inspired the best in others. Her deep commitment to promoting U.S. interests and values around the world was matched in her belief and actions toward living a healthy and eco-conscious life.

Family members and friends recall how, amid her challenging job, Ms. Langenkamp had the ability to break away from the pressures of work to organize embassy yoga sessions and spin classes, as well as bike to and from the office every day. She was a dedicated mother, believing deeply in the need for work-life balance in order to be efficient at work and a better human being.

A lover of cycling and a longtime commuter by bicycle to work, Ms. Langenkamp was riding 12 miles each way to her new posting at the Eisenhower School at National Defense University, where she was fulfilling her dream of obtaining a master's degree. She was riding her bicycle home from her children's elementary school open house when the driver of a flatbed semi-truck made a right turn into her bicycle, crushing her.

As a tribute to Ms. Langenkamp's life and legacy, her husband has begun a campaign to improve street safety nationwide through investment in alternative transportation infrastructure and improved trucking regulations.

Sarah Langenkamp is survived by her husband, fellow FSO Dan Langenkamp; two young sons; three of her four grandparents; her parents; three siblings and their spouses; and five nieces and nephews.

■ **William David McKinney,** 82, a retired Senior Foreign Service officer with USAID, died on Sept. 8, 2022, of renal failure, at his home in Wellington, New Zealand.

Mr. McKinney was born in Boston, Mass., the eldest of four children. He attended Fisk University in Nashville, Tenn., on a basketball scholarship, was actively involved in the civil rights movement, and graduated with a B.A. in May 1963.

In 1965 he joined the Peace Corps and went to India, where he met his first wife, Ruth (a fellow volunteer), and they went on to have two sons, Raj and Keith.

In 1969 Mr. McKinney graduated with an M.A. from the University of California–Berkeley and then returned to India and then Ghana with the Peace Corps.

The family went to Bangladesh with UNICEF from 1975 until Mr. McKinney returned to the U.S. and joined USAID in 1979. During the 1980s, Mr. McKinney and his family were posted in Pakistan and in Jordan, where he worked in the Program Office.

Mr. McKinney attended the National War College at Fort McNair in 1989-1990; and he served as AFSA vice president for two terms (1991-1993).

He was commissioned into the Senior Foreign Service in 1994, during a tour in Yemen where he was USAID mission director from 1993 to 1996. Subsequent postings included the Central Asia mission in Almaty, where he covered five countries, and Baku, before retiring in 2004 to New Zealand.

In retirement, Mr. McKinney did contract work for USAID in Banda Aceh (2005), Iraq (2006), Lebanon (2009-2010), and Ukraine (2012-2013).

He also undertook a contract for the New Zealand Agency for International Development in Wellington (2007-2008) covering the Cook Islands, Kiribati, and Samoa.

While accompanying his second wife, Kirsty, on her New Zealand government posting to the Solomon Islands, Mr. McKinney worked for the Global Fund to fight HIV/AIDS, tuberculosis, and malaria. He finally stopped paid work in 2013 to focus on the family.

Outside work, Mr. McKinney served on the boards of international schools in Islamabad, Amman, and Baku. He could be found on the basketball or tennis court or on the baseball field at posts where he served as player, coach (Little League in Amman), or spectator. Right to the end, he remained an avid follower of his beloved Boston Red Sox, New England Patriots, and Boston Celtics.

In 2020 Mr. McKinney recorded his oral history with the Association for Diplomatic Studies and Training. Formatted into a book, the text is available from kirstyburnett27@gmail.com.

Mr. McKinney is survived by his wife, Kirsty Burnett, and their two children, Iain and Ayesha, of New Zealand; and by his sons, Raj and Keith (and their wives), and two grandsons of Portland, Ore.

■ **Samuel Tinsing Mok,** 77, a former Foreign Service officer, died on Sept. 21, 2022, after a short battle with cancer.

Mr. Mok was born on Dec. 30, 1944, in Shanghai, China. He spent his early years in Hong Kong, where he graduated from La Salle College. In 1963 Mr. Mok moved with his family to New York, where he studied accounting and joined ROTC at Fordham University.

After graduating, Mr. Mok worked in the private sector as an auditor but was soon called to service with the U.S. Army, serving in Japan and then at the U.S. Military Academy at West Point.

After resigning his Army commission, Mr. Mok became the director of accounting at Time-Life Books and then corporate treasurer at *U.S. News & World Report*.

In 1986 Mr. Mok joined the U.S. Foreign Service. He served in the Bureau of East Asian and Pacific Affairs at the State Department, but was then recruited to join the Department of the Treasury as its first chief financial officer (CFO).

Although that required him to resign from the Foreign Service, for the rest of his life he participated in, and often organized, reunions of his A-100 class.

At Treasury, Mr. Mok was one of the highest-ranking Asian Americans in the federal government. Later he served as the Senate-confirmed CFO of the U.S. Department of Labor. His A-100 classmate John Naland (then AFSA president) swore him into office.

Leaving government service, Mr. Mok established a consulting firm advising clients based in Asia and the U.S. on business partnerships. A trailblazer in the Asian American community, he served as a founding member of the D.C. Chapter of the Organization of Chinese Americans, founded the Federal Asian Pacific American Council, and became the first Asian American president of the Association of Government Accountants.

In 2007 Mr. Mok received the Ellis Island Medal of Honor for his outstanding community service. He served on many boards. In May 2022 he hosted a book talk at the University Club in Washington, D.C., featuring his A-100 classmate Ambassador Marie Yovanovitch.

Mr. Mok is survived by his wife, Nancy, and his adult children, Angela and Arthur, of Potomac, Md., and Washington, D.C. He is also survived by his mother, Coralia, and his brothers, Joe and Andy, all of suburban Baltimore.

Shawn Kelly O'Donnell, 40, a Foreign Service officer, died tragically on July 20, 2022, when she was hit by a truck as she cycled to work.

Born on July 7, 1982, and raised in Danville, Calif., Ms. O'Donnell was an honor student her entire academic career, beginning at Fountain Montessori. She was also an accomplished athlete from the time she was in preschool until she met her goal of conquering Mount Kilimanjaro one week before her 40th birthday.

Ms. O'Donnell attended the University of California–Berkeley, majoring in history and Middle Eastern studies. She studied abroad in Spain and graduated with honors in 2004. A rower for Cal, seat number 5, she was known as the Engine. She loved rowing, the excitement of competition, and the sweet taste of victory; but most importantly, she loved her teammates and the lifelong friendships that were born of this special sisterhood.

In addition to her passion for rowing, she participated in track and field, basketball, and soccer, and ran half-marathons.

Ms. O'Donnell earned a master's degree in public policy at the University of Minnesota's Humphrey Institute, focusing on global public policy and community and economic development.

Possessing a natural talent for languages, she learned to read, write, and speak Modern Standard Arabic, Syrian Arabic, Egyptian Arabic, Spanish, and Turkish. She was also the recipient of the Boren Fellowship for Language Study, which took her to Syria to study at the University of Damascus, and the Center for Arabic Studies Abroad Fellowship.

Ms. O'Donnell moved to Cairo, where she taught English to Egyptian and Korean children for four years.

On returning to the United States, she was recruited by Google as a global investment adviser. Though she found the work challenging, her heart was always in public service.

In 2013 she joined the Department of Homeland Security as a policy strategist. Then she served as a supervisory refugee officer with the U.S. Citizenship and Immigration Services, and finally joined the U.S. Foreign Service with the Department of State. She had previously served overseas in Mumbai.

At the time of her death, Ms. O'Donnell was attending Turkish language school in Washington, D.C., in preparation for her next assignment, in Istanbul.

Shawn O'Donnell is survived by her mother, Mary; sister Shannon; stepfather Claes; and brother-in-law Andreas.

In honor of Ms. O'Donnell's love of being on the Cal women's rowing team (Class of 2004), her family and friends are raising funds to purchase and name an eight-person racing shell to memorialize her at https://shawnsboat.com.

Henry Precht, 90, a retired Foreign Service officer, passed away on Sept. 11, 2022, in Washington, D.C.

Mr. Precht was born on June 15, 1931, in Savannah, Ga., to Eva Middleton Davis and Herman Frederick Precht. Throughout his life, he retained his love for Savannah and for the friendships he made there.

Mr. Precht attended Armstrong Junior College, where he developed a love of the Great Books and the ability to recite poetry from memory. He graduated from Emory University in 1953, the first in his family to receive a college degree.

He joined the Navy as a lieutenant (J.G.) and served at the NATO base in Naples, Italy, between 1954 and 1957. There he met Marian Olds, whom he married in 1958. Their time in Italy was the start of the couple's lifelong love of that country and its culture.

After a short tenure at the U.S. Department of Labor, Mr. Precht joined the U.S. Foreign Service, securing a first posting as a consular officer in Rome in 1962.

His next posting, in 1964, was to Alexandria, Egypt, and he and his wife received language training in French (instead of Arabic) for the assignment.

In 1966 the family returned to Washington, D.C., where Mr. Precht served as a liaison to NASA and on the Israel desk before completing an M.A. at the Fletcher School of Law and Diplomacy. He would return to Tufts University as diplomat in residence at the end of his career.

In 1970 he was assigned as deputy chief of mission to Mauritius, where he objected to U.S. eviction of the residents of Diego Garcia island to create a U.S. naval base.

Mr. Precht subsequently served in a number of roles in Tehran before returning to State and heading the Iran desk from 1978 to 1981, through the Iranian revolution and the hostage crisis.

Blocked by Senator Jesse Helms (R-N.C.) from confirmation as ambassador to Mauritania (Mr. Precht was scapegoated for the 1979 fall of Iran's shah), he served instead as deputy chief of mission in Cairo (then the largest U.S. embassy in the world) from 1981 to 1985.

Throughout his career, Mr. Precht worked to advance America's interests in the world while remaining true to his ideals of justice. After retirement from the Foreign Service in 1987, he became president of the Cleveland Council on World Affairs, serving until 1995, and was a regular opinion writer for the *Bridgton News* of Bridgton, Maine.

Returning to Washington, D.C., he led a lunch group of retired Foreign Service officers and published a book of semiautobiographical short stories (*A Diplomat's Progress*, 2005). Family members remember his lifelong identification with Italy and love of the Italian language, which he spoke with his characteristic Southern accent, and note that his grandchildren called him *nonno* (grandfather).

Mr. Precht was predeceased by his parents and brother, David.

He is survived by his loving wife of 64 years, Marian; daughter Katherine (and her spouse, Chris Evans); son Paul (and his spouse, Katayoon Tajbaksh-Precht); and grandchildren Sophia Ong, Miranda Evans, and Manoucher Precht.

The family requests that those wishing to make a donation in Mr. Precht's memory contribute to their local public library.

David "Dave" Howard Pritchard, 71, a retired USAID Foreign Service officer, passed away on Aug. 31, 2022, in Burke, Va., of brain cancer.

Mr. Pritchard was born on Jan. 19, 1951, in Cleveland, Ohio, and grew up in Kensington, Md. He graduated from the University of Maryland, became an auditor, and earned his CPA license.

On May 29, 1971, he married his best friend and college sweetheart, Vivian Bernadette Naman. He helped raise their five children, teaching them the importance of family, charity, and faith.

Mr. Pritchard joined the U.S. Foreign Service in 1980. His overseas postings included Côte d'Ivoire, Senegal, Singapore, all with the USAID Office of Inspector General, and Egypt, where he served as regional inspector general.

He was honored to receive several awards throughout his career and a certificate of appreciation for 30 years of service.

Retiring in 2009, Mr. Pritchard donated his time to others. He was an avid genealogist and a member of the Knights of Columbus and the Boy Scouts of America.

He had a variety of hobbies: golfing with friends at Springfield Country Club; teaching his grandchildren to fish; salsa dancing with his devoted wife; camping with the Scouts; playing cards or board games with friends and family; and sharing his prized wine collection with everyone.

Family members and friends remember Mr. Pritchard's courage in facing life challenges with a smile on his face. His devotion to his family and his firm belief in God supported him in his struggle and ultimately gave him peace.

Mr. Pritchard was preceded in death by his parents, Howard and Carol Pritchard, and his brother Douglas.

He is survived by his wife of 51 years, Vivian Pritchard; his daughters, Carol Modesitt (and husband Michael), Holly Carnevale (and husband Peter), Bonnie McLaughlin (and husband Dennis), and Julie Moore (and husband Phillip); his son, David Pritchard (and wife Fanchon); and 17 grandchildren. He is also survived by his brothers, Brian and Glenn (and their spouses), and a large extended family.

George Francis Sherman Jr., 92, a retired Foreign Service officer, died on Sept. 17, 2022, in Chelsea, Mich.

Mr. Sherman was born in Boston, Mass., on July 25, 1930, to George Francis Sr. and Lillian (Burke) Sherman. He was raised in Euclid, Ohio, with his three beloved brothers, Donald, Bruce, and Bill. When he was 16, the family moved to Hamden, Conn., where Mr. Sherman graduated from high school in 1948.

After finishing his undergraduate degree at Dartmouth College in 1952, he earned a master's degree at Columbia University's Russian Institute in 1954 and pursued postgraduate study at Oxford University, St. Anthony's College, in England from 1954 to 1955.

George Sherman and Anne (Nancy) Woodberry married in 1956. Together they had four children—Deborah, Beth, Justin, and Drew.

Mr. Sherman had a great love of traveling the world and a strong interest in talking with people, getting to know their culture and way of life. These interests, together with his study of Russian politics, history, and language, led Mr. Sherman and his graduate school classmate Peter Juviler to seek permission from the Russian government to travel to the USSR as the first Americans to interview Soviet Premier Nikita Khrushchev in 1955.

Publication of the interview, "Talking to the Russians" (*The London Observer*, June 1955), launched Mr. Sherman's almost 20-year career as a journalist. He was *The Observer's* Eastern Europe correspondent from 1956 to 1960 and then worked in its Washington, D.C., bureau until 1961, when he became *The Washington Star*'s D.C. correspondent until 1964.

From 1964 to 1967, he was based in London as *The Star*'s Europe correspondent, returning to D.C. as its Middle East correspondent from 1967 to 1974.

Mr. Sherman joined the Department of State as press liaison for the Bureau of Near East Affairs in 1974. He participated in the Middle East peace talks at Camp David in 1978 and remained press liaison until 1981, when he was accepted into the U.S. Foreign Service.

That year the Shermans moved to Calcutta, where Mr. Sherman served as U.S. consul general until 1984. Transferred to Cairo as political counselor from 1984 to 1987, he returned to India as political counselor in Delhi.

In 1991 the Shermans returned to Washington, D.C., where he worked at the Foreign Service Institute and U.S. Mission to the United Nations until he retired in 1994.

After retiring, the Shermans moved to Frisco, Colo., to be near Ms. Sherman's sister, Marie Roberts, and to enjoy hiking, gardening, and playing tennis in the Rocky Mountains.

In 2010 the couple moved to Silver Maples Retirement Community in Chelsea, Mich., living near their daughter, Beth, and her family.

At Silver Maples, Mr. Sherman made many dear friends. His leadership with the Memorial Garden, Resident Council, Scholarship Fund, and Arts Committee will long be remembered. Family members came to visit from near and far, and the couple traveled often to Washington, D.C., New York, Boston, and California.

Family members recall that, in addition to travel, Mr. Sherman loved good conversation, parties, and intellectual and cultural events, and that he encouraged a commitment to education in his children and grandchildren.

Mr. Sherman was preceded in death by his wife, Nancy, on Aug. 29, 2014.

He is survived by four children: Deborah Sherman (and her spouse, Sarah Drury) of Brooklyn, N.Y.; Beth Sherman (and her spouse, Karen Hawver) of Ann Arbor, Mich.; Justin Sherman (and his spouse, Junko Onishi) of Washington, D.C.; and Drew Sherman (and his spouse, Danielle Epstein) of San Francisco, Calif.; and five grandchildren: Bradley Hawver-King, Emma Sherman-Hawver, Benjamin Sherman-Hawver, Astrid Sherman-Drury, and Michael Epstein Sherman.

Edward Howard "Bear" Winant, 54, a USAID Foreign Service officer, passed away in Bangkok on Nov. 22, 2022, after recent heart problems.

Mr. Winant was born on Nov. 17, 1968, to Walter and Jean Winant in South Burlington, Vt. He graduated from Shady Spring High School, W.Va., in 1985 and obtained a B.S. in civil engineering from West Virginia University in 1989, an M.S. in civil engineering in 1992, and a Ph.D. in the history of technology in 1996.

After graduating, Mr. Winant began a career in environmental engineering in parallel with his lifelong work in public service, including with the Peace Corps in Cameroon, and several trips to Africa with Engineers Without Borders.

In 2009 he joined the State Department and went to his first assignment in Liberia. There he met and married his wife, Dinah Zeltser, a fellow FSO. After subsequent postings in Kazakhstan and South Africa, he served in the Bureau of Oceans and International Environmental and Scientific Affairs in Washington, D.C.

In 2020, Mr. Winant joined USAID, supporting projects in Nepal, Vietnam, Bangladesh, and South Africa from D.C. and, most recently, from Bangkok.

Like his father, Mr. Winant had a love for model railroading. He commissioned a train layout that could be broken into sections for shipping, and it accompanied him to all his postings. He enjoyed canoeing, reading, traveling, entertaining, making new friends, and watching WVU football, but above all, spending time with Dinah and his daughter, Freyja. Warm-hearted, hardworking, and giving, he made friends easily all over the world.

Mr. Winant was predeceased by his father, Walter Winant, and cousin, Beth Corfman. He is survived by wife Dinah Zeltser, daughter Freyja Winant, mother Jean Winant, mother-in-law Serafima Nudelman, father-in-law Mark Zeltser, brother David Winant (and wife Sherry), nephews Joseph Winant and Samuel Winant, and cousins Tom Melton (and wife Linda), David Melton, Roy Melton, Eric Bachmann, Austin Bachmann (and wife Elaine), Anna Bachmann, Thea Law, Charles Haeberle (and wife Carol), John Winant (and wife Jane), Robert Winant (and wife Kristen), Phil Winant, Kathy Osborne (and husband Jamie), and extended family.

In lieu of flowers, donations can be made to the National Peace Corps Association or to the Peace Corps, for which he, his wife, and both his parents had served as volunteers.

Jim Wojtasiewicz, 70, a retired Foreign Service officer, died on Aug. 7, 2022, in Sterling, Va.

Mr. Wojtasiewicz joined the Foreign Service in 1983 and was posted as the political and consular officer in Khartoum.

He then served as economic officer in Malaysia, deputy chief of mission and chargé in Brunei, deputy economic counselor in Poland, and political-economic counselor in Côte d'Ivoire.

In Washington, D.C., his assignments included serving as the senior France desk officer, desk officer for Poland, deputy director for NATO, public affairs officer for the under secretary for economic affairs, and senior adviser for the Millennium Challenge account in the Bureau of Economic Affairs.

Retiring in 2007, Mr. Wojtasiewicz then worked for two years as the program manager for counterterrorist finance in the State Department's Bureau of Counterterrorism, as a contractor.

In 2018 he graduated from William and Mary Law School, becoming a lawyer at age 67. He practiced law for the New York Law Firm, at their Virginia branch.

He had also received an M.A. in economics at Stanford University, an M.A. in international affairs at Columbia University, and a B.A. at Stony Brook University.

Mr. Wojtasiewicz received many Meritorious Honor awards at State and the Order of Merit-Knight's Cross from the Republic of Poland for his work on NATO accession.

He spoke Polish fluently and knew French, Russian, and German. He was an avid reader, loved baseball, and enjoyed travel.

Mr. Wojtasiewicz is survived by his wife of 47 years, Renata, and their two daughters, Anna and Teresa.

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Be sure to include the date, place and cause of death, as well as details of the individual's Foreign Service career. Please place the name of the AFSA member to be memorialized in the subject line of your email.

From the Holocaust to the Cold War

Israel's Moment: International Support for and Opposition to Establishing the Jewish State, 1945-1949
Jeffrey Herf, Cambridge University Press, 2022, $39.99/hardcover, e-book available, 450 pages.

Reviewed by Bob Rackmales

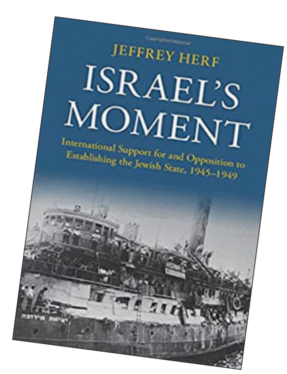
Israel's Moment is an absorbing new study of a familiar historical topic—the disarray in U.S. Middle East policy in the wake of World War II caused by conflicts between the White House and many members of Congress, on one side, and career officials at State, the Pentagon, and the CIA, on the other.

Jeffrey Herf, Distinguished University Professor of Modern European History at the University of Maryland, earns an important place in a very crowded field by placing these conflicts in a broad international context and utilizing new archival sources. "No other work connects so persuasively the beginning of the Cold War and the Zionist and anti-Zionist ideological currents of thought," the former chair of the State Department Historical Advisory Committee, Wm. Roger Louis, has written of *Israel's Moment*.

Battle lines in what historian Steven Spiegel called "the other Arab-Israeli conflict" formed within months of the end of World War II. President Harry S Truman's call for 100,000 Holocaust survivors living as "displaced persons" in European camps to be admitted to Palestine was strongly opposed by the British government and by senior career officials in the U.S. national security agencies, who argued against alienating Arab regimes at a time of growing tensions with the Soviet Union.

Tensions within the administration became more acute following the referral of the Palestine issue to the United Nations in 1947. Herf notes Truman's furious reaction to his U.N. ambassador's speech on March 19, 1948, reversing previous policy on the partition of Palestine: "The State Department pulled the rug out from under me today. … The first I know about it is what I see in the papers! … There are people on the third and fourth levels of the State Dept. who have always wanted to cut my throat. They've succeeded in doing it."

Jeffrey Herf earns an important place in a very crowded field by placing these conflicts in a broad international context and utilizing new archival sources.



While *Israel's Moment* sheds new light on the internal disputes playing out in Washington and New York, the book's signal contribution may lie in its exploration of parallel conflicts taking place in France.

Herf's work in the archives of the French Foreign and Interior ministries resulted, as the Princeton University historian Philip Nord has noted, in "a story full of ironies and surprises." These include the fact that the two ministries acted on the basis of opposing views on Zionism.

Elsewhere, the case of Haj Amin al-Husseini speaks to a recurring policy dilemma, that of holding war criminals accountable in the face of perceived foreign policy risks. From May 1945 to June 1946, al-Husseini, better known as the Grand Mufti of Jerusalem, was held under house arrest in Paris.

In an earlier book, *Nazi Propaganda in the Arab World*, Herf had documented the Mufti as Hitler's most important Arab ally. His activities included recruiting Bosnian Muslims to serve in an SS division responsible for carrying out war crimes against Serbs and Jews in Bosnia. Hundreds of these fighters traveled from the Balkans to Palestine in 1947 to take part in Arab attacks on Jewish targets in Palestine.

Herf underscores the consequences of the U.S. failure to raise the issue of holding the Mufti accountable either with the French government or at the United Nations. He writes that the Mufti's return to the Middle East meant that he would "return to the political stage …, oppose any compromise with the Jews, start the war against the Jews in November 1947, urge the Arab states to invade Israel in May 1948, and stimulate hatred of the United States."

In the case of al-Husseini, our diplomatic and intelligence communities underestimated the danger he represented, not just to the nascent Jewish state, but to the prospects for Arab unity, as well.

Contemporary resonances abound in *Israel's Moment*. As in 1948, with the Arab attacks on Israel, in 2022 U.S. security officials underestimated the ability of Ukraine to withstand a multipronged attack by a seemingly much stronger aggressor. However, they proved ready to alter their views based on the realities on the ground, in contrast to their predecessors, who clung to the chimera of ultimate Arab victory even after Israel's military successes of 1948.

The high-level U.S. warnings issued to Russia in an attempt to deter the use of force against Ukraine had no parallels in 1948. When Truman wrote to Prime Minister David Ben-Gurion citing "generous support to the creation of Israel," the Israeli leader responded tartly that he was "unable to recall any strong action by the U.S. … to prevent aggression by Syria, Egypt, Lebanon, and Iraq. … Had Jews waited on U.S. or U.N. they would have been exterminated."

The ending of the 1948 war produced neither a peace treaty nor a clear resolution of the deep differences within the Truman administration over policy toward Israel. The void was filled by the country that had inflicted the Mufti on it. As Herf writes: "From 1948 to 1967 it was France, not the United States, that was Israel's most important military ally." French assistance included "crucial scientific expertise in the nuclear field."

A final ironic touch, then, underscores a central theme of *Israel's Moment*, that "Israel came into existence and survived despite the policy and strategy adopted by the State Department, Pentagon, and CIA in the crucial months and years of its war for independence."

Bob Rackmales' 32-year Foreign Service career (1963-1995) included assignments in Lagos, Zagreb, Mogadishu, Trieste, Rome, Kaduna, Belgrade, and Washington, D.C. A member of the Society for Historians of American Foreign Relations, he has written articles on John Paton Davies and Lucius Battle that have appeared in the FS Heritage series of The Foreign Service Journal.

Why PRC Diplomacy Is What It Is

China's Civilian Army: The Making of Wolf Warrior Diplomacy
Peter Martin, Oxford University Press, 2021, $27.95/hardcover, e-book available, 320 pages.

Reviewed by Philip A. Shull

Pushing uninvited into a foreign minister's office at an APEC summit, starting a fistfight at a diplomatic reception over a flag on a cake, walking out of a meeting to protest the order of speakers at a conference, and a consul general tweeting to a COVID critic: "You look like part of the virus, and you will be eradicated just like [the] virus."

These are but a few of the anecdotes Bloomberg political reporter Peter Martin uses to illustrate the assertive, even bullying tactics of the People's Republic of China's diplomats in his colorful, highly informative book, *China's Civilian Army: The Making of Wolf Warrior Diplomacy*.

Adopted from the 2015 blockbuster "Wolf Warrior" action movie about a Rambo-like hero who ventures abroad to rescue PRC citizens from foreign criminals, the term "wolf warrior diplomacy" is now widely used to characterize Beijing's increasingly aggressive foreign policies, actions, and rhetoric.

Though Martin never wavers from his core focus on the evolution of the Chinese Communist Party's diplomatic style, his book offers the reader much more than the title suggests. This compact volume contains a good CliffsNotes overview of Chinese history since the end of the Qing Dynasty, including portraits of dozens of key officials.

Starting with Mao's successful hosting of Edgar Snow in the caves of Yenan following the Long March, Martin artfully traces the history of the Chinese Communist Party's diplomatic corps. It runs from Zhou Enlai's vision of diplomats as a "civilian army" subject to the same discipline and unity as the People's Liberation Army and the decades-long struggle for legitimacy and recognition, to Deng Xiaoping's "hide capabilities, and bide time" tactic of the 1980s and 1990s, to Xi Jinping's current admonition to show "fighting spirit."

The author's observation that China's "Century of Humiliation" (1839-1949) is a scourge that all PRC leaders have sought to overcome—as well as a driver of its schizophrenic combination of diplomatic arrogance and super-sensitivity to perceived slights—is, in this reviewer's estimate, spot on.

Martin describes how the PRC methodically worked its way back into the good graces of the international community following the tragedy of Tiananmen in 1989. PRC leaders interpreted the 2001 selection of Beijing as the site for the 2008 Olympic Games as the epitome of this return, he notes.

Dating the origin of the "wolf warrior" phase to 2008, Martin quotes PRC leaders contrasting the triumph of the Beijing Olympics and China's roaring economy

But more than color and spice, these vignettes offer insights that may surprise even experienced China hands.

with the perceived black eye the concurrent financial crisis gave the Western economic model.

He discusses the impact of the Soviet Union's 1991 dissolution on China and U.S.-Chinese relations, quoting former Chinese officials explaining that this event not only left the PRC as the only major communist power, but removed the single most important reason for the U.S. to cooperate with China.

Yet another important section describes how U.S. officials were wrong to assume that PRC membership in international organizations would lead it to embrace liberal democracy. "Chinese leaders always saw it as a validation of their rule, never as a slippery slope that would end in the Communist Party losing power," Martin notes.

Martin's sparse use of statistics magnifies those he does present to mark China's growth on the global stage. For instance, foreign investment in China shot from $7.6 billion in 2000 to $57.2 billion in 2005.

China was a member of one international organization in 1971 and of 37 in 1989, and in 2019 became the second-largest contributor to the U.N. budget and the largest provider of U.N. peacekeepers. Also in 2019, China surpassed the U.S. as the country with the greatest number of diplomatic missions.

There are also colorful revelations about top PRC leaders, like Mao's vindictiveness in denying medical care to Zhou when the latter was first diagnosed with bladder cancer.

But more than color and spice, these vignettes offer insights that may surprise even experienced China hands. Martin relates, for example, how impressed former Foreign Minister Tang Jiaxuan was by his Indonesian counterpart's simple act of turning on a faucet and passing him a towel in the men's room. As Martin quotes Tang: "It not only reflected his respect and friendship for China, but also his wish to establish a personal friendship from deep within his heart."

Similarly, Martin tells of a Chinese ambassador to Vietnam who felt snubbed by his American counterpart because the American never spoke to him at receptions. When the American ambassador called at the Chinese embassy, Martin quotes the PRC diplomat, "I served tea, but didn't put out dried fruit."

If the book slips a bit, it is in several broad generalizations. One is the repeated refrain that a weakness of China's diplomatic corps is that institutional constraints "leave its practitioners with little space to improvise," and they are forced to advance positions driven by domestic politics. I know diplomats from many countries (including our own) who have felt the same.

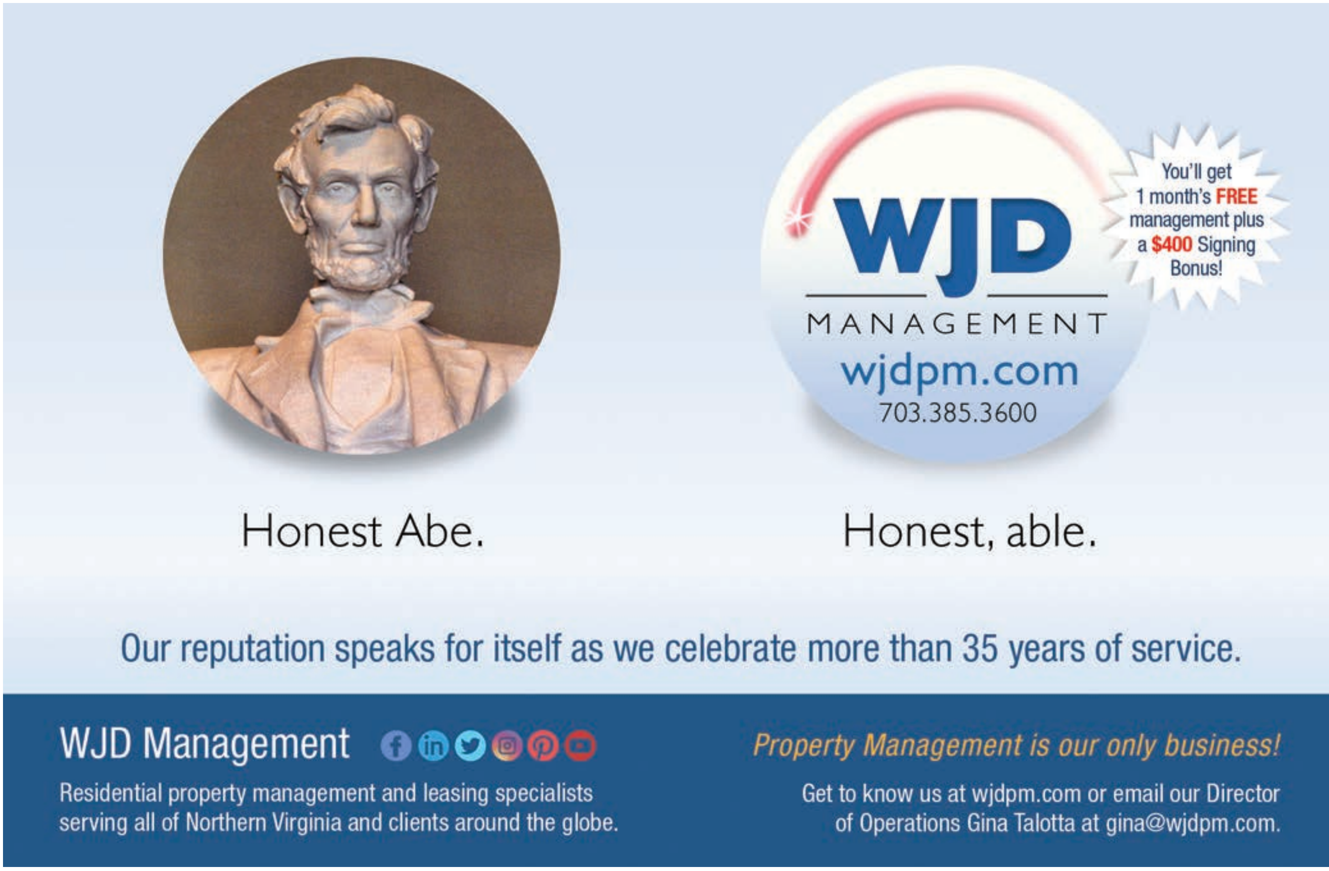
Elsewhere Martin seems to imply that certain tactics and characteristics originated with the PRC, when they have, in fact, been used by China's governments for millennia. One example is the elaborate and flattering hospitality used to win over foreign officials—recall Madame Chiang Kai Shek's famous "charm offensive" in the mid-20th century.

Another is the assumption that big and powerful countries get to play by different rules. For most of its history, the Middle Kingdom was the military, technological, and cultural center of the world, and it used this position to force tribute from all and sundry.

The belief that power should be exploited persists. (I wish I had a nickel for every time a Chinese official asked me why, as the world's only superpower, the U.S. bothered to follow U.N. and World Trade Organization rules, or how we could spend trillions of dollars in Iraq and not even take the oil!)

Such quibbles aside, Peter Martin does an excellent and engaging job of describing the evolution in substance and style of PRC diplomacy. The result is a thought-provoking book that explains why China's diplomacy is what it is—and why the author concludes that the PRC system "makes its envoys effective in making demands, but poorly equipped to win hearts and minds."

Philip A. Shull is a retired FSO who served in China (three times), the Philippines, Argentina, Korea, and Hong Kong during 31 years with the Foreign Agricultural Service. He lectures frequently on China and food security, and is a retiree representative on the current AFSA Governing Board.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Holding History in the Vatican's Secret Archives

BY VINCENT CHIARELLO

In January 1993, shortly after returning to Washington from an assignment at the U.S. Embassy to The Holy See, I was invited to attend the opening of the exhibit, "Great Libraries of the World," at the Library of Congress. The Vatican Library, first established in 1485 and the oldest in the world, was the first to be so honored. The invitation was extended by Rev. Leonard Boyle, O.P., then prefect (head) at the Vatican Library, whom I had met during my assignment.

After I received my diplomatic *tessera* (credentials) from the Vatican in 1990, one of my first visits was to the library, where I met Father Boyle, a highly respected Oxford-trained paleographist, or student of manuscripts. He described to me the role the U.S. had played in the reorganization of the Vatican Library, which includes the "Secret Archives."

In 1928 the Carnegie Endowment had sent a team of U.S. cataloging experts, along with the librarian of the American Academy in Rome, to provide guidance to the Vatican Library's staff. That staff included a future prime minister of Italy, Alcide De Gaspari.

A decade later, during the library's renovation, 14 miles of steel shelving from the Snead Shelving Company of New Jersey were installed throughout the library. Given the roles of the Carnegie Endowment and Snead Shelving, Fr. Boyle acknowledged the U.S. had a part to play in the development of the world's oldest library.

After discussing the problems scholars faced in using Vatican Library resources, Fr. Boyle asked me, "Have you been to the Secret Archives?" I had not, but Fr. Boyle offered his assistance in setting up an appointment with Fr. Josef Metzler, then prefect of the Secret Archives. For understandable reasons, this visit would remain indelibly etched in my mind.

Fr. Metzler, a librarian by training who had served on various pontifical committees regarding the storage and classification of the artistic and cultural patrimony of the Vatican, began our conversation in his office by asking what I knew of the Secret Archives. My answer: "Not much."

The term "Secret Archives" is misleading, he told me, and the word "Private" more accurate because scholars with genuine research projects are able to use the archives. Fr. Metzler described the origins of the archives, which began in the second century A.D. and were originally stored under the title "the Holy Scrolls" of the Church.

Each pope was, by custom, allowed to keep documents of his pontificate in his residence. The major problem with this form of storage was that these paper documents were fragile, and when a transfer took place, multiple pages were destroyed. To prevent that from happening, the papacy began to use vellum, whose shelf life, as I was to find out, is very long.

The Vatican's Secret Archives were first collected and stored in some systematic order in Rome's Castel Sant'Angelo (Hadrian's Tomb), but in 1611-1614 they were moved to the Vatican. Napoleon ordered the confiscation of the archives in 1810, and they were sent to Paris. They were returned to Rome five years later, although, according to the Pontifical Annual, "with many lost."

In 1880 the archives were opened by papal decree to allow "the free consultation of scholars," although Vatican Library officials typically offered little more than superficial assistance. This situation dramatically improved under Fr. Boyle's recent leadership.

After this review of the origins and development of the Vatican's Secret Archives, Fr. Metzler asked me: "Would you like to see something interesting?"

I accompanied him to an elevator that took us three levels below the ground floor of the library. When the door opened, we began to walk through what had originally served as the burial ground for Christians, or catacombs in ancient Rome, but was now the repository of the Secret Archives.

As we walked, I observed the corridor, which was about 10 feet wide and bracketed by steel shelves. On these shelves were numbered olive-green-colored loose-leaf binders arranged by the years of pontificates. I cannot recall how long we walked, but what I do remember was asking Fr. Metzler if we were now in Sweden.

Vincent Chiarello was born in New York City and taught high school history prior to entering the U.S. Foreign Service in 1970. He spent a total of 19 years overseas, with assignments in Colombia, Guatemala, Spain, Norway, Italy, and, last, the U.S. Embassy to The Holy See. Now retired, he lives in Northern Virginia. "Touching the Ceiling," his reflection on the Sistine Chapel, appeared in the April 2022 FSJ.

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A stretch of hallway in the Vatican Secret Archives circa 2012. Inset: Atop the dome of St. Peter's Basilica, one gets a bird's-eye view of the Vatican City in Rome.

Shortly thereafter, Fr. Metzler said, "*Ecco*" (We're here), took a step stool, went to the highest shelf, and brought down a binder.

As he opened this particular binder, Fr. Metzler asked me to stand at his side. As he turned the pages, I noticed the documents were made of vellum, not paper, and were encased in a transparent plastic cover for protection. He then took out one page, handed it to me, and asked if I knew what I was holding.

The writing on the document was in legible, understandable Italian, and the quantity and description of the number of items indicated it was a bill. That was even more certain because at the right side of the document were the letters "FL." Florins were the unit of monetary exchange in the Papal States during the Renaissance.

I responded that it was a bill, to which the prefect quickly retorted, "But whose?" I turned the page over, and about halfway down were the very large letters "MB."

"Buonarotti," I said. Fr. Metzler nodded.

What I was holding in my hand was the original bill that Michelangelo Buonarotti had sent to the Vatican to pay for the material he would use to paint the Sistine Chapel's ceiling. Several weeks later, I would be able to see firsthand what that bill's contents had achieved when I stood on the scaffolding of the ceiling of the Sistine Chapel during its final stages of restoration.

Looking back, my years in being posted to six different embassies were unforgettable—not only because I was able to visit the Vatican's Secret Archives or touch the ceiling of the Sistine Chapel, but also because it allowed me to meet men like George Kennan, an icon in the Foreign Service, perhaps a reflection for another time.

The words of the legendary baseball player, Lou Gehrig, come to mind: "I consider myself the luckiest man on the face of the earth," he said. To that I would simply respond, "So do I." ■

BY MICHAEL LONGHAUSER ■ JERUSALEM, ISRAEL

For more than 1,000 years, the Holy Fire ceremony has taken place in Jerusalem's Church of the Holy Sepulchre on the day preceding Orthodox Easter. It is said that within Jesus' tomb a miraculous blue light is emitted, which ignites two candles carried in by the Greek patriarch of the city. That flame is then used to light numerous candles held by clergy and pilgrims within the church. They quickly pass on the Holy Fire to those awaiting outside the massive wooden doors, lighting candles across Jerusalem. Special flights await in Tel Aviv to transport the flames on to church and state leaders in Greece, Russia, Lebanon, Cyprus, and other Orthodox countries. ■

Michael Longhauser joined the Foreign Service as a general services officer in 2007. While serving at U.S. Consulate General Jerusalem in 2016, he took this photo using a Canon 5D Mark II and Canon 24-70 f2.8 lens. He recently retired from the Foreign Service.

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