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# PRESIDENT'S VIEWS

## *The Rhetoric and the Reality . . .*

By J. ANTHONY HOLMES

I want to begin my AFSA tenure by paying tribute to John Limbert, Louise Crane and the rest of the past board for the excellent job they did. They were lucky to serve AFSA mainly during a rare period of abundant resources and management determination to nurture the Foreign Service and care for its people. They made the most of these favorable circumstances.



I am delighted at the prospect of working on issues vitally important to our members and our nation with a group of dedicated and motivated board members and professional staff in an organization that has exceeded the expectations of virtually all its members during my 26 years in it. I only wish that present conditions were so favorable as those the outgoing board enjoyed. However, disturbing events have already begun to confront us.

Let me be clear and direct. The appointment of three mid-level FSOs as deputy assistant secretaries in EUR, based on their personal loyalty to the assistant secretary while serving at the NSC, is a whole lot more than a tempest in a teapot. It strikes at the heart of our meritocracy and jeopardizes 20 years of shared State Department/AFSA efforts to infuse management

---

*J. Anthony Holmes is the president of the American Foreign Service Association.*

and leadership into a service long marked by policy brilliance and managerial incompetence. Management's refusal thus far to address the grave concerns raised by AFSA over these appointments is shortsighted and seemingly oblivious to the damaging impact of this controversy on professionalism, morale and esprit de corps. The department, quite simply, cannot have a "Foreign Service for the 21st Century" that permits appointment practices of the 1830s.

I don't know who these mid-level DASes are; I haven't heard their names. What I'm reacting to is principle – based on 26 years of experience. Being a DAS is not about "extraordinary" policy brilliance. It is about proven leadership and management of people and a policy process. It requires extraordinary skills, but not the ones used to justify these appointments. Policy expertise is abundant and every Secretary has created "special adviser" or Schedule C slots to get it. However, putting unproven officers in top "line" positions, in charge of multiple bureau offices and hundreds of employees, risks both eventual systemic failure and compromising the very policy efforts that are its primary rationale.

Nor are such appointments justified by the personal loyalty to the boss that motivates them. Those working in senior national security positions, and that's what these are, must have a higher loyalty, characterized by the willingness and ability to bring tough, unwanted messages to the boss. Not only analysis of the pros and cons of policy

options, but how to implement them; honest assessments after implementation begins and what the blowback is. If the DASes are resented, if they don't listen, if their role is to insulate the principal from the system that supports him, their isolation can be disastrous.

The impact of this appointment abuse on the integrity of the FS personnel system will be perverse, a classic example of the appearance of conflict of interest being as damaging as actual conflict. Will anyone imagine that these DASes' performances will be honestly evaluated, that any person who precipitated such a controversy could admit in an EER that while those he chose are great at policy, they are lousy managers or never earned the confidence and respect of their subordinates? What will be the impact on the integrity of the very promotion system management has criticized as not promoting these individuals quickly enough to qualify for these positions? The bottom line is that these appointments undermine the institutional basis of the Foreign Service and weaken the case I intend to press over the next 24 months: that the FS is a national security institution and must be provided for as such.

Secretary Rice is being feted for giving diplomacy "new muscle." She has stated that she values and respects the Foreign Service, will follow her predecessor in reinforcing it, and realizes she needs it to accomplish her goals. Her initial words were reassuring. As she reaches the half-year mark of her tenure, her troops are now looking for actions to match that rhetoric. ■

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# LETTERS

## Scaling, Not Testing at FSI

I was horrified by the attack on the FSI Foreign Language Program in the July-August 2005 issue of our *Foreign Service Journal*.

First, to show that this is no knee-jerk reaction by some uninformed sympathizer, I must modestly present my credentials. Aside from a quarter-century-long Foreign Service career, I have a doctorate in language testing, master's degrees in linguistics and French, and several foreign degrees. I have done language-teacher training on three continents and am founder of a language school. In addition, I am a product of FSI and my wife retired after a long and honorable career teaching in the language school there.

In the profession, FSI is held up as a model, on a level of excellence shared with the Department of Defense Language Institute and Middlebury College's Graduate School of Languages. Why? These programs avoid vocabulary building through counterproductive translation and the internalization of grammar through rote memorization. Instead, they focus on a communicative approach, using the language, not teaching it. They use total immersion (at least in the classroom) with all native-speaker instructors. Research supports the conclusion that these three are the best of the best.

The *Journal* erred in suggesting that there is too much pressure in the area of testing; indeed, there *is* no

testing at FSI. Testing implies the arbitrary selection of a very few items from some vast population of grammatical and lexicographical possibilities. On the other hand, scaling, which is what FSI uses, employs rubrics to describe what may be expected at the five basic levels of performance ranging from complete beginner to educated native-speaker. The scaling is administered by at least two well-trained and experienced persons. What could be fairer?

*Merton L. Bland  
FSO, retired  
Arlington, Va., and  
Wuhan, China*

## Dissent Channel Research

When I was still in the Foreign Service, I used the dissent channel in March 2003 to register my opposition to going to war in Iraq without a United Nations Security Council resolution. I have since wondered how many dissent channel cables the State Department has received from its employees from the beginning of the dissent channel program to today.

Staff of the Office of Policy Planning, the recipient of dissent-channel cables and the office that provides responses to the cables, told me I had to file a Freedom of Information request to get the number of dissent-channel cables by year. In the FOIA request, I asked not only for the number of cables, but also for a general description of the subject matter of the cables.

Five months later, I received a

response from the department, which said that 306 dissent-channel cables had been received from November 1971, when the program began, through May 26, 2005. The response noted that some of the topics covered include the war in Southeast Asia, conflict in the Balkans, Iraq and the U.S. role in international organizations.

While one can probably guess the topics of some of the dissent cables in certain years based on the U.S. government policies, actions or inactions that occurred in a specific year, I would suspect that some of the subject matter and the year in which it was raised might be surprising. Like most who have submitted dissent cables, I thought it would be fascinating to determine if any of them actually affected future policy.

I know that my opposition to the war in Iraq has not changed the administration's policy. I understand that the department has an obligation to protect the confidentiality of the author and the dissent channel. However, I would be pleased to hear from anyone who wrote a dissent cable and is willing to disclose the subject matter, or even the entire cable and an analysis of whether the author felt the dissent changed or influenced policy. Should anyone wish to share details of her or his dissent cable, please contact me at: [dissentchannel2005@yahoo.com](mailto:dissentchannel2005@yahoo.com).

*Ann Wright  
FSO, retired  
Honolulu, Hawaii*

## LETTERS



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### Lighten the Fiction

Since retiring, my appreciation and enjoyment of the *FSJ* have increased commensurately with my leisure time. In your June “Focus on FS Fiction,” I was delighted to find that Brian Aggeler wields his pen as wickedly when writing prose as when drawing cartoons. However, for the rest of the contributions I have only one word — depressing. Here’s hoping for a more balanced selection next summer.

Ron Woody  
FSO, retired  
Manassas, Va.

### Honor the Poets among Us

One of summertime’s sweet pleasures is engaging with the *Journal’s* fiction issue. But I make the modest proposal that next year’s edition be extended and enriched to include a poetry corner (in addition to the poems the magazine publishes from time to time). The *Journal* might note in its reminders leading up to the fiction issue this possibility of a poetry florescence.

Poetry, like prose, enlarges life. As Thomas Carlyle correctly noted, “A vein of poetry exists in the hearts” of us all, and our Foreign Service colleagues are no exception. Many have ventured into its expressive and evocative language and would, I am certain, welcome the opportunity to share their work as part of the summer fiction issue.

Insight, inspiration and humor come to us, when they come, in very different forms. Poetry is one of them, so let’s give it a try.

Jerome L. Hoganson  
FSO, retired  
Arlington, Va.

### An Achievable Foreign Policy

I appreciated the June article by Gordon Adams, “Fear vs. Hope:

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## LETTERS



America and Global Security.” It deserves to be read by our president, Secretary of State and all representatives and senators. Perhaps it could help bring about needed changes in the way Americans think about the world, and could even reverse thoughts by others about America. We’ve got to promote world peace, not hatred.

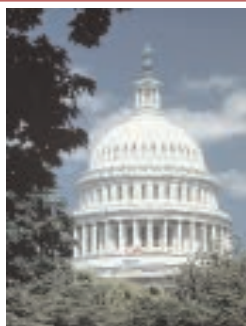
*Carl R. Fritz  
USAID FSO, retired  
Chapel Hill, N.C.*

### A Positive Look at Depleted Uranium

The article, “Depleted Uranium Munitions: A New WMD,” in the May *Journal*, is fraught with misinformation and demonstrates a significant lack of understanding of existing scientific data. The author’s fears of massive amounts of aerosolized depleted uranium are not supported by fact. We all internalize natural uranium every day. It’s in the air we breathe, the food we eat and the water we drink. Natural uranium becomes depleted uranium when the most radioactive isotopes are removed.

Depleted uranium saves American lives, because it defeats the enemy at long range with efficiency and provides superior shielding against conventional anti-armor munitions. As a weapon, it penetrates armored vehicles not easily damaged by high explosive rounds. Depleted uranium munitions are anti-armor munitions. They are not weapons of mass destruction and should not be compared to weapons that are used to kill large numbers of people.

The depleted uranium round is simply a very heavy metal dart. When it strikes an armored target, it self-sharpen and cuts a hole. The depleted uranium ‘shavings’ ignite and may cause munitions inside to explode. This is the only time an aerosol is gen-



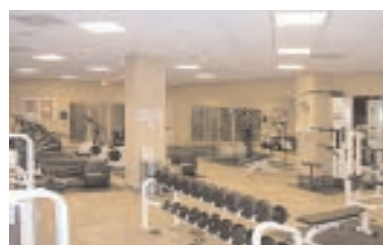
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erated. Rounds that miss the target are typically buried several feet below the surface where they slowly erode over the years. Depleted uranium is 40 percent less radioactive than natural uranium and buried rounds add little to the existing levels of natural uranium in the soil — there are four tons in just the top foot of soil per square mile.

The U.S. Army recently published an extensive study detailing the aerosol levels inside a depleted uranium-armored Abrams tank penetrated by large caliber depleted uranium munitions, which is a highest-aerosol scenario. This peer-reviewed report, currently under review by the National Academy of Sciences, clearly states that only a small fraction of the total round aerosolized, and that only a small fraction of the aerosolized particles could reach the deep lung. This dose is not enough to cause health-effects concerns.

The Department of Veterans Affairs has been monitoring the health of some 70 of the 104 survivors of depleted uranium friendly-fire incidents in the 1991 Persian Gulf War. Without doubt, these service members had the highest potential exposure of any service members. All of them had inhalational exposure to depleted uranium, and about one-third retained depleted uranium shrapnel. To date, none of these individuals have developed kidney abnormalities, leukemia, bone or lung cancer, or any other uranium-related health problems. Also, none of the children born to these veterans have shown any physical abnormalities.

The primary concern about exposure to genotoxic substances is cancer. Despite many decades of research looking for a possible link between uranium exposure and cancer, the CDC's Agency for Toxic Substances and Disease Registry states in its *Toxicological Profile for*

## LETTERS



*Uranium — Update* (1999) that “No human cancer of any type has ever been seen as a result of exposure to natural or depleted uranium.”

It is discouraging that someone with the author’s background did not do a better job of researching the peer-reviewed scientific data before making his unsubstantiated claims.

*Michael E. Kilpatrick,  
M.D.*

*Deputy Director  
Deployment Health  
Support Directorate  
Department of Defense*

### Squandered Promise

George Gedda’s article, “Hugo Chavez: A New Castro?” (*FSJ*, May) sent shock waves down my spine, because I remember the Venezuela of half-a-century ago, when I served there. The oil boom had just put widespread prosperity within the reach of all in Simon Bolivar’s home country.

It was a time of great promise. Friendly Venezuelan governments were predicting a better life for everyone. International oil companies, then nationalization, would produce a trickle-down economy that would lift all boats.

Now, decades later, life for most Venezuelans is not better, but worse. The equivalent of 15 Marshall Plans of oil revenues has apparently gone into the pockets of those who already had too much, at the expense of those who had too little. World Bank figures reveal that almost half of Venezuela’s population live on less than \$2 per day. Corruption, human rights violations, exclusionary politics and electoral fraud have produced a nation in distress.

Should anyone be surprised then that the underserved Venezuelan electorate turned to Hugo Chavez, a black Indian national who promised clean government and immediate

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## LETTERS



help for the poor, as their president?

What really surprised me was that Fidel Castro's Cuba — Venezuela's impoverished Caribbean neighbor — was able to send 10,000 health experts, teachers and sports trainers for immediate remedial assistance to resource-rich Venezuela, a former U.S. ally. And that Chavez is buying military equipment from distant suppliers like China and Russia, sending U.S. policy-makers into extravagant rants.

Hopefully, President Chavez will consult Clio, the muse of history, who will redirect him to the road toward hemispheric cooperation. And hopefully, our own leaders will heed the probity of the good neighbor, ever ready to extend the hand of friendship to Venezuela, whose proud people value their historic ties to the United States.

*Stephen N. Sestanovich*  
*Ambassador, retired*  
*Moraga, Calif.*

### Shared Ideas Bear Fruit

It's now been almost a quarter of a century since I retired: the Foreign Service has changed a great deal since my time. During my 37-year career I successfully negotiated two leaves of absence to pursue outside interests — something previously unheard of. Prior to this, officers who wanted "time out" were required to resign, and few were ever recommissioned.

My first leave was to complete a Ph.D. at Harvard. The second was to respond to a cry for help from a friend who was dean of a university school of business to organize and staff an independent economics department to qualify his school for accreditation by the American Association of Collegiate Schools of Business. Following both experiences, the director general invited me to his office to discuss my experi-

## LETTERS



ence and offer any suggestions I had to improve the Service. One of my suggestions was to make available a list of upcoming assignments so officers could bid on posts of interest rather than depending entirely on the whims of the assignments board. The bidding process was adopted within a year or two. I also like to think my experience contributed to the Service's eventual Diplomats-in-Residence program at various universities and secondments to the offices of governors and mayors and members of Congress.

Following retirement, I found occasion to discuss Foreign Service promotion practices with two friends, one of whom was a U.S. Navy rear admiral and the other a senior U.S. Army colonel. Out of these discussions came a paper I titled "Is the Foreign Service Really a Career?", a copy of which I sent to the director general. The paper was also published in the *Foreign Service Journal*. It suggested that FSOs be required to requalify themselves in their specialties and language(s) every few years, accumulating points for passing an exam in visa or citizenship law for consular officers, current economic theory for economic officers, a "Who's Who" and "What's What" exam with respect to world affairs — then choosing a window of opportunity to present themselves before the appropriate promotion panel, more or less as military officers do. I thought this would minimize the effect of the previous assignment or the vagaries of the occasional less-than-fully-enthusiastic efficiency report on the promotions process. I got a nice letter from the DG thanking me for my ideas, but like so many other initiatives nothing more was heard.

I was delighted to read in the June *Foreign Service Journal* that the Service has developed a Career

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## LETTERS



Development Program that seems to have adopted many of the suggestions contained in my paper. I am writing to encourage other FSOs, active and retired, not to be discouraged if their own “long papers” (to refer to George Kennan’s memorandum to Ambassador Averill Harriman) take some time to gestate. Sometimes it takes awhile for an idea to reach a listening ear. But never give up on a good idea.

*David Timmins*  
*FSO, retired*  
*Salt Lake City, Utah*

### Going Over the Overworld Review

There is something fishy about the Larry Kolb book, *Overworld: the Life and Times of a Reluctant Spy*, reviewed in your May issue by William Marjenhoff. At the latter’s recommendation I have read the book. Some of it may actually be true, but it is hard to know exactly what. It is full of insignificant detail, such as what clothes people were wearing and what they had for lunch, but is vague on essential details such as dates, what agency Kolb’s father was with and the nature of his arrangements with the personalities discussed: Muhammad Ali and Adnan Kashoggi, among others. I would like to know whether they have ever heard of Kolb.

The description of the late Miles Copeland, whom I knew fairly well, rings true, although I would like to think that his account of Copeland’s planned use of forged documents to libel someone is not true. Kolb hints that he himself was caught participating in such a scheme directed against the Indian prime minister, but the reader is left wondering what, if anything, actually happened.

Copeland never claimed in my hearing to be a “co-founder” of the CIA (and I missed that phrase in the book, wherever it was). I would not have believed him if he had, because

it would have seemed highly improbable, given his flamboyant personality, loquacity and general unpredictability.

Kolb described a Copeland “white paper” on the need for a Marshall Plan for the Middle East. That was hardly a new idea, but even if it had been new it is hard to imagine any administration taking such a paper by Miles seriously. That would not prevent him from writing one and claiming it had been influential.

Copeland had left the CIA’s employ by 1961 when I first met him in Beirut, but described himself as a loyal alumnus and gave the impression that he enjoyed privileged access to the movers and shakers in Washington and elsewhere. He entertained us for many hours with his stories, but like most skilled raconteurs he embroidered, so one had to be careful about accepting what he said at face value. He also had a habit of retelling the same stories every time you met him. I know no American official who took him seriously, but some businessmen did and subscribed to his newsletter and consulting services. He was knowledgeable and had contacts in the Middle East that could have been useful to them.

Kolb seems to claim (the relationship is never spelled out) to have worked as understudy to Copeland in London, where the latter had gone after leaving Beirut and where he continued to act as a consultant and to publish a newsletter. Kolb claims, with considerable circumstantial detail, that Copeland gave him lessons in espionage tradecraft, but for what purpose is not clear.

I doubt that any of these lessons would be useful to FSOs unless they were seeking to be declared persona non grata. Kolb seems to have been an apt pupil, but as usual where Miles was concerned, one wonders what the real story was.

I would not recommend the book for serious reading by anyone, but someone with time to spare could have fun trying to corroborate some of the stories to make sure the whole thing is not a send-up.

*Richard B. Parker*  
*Ambassador, retired*  
*Washington, D.C.*

### Commit to Cultural Centers

It was heartening to read of David Timmins’ apparent optimism about the potential for American cultural centers in the Middle East (Letters, May). From 1951 to 1960 and from 1969 to 1970, I had cultural center experience in Korea and Japan. Since 9/11, I have wondered whether different social and cultural conditions would make the Middle East a less appropriate environment than Northeast Asia for cultural centers.

Cultural centers should blend with their local (foreign) societies to a considerable extent. They should, and do, serve local (foreign) as well as American purposes. Sudden center closings can be very harmful, and such closings should be avoided.

I hope that an ambitious effort will be made to create cultural centers in the Middle East, and that there will be determination to stick to it as long as it takes.

Should it not be a permanent commitment?

*Robert G. Flershem*  
*USIA FSO, retired*  
*Kanazawa City, Japan* ■

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# CYBERNOTES

## Former FSO Decries U.S. Loss of Lead in Internet Development

The U.S. led the world in Internet innovation throughout the 1990s, writes former FSO Thomas Bleha in the May-June issue of *Foreign Affairs*, but no longer.

In the first three years of the Bush administration, the U.S. dropped from fourth to 13th place in global rankings of broadband Internet usage. Today, Bleha says, most U.S. homes can access only “basic” broadband, among the slowest, most expensive and least reliable in the developed world, and the U.S. has fallen even further behind in mobile-phone-based Internet access.

“The lag is arguably the result of the Bush administration’s failure to make a priority of developing these networks,” states Bleha. “In fact, the United States is the only industrialized state without an explicit national policy for promoting broadband.”

When the U.S. dropped the baton, Bleha says, Japan picked it up. Now, Japan and its neighbors will be the first to reap the benefits of the broadband era in terms of economic growth, increased productivity, technological innovation and an improved quality of life.

Bleha’s article, “Down to the Wire,” is available online at <http://www.foreignaffairs.org/20050501faessay84311/thomas-bleha/down-to-the-wire.htm>.

## Expanding Open Access for CRS Reports

The decade-long fight between the Congressional Research Service and legislators and others over the latter’s

demand that CRS make its research reports available to the public continues. But those hard-to-find policy briefings for Congress are slowly emerging onto the World Wide Web anyway, thanks to the Center for Democracy and Technology, a technology-policy organization based in Washington, D.C.

CDT has compiled the most extensive online database of CRS reports available, where anyone with an Internet connection can search thousands of the documents (<http://www.opencrs.com>). Because *OpenCRS* is not sponsored by the government, CDT also depends on users to request documents from their Congressmen and submit them to the site. Although the Web site has been a huge success, CDT estimates that it has collected only half of the reports the agency has produced in the past five years.

The Congressional Research Service, an arm of Congress, provides nonpartisan reports that members of Congress use to get up to speed on U.S. public policy. The reports include background research and policy analyses, legislation passed and pending, and reference sources to clearly define an issue.

CRS, which is funded with nearly \$100 million in tax dollars, churns out about 1,000 new reports annually. Until now the reports have been available only to members of Congress. To get one, one had to purchase it from a private vendor or request it from one’s representative or senator and then wait for it to arrive in the mail.

Led by Senators John McCain, R-Ariz., and Patrick Leahy, D-Vt., the campaign for public access to CRS

documents began in 1991. To date, however, CRS is still balking. In this the U.S. trails behind the United Kingdom, Australia and Canada — all of which display their parliamentary research reports online.

Though *OpenCRS* has the largest collection of CRS reports, it is not complete. For a comprehensive list of links to other sites that provide CRS reports, consult Stephen Young’s article on the Law Library Resource Xchange at <http://www.llrx.com/features/crsreports.html>.

— Brooke Deal, Editorial Intern

## Sudan: Peace Hangs in the Balance

As we go to press, the fragile North-South peace agreement in Sudan that is looked to as a crucial step toward ending the genocidal fighting in the region of Darfur, faces yet another test. Southern rebel leader John Garang’s death in a helicopter crash Aug. 1, less than a month after his swearing-in as vice president in a new national unity government, could undermine the prospects for an end to more than two decades of civil war.

Tensions were already high in Khartoum on July 21, when Secretary of State Rice landed for a round of talks with government leaders and the officials and press accompanying her were subjected to mistreatment by Sudanese security guards. Rice offered an improvement of ties and possible easing of U.S. sanctions on humanitarian grounds if Khartoum acts to end the bloodshed in Darfur, in particular by disarming the pro-government Janjaweed militia operating there. She also demanded and received an apolo-



# CYBERNOTES

**T**o win the war against terrorism, the United States must assign U.S. economic and diplomatic capabilities the same strategic priority that we assign to military capabilities. There are no shortcuts to victory. We must commit ourselves to the painstaking work of foreign policy day by day and year by year. We must commit ourselves to a sustained program of repairing and building alliances, expanding trade, pursuing resolutions to regional conflicts, fostering and supporting democracy and development worldwide, and controlling weapons of mass destruction.

— Sen. Richard G. Lugar, R-Ind., from his remarks on receiving the Lifetime Contributions to American Diplomacy Award from AFSA, <http://lugar.senate.gov/pressapp/record.cfm?id=239076>, June 17, 2005.

gy for the manhandling before moving on to visit Darfur.

A month before Rice's trip, in a June 22 House Committee on International Relations hearing, "Sudan: Consolidating Peace While Confronting Genocide," Deputy Secretary of State Robert Zoellick confirmed that the U.S. continues to classify the crisis in Darfur as genocide and continues to be interested in helping to promote peace in Sudan. He insisted that the African Union plays the most vital role, and pressed it to get a sufficient number of troops into the area as soon as

possible. But, says Zoellick, it is the internal responsibility of Sudan to control the crisis ([http://wwwc.house.gov/international\\_relations/109/zoe062205.pdf](http://wwwc.house.gov/international_relations/109/zoe062205.pdf)).

The A.U. deployed its second installment of troops on July 1, intending to increase the protection of civilians and main roads and to establish a safe environment for the return of refugees (<http://humanrightswatch.org/english/docs/2005/07/01/darfur11261.htm>). It aims to increase the number of troops to 7,700 by the end of September. Plans to boost the

number of troops to 12,300 after September — a number that Deputy Secretary Zoellick deems sufficient — are in the works. But, as Robert I. Rotberg points out in an interview with the Foreign Policy Association, the A.U.'s mandate is to observe, not to intervene ([http://www.fpa.org/topics\\_info2414/topics\\_info\\_show.htm?doc\\_id=288572](http://www.fpa.org/topics_info2414/topics_info_show.htm?doc_id=288572)).

Meanwhile, in the past 29 months of fighting in Darfur up to 300,000 people have died and more than two million have been rendered homeless. The International Criminal Court opened an investigation on June 1 ([http://www.icc-cpi.int/library/cases/LMO\\_UNSC\\_On\\_DARFUR-EN.pdf](http://www.icc-cpi.int/library/cases/LMO_UNSC_On_DARFUR-EN.pdf)). But the Sudanese government has resisted the court's efforts and refuses to hand over suspects, saying that they will prosecute the perpetrators in their own domestic court.

Whether the Bush administration's effort to bring Khartoum around on Darfur without undermining a united Sudan's participation in the war on terrorism will succeed remains to be seen. Some analysts note that the strongest pressure tool the U.S. has, namely a blockade of the flow of oil out of Port Sudan, is still under wraps.

But as the U.S. administration attempts to increase pressure on Sudan with a deft application of carrots and sticks, there is some indication that the American public would like to see a more forceful intervention. In a May 2005 poll, the International Crisis Group found public backing for the United States to play a leadership role in ending this catastrophe (<http://www.crisisgroup.org/home/index.cfm?id=3486&l=1>).

## 50 Years Ago...

However ill-designed the security system ... men will find satisfaction in the appreciation of their colleagues for work that goes unnoted or unappreciated at home; there will be time when men will be privileged to stand by each other in danger and adversity and thus to taste one of the richest forms of human experience.

— George Kennan, from "The Future of Our Professional Diplomacy," *FSJ*, September 1955.





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### Site of the Month: [www.skype.com](http://www.skype.com)

Internet telephony has potentially revolutionary implications for the telecommunications industry. But for Foreign Service families, as we noted in the May issue of the *FSJ*, it has a very special and practical value: it allows them to make free phone calls “home” to family members and other loved ones, and talk as long as they want, from any place in the world!

*Skype* is arguably the most popular, user-friendly and reliable of the several hundred Voice over Internet Protocol, or VOIP, services operating today, and its computer-to-computer service is completely free. Just download the software, register and plug in your headset or phone — and you’re ready to talk with another *Skype* user.

Besides excellent voice quality, *Skype* communication is fully secure, with end-to-end encryption, and does not require you to configure your firewall, router or any other networking gadget. What’s more, the software operates flawlessly between and among all platforms. It is also free of the legal issues involved in sharing music or videos online.

*Skype* has a number of unusual features. For instance, its database of users is searchable by age, language and nationality. Looking for someone to help you practice your language skills? The user status of “*Skype Me*” designates an individual who welcomes unsolicited calls.

Launched in 2003 by Niklas Zennstrom and Janus Friis, the creators of the peer-to-peer file-sharing service *Kazaa*, *Skype* claims more than 2.8 million users in the U.S. and some 30 million worldwide today. Though its basic service is completely free, *Skype* makes money because a small fraction of its users buy additional services, such as the capability to call from *Skype* to the telephone network or vice versa. The charges for these services tend to be quite low compared to standard telephone rates.

An overwhelming majority — 84 percent — regardless of party affiliation or religious denomination, believe that the U.S. should not tolerate an extremist government committing such crimes against humanity, and should use its military assets, short of putting U.S. troops on the ground, to stop them.

The poll also explored possible solutions: among the 1,000 Americans surveyed, 81 percent prefer that the U.S. impose harsher sanctions on the Sudanese leaders who support the militias; 80 percent desire a no-fly zone over Darfur to deter aerial attacks on civilians; and 76 percent urge NATO support for an expanded African peacekeeping force. Even as the war on terror rages in Iraq, 38 percent of the respondents support deploying U.S. ground troops in

Sudan.

The crisis in Darfur will certainly remain on the international agenda in the coming months, and can be followed online. The *Save Darfur Coalition* ([www.savedarfur.org](http://www.savedarfur.org)) offers background information on the situation as well as comprehensive news links on current developments (under Latest News). The U.N.’s *Sudan Information Gateway* provides situation updates and humanitarian reports (<http://www.unsudanig.org>). Look for further progress in the talks between Sudan and the ICC at <http://www.icc-cpi.int/>. *Human Rights Watch* (<http://hrw.org>) offers updated news and information, including A.U. troop deployments, moves by the Sudan government and other developments.

— Brooke Deal, Editorial Intern ■



# SPEAKING OUT

## *The Truth About Language Instruction at FSI*

BY MARIE T. HUHTALA

All of us at the Foreign Service Institute were delighted to see the *FSJ* devote an entire issue to FSI and training (“A Class Act: the Foreign Service Institute and FS Training,” July-August 2005). In this dangerous and demanding period of international diplomacy, it is more vital than ever to ensure that our people receive the best possible training to prepare them for the challenges ahead. We deeply appreciate the time and effort that went into this issue, and hope it will receive wide readership throughout the Foreign Service.

That said, it was disappointing to read some of the more pointed criticisms directed at FSI’s language training programs — not because we cannot take criticism, but because the writers served up a mixture of venerable canards and personal piques along with constructive dissent. Let me address the most troubling of these.

The keynote article, “FSI Settles into Arlington Hall,” reported some results from a recent survey of AFSA members. Like self-selected interviewees the world over, the people who chose to respond were primarily unsatisfied customers. And it’s not surprising that so many responses focused on language training; of all the courses FSI offers, these loom the largest, as they go on for months and have a direct impact on students’ tenure, job performance and salary levels.

The sharpest barbs were aimed at the Arabic program. We acknowledge that this program, which has undergone tremendous growth since

*We see no persuasive reason to retreat from the “gold standard” of instruction by native speakers, which has long set FSI apart.*



9/11, has been uneven at times. FSI now has more students enrolled in Arabic training than any other language except Spanish. Enrollments have tripled since 2001, with roughly 340 students in FY 2004, and around 230 students for the first half of 2005 (including early morning classes, an online reading maintenance course, the basic course at FSI and the follow-on advanced training at the field school in Tunis).

FSI now has around 40 teachers of Arabic, many of them new instructors who have been carefully selected and given continuous training in advanced teaching methods. They use a basic textbook from Georgetown University, supplemented by FSI-produced modules on consular, political, economic and public diplomacy work. Language training supervisors sit in on classes regularly for quality control, ensuring that instructors do not slip unnecessarily into English or convey unacceptable messages to the students. Thus, though the unfortunate incidents reported in the survey may have taken place at some point, they are most definitely

not the norm.

We were taken aback by the suggestion that the Russian program is still mired in Soviet-era materials, insisting on rote memorization and devoid of interactive dialogues. In fact that program too has undergone rapid and thorough change since the fall of the Soviet Union that began nearly 20 years ago. Here FSI has been a national leader in preparing original materials suited to real-world demands. Today’s students use basic texts prepared in-house, enriched by frequent field trips, excursions, interviews, discussions and games. There is even a voluntary in-country immersion program that gets great reviews.

Some were concerned that many of our language instructors are contractors. This is not intended to enable quick weeding-out, as speculated, but comes both from a staffing shortage and the DRI- and national security-related expansions and oscillations in enrollments. Assignments can change at the last minute, spousal and outside agency signups take place at their own rate, and the need for languages ebbs and flows over time. Under these conditions, contracting instructors as needed is a prudent and reasonable approach that allows us to ramp up quickly for new requirements. And finally, we see no persuasive reason to retreat from the “gold standard” of instruction by native speakers, which has long set FSI apart and, when supported by outstanding teaching methods, offers an incomparably rapid and authentic learning experience.



### Testing: How to Get It Right?

"The Case for Outside Examiners," in the same issue, tackles the issue that is probably most painful for students. The writer echoes long-heard complaints that FSI is not rigorous in maintaining objectivity, validity and reliability in its testing system and suggests that the perceived randomness in assigning proficiency scores could be solved by bringing in outside examiners. This is neither practicable nor necessary.

First, an assurance. FSI gets no "brownie points" from HR or anywhere else for holding down the scores or boosting them up. We have nothing to gain from any deviation from fair and objective testing. Each year our School of Language Studies administers some 4,000 tests in over 90 languages. Unlike academic

achievement tests, which measure students' mastery of material that has been taught, our proficiency test measures the ability to use a language to accomplish real-world tasks and transactions.

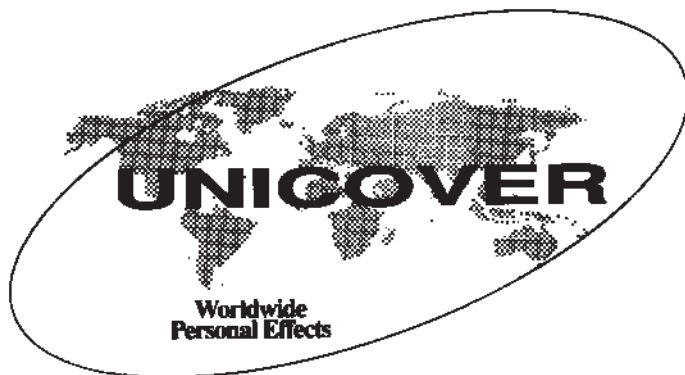
FSI has a highly-structured, lengthy training program for both "testers" (the native speakers of the language who interact with the examinee) and "examiners" (experienced language professionals who direct and administer the tests). Testing teams aim to obtain as broad a language sample as possible in the necessarily limited amount of time. They also seek out examinees' upper limit of proficiency to ensure a fair rating. This is one instance where "no pain, no gain" works to examinees' advantage, because often they can produce surprisingly good results when pressed.

It is true that in a testing situation some individuals perform better than others, and the same person may function quite well in one test and not so well in another. Because they are based on the sample elicited in a given test, test scores reflect these differences. And, in fact, they must do so, since injecting other factors, like classroom performance, into the final score would add what we all would regard as a random and unwelcome element of subjectivity.

In all but the smallest language sections, FSI's students are not tested by anyone who was their teacher during their last eight weeks. This prevents "rehearsed speech" or "chemistry" (positive or negative) between the examinee and the testing team that could potentially affect the test results. The score is based entirely on

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## SPEAKING OUT



performance during the test, which makes sense because some 50 percent of those tested are not graduating FSI students, but new A-100 members, people who have been serving abroad or personnel from other agencies.

When, occasionally, examinees express dissatisfaction with their test score or with the administration of the test, a rigorous test review process is implemented. Last year, 1.48 percent of 4,250 tests were reviewed; 94 percent of those reviewed were evaluated at the same level as the initial scores while 6 percent were upgraded. Rarely, with valid justification, tests may be re-administered.

Testing is only one measure of a student's success. Effective use of language at post depends on the individual's willingness to immerse himself in the language and culture of the

country, to strengthen his skills in a real-life environment of working and living abroad. The new Career Development Program, the Language Continuum, and Secretary Rice's call for transformational diplomacy all place intense emphasis on foreign language in an individual's career. FSI's tests play a central role, and we are pledged to uphold the highest standards of fairness, reliability and accuracy. It is hard to see how any outside organization could meet these standards or perform in such an outstanding, consistent manner.

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studies curriculum. AFSA's survey is a welcome contribution to this continuing effort. We hope this discussion will help reinforce the importance of life-long learning, throughout the Foreign Service career, to enable us to carry out the department's mission as effectively as possible. ■

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*Marie T. Huhtala is a career Foreign Service officer currently serving as senior adviser to the director of the Foreign Service Institute. A former ambassador to Malaysia, she is a veteran of FSI's Thai and Chinese language programs. Christina Hoffman, manager of continuing training and testing within the School of Language Services at the Foreign Service Institute, also contributed to this article.*

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# DIPLOMATIC SECURITY: EDITOR'S INTRODUCTION

BY STEVEN ALAN HONLEY

**F**ew parts of the State Department have more wide-ranging or crucial responsibilities than the Bureau of Diplomatic Security, which is charged with providing a safe and secure environment for the conduct of U.S. foreign policy.

The bureau's many and varied tasks have never been easy, but the work has only gotten tougher in the post-9/11 era. Four years after those attacks, it seems timely to take an in-depth look at how DS has expanded and adapted to take on the new challenges.

Retired senior FSO David Jones, a frequent *Journal* contributor, leads off our coverage with an overview of the bureau's history and current organizational structure ("A Thankless Job: The Bureau of Diplomatic Security," p. 23). DS does its best to avoid being overly intrusive, yet sufficiently vigilant, as it safeguards people and facilities. But as the article's title suggests, it is unclear whether it has found that elusive balance.

Ambassador Richard J. Griffin assumed his duties as Assistant Secretary for Diplomatic Security and Director of the Office of Foreign Missions in June. In "State's Global Security and Law Enforcement Team" (p. 33), he provides an overview of the bureau's successes and goals.

A significant part of the bureau's work is inherently not well-publicized: collaborating with federal law enforcement agencies and host country counterparts to apprehend American fugitives overseas. *U.S. News & World Report* reporter Kevin Whitelaw gives us a detailed look at some of DS's notable successes in Belize and Cuba ("DS Gets Its Man," p. 38).

Three years before the 9/11 attacks, al-Qaida operatives bombed our embassies in Kenya and Tanzania.

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*Steven Alan Honley is the editor of the Foreign Service Journal. An FSO from 1985 to 1997, he served in Mexico City, Wellington and Washington, D.C.*

Those tragedies galvanized State Department efforts to make our diplomatic facilities around the world more secure, a process that is still under way. But in "New Embassy Designs Clash with Public Diplomacy Agenda" (p. 44), expert Jane Loeffler argues that the current architectural approach reflects our fears more than our hopes, and is undercutting our ability to reach out to overseas contacts in the process.

In the 21st century, the concept of diplomatic security applies as much to the Internet as to brick and mortar. Retired FSO Joe Johnson assesses our efforts to protect our electronic systems in "Cyber Security at State: The Stakes Get Higher" (p. 52).

On an individual level, the issuance and adjudication of security clearances probably represents the main way DS interacts with most Foreign Service employees. Attorney Michael O'Hannon reminds us that all FS personnel are entitled to have an AFSA representative and attorney present during questioning ("Security Clearances: Know Your Rights," p. 58). And two Foreign Service members (one of them a DS agent himself) offer their own experiences with the process as cautionary tales in "Left in Limbo" (p. 62), which we accompany with contributions from Donald Reid, director of DS's Security Infrastructure Program, and AFSA General Counsel Sharon Papp.

Finally, Anthony Renzulli, the Fraud Prevention Officer in Mumbai, explains how the Bureaus of Diplomatic Security and Consular Affairs are "Working Together for Secure Borders, Open Doors" (p. 71).

No single survey can truly do justice to a bureau as complex as Diplomatic Security, much less to the overall subject of security. But we hope that this focus section will promote a greater understanding of what DS does and stimulate discussion of how it can do its job even better. We therefore invite your thoughts, commentaries and analysis on that score (please send them to [authors@afsa.org](mailto:authors@afsa.org)). ■



# A THANKLESS JOB: THE BUREAU OF DIPLOMATIC SECURITY



Sean Kelly

**E** ALREADY THE SECOND-LARGEST BUREAU IN THE STATE DEPARTMENT, DS CONTINUES TO GROW. HOW WELL IS IT KEEPING UP WITH ITS RESPONSIBILITIES?

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*By DAVID T. JONES*

ven in the post-9/11 era, it is still difficult for many Foreign Service personnel to take at face value assurances by the Bureau of Diplomatic Security that “We’re here to help you.” Whether it’s the Regional Security Officer overseas, or the folks who issue our IDs and guard our buildings back in Washington, the very presence of internal security at State and the other foreign affairs agencies is a constant reminder that we are all potential weak links. This is true even though, unlike the CIA, FBI and most branches of the U.S. military, no Foreign Service officer (Irvin Scarbeck, 1960) has ever been convicted of passing secrets, and only one in recent memory —

Felix Bloch in 1989 — has been publicly charged with doing so.

Still, it is fair to ask whether the Foreign Service takes security seriously enough. Consider three humiliating lapses that came in quick succession during the late 1990s. In the first incident, a man recalled only as wearing a brown tweed jacket strolled into Secretary of State Madeleine Albright's outer office, picked up her pouch of highly classified daily briefing material, walked out — and was never seen or identified again. Not long afterward, a laptop computer that reportedly contained an enormous range of highly classified arms control information disappeared from an INR office, never to be recovered. Finally, the Russian Embassy reportedly bugged a 7th-floor State conference room using a sophisticated listening device that apparently required insider access to install — yet the mole was never officially uncovered.

In a State Department town hall meeting on May 3, 2000, Sec. Albright made clear her displeasure at such episodes and declared that anyone who was not “professional about security” was a “failure.” (Curiously, however, in her 2003 memoir, *Madame Secretary*, Albright makes no mention of those incidents.) More stringent rules soon followed, including a requirement for annual security briefings for all State personnel and a beefing-up of security training at FSI for all overseas-bound officers, extensive restrictions (later slightly relaxed) on access to State by retired department personnel, and the inclusion of security awareness as a criterion in every employee evaluation report.

Just months later, Martin Indyk, the high-profile U.S. ambassador in Tel Aviv, was revealed to have handled classified information on an unclassified laptop. Indyk, a former NEA assistant secretary and NSC official, was a key figure in the Middle East peace process, but at the height of the talks, his security clearance was suspended and he spent an extended period in limbo. While permitted to return to post, he had no official ability to act in his normal diplomatic capacity, even

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*David Jones, a retired Senior Foreign Service officer, is a frequent contributor to the Journal.*

***There can be little  
doubt that the Foreign  
Service has become  
significantly more  
security-conscious over  
the past few years.***

though the peace talks were approaching their climax. He did eventually get his clearance back. But the word was out: handling classified material was no longer a casual matter.

Meanwhile, the August 1998 bombings of Embassies Nairobi and Dar es Salaam, and the 9/11 attacks three years later, reinforced fears that the basic physical security of the Department of State and its overseas missions around the world was at stake. (The 1983 truck bomb attack on Embassy Beirut had briefly energized similar concerns, but was eventually dismissed as a fluke prompted by local circumstances rather than something requiring a systemic, global restructuring of State's institutional culture.) But it would take the horror of 9/11 to produce fundamental change.

### **Diplomatic Security to the Fore**

While organizational charts do not automatically confer bureaucratic power and personnel numbers do not define policy, the Bureau of Diplomatic Security has become increasingly prominent over the past generation. In 1970 it was buried as a subelement within SCA (the Bureau of Security and Consular Affairs). In early 1985, there was a deputy assistant secretary (one of six) for security in the Bureau of Administration, renamed later that year as the Bureau of Administration and Security. By early 1987, Diplomatic Security was an independent bureau with three deputy assistant secretaries overseeing 11 offices addressing, inter alia, the full range of internal security, physical protection, overseas operations, anti-terrorism and policy coordination.

Organization charts immediately following 9/11 showed a bureau that still had three DASes, but had expanded to 15 offices within the department and an array of eight regional offices (including a presence in cities such as Boston, Chicago, Los Angeles and New York, as well as Washington, D.C.). The current realities have resulted in a new structure: three DASes, three assistant directors (domestic operations, international programs and training), an executive director and a senior coordinator for security infrastructure. They manage 17 offices with a bewildering array of

responsibilities, including 480 special agents assigned to diplomatic missions in 157 countries. Charged with providing a safe and secure environment for the conduct of U.S. foreign policy, DS is the most widely represented U.S. law enforcement entity in the world.

Recent congressional testimony noted the extensive range of post-9/11 activity (and successes) including protecting U.S. athletes at the Athens 2004 Olympic Games (and coordinating security for the 2006 Winter Olympics in Turin); defending the U.S. consulate in Jeddah in December 2004, which prevented terrorists from penetrating the consulate building despite casualties among the protecting force; creating and implementing the security framework permitting Embassy Baghdad to open; and reducing the average time for completing security clearances from 195 to 95 days.

DS has been led since June 22, 2005, by Richard Griffin, who followed a 26-year career in the U.S. Secret Service (ending as its deputy director) with eight years as the Inspector General for the Department of Veterans Affairs. His assignment continues the pattern of selecting outside specialists for the position, such as Francis Taylor, an Air Force one-star general who served from November 2002 until March 2005 (although he also served as State's coordinator for counterterrorism from 2001 to 2002), and David Carpenter, a 26-year veteran of the Secret Service, who served as DS assistant secretary from August 1998 until June 2002.

The bureau currently is staffed at a combined total of 34,000 U.S. personnel and foreign hires, making it one of the largest in the State Department, second only to Consular Affairs. That total includes 514 Regional Security Officers, 89 couriers, 114 Security Engineering Officers, 69 Security Technical Specialists, 68 U.S. Navy Seabees, 28,000 local national guards and surveillance detection personnel, and 139 Marine Security Guard detachments (to secure U.S. overseas diplomatic facilities and personnel).

In addition to the responsibilities noted above, Diplomatic Security agents protect the Secretary of

***While personnel numbers do not define policy, the Bureau of Diplomatic Security has become increasingly prominent over the past generation.***

State, the U.S. ambassador to the U.N. (and the United Nations secretary-general when he travels outside New York in the U.S.) and visiting foreign dignitaries. Overseas, in addition to safeguarding U.S. officials, they protect Afghan President Hamid Karzai, members of the Iraqi Governing Council, the president of Haiti and other dignitaries as required.

DS is also responsible for ensuring the safety and security of foreign missions in the U.S. and their personnel. And through its Office of Foreign Missions, the bureau manages reciprocity and immunity issues for foreign diplomats and provides services in matters of motor vehicles, tax, customs, property, travel and other issues.

DS also investigates passport and visa fraud (5,000 violations annually); delivers more than 10 tons of material each day around the world via diplomatic pouch; and works with other U.S. agencies (from the obvious ones, such as the FBI, U.S. Secret Service and Department of Homeland Security, to others, like the National Security Council, U.S. Marshals Service, local U.S. law enforcement officials and foreign national police). DS trains foreign civilian law enforcement officers through its Antiterrorism Assistance Program, which in FY 2004 presented 209 courses and trained 4,900 foreign police and security officers from 67 countries. ATA-trained units in Indonesia and Pakistan have scored major successes against terrorists in recent years.

The bureau also administers the Rewards for Justice program established by the Congress in 1984. Under the program the Secretary of State may offer rewards up to \$5 million — a cap lifted by the Patriot Act of 2001 — for information that can prevent or resolve the aftermath of a terrorist attack on U.S. persons or property (see <http://www.rewardsforjustice.net/>). And DS also cooperates with the U.S. private sector on security and counterterrorism issues through the Overseas Security Advisory Council, co-chaired by the director of Diplomatic Security and a representative of the private sector. The council provides security advice and facilitates the exchange of information among members of more than 100 country councils worldwide (see <http://www.ds-osac.org/>).

**Where the Rubber Hits the Road**

**Physical Security.** Until comparatively recently, the Foreign Service dealt with terrorism and other security threats on the “retail” level, focusing on murders and assassinations of individual diplomatic officials by groups such as the November 17th Greek terrorist group. Tactics for countering such terrorists were likewise individual: varied daily routines, carefully selected housing and day-to-day personal alertness. Modern terrorism, however, requires a collective response in addition to individual vigilance. The results have been the most visible manifestation of security: concrete flowerpot barriers; closed streets; ubiquitous police patrols; and embassies constructed or remodeled/upgraded with safety as a first concern.

*Until comparatively recently, the Foreign Service dealt with terrorism and other security threats on the “retail” level.*

Separate from DS but closely related, the Bureau of Overseas Buildings Operations (formerly the Office of Foreign Building Operations) was renamed when upgraded to bureau status in early 2001. Once noted for its selection of architects who created aesthetic masterpiece embassies, it now focuses on security. OBO is led by former Army Major General Charles Williams, who has pushed OBO into more sophisticated management and performance evaluation techniques. The long starvation diet endured by embassies and consulates has been reversed; by late 2003, OBO was managing \$4 billion in projects, but longer-term projections of costs run to \$17 billion to replace and fortify existing facilities. A variety of mechanisms are being used to focus on the most vulnerable

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## F O C U S

facilities first and, through standardized designs, complete them expeditiously. Nevertheless, a recent Government Accountability Office report suggested that “most office facilities still do not meet State’s security standards.”

It is the rare diplomat who would object to such physical security efforts. Even those concerned about living in “blockhouses” or developing a “garrison mentality” that prevents diplomats from doing their jobs have realized that unprotected embassies in central cities are asking for trouble. Our host countries are not going to thank us for maintaining insecure structures; after all, the overwhelming proportion of casualties in the 1998 embassy bombings were Kenyan and Tanzanian citizens. A heavily guarded, physically well-protected embassy or consulate is

***A heavily guarded  
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and its residents.***

not just safer for U.S. diplomats, but also safer for the surrounding neighborhood and its residents.

In this regard, DS regional security officers have reviewed all U.S. installations overseas, implemented countless physical upgrades, arranged for augmented guard forces with enhanced training, and provided instruction for embassy personnel in avoiding and countering security risks.

While the bureau’s public affairs office declined to provide even “ballpark” numbers for DS staffing in Iraq or Afghanistan, citing security reasons, there are at least 30 officers in Embassy Baghdad, all at even greater risk than the rest of the staff. There have already been casualties among them: agent Edward Seitz was killed in October 2004. If Foreign Service personnel are all on the firing line, DS is oper-

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ating as “point” on every security mission overseas.

**Guarding the State Department.** Over a generation, Main State and its multiple annexes have moved from walk in/go anywhere to a substantially tighter level of protection and exclusion. With coded “smart” picture IDs and punch-in codes, State now has reached the level of security present at the CIA 20 years ago. Entry for officers from other agencies is time-consuming; IDs must be visible at all times; X-ray screening is required for all packages carried by visitors, even official ones; employees are issued protective masks. Within Main State and its Washington annexes, virtually every office door is controlled. FSO retirees can no longer drop in to their old offices solely on the strength of their retiree ID. A major effort has been made to seal off the basement and first floor at Main State from the rest of the building, limiting activity in these areas to “unclassified” work.

The result is, despite efforts to make the system user-friendly, tedious. But most of us have accepted it as an occupational requirement, mindful of the very real prospect of terrorist attacks on Washington. (This past May, an errant Cessna raised fears of a possible aerial biological attack, prompting a panicked evacuation of much of Capitol Hill.)

### **DS Cracks Down: Overdue or Overkill?**

Where DS and other State employees interact less well, however, is under the provisions for security violations and background investigations. Some FSOs see themselves as being disproportionately penalized for isolated infractions whose seriousness is not always readily apparent. These include “pink slips” issued by Marines under DS supervision for an overlooked classified document found among unclassified records; a hard drive left in a turned-off computer behind locked doors; or an open safe in a locked/guarded building. A generation ago, such slips were an embarrassment to the conscientious officer, but a written explanation, accompanied by a few words of counseling from a supervisor or the regional security officer, were consid-

*Some FSOs see themselves as being disproportionately penalized for isolated infractions whose seriousness is not always readily apparent.*

ered sufficient admonition. You had to work hard at careless inattention before security infractions became a personnel issue.

Now the warnings from DS are Draconian. A relatively small number of security violations within a limited period of time (three within a rolling three-year period) will result in a proposal for a written reprimand from the Office of Employee Relations in the Bureau of Human Resources.

If an employee commits additional infractions or a full-fledged security violation, the penalty becomes progressively harsher and the likelihood of disciplinary action rises. Although not a career-killer per se for tenured officers, such punishment does affect promotion potential. In particular, raters are required to comment on a pattern of security incidents in an employee’s annual evaluation, and the “D” ambassadorial and DCM selection committees are made aware of the number of security incidents an employee has incurred.

Here is the gist of the disciplinary process. HR/ER receives a memo from DS saying an employee has three infractions within three years. HR/ER then proposes a written reprimand, which will stay in the person’s official performance file until reviewed by one tenure or one promotion board. The employee has the right to a written and oral reply to the allegations. One of the three deputy assistant secretaries in the director general’s office then decides the case. If the person wants to grieve that decision, he or she files a grievance with HR/G and has the right to appeal to the Foreign Service Grievance Board. During this period, if the person has asked for prescriptive relief, the letter does not go in the file. At the end of the process, if the discipline letter is sustained by the FSGB, the original board that evaluated the employee for promotion is called back to review the employee’s file with the letter in it and decide whether to promote him or her. At that point, the employee has the right to put his or her own letter in alongside the discipline letter.

If someone accumulates more than three infractions or a violation, he or she may be proposed for a suspension. A letter containing a one-to-five-day suspension

stays in the individual's official performance file for two years (or until reviewed by two boards); a letter of a six-or-more-day suspension stays in the file until the employee is tenured or promoted — significantly increasing the odds that he or she will be eventually be selected out.

The “point system” runs essentially as follows:

- 10 points for each security violation received within the past 10 years;
- 5 points for each security violation received between the past 10 to 20 years;
- 5 points for each security infraction received within the past five years;
- 2 points for each security infraction received in the past five to 10 years.

The Foreign Affairs Manual differentiates a “violation” from an “infraction” roughly as follows:

A security infraction, in the judgment of DS, does not result in actual or possible compromise of the information. For example, at the end of the workday, an employee leaves a security container unlocked and unattended, containing classified information, in an area which has been authorized for the storage of classified information.

In contrast, a security violation is a security incident that, in DS judgment, results in actual or possible compromise of the information. For example, if a classified document is transmitted over an unclassified facsimile machine, the incident would be adjudicated as a violation, as there is a real possibility for electronic interception and transcription of the classified document.

**Security Clearances.** We can all hope that the new, more stringent penalties for security violations will elicit greater attention to security within State and embassies by “scared straight” employees. But it has greatly exacerbated the confrontational attitude between DS officers doing their jobs and their colleagues. Only those not planning on a full Foreign Service career will now accept a security violation blithely. Accepting a security violation — even the most obvious one — is now fought tooth and nail; it is far easier to fight off the first or second than to try desperately to avoid the third.

No one wants to discover at State an Aldrich Ames,

*The correlation between security violations and failure to be promoted has become quite evident.*

Jonathan Pollard or Robert Hansen, or the other more-or-less-forgotten spies who have betrayed U.S. intelligence from trusted positions. The case of Felix Bloch remains in an anomalous category: it was intimated that the former Embassy Vienna DCM consorted with Soviet

agents, but charges were never formally laid. Still, State has a real incentive not just to prevent “bad apples” from entering the barrel in the first place, but to check the quality of the ones already in the larder to ensure that none have gone rotten.

Two generations ago, the U.S. diplomatic gene pool was shallow; “old boys” from Harvard, Princeton, Yale and other Ivy League schools or equivalents were a limited, virtually self-vetting group of mostly WASP males. But still, they generated Alger Hiss. A generation ago, a married woman could not be a Foreign Service officer; an individual had to be naturalized for 10 years before being eligible for the diplomatic service; known homosexuals could not hold security clearances; foreign-born spouses were viewed as potential security problems; assignment to the country of a foreign-born spouse was unlikely; access to the highest-level intelligence was implicitly limited to the native-born and/or those without more than the slightest connection to hostile foreign countries.

The United States never had the equivalent of Canadian Prime Minister Elliot Trudeau's precedent-setting declaration that the state has no place in the bedrooms of its citizens. Indeed, it was not until May 28, 1998, that President Bill Clinton issued Executive Order 13087 prohibiting discrimination against civilian federal workers on the basis of sexual orientation. This was supplemented on June 23, 2000, by Executive Order 13160, which prohibited discrimination based on sexual orientation in federally conducted education and training programs. And as of June 6, 2003, when the Supreme Court overturned all state sodomy laws as unconstitutional, these laws were still in effect as felonies in both Maryland and Virginia. Today, Virginia also remains one of seven states with a law prohibiting cohabitation of unmarried couples. Thus, while enforcement of such laws clearly declined over the years, DS could justify concern over activity that tech-

nically remained illegal — and hence potentially subject to blackmail by foreign agents.

**Promotion Panels.** The correlation between security violations and failure to be promoted has become quite evident. Promotion panels for those at the FS-2 level and above now have access to employees' security records for the past five years.

Although employees receive written notice of their right to submit explanations for such violations, they may not do so with alacrity, despite AFSA's efforts to remind members of those avenues. Additionally, if an FSO has had three security violations within three years, a prospective promotion can be delayed or even denied pending the outcome of disciplinary and grievance proceedings.

At AFSA's insistence, the department ceased its

***Promotion panels for those at the FS-2 level and above now have access to employees' security records for the past five years.***

practice of temporarily removing names from promotion lists, pending security retraining, of those employees who had 30 or more security incident points. Furthermore, an officer's name is only removed from the list if there is a pending investigation or disciplinary action. However, perhaps more damaging to morale is the

anticipation among FS personnel that promotion panels will use the presence of a "rap" sheet (regardless of how harmless or explicable the specific infractions cited) as a quick sorting mechanism for mid-ranking a candidate.

After intensive discussion with State management, AFSA believes that its efforts mitigated initially harsher proposals. But promotions are always fewer than the number qualified, and the new security rules and the

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penalties for violations are viewed as another obstacle by many FSOs.

Nevertheless, there has been a bitter dispute between some AFSA members and the Governing Board over its decision to accept the State Department's position on internal security without first referring the issue to the AFSA membership in greater detail. In 2004, there was an effort to hold a referendum to call the board to account on this point, but the proposal did not generate sufficient support to meet the requirements set forth in the association's bylaws for being formally presented.

**Central Casting.** Likewise, there is continuing concern over naturalized citizens. While the overwhelming majority of naturalized citizens are loyal Americans (after all, they chose the United States rather than being citizens at birth), one study of espionage against the U.S. between 1947 and 2001 found that 17 percent of these spies were naturalized citizens. (For comparison, just 3.8 percent of the general population is naturalized, according to the 2000 census.) Indeed, the CIA has had a continuing problem recruiting ethnic minorities of "hyphenated-American" background as significant numbers fail to pass the security clearance process. A former CIA officer has written that two-thirds of all applicants presented for clearance fail — primarily by not being able to pass polygraph tests. Nevertheless, the old rules and shibboleths have been swept away.

The Foreign Service of 2005 is "central casting:" that is, it more broadly reflects the ethnic-social-gender-racial composition of the United States than ever in the past. The current composition of the American Foreign Service illustrates the success of U.S. society — from Secretaries of State Condoleezza Rice and Colin Powell to your average "line" visa officer in Forgottenstan. This otherwise healthy development, however, places unparalleled demands on security clearances in circumstances where what was once regarded as "deviance" in regard to sexual mores, marriage and pre-employment drug use is now accepted as diversity and personal preference.

The consequence has been an increasingly demanding and doubtlessly more intrusive security clearance

*Even before the 9/11 attacks, the word was out: handling classified material was no longer a casual matter.*

process. Studies have suggested that individuals do not enter government with the career objective of becoming traitors; a variety of post-entry career failures and personal factors turn them toward spying. Consequently, update background investigations are more frequent; five years now is the standard interval between updates, rather than

a vague indefinite "when they get around to it." The questioning on every aspect of a candidate's or an employee's life is unprecedented in detail. Those who have not recently encountered the new background investigation will quickly appreciate that this is not the investigation of 10 or 20 years ago, with a relatively perfunctory set of forms and no personal exchange with an investigator. For those married to the same spouse for 20 years, with their mortgage paid off and their drug of choice a medicinal evening glass of wine, the long series of questions concerning finances, mental health, sexual behavior, substance use, and criminal conduct may seem bizarre rather than threatening. But for those who might consider the quote, "When I was young and immature ... I was young and immature" more descriptive than amusing, the security background investigation is a new challenge. To be sure, one doesn't have to answer an investigator's questions; but neither is the department required to provide or renew a security clearance — it is a privilege, not a right.

The questions asked of those provided as points of contact/recommendations are also often (although not consistently) extended and detailed. At a minimum, you are generally no longer simply asked whether you recommend "X" for "a position of trust." Yet, unless an investigator obtains specific evidence that what has been presented is incorrect or deliberately incomplete, it is difficult to deny a clearance.

In search of greater security certainty, the department may ultimately circle back to the question of employing "lie detectors." The polygraph has been an issue of considerable drama for State. On Dec. 19, 1985, then-Secretary of State George P. Shultz announced during a press conference that, if asked, he would take a lie detector test "once" — and then resign. He continued: "The

minute in this government that I am told that I'm not trusted is the day I leave." Earlier in the press conference, Sec. Shultz had expressed "grave reservations" over polygraph testing, commenting that "It's hardly a scientific instrument. It tends to identify quite a few people who are innocent as guilty, and it misses at least some fraction of people who are guilty of lying." For the ensuing 20 years, none of his successors has moved away from the Shultz ultimatum; however, State's stance on polygraph use is an internal policy position rather than a federal regulation.

While the technical shortcomings of "lie detectors" are widely recognized by professionals (Aldrich Ames and other spies repeatedly passed polygraph exams), their use at the CIA and in various sections of the FBI and other agencies has (at least potentially) opened the gate for their use at the State Department. Indeed, under specific circumstances (e.g., a liaison assignment at CIA), an FSO must pass the same polygraph exam given to a CIA employee. For all of its shortcomings, the polygraph would be a powerful tool in the "scared straight" security arsenal — notwithstanding the philosophical objections and its technical weaknesses. Eventually, the technical problems of the polygraph may be overcome as new experiments using a functional magnetic resonance imaging machine demonstrate that distinctly different portions of the brain "light up" during a true statement than during a lie.

### **Changing the Culture**

There can be little doubt that the Foreign Service has become significantly more security-conscious over the past few years. One reason for this increased awareness is the reality that the 9/11 attacks were a seminal event for the wave of new entrants hired under the Diplomatic Readiness Initiative. But the personnel of the Bureau of Diplomatic Security deserve most of the credit for this welcome development, achieved in large part by encouraging their colleagues to be part of the solution and by investing substantial time and

## ***The use of lie detectors at the CIA and in various sections of the FBI and other agencies has (at least potentially) opened the gate for their use at the State Department.***

money in security training.

Still, a widespread perception lingers that the decision to increase personnel and physical security and, particularly, the inclusion of security records in the performance files presented to promotion panels, were politically-driven moves that did not actually reflect any major gaps in State's security practices.

One major challenge comes in making the security infraction system more survivable for substantive officers who all but drown in the daily flood of classified information. Just as those who drive 100,000 miles per year are more likely to have accidents than those who drive 1,000, senior officials often will have infractions that those who deal almost exclusively with unclassified material will not. The same reality applies to officers working 14-hour days under difficult conditions overseas, as opposed to 9-5ers at Main State. A one-size-fits-all set of security regulations may be "just" but not "fair."

In short, no matter how stringent and well-funded a system is in place, there will always be security infractions, some of which (luckily for the offenders!) will never be discovered. Indeed, the number of violations can just as reasonably be attributed to stepped-up enforcement as to laxity. If the objective really is to eliminate all security infractions, however minor, that cannot be done on the cheap. The department may need to devote more funds to constructing "vaulted" areas where classified material can be secured generally rather than individually. Likewise, technology now permits "secure" computer terminals: expanding this service would allow an officer to work from home rather than face the unenviable choice of spending another hour at the office or illegally taking classified material home to finish.

However these balancing acts are ultimately calibrated, we need to reach the point where security regulations are regarded as "red lights" — where, even in the dead of night, a motorist will sit patiently waiting for the green — rather than as highway speed limits which are mainly observed in the breach. ■

# STATE'S GLOBAL SECURITY AND LAW ENFORCEMENT TEAM

**T**DS IS BRINGING COURAGE AND CREATIVITY TO THE MISSION OF PROVIDING A SECURE ENVIRONMENT FOR THE CONDUCT OF AMERICAN DIPLOMACY.

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*By RICHARD J. GRIFFIN*

Today our diplomatic personnel and facilities face greater threats than ever before in our nation's history. In this dangerous climate, the work of the U.S. Department of State and our entire family of foreign affairs agencies has never been more important. At the Bureau of Diplomatic Security, it is our highest responsibility to ensure that American diplomats can carry out our country's foreign policy safely and securely, even in the most dangerous places in the world.

DS is the security and law enforcement arm of the Department of State, protecting our nation's diplomatic facilities, people and information. Our global force of 34,000 agents, engineers, couriers, security specialists, civil servants and other professionals work in Washington, D.C.; in 23 other offices throughout the United States; and at more than 265 locations worldwide. We safeguard employees from attacks by terrorists, protect them during times of extreme civil disorder, track down criminals who obtain U.S. passports and visas illegally, and protect the Secretary of State, our U.N. ambassador and foreign dignitaries who visit the United States. We provide protection in some of the world's most politically volatile places, including Iraq, Afghanistan and Haiti. We continually analyze intelligence on terrorist

and security threats, and we fight high-tech espionage attempts against the State Department and U.S. embassies.

Without a doubt, our work can be very dangerous. Indeed, our commitment to providing safety and security for U.S. diplomacy comes at a high cost. Since the beginning of 2004, 22 DS employees and contractors have lost their lives while working to achieve the mission of the U.S. Department of State. Yet bureau employees and contractors continue to step right into the middle of crisis situations, risking their lives to save others. In just the past few months, DS agents fought their way into the middle of angry mobs in Sierra Leone and Togo to rescue U.S. embassy staff members under attack. Three other agents recently received heroism awards for rescuing Haitian civilians who were being attacked by armed mobs during the uprising in that country last year.

Though I was sworn in as assistant secretary of the Bureau of Diplomatic Security only a few months ago, on June 22, 2005, it is abundantly clear to me that the men and women of the bureau — Foreign Service, Civil Service, Foreign Service Nationals and contractors alike — form an impressive team. They are an important part of our foreign policy apparatus.

### **Security Threats**

For the foreseeable future, the security of U.S. diplomatic operations in Iraq will continue to be one of our biggest concerns. The Regional Security Office in Baghdad is fully engaged in protecting U.S. diplomatic personnel, securing State Department facilities, and directing overall security for State Department operations throughout the country.

Central to our worldwide strategy are programs to strengthen security measures at our embassies, consulates and other facilities. DS works hand-in-hand with the State Department's Bureau of Overseas Buildings Operations in a long-term capital construction security program to replace our most vulnerable facilities worldwide. To take just one example, DS agents are already on the ground to ensure that the new embassy being constructed in Beijing remains secure. Around the globe, 19 capital construction projects have been completed since 2000, with 36 more projects now under way. OBO plans to award 14 capital construction contracts in Fiscal Year 2005, and 12 more the following year. The department plans to replace 131 of its most vulnerable embassies and consulates between 2007 and 2018. DS has also worked closely with OBO to enhance physical and technical security at embassies and consulates; every post has had security enhancements. Since the 1998 East Africa bombings through Fiscal Year 2005, OBO's Worldwide Security Upgrade and Compound Security Upgrade programs have received \$816 million in funding.

Sophisticated security equipment adds another layer of protection. Security engineers, assisted by security technicians and U.S. Navy Seabees, research, design and install state-of-the-art electrical and mechanical systems that detect explosives and keep intruders away. They set

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*Richard J. Griffin is assistant secretary for the Bureau of Diplomatic Security and director of the Office of Foreign Missions, with the rank of ambassador. Prior to assuming that position in June 2005, Griffin was inspector general at the Department of Veterans Affairs. He previously served in the U.S. Secret Service for 26 years, retiring in 1997 as its deputy director.*

***Since the beginning of 2004, 22 DS employees and contractors have lost their lives while working to achieve the mission of the U.S. Department of State.***

up architectural barriers outside our buildings and outfit doors and windows to withstand blasts and prevent forced entry. Experts constantly monitor and analyze intelligence on terrorist activities and security threats around the world.

These security measures fortify our official facilities, which historically were the focus of the vast majority of catastrophic attacks and threats. In recent years, however, al-Qaida and other terror groups

increasingly are turning to "soft" targets when other more hardened assets prove too difficult to attack. Even before the global al-Qaida threat materialized, we began implementing programs overseas to protect and educate our Foreign Service and Civil Service officers, their families and private American citizens on this terrorist threat. These programs are not managed solely by DS but cut across many State Department elements. They continue to be refined.

Specifically, over the past seven years, DS has delivered more than 1,500 armored vehicles to posts overseas to safely transport our people serving under heightened threat conditions. We have implemented a comprehensive chemical/biological/radiological protection program. We provide local guards, roving patrols and reaction teams at our residences according to threat ratings, and have upgraded security at more than 13,000 overseas residences.

In conjunction with other bureaus in the department, DS also funded grants to increase security at schools attended by children of embassy employees. As of July 2005, \$39.5 million was obligated in a four-phase program for overseas schools security enhancements — including shatter-resistant window film, public address systems, emergency radios as well as perimeter walls, fences, bollards, window grilles and closed circuit television systems. Security improvements have been funded for schools that receive educational grants from the department, as well as for non-department-assisted schools attended by U.S. government employee dependents and other U.S. citizen children.

These are just some of the many important security measures that have been implemented. Still, there is much more to do, so DS will continue its concerted push

## F O C U S

to enhance security to protect our personnel and their families outside U.S. embassies abroad.

For such efforts to succeed, however, it is vital for all employees of the State Department and the other foreign affairs agencies to adhere rigorously to the security procedures implemented by the Bureau of Diplomatic Security and the Regional Security Officers at overseas posts. While we understand that personnel can sometimes feel hampered by the security procedures, especially those imposed at high-threat posts, it is essential that the procedures be followed diligently. These measures are based on careful analysis of the latest threat information and are designed to save lives. As stated in a recent Accountability Review Board recommendation following the death of an American diplomat in Baghdad last year, it is imperative that everyone follows security regulations and ensures that colleagues follow them as well.

It is also vital that our personnel, especially those serving in high-threat areas, are well trained. Toward that end,

a specialized DS course, mandatory for anyone headed to Iraq who will work under the authority of the U.S. ambassador, teaches students to detect hostile surveillance, provide emergency medical care and identify bombs. The instruction also familiarizes students with basic firearms techniques and provides training in chemical and biological weapons countermeasures. DS offers a similar course for those deploying to other critical-threat locations.

### **A Global Force**

At home and abroad, the Bureau of Diplomatic Security administers many other wide-ranging, sophisticated security and law enforcement programs and operations.

To counter threats from hostile intelligence organizations, our engineers conduct sophisticated technical inspections to determine if anyone is spying on us with high-tech espionage equipment, and scour our buildings for hidden surveillance devices.

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## F O C U S

To help secure U.S. borders from terrorists, drug traffickers and members of organized crime, DS conducts investigations into visa and passport fraud and other crimes. We also investigate threats against State Department personnel and facilities, and U.S. government employees abroad. In 2004, we helped return 113 fugitives to the United States to face justice, made more than 550 arrests for passport fraud, and made more than 120 arrests for visa fraud. To further protect the integrity of U.S. passports and visas, we have assigned 25 additional criminal investigators overseas. DS is looking to continue expanding this successful program in coordination with the Bureau of Consular Affairs.

The Bureau of Diplomatic Security also conducts security clearance investigations. During the past year, DS conducted more than 18,000 background investigations on State Department employees and job applicants. The bureau also cut the average processing time for security clearances from 195 to 97 days. In comparison, most security clearances obtained elsewhere in the federal government take an average of 300 days.

The DS security and law enforcement team plays a key role in the fight against international terrorism through several important programs:

- Our **Antiterrorism Assistance Program** teaches foreign police and security officers to fight terrorism in their own countries, and provides them with the necessary equipment to do so. As these countries stop terrorism in their homelands, they also diminish its spread beyond their borders, and add to the safety of diplomats and Americans traveling abroad.

- Our **Rewards for Justice Program**, which offers reward money for information about terrorists, is one of the most valuable assets the U.S. government has in the fight against international terrorism. In 2004 alone, more than \$7 million in rewards were approved. The program was instrumental in leading U.S. military forces in Iraq to the location of Uday and Qusay Hussein, the former dictator's sons, in 2003.

- The bureau is also dedicated to helping American businesses abroad combat threats from international criminals and terrorists through the **Overseas Security Advisory Council**. Administered by DS, OSAC facilitates the exchange of security information with the U.S. private sector abroad.

- DS has 20 special agents assigned to FBI **Joint Terrorism Task Forces** nationwide.

One of the bureau's largest responsibilities is to provide high-level security for State Department officials and for foreign dignitaries who visit the United States. For major multilateral events, this protective function swells immensely. Hundreds of DS agents are deployed to protect the dignitaries, and the entire bureau pours vast amounts of time and resources into securing the events. We did this for the Organization of American States General Assembly in Florida in June, and we do the same every fall for the United Nations General Assembly in New York.

Most Foreign Service personnel are familiar with our **Diplomatic Courier Service**, which ensures the secure movement of classified U.S. government material across international boundaries. Although these materials formerly were mostly papers and files, now the material includes data processing equipment and construction materials. The Courier Service has improved its operations by virtually ceasing use of military transportation for normal pouch cargo services; instead, it is following best practices learned from top-notch American delivery firms.

Through our **Office of Foreign Missions**, we continue to improve the treatment of U.S. overseas personnel by the application of reciprocal treatment for foreign missions in the United States. We also work to protect the U.S. public from abuse of privileges and immunities, and better serve the large foreign mission community in the United States. In 2004, DS escorted more than 1,600 senior foreign officials through 30 domestic airports. OFM also secured construction tax-relief agreements from October 2004 through July 2005 that will yield \$102 million in foreign tax savings.

As with any global security operation, DS must ensure that its assets, people and systems are integrated. Several new DS technology initiatives are underway to help manage this complex operation. A revolutionary system to enable the Washington-based DS Command Center to remotely monitor security systems at U.S. Foreign Service posts is beginning full deployment, which is expected to take five years to complete. Our engineers have already installed these systems at 23 sites in 17 posts. Another initiative to make consolidated case management systems available to agents worldwide is expected to be operational by late 2005, while yet another initiative to facilitate global personnel management by tracking special agent availability is already being used on a trial basis.

### Challenges

As we move into the future, there is no doubt that our principal challenge will be confronting the increasing worldwide terrorist and counterintelligence threats. We also face very real security challenges in a number of regions around the world where the State Department and other foreign affairs agencies operate amidst groups extremely hostile to the United States.

The recently enacted Intelligence Reform and Terrorism Prevention Act directs the Bureau of Diplomatic Security to expand significantly its role and responsibilities. The law, enacted in December 2004, gives DS the lead for developing a national strategy to combat visa and passport fraud. Among other initiatives, we will establish a criminal analysis branch that will enable us to recognize and counter trends in visa and passport fraud. This new unit should be fully operational by the end of 2005.

Another immediate challenge is cyber security. DS

is responsible for protecting the State Department's worldwide network of systems and information. Yet malicious cyber activity — including attempts to gather intelligence and launch attacks — is on the rise around the world. The department daily defends against hundreds of thousands of probes and scans launched against its sensitive networks. Thanks to our network defense programs, however, we are able to detect, block, defend against and investigate most of these malicious activities. In addition, DS employs a robust suite of programs and tools that provide timely and accurate intelligence reports, threat analyses and policy recommendations.

The Department of State's mission is critical, and the threats we face are real and growing. The Bureau of Diplomatic Security will confront these threats with courage, creativity and a solemn commitment to provide a secure environment for the conduct of American diplomacy. ■

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# DS GETS ITS MAN

**I** COLLABORATING WITH U.S. AND FOREIGN LAW ENFORCEMENT AGENCIES IS AN IMPORTANT, IF UNDERPUBLICIZED, COMPONENT OF THE DIPLOMATIC SECURITY BUREAU'S WORK.

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*BY KEVIN WHITELAW*

In one tour of duty in Belize, Thad Osterhout has hunted down a cop-killer, suspected crack cocaine dealers, a man who allegedly raped a mentally retarded woman and several pedophiles. He even helped return a boy kidnapped by his father. And that was the fun part of his job. Osterhout, a career agent in the State Department's Diplomatic Security Bureau, just wrapped up three-and-a-half years as the Regional Security Officer at the U.S. embassy in Belize.

While his primary responsibility was the security of the embassy and its staff, Osterhout spent about half his time chasing after a motley assortment of wanted criminals who fled to the tiny Central American nation to evade U.S. justice. For years, with its poorly-paid police forces, rampant corruption and spotty extradition treaties, the entire region has been seen as a haven for fugitives. But at least in some countries, things are starting to change. In all, DS helped return 104 fugitives from 40 countries last year, up from about 80 the year before. This year looks even better. In Costa Rica alone, for example, agents brought back 11 fugitives in the first six months of 2005.

The Bureau of Diplomatic Security has traditionally

been extremely press-shy, but officials granted rare access to its operations and staff in Belize. Here, working with a government that has become increasingly enthusiastic about cooperating, Osterhout has helped return some 57 fugitives to the United States. The U.S. Marshals Service traditionally has the lead role in hunting fugitives, but with field offices in only three foreign countries, it leans heavily on DS — and its agents in 159 countries. For Osterhout, this sometimes means simply helping other U.S. law enforcement agencies navigate the complex array of paperwork needed for deportations or extraditions. But the Belize government has granted Osterhout a surprising amount of leeway to conduct actual investigations. Authorized to carry a concealed weapon 24 hours a day, he regularly runs his own inquiries, often calling in the police only for the actual arrest.

### **Dangerous, Dickey at Times**

The work can be quite dangerous at times. On April 29, 2003, Osterhout received a call from the Marshals Service, which was pursuing a violent criminal, Michael Webster, wanted for drug trafficking and sexual abuse of three children (and later charged with



murder). His wanted poster noted that as a gang member, he sported a Grim Reaper tattoo and went by the nickname “Big Man.” Webster, a Belizean who grew up in the United States and was now on the U.S. Marshals’ Top 15 Wanted List, had recently returned to his home country. Osterhout dispatched his secret investigative weapon, a former Belizean policeman now working as a Foreign Service National at the embassy. Keith Hamilton promptly began chasing Webster all around the country. “He was hopscotching from location to location,” says Hamilton.

Osterhout later learned that Webster’s father had driven him to Belize all the way from Chicago after a warrant was issued for his release. But he was difficult to track. In the month of May 2003 alone, Webster moved three different times. For a while, he was even sleeping outside, amid tall reeds. At one point, Osterhout and Hamilton tracked Webster to a particularly rough neighborhood in gritty Belize City. The pair tried to scout out the rundown apartment complex where he was apparently staying, but quickly had to turn back when things turned dicey. “The streets cleared out,” recalls Osterhout. “It was obvious we had been had.” By late June 2003, Hamilton had traced Webster to a rickety home on stilts right next to a swamp in Ladyville, a suburb of Belize City. But they needed to be sure. “If you jump prematurely and get the police charging in, then the person really goes into hiding,” says Osterhout. “We’re always trying to preserve the element of surprise.”

Hamilton cased the neighborhood and staked out the house. It looked like Webster was there to stay. “He was known in the area for his violent tendencies,” says Hamilton. So Osterhout worked with the Belize police to set up a raid. First, he briefed them on the dangers of going after Webster. “We warned them that he might fight,” says Osterhout. For a police force that has few, if any, bulletproof vests, this was particularly risky. But on June 30, 2003, Osterhout and Hamilton went along for

***The U.S. Marshals Service traditionally has the lead role in hunting fugitives, but with field offices in only three foreign countries, it leans heavily on DS.***

the ride and got lucky this time. Just as the police were pulling up to the one-room shack in two unmarked trucks, Webster happened to walk outside with one of his friends. He was so caught off-guard that he surrendered without incident, while his friend jumped into the swamp clutching a small bag of marijuana. Police had to fish him out.

Osterhout recalls that life on the run was not kind to Webster.

A big man once weighing in at 235 pounds, he had lost lots of weight. With no screens on his house and huge gaps in the wooden walls, Webster was covered with mosquito bites.

Since Webster was a Belizean citizen, Osterhout had to work through the lengthy extradition process. Webster fought it every step of the way. It took more than five months, but the order was finally approved and a pair of U.S. marshals came down to escort Webster to Illinois, where he remains in jail today.

### **On-the-Job Training**

The 34-year-old one-time ski patroller from upstate New York spent his first three years in DS (starting in 1997) based in New York City, where he served on protective details for dignitaries ranging from the late Yasser Arafat to the Dalai Lama. He next went to Peru for two years as the assistant RSO.

A quick survey of the four photos that hung above Osterhout’s desk in Belize reveals the variety of a typical DS career. The first shows the aircraft carrier *USS Nimitz*, for which he had to help arrange a Peruvian naval escort as it sailed around South America shortly after the 9/11 attacks. “I joked that I slept through the day of RSO school when they taught us how to protect a nuclear aircraft carrier,” he says. The second depicts Osterhout with a group of DS agents on temporary duty in Yemen protecting the U.S. ambassador. He was in full tactical gear for the third picture, escorting a congressional delegation through Shining Path country in Peru. And the fourth shows him guarding former Secretary of State Colin Powell in Peru on the morning of Sept. 11, 2001. “If you don’t like what you’re doing,” says Osterhout, “in two years, you can go halfway around the world and do something else.”

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*Kevin Whitelaw covers national security and foreign affairs for U.S. News and World Report.*

## Unlikely Allies

*It fell to the RSO  
to try to persuade  
Cuba to assist in the  
sensitive inquiry.*

**A**fter an Ecuadorian named Angel Mariscal was arrested in Miami in September 2002, police searching his house found almost 500 hours of videotape depicting children having sex. For U.S. postal investigators trying to crack a mail-order child pornography ring, this was a huge breakthrough. But when they sat down to examine the tapes, they became concerned. The footage had apparently all been filmed in Cuba.

With no U.S. diplomatic presence in Cuba, authorities feared that it could complicate the prosecution. After all, the Cuban government, which harbors dozens of American fugitives, rarely cooperates with U.S. law enforcement. Indeed, U.S. diplomats there are routinely harassed by Cuban security services. And the State Department publicly accuses Havana of tolerating widespread child prostitution and trafficking in children.

It fell to Patrick Durkin, the Regional Security Officer (and the only Diplomatic Security agent) in the U.S. Interests Section in Havana, to try to persuade Cuba to assist in the sensitive inquiry. "It was lose-lose for them," he says. "If they didn't cooperate, it would confirm that they make no effort to combat the problem. If they did, they could expose themselves to a problem they don't acknowledge — sexual tourism."

When Durkin first viewed stills from the tapes, he immediately recognized several Cuban landmarks; one was a high-rise on his morning commute. The most heartbreaking clips showed very young, naked Cuban girls with forlorn expressions. In all, some 120 girls and boys were shown exposing themselves or having sex with Mariscal and two other adults. It turned out later that some of the girls were under 12 years old — the youngest was 7. The tapes had been made over the course of several years — and some of the same girls showed up over and over. Mariscal had been charging as much as \$1,000 per tape.

But to make an airtight case, Durkin needed evidence that placed Mariscal in Cuba — and, more importantly, positively identified at least some of the children as real people and verified their ages. Authorities also hoped that the Cuban police would arrest Mariscal's local accomplices.

It could have gone either way, but after a series of diplomatic meetings, Cuba decided to cooperate. "It goes up to the top," says Durkin. Cuban leader Fidel Castro "has to sign off on it." After several months of negotiations and investigation, the Cubans were able to supply copious detail on Mariscal's movements in Cuba, from immigration to hotel records. "They had every phone call over seven years," he says. "They keep everything down there." Establishing the exact times that Mariscal was in Cuba was key to placing him

at the scene, because many of the videos had dates electronically embedded in them. Authorities also helped identify the victims and some of Mariscal's associates. Durkin even did some sleuthing on his own, photographing the landmarks from the sites and some of the rooms where the sex scenes were filmed.

Then came the most sensitive part: the Justice Department wanted Durkin to interview some of the victims so that he could testify at Mariscal's sentencing. The Cuban government agreed, but set several conditions, permitting only gentle questions and requiring the girls' fathers to be present for the sessions at a Cuban protocol office. He ended up interviewing two girls and one little boy. Durkin was limited to seven questions for each child, including their names, ages and whether or not they remember meeting Mariscal. "The kids were tentative and scared," says Durkin. "I told them they didn't do anything bad." One 14-year old girl, who first appeared in Mariscal's tapes when she was 9, told him that her aunt introduced her to Mariscal. "She is probably scarred for life," Durkin says. One father broke down and started weeping during the session.

Even worse, medical tests had revealed that Mariscal was HIV-positive. It was Durkin's job to inform the Cuban government, which later claimed that the girls all tested negative. "Let's hope that's accurate," he says.

At his trial, Mariscal was found guilty. On Sept. 24, 2004, he was sentenced to 100 years in jail. At the sentencing, Judge Cecilia Altonaga said his crimes were so reprehensible "that it gravitates at or near the bottom rung of human behavior."

— Kevin Whitelaw

Belize definitely falls into the "something else" category. The small U.S. mission to this former British colony is housed in a quaint, wooden building near the Caribbean coast. In effect, it ends up straddling what are almost two separate nations inside this tiny country of 280,000 people. The poor and violent Belize City is plagued by gun crimes, the latest trend being "pedal-by" shootings, gangland-style assassinations by bicycle-riding

gunmen. The other side is what the predominantly American tourists see, where snorkelers and windsurfers dot the clear blue waters around sun-kissed islands. While some fugitives appreciate the chaos of the capital, most are drawn by the sun. "The fugitives come for the same reasons as the tourists," says Gerald Westby, Belize's police commissioner. "It's English-speaking and close to Mexico."

When he was first assigned there in February 2002, Osterhout had little experience chasing fugitives. So teaming up with the cash-strapped police gave both parties on-the-job training. Several policemen recall having to borrow one of Osterhout's vehicles to make an arrest, or even to escort fugitives to the airport.

These days, the cooperation is at a whole new level. "The Belize police have made a name for themselves with the assistance they've given us," says Osterhout, noting they have even detailed a police sergeant to work at the embassy. For the local government, there is also plain self-interest. "These criminals, we do not wish to have them here," says Commissioner Westby. "The political will is there." Osterhout has also been careful to reward them by arranging U.S. help with equipment and training. "They give us incentives," says Belize police inspector Alford Grinage. "They gave us a nice camera to help us take our 'rogues' gallery' pictures." And this past August, U.S. marshals went to Belize in August to conduct specialized training. "Belize is very close to being one of the most cooperative Latin American nations," says James Schield, chief of international investigations at the U.S. Marshals Service. "And I expect it will get even better."

Osterhout's first case began in April 2002, when he pursued Christopher Davis, a convicted murderer who violated his parole and fled to Belize. That was also when Osterhout realized just how valuable a sleuth Keith Hamilton was. A veteran Belize cop, Hamilton served with a Belize police tactical unit before founding his own security firm in New York and becoming a U.S. citizen. He's been a full-time investigator with the U.S. embassy since 1999. After the U.S. marshals passed on the Davis tip, Hamilton spent months trying to chase Davis down as he hopped around the country, starting in a Belize City mosque and later moving deeper and deeper into the jungle. Hamilton got close several times, tracking him at one point to a local restaurant. The police raided the place, ostensibly looking for drugs, but Davis slipped out the back.

Hamilton kept looking. One of his tipsters suggested that Davis was holed up in a cabin deep in the jungle on 500 acres owned by the mosque. So late one

***Four photos hung above  
Osterhout's desk in Belize  
reveal the variety of a  
typical DS career.***

starry night, Hamilton donned his Army camouflage and strapped on his Sig 9 mm pistol to trek into the jungle. As he approached the cabin, he could tell that it had been recently occupied. "It was a stick house, bound with wire, and a makeshift door," he recalls.

But several days of torrential rain had produced swarms of mosquitoes that had apparently driven Davis away. Finally, in mid-September, Hamilton got a tip that paid off. Police arrested Davis, covered in mosquito bites, at a friend's house and he was deported two days later. "Keith is like a pit bull," says Osterhout, noting that Hamilton was named Civilian of the Year for 2003 by the Federal Law Enforcement Officers Association. "I give him these cases and he just doesn't let go until he gets these people."

***Nabbing a Butcher***

Perhaps the most infamous case that Osterhout and Hamilton worked involved a Cuban nicknamed the "Butcher of South Beach." The TV show "America's Most Wanted" even did a 1999 segment on Reinaldo Silvestre, who allegedly posed as a Miami plastic surgeon. Never licensed to practice medicine, Silvestre left behind him a trail of botched breast augmentations and scarred women, according to police. In one particularly grisly operation, Silvestre allegedly gave breast implants to a Mexican bodybuilder who wanted pectoral implants. Even worse, the bodybuilder remembers waking up in the middle of the surgery, apparently not having been given enough anesthetic. After practicing for at least 16 months in Florida, Silvestre disappeared in May 1999.

After a rerun of the episode in 2003, Osterhout got a call from the Miami police, who had been tipped off that Silvestre was practicing medicine in Belize. Within two months, Silvestre had been located, teaching at a local Belize medical college. But since Silvestre was not a U.S. citizen, he could not be deported to Miami. Instead, he would have to go through the lengthy extradition process. Indeed, it took more than a year for the extradition paperwork to be assembled in the United States and formally sent to Belize. In the meantime, Hamilton kept loose tabs on Silvestre, hop-

ing he would stay put. "Our concern early on was that he was practicing medicine," says Osterhout. "But we can't do anything until the extradition request arrives." Sometimes, he adds, "The hard work is getting them out of here."

Finally, on Oct. 7, 2004, Grinage, the Belize policeman, staked out Silvestre's house all night long. When Silvestre walked out to the main street in his white medical coat to wait for his ride to work, police moved in and arrested him. "He was all red and trembling," says Grinage. Searching his home, they found evidence of a clinic downstairs, where he had apparently been seeing patients. At first, Silvestre pledged to fight the extradition. But after a short spell at Belize's squalid prison in Hattieville, he dropped his appeal and was sent home to Miami. "They go to Hattieville and decide it's not for them," says David Chi, a Belize police sergeant detailed to the embassy. "That's how we get rid of a lot of them." Silvestre's trial was scheduled to begin in late August.

Sometimes, the fugitives make it easy. Police in the popular tourist town of San Pedro, on Ambergris Caye, noticed Charles Mendenhall, who was wanted for attempted murder back in Florida, after he got into a dispute with a bar owner over his bill. Another American fugitive got arrested for allegedly burgling a bar. Paul Linney had been released and disappeared, however, before Osterhout learned he was wanted back in Texas for parole violations. It took several more weeks, but Osterhout located one of Linney's former girlfriends. She promptly agreed to call him with the story that she wanted to get back together with him. He suggested a reunion at a local restaurant, where police were waiting to arrest him again.

Victor Bradley, wanted in Oklahoma on charges of raping a mentally retarded woman, practically fell into Osterhout's lap. He showed up at the U.S. embassy to apply for a new passport. A suspicious consular officer pointed him out to Osterhout, who discovered he was a fugitive. (About the same time, Osterhout learned that Victor's brother, Crel, was also a fugitive in Belize, wanted for parole violations on a child molestation conviction.)

Osterhout set up a small sting operation. Instructing the consular official to have Victor return in three weeks to pick up his new passport, Osterhout worked quickly to obtain the necessary warrants to

deport them both. A few weeks later, Crel showed up at the embassy looking for his brother's passport, saying Victor was in Mexico. Consular officials showed him his brother's passport, but said Victor would have to pick it up himself. Victor showed up the next day, and was promptly arrested by the Belize police. It took another few weeks to track down Crel, who had moved deep into the jungle on a government surveying project. Both are currently awaiting trial in the United States.

### **"Semper Gumby"**

Informally, DS agents joke that their motto should be "Semper Gumby," combining the U.S. Marines' slogan with the name of the flexible green cartoon character. "There is no way to anticipate everything and have rules and regulations for it all," says Osterhout. He remembers a local coming into the embassy one day with a tip about stolen American luxury cars. The "walk-in" described how a business contact was purchasing a brand-new Cadillac Escalade from the United States, but only paying half the sticker price. "I had never worked stolen vehicles before," Osterhout says. "It's not a normal DS thing." But armed with the vehicle identification number and the car's color, he discovered that the car had been "cloned." In other words, thieves had altered the VIN number of a stolen car to match a legitimate one, masking the theft. The car was then whisked through Belize customs, thanks apparently to the buyer's political connections.

In the next months, another Escalade and two Hummer-2s came in with suspiciously low sale prices. Eventually, with the help of U.S. customs experts, Osterhout was able to convince the Belizeans to impound them and return some of the cars. In all, he has helped return some \$800,000 worth of stolen luxury cars to the United States. "We're getting these vehicles back, which is not the case in most Central American countries," says Osterhout, noting that there are suspicions that some of the stolen cars are tied to terrorist financing.

One day, Osterhout even got a tip about a parasail boat stolen from Florida. As it turned out, two men had sailed the boat to Cuba, where they ran out of gas and were picked up by police there. After somehow getting released, they sailed to Mexico and then south, until they hit Belize. By the time Osterhout found

them, they had lost their shirts and shoes. "They were actually happy to see me," he says.

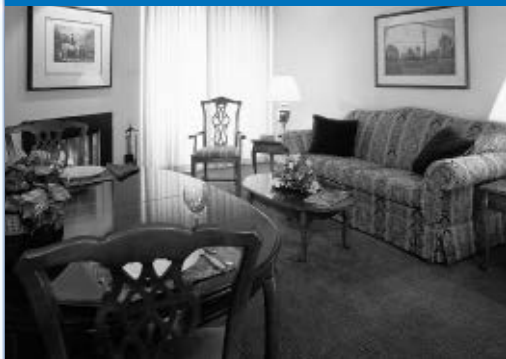
Probably the most gratifying cases to resolve for both Osterhout and the Belizeans are the pedophiles. "These guys are horrible," says Westby. One convicted child molester, named Frederick Schaefer, was arrested in Belize in 2003 on immigration charges. But by the time Osterhout learned of his criminal past, a local religious group had bailed him out. A year later, police began hearing new rumors about Schaefer allegedly hanging around with children and planning to start a day-care business. No U.S. authorities were pursuing any warrants for Schaefer, so Osterhout asked a DS colleague in Washington to find someone to take on the case. Officials in California agreed to do so, and Schaefer was ordered expelled on the same day his

***The Bureau of Diplomatic Security has traditionally been extremely press-shy.***

child-care business was set to open. Still, not all fugitives get caught. Belize's most famous fugitive is probably Joseph Ross, who once ran an aviation firm in Oklahoma. Ross was indicted for tax fraud in 1986 and eventually found his way to Belize. After procuring Belizean citizenship, he now runs a luxury jungle resort there. When Osterhout left Belize (to return to a job with DS headquarters back in Washington, D.C.), he had more than a dozen open cases, ranging from wanted murderers to child pornographers to an investment fraudster. But what sticks in his mind are the words of one fugitive he caught after a two-year chase. The man told him, "You guys have no idea how many other fugitives are here." Osterhout doesn't disagree: "We've always had the suspicion that there are more out there." ■

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# EMBASSY DESIGN: SECURITY VS. OPENNESS

**T** IS ARCHITECTURE IMPORTANT FOR DIPLOMACY? AN ARCHITECTURAL HISTORIAN DISCUSSES THE NEED TO BALANCE SAFETY AND ACCESSIBILITY.

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BY JANE C. LOEFFLER, PH.D.

The fearful stance assumed by isolated, walled compounds that represent the United States abroad is cause for concern. At a time when administration officials including Vice President Dick Cheney and Defense Secretary Donald Rumsfeld are touting the urgent need for better public diplomacy, the State Department is building embassies that do not reflect that agenda. In fact, the inaccessibility of these buildings, coupled with the new standardized design, may be harming efforts to portray America as an open society.

This is regrettable, but not hard to explain. First, while no one argues with the need for increased security, few dare to question the no-risk security imperative that is responsible for the faceless architecture and the competitive craving, evident even among government agencies here in Washington, for bollards and barriers that mark one facility as more strategically important than another. Intentionally or not, the process of securing certain buildings has the effect of making others more vulnerable, both here and abroad. The interconnectedness of individual security decisions is something that has not been adequately assessed.

Late in 2003, for example, having determined that

they could not penetrate America's brand new 26-acre hilltop consular compound in Istanbul (designed by Zimmer Gunsul Frasca in 1999 and completed in 2003), terrorists blew up the more accessible British consulate and a neighboring bank instead. In the aftermath of that incident, which claimed dozens of lives, including that of the British consul general, State Department officials felt vindicated in their decision to abandon the former U.S. consulate located near the British facility and move to the new hilltop compound. Yet according to British press reports, there was no immediate call in the U.K. to abandon existing facilities. As *The Times* reported, "British diplomats would be loath to retreat behind the high walls and suburban locations of their American counterparts." Touring the wreckage in Istanbul, British Foreign Secretary Jack Straw declared: "Everybody is now a target."

When viewed from that perspective, providing security is not a piece-by-piece process, but more of a sequential challenge. Once our offices are fortified, businesses and banks become targets, then hotels, or homes, or churches, or even schools. And if by circling our wagons we imperil our allies, then we are only relocating risk, and that is really no long-term solution to the threats we face.

The second reason why the State Department has been pushed into the corner it is now in is because the administration has assumed a unilateral stance and Congress has identified speed and cost as its top priorities. So State finds itself evaluating new embassy projects for their efficiency, not for what they may say about us as a country.

### **A Friendly and Forward-Looking Presence**

It was not long ago that the U.S. foreign building program was celebrated as an apt expression of American democracy. This was especially evident, for example, at the end of World War II in Germany, where the United States embarked on a large-scale postwar building program that featured information centers, libraries and an array of consulates across the country to maximize outreach to the German public. Instead of a single imposing structure designed to proclaim U.S. dominance, there were numerous inviting buildings whose mission was to “sell” democracy and to make America available and attractive to skeptics and former enemies. The architecture was modern, to emphasize a break with the past and embody the transparency embedded in our constitu-

*There were numerous inviting buildings whose mission was to “sell” democracy and to make America available and attractive to skeptics and former enemies.*

tional system of government. Congress eagerly funded the program to counter the Soviet information program (described by us as “propaganda”) and to provide visible alternatives to the traditionally designed Soviet facilities known as “Houses of Culture.”

By all accounts the postwar U.S. German program succeeded in its goals. It was but a part of a larger program that built chanceries in key capitals and consulates in many other important cities around the world and created a

high-profile U.S. presence recognized at the time as friendly and forward-looking. In fact, architects who designed those buildings were specifically instructed by the State Department’s Office of Foreign Buildings Operations to devise designs that showed mutual respect and created goodwill for the United States. Indian Prime Minister Nehru was one who complimented the new embassy in New Delhi (designed by Edward Durell Stone and completed in 1959) for those very achievements at a time when his praise had diplomatic significance.

The heyday of the building program coincided with the height of the Cold War, when the United States wanted to amplify its foreign presence to check Soviet expansion. The department’s Office of Foreign Buildings Operations built dozens of new embassies with spaces and programs that reflected the idealistic mood of that era. Prominent and soon-to-be-prominent architects won prized commissions from FBO and created signature structures that won them professional acclaim. Although FBO managed a portfolio of remarkable landmark buildings of great historical significance, it was easy to overlook the architecture from here because the sites were so distant and unfamiliar, there was so little public awareness of the mission of the Foreign Service and so little understanding of diplomatic practice.

Funding for the program was unpredictable after postwar debts and counterpart funds that originally financed it disappeared. When Congress was asked in the early 1960s to pick up the whole tab for the program, members began to bicker over mundane matters and ignored pressing needs. Projects were suspended or

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*Jane C. Loeffler, Ph.D., is an architectural historian who has written extensively on issues related to the security and design of U.S. embassies. Her book, The Architecture of Diplomacy: Building America’s Embassies (1998) is a history of the U.S. foreign building program. For the book and her contributions to international affairs, the U.S. Department of State awarded her its Distinguished Public Service Award in 1998.*

*Loeffler is a consultant to the Office of the Historian at the State Department and a visiting associate professor at the University of Maryland, College Park. A contributing author to Building Diplomacy (2004) and Embassy Residences in Washington, D.C. (2003), she writes articles on public buildings and public policy. She also serves on the Architect of the Capitol’s expert advisory panel reviewing the new proposed master plan for the U.S. Capitol complex.*



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scrapped, funding levels fell and domestic political ambitions became co-mingled with long-term foreign needs to the detriment of the overall program.

Congressman Wayne Hays, D-Ohio, for one, had no confidence in the future of post-colonial Africa, and he translated his own doubts into funding stops that partially explain why Africa received so little attention during the many years in which he held sway over State Department authorizations. He also held up the Dublin chancery project (designed by John Johansen in 1957 but not completed until 1964), ostensibly over objections to the drum-like design that he compared to a “flying saucer.” Intended as a modern version of a Celtic tower, it featured large expanses of floor-to-ceiling glass (and a dry moat). When President Kennedy personally intervened, Hays quickly withdrew his objections and the project moved ahead — but five years behind schedule.

### **Toward A Profound Makeover**

As U.S. involvement in Vietnam escalated, security became a greater concern at posts abroad, and designs had to meet revised specifications — eliminating, for example, popular features including stilts, glass walls and the sunscreens that had sometimes permitted intruders to scale building facades. The embassy in Nairobi (built in 1971) was one of the plain, unobtrusive and supposedly less vulnerable products of that era.

Since the 1980s and 1990s, when terrorist attacks on U.S. facilities proliferated, America’s foreign presence has been undergoing a profound makeover. The agenda for that makeover was initially outlined in the Inman Report (1985), compiled in the aftermath of suicide bombings of U.S. facilities in Beirut. That report called for a seven-year plan to replace 126 posts (out of 262) with walled compounds, and it proposed stringent new security standards, minimums for setbacks, maximums for windows and other rules that constrained architectural choice. The Crowe Report (1999) reiterated the largely unheeded Inman recommendations 14 years later, after even more devastating terrorist attacks on U.S. embassies in Nairobi and Dar es Salaam, neither of which

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met Inman standards.

The Crowe accountability reports stressed that safety had to outweigh considerations of convenience, history or symbolism. In a 1999 interview, Admiral William J. Crowe, former chairman of the Joint Chiefs of Staff and also former U.S. ambassador in London, described how he supervised an emergency drill in which more than 700 embassy employees evacuated the London chancery and assembled quickly

in the middle of Grosvenor Square, only to realize “how stupid that was.” No building can be totally secure, he noted, certainly no building in the middle of London; but he urged the State Department to enact stringent new security rules and military-style drills to better protect its personnel.

Why didn’t the State Department implement more of the Inman recommendations during those 14 years? First, and foremost, because Beirut faded quickly from memory and Congress reneged on promised funds, even cutting State Department appropriations. In addition, even at the highest levels of the department, officials were ambivalent about applying universal standards to buildings everywhere, and reluctant to abandon landmark buildings and center-city locations. These officials recognized the added value that good design can bring to diplomacy.

Adding to the impact of the two critical accountability reports, the Overseas Presence Advisory Panel — established by Secretary of State Madeleine Albright as part of the effort to re-examine the role of U.S. missions abroad in the aftermath of the Africa embassy bombings — issued a scathing overview of conditions at U.S. posts in 1999. OPAP panelists called for a reduced U.S. presence and questioned the State Department’s capacity to handle the enormous task of upgrading or replacing its embassies and managing its vast real estate holdings. Instead of calling on Congress to commit funds to needed programs, it recommended abolishing the FBO and urged the president to create a federally chartered government corporation to replace it. The State Department was not interested in that sort of makeover, however.

**The New OBO:  
A Radical Shift**

Desperate to rebuild confidence in its operations, and stung by criticism from many directions, Secretary of State Colin Powell named a former military man, retired Major General Charles Williams, to head FBO in 2001. Powell also approved a change in the name of the office to Overseas Buildings Operations and elevated its status within the department, effectively abolishing the former office. It was a signal to Congress that an entirely new agenda and a new way of doing business had been adopted.

As part of his reorganization of the office, Williams adopted a business model, turned to design-build production, and created an Industry Advisory Panel that mostly represents the corporate side of the construction industry. In doing so, he marginalized the existing Architectural Advisory Board, created in 1954 to provide outside expert advice — in an era when modern architecture, not terrorism, was provoking concern. Also, with 89 percent of all primary facilities failing to meet the 100-foot setback requirement, only two of the 25 replacement projects funded after the 1998 bombings completed, a total of 160 replacement facilities to build, and an estimated budget requirement of \$16 billion, Williams turned to the URS Corporation for a standard embassy design. Based on the recent RTKL Associates' scheme for Kampala, the SED prototype comes in three sizes (small, medium and large), all consisting of two parallel building blocks separated by an atrium. With a core preapproved for security, new projects have a 24-month timetable, start to finish. (You can see photos and drawings of these projects at <http://www.state.gov/obo/>.)

This is a radical shift from the earlier production process in which individual architects submitted original designs for each locale, FBO reviewed them, granted approvals, sent jobs out to bid, hired contractors and built them. Every job was custom-tailored. World events and other factors combined to produce a process in which projects took from two to more than 10 years to complete.

Now architects and engineers join large international general contractors as part of design-build teams, and

***The Standard Embassy  
Design prototype comes in  
three sizes (S, M, L),  
all consisting of two parallel  
building blocks separated  
by an atrium.***

work under such time pressure that contractors are often pouring foundations while architects are still completing working drawings. HOK Architects and J.A. Jones Construction are producing SEDs in Tashkent and Tbilisi, for example. And INTEGRUS Architecture and Caddell Construction have SEDs in production in Conakry, Bamako and Freetown — all varying in size, but based on the “medium” model. For these projects,

costs are fixed once a bid is accepted. The timetable is pre-set. If expenses rise during the construction phase, it is up to builders to find ways to reduce total costs.

This puts the squeeze on the architects, who can see their input compromised or eliminated in the process. It also means that features designed to improve the workplace environment are often eliminated. According to Jerry Winkler, designer for INTEGRUS, architects can still add distinction to such projects through site planning, landscape treatment, choice of cladding materials, and façade organization, including window spacing and size, but, he notes, “The people who are paying the bills are driving the process.” Winkler’s point is significant because it suggests rightfully that the client for embassy construction is not OBO, not even the State Department, but members of Congress who authorize and appropriate the money, and by extension those of us who elect them.

What Congress likes about Williams and his new program others find troubling. Some sort of standardization makes sense in a program devoted to a single building type, and it makes sense, too, to hire contractors with experience, but what many object to is the notion of “a cookie-cutter embassy” that is symbolized by a logo and sells sameness much like Marriott or McDonald’s. If, as one aide to the House International Relations Committee puts it, Congress’ only concern is “to keep embassies from being blown up,” it is unlikely that anyone will prod OBO to make “design excellence” a higher priority.

**Why Is Design Important?**

Why does design excellence matter? It matters because as the study of architectural history shows, our buildings say a lot about us, and in the arena of international affairs, what we say about ourselves does matter. As

the *Report of the Advisory Group on Public Diplomacy for the Arab and Muslim World* (2003) notes, “public diplomacy helped win the Cold War, and it has the potential to help win the war on terror.” The advisory group, chaired by former U.S. ambassador and Assistant Secretary of State for Near Eastern Affairs Edward P. Djerejian, strongly recommends “a new balance between security and engagement, one that prevents U.S. embassies and other facilities from appearing to be ‘crusader castles,’ distant from the local population.” On the same theme, in *Call for Action on Public Diplomacy* (2005), the nonpartisan Public Diplomacy Council outlined a broad program of exchange programs, language training programs and cultural and media programs as essential to the “security and well-being” of the United States. Even the Defense Department has recognized the urgency of the situation with its recent announcement of a \$300-million information program.

It certainly is not easy to operate effective cultural programs out of embassies that look like citadels. As Ambassador Djerejian points out in his report, given the current inaccessibility of embassies and consulates, it will only be possible to reach out to the public through newly established libraries, cultural “corners,” American Studies centers. He proposes the Palazzo Corpi, formerly the U.S. consulate in Istanbul and a building whose future has been the subject of intense debate within the department in recent years, as a prototype for such a center. Sharing that historic building with the Turkish people, he says, and allowing it to be used as a meeting place would be a good first step in building better U.S.-Muslim relations.

It was not long ago that we were dismantling the libraries in U.S. embassies and declaring them unnecessary in the age of the Internet. But while unimaginable amounts of information are now available to those who can access the Web, and the State Department can rely on its Web site to handle many questions and even conduct business that once required personal attention, it is still hard to imagine a world in which place has no meaning. So it seems that it is time to step back and take a long look at the importance of “being there.”

If he were here today, Daniel Patrick Moynihan would second that suggestion. Even before he served as U.S. ambassador to India in the early 1970s, Senator Moynihan, D-N.Y., was a staunch advocate of openness and quality architecture as symbols of America’s

democracy and its commitment to individuality. “Architecture is inescapably a political art, and it reports faithfully for ages to come what the political values of a particular age were,” he declared at a symposium sponsored by the State Department and the General Services Administration in 1999. “Surely ours must be openness and fearlessness in the face of those who hide in the darkness,” Moynihan said. “Precaution, yes. Sequester, no.” Risk was something Moynihan was willing to take on behalf of the ideals that he believed in.

Supreme Court Justice Stephen G. Breyer also spoke at that symposium. He was invited to speak because, as Chief Judge of the U.S. Court of Appeals in Boston, Breyer headed the effort to bring judges, architects, engineers, planners, politicians and members of the general public together as a team to insure best results for Boston’s new award-winning federal courthouse (Pei Cobb Freed & Partners, 1998). From that effort, Breyer learned first-hand the importance (and difficulty) of striking a sensible balance between security and openness.

### **Balancing Security and Openness**

In a recent interview, Justice Breyer elaborated on those earlier remarks. “People in any government agency who are in positions of authority,” he said, “have to understand that the issue of security and the issue of openness are both important and they sometimes argue in opposite directions.” It is simply too tempting, he continued, for officials to turn matters over to security experts. Those experts will always err on the side of security, he noted, because that is their job. It is those in authority who need to “understand the importance of openness, to understand that it makes an enormous difference both symbolically and practically if a public building is welcoming to the public or if it shuts itself off in a fortress.” For that reason, he emphasized, officials have to become informed enough to make intelligent decisions that require balance. They should argue in favor of security “only if they are convinced that the need for security is great enough to warrant a departure from openness.” If they err, he said, they should be prepared to err on the side of openness.

According to Breyer, decision-makers in a democracy need perspective and they need courage. “You have to be brave enough to turn them [the security experts] down,” he said, “and if we are not brave enough to say ‘no’ when

it really doesn't make much sense, then what we'll end up with is buildings that look like our embassy in Chile, which is my example of something that is just horrible." That structure, designed in 1987 to meet the Inman standards, features nearly windowless brick walls, and is surrounded by a nine-foot wall (and a moat). "It looks like a fortress," Justice Breyer says. "People in Santiago laugh at it."

Money won't solve the security problems either, Breyer cautions. The issues are larger than that and involve a different sort of cost/benefit analysis. "There's no magic formula," he says, but when you have a public building, particularly a building that serves a diplomatic purpose, it is crucial for decision-makers to recognize "that there are competing

***"Architecture is inescapably a political art, and it reports faithfully for ages to come what the political values of a particular age were."***

— **Senator Daniel Patrick Moynihan, 1999**

values at stake" and take those values into account in making decisions about security and design. Some architects equate openness with literal transparency, and argue that dramatically modern glass and steel architecture is the only proper metaphor for democracy, but Breyer points out that openness need not rely on glass. The Supreme Court is open, he notes, with its public plaza, its accessible hallways and its open courtroom — a place Americans can and should visit to learn about

the legal system. Like other major public buildings, he says, the Supreme Court must remain open despite the challenges that may pose.

When Sen. Moynihan addressed these issues in 1999, he called for an ongoing "conversation" on how

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to balance security and openness at home and abroad. If that conversation has occurred at all, it has excluded many who can provide useful input. Nor has it yet addressed the big questions, such as how the makeover of the U.S. presence supports or undermines a long-term goal to expand public diplomacy — a key weapon in a war of ideas. At a time when too many are willing to cede decision-making to outside experts, when architects and landscape architects, who know how to design security that is less intrusive and possibly more effective, are being excluded from the planning process, it is increasingly important, as Justice Breyer says, to prevent the security mandate from turning our public buildings into bastions.

### Cause for Concern

The obvious comparison between new U.S. embassy compounds and high-security prisons is cause for concern. If the State Department had implemented the Inman recommendations fully, it would have also aban-

doned landmarks such as the London embassy, which lacks the specified 100-foot setback. Fortunately, that has not occurred. Unfortunately, however, the militarization of the embassy perimeter is sadly compromising historic Grosvenor Square, the working home of America's diplomats in London since the late-18th century. This, too, is cause for concern.

It was once possible to dismiss embassy architecture as too far away to care about, but the world is smaller now — no place is far away with CNN — and history has shown that what happens to our foreign buildings also points to what happens to public buildings here at home. It is time to widen the openness/security conversation. Propaganda is a one-way conversation, but public diplomacy, American-style, has to be a *two-way* conversation.

If good architecture has the power to lift spirits and symbolize ideals, then it is time to recognize architecture once again as a tool of public diplomacy and make the most of it. As any politician can tell you, "being there" and "looking good" will always matter. ■



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# CYBER SECURITY AT STATE: THE STAKES GET HIGHER

**C**OVER THE PAST FIVE YEARS STATE HAS GREATLY EXPANDED ITS IT NETWORKS. JUST HOW SECURE ARE THE DATA FILLING UP ITS NEW COMPUTERS?

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*By JOE JOHNSON*

Cyber security is another form of preparedness, and one that now underlies all other types of protection. Like defending embassies or people, diplomatic cyber security begins with identifying the real threat.

The Department of State insures its computers and communications against everything imaginable. It anticipates physical attack or natural disasters by maintaining dual network centers in different locations. Contingency plans pre-position computers and phones for core offices to relocate and continue if Foggy Bottom itself is threatened. But the more common threats from day to day are hackers and malicious programs. And State's information networks become a fatter target every year.

The department spends an estimated \$1 billion per year on information technology, having deployed networks and applications to unify its employees spread over more than 250 locations around the world. The information residing on its networks includes not only national secrets, but also Social Security numbers, bank routing numbers and sensitive health and law enforcement information on its employees. The personal information in the State network on Americans carry-

ing passports and foreigners seeking or holding visas has ballooned since the 9/11 attacks.

How secure is all this data that is filling up State's new computers?

## **A Constant and Active Battle**

Integrity, availability and confidentiality are the key values of cyber security. It is not only about preserving proprietary or secret information, but also about keeping the system up and running to make the information available on demand.

Every employee who logs into a State Department computer enters a network linking up to thousands of other machines, all connected through secure channels. Over the past five years, the department has greatly expanded both its OpenNet and Classified Networks; each year, more than 43,000 employees access OpenNet, and thousands also log into ClassNet, now found at nearly all embassies abroad. At Secretary Colin Powell's direction, the department allowed access to the Internet on its unclassified system, offering expanded information resources and capabilities to all employees.

However, along with the obvious benefits, the

Internet also opens the door to increasing threats to the system itself — to the confidentiality of employee files and other records kept on the system, to the integrity of the data, and to the availability of the network.

Mary Stone Holland, director of computer security for the Diplomatic Security Bureau, sums it up: “The department has to worry about the enterprise [and] the network, and that requires certain controls.”

Holland directs some 135 staffers who manage incoming threats, some working around the clock. A Computer Incident Response Team responds to intrusions, while a Cyber Threat Analysis Cell conducts liaison with other federal agencies. Diplomatic Security experts participate in the department’s 24/7 Network Management Center located in Beltsville, Md. Policy experts, technicians who test new applications in a lab environment, and 14 regional computer security officers also fall under Diplomatic Security. Her staff also includes the Computer Awareness Team, which provides a variety of training and promotional activities to make employees aware of the need for precaution on government computers. Holland declined to provide a cost figure for the effort.

While Diplomatic Security takes the lead in cybersecurity operations, the Information Resource Management Bureau, as overall steward of the computing and communications infrastructure, holds responsibility for assessing and managing risk. Chief Information Officer Jay Anania states: “The kinds of things you see in the newspapers are not theoretical threats. They are happening on our network every day.” State’s network firewall rejects an average of over 150,000 viruses and over 400,000 spam messages per week.

DS and Information Resource Management Bureau staff together declared June “Cyber Security Awareness Month.” They sponsored activities such as a demonstra-

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*Joe Johnson recently retired from the Foreign Service after heading the State Department’s Office of eDiplomacy. He now works for the Computer Sciences Corporation as a part-time consultant.*

***Cyber security is not only about preserving proprietary or secret information, but also about keeping the system up and running to make the information available on demand.***

tion of hacking and released information about how employees can help counteract such threats. The joint awareness team cited 644 security problems encountered during the first 157 days of 2005.

Actions by computer users can open the networks to vulnerabilities that result in damage, usually inadvertently. Security staff found a total of 265 infractions from January through May, breaking them down into five types:

1) allowing unauthorized software on department computers; 2) connecting unauthorized hardware, such as a laptop, to the network; 3) configuring a computer in a different fashion from department guidelines; 4) connecting directly to a machine that lies outside the network, bypassing firewalls (guard computers) and other network protections; and 5) visiting pornographic Web sites.

The introduction of unauthorized software was the most common problem, encountered 180 times. Downloading games from the Internet, or software for video conferencing or chats, can create problems beyond the individual computer. It opens other network users to vulnerabilities. In 2003, a contract employee connected a laptop to OpenNet to check e-mail. The infected laptop introduced a worm into the system, eventually infecting computers in the European and Eurasian Affairs Bureau and forcing that entire bureau to be taken offline. State dismissed the employee from its contract staff for that action.

Diplomatic Security is now developing a program that will penalize employee electronic infractions, just as it leaves “pink slips” where agents find classified paper documents in the open overnight.

### **Security Increasingly Driven by E-Government**

The president’s “Management Agenda,” announced in the summer of 2001, stresses the use of information technology — termed E-Government — and cyber security is a major focus of attention. The E-Government approach standardizes and consolidates IT systems and programs behind common “best prac-

tices.” The Office of Management and Budget holds agencies to account for their technology programs’ information assurance by forcing them to certify and accredit major systems one by one. The Federal Information Security Management Act requires all agencies to re-evaluate and test information security policies, procedures and practices at least once a year.

Last year, State met a rigorous OMB deadline for certification and accreditation of its major IT programs. State’s cyber security effort continues at a reduced level, updating system inspections and accrediting new programs.

At State, oversight of all cyber-security activities including certification and accreditation falls to the Chief Information Security Officer, who works from the Information Resource Management Bureau. Jane Norris, who holds that post, reports to the chief information officer on how to manage risk. “We set performance measures, and then go back and evaluate and report findings,” she explains. She says that her oversight role “sets

up an interesting dynamic” with colleagues in Diplomatic Security, who take the operational lead.

For the initial round of certification and accreditation, Norris commanded a team of 155 — many detailed from Diplomatic Security — to review all State Department computer systems. The OMB-mandated exercise took place from May 2003 to September 2004, and cost about half of the \$62 million that OMB had estimated. A smaller staff of about 80 supports the ongoing activity.

Standards climb every year. Among Norris’ new challenges are the tasks of compiling a single inventory of State’s IT assets and improving contingency plans through testing.

Is all this documentation excessive? “It can be construed as a paperwork exercise,” Norris concedes, adding that some agencies may meet OMB requirements while whitewashing vulnerabilities. She asserts that the Office of the Inspector General issued an independent assessment of State systems that lent extra

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Last February, Rep. Tom Davis, R-Va., issued an annual report card on federal agencies' cyber-security practices, raising the State Department's mark from an F to a D+. Davis remarked that the agency nearly garnered a C rating. Norris said the score does not reflect recent progress, and she expects a higher rating next year.

In the future, cyber security may see increasing consolidation at the federal level. In the spring of 2005, OMB kicked off the Information Technology Security Line of Business task force. This task force is working to identify problems and propose solutions to strengthen the ability of all agencies to foresee and manage information security risks, and to implement improved, consistent and measurable information security processes and controls across government. In addition, the task force seeks opportunities for savings or cost-avoidance through reduced duplication and economies of scale.

### **Extra-Agency Communications Pose Extra Security Challenge**

"We're part of a big network," Secretary Rice noted when asked about cyber security at an employee Town Hall meeting June 3. "And the irony is that the more open the architecture, the more you are susceptible to the kinds of problems that you are talking about," she added.

From the country teams in embassies to a huge community of domestic government workers involved in foreign affairs, State conducts business with other agencies daily and around the clock. As a member of the intelligence community, the department is involved in the national effort to share information more effectively in the global war on terrorism. Employees who work with other agencies know that efficient and safe connectivity is often lacking. Government-controlled lines link some agencies, but not in a comprehensive fashion. As a result, a lot of message traffic travels over public communication lines, including the Internet.

Glen Johnson, who directs the Office of Verification Operations in the Bureau of Verification and Compli-

***"The kinds of things you see  
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**— Chief Information Officer  
Jay Anania**

ance, is one of the leading IT sector managers in the department. He follows standards set by DS and IRM. Johnson says that his greatest challenge is not protecting his bureau's internal systems, where highly classified national security information resides, but securing transactions on the Web. He faced that challenge when he was named director of the Iraq Transition Management Staff, which replaced the Coalition Provisional Authority with a U.S.

embassy to Baghdad one year ago.

The major players, State and Defense, each had an elaborate plan for the transition, covering every aspect from construction to medical services to staffing requirements. State's plan was 100 pages; Defense's weighed in at 600. Both documents were Sensitive but Unclassified.

To harmonize the plans and to coordinate the transition operations, Johnson enabled the main players from State and Defense to communicate electronically through collaboration software purchased from Groove Networks. Using Groove, the department set up a protected virtual work space that project personnel could access over the Internet to send each other e-mail and documents, and to mark up each other's drafts. Because technical problems prevented the National Security Council and USAID from participating, they received the important documents in hard copy.

But Groove is no cyber-security silver bullet. To be used generally, the program would have to be installed individually on each network computer, and the usage fee is high.

### **Trade-offs Between Security and Usability**

Many businesses and government agencies allow employees access to their corporate data from outside the office with a password, but State does not. Because State's unclassified network carries material labeled SBU, containing, for example, personal financial and medical information, current regulations require multiple layers of security — requirements that exceed those of most institutions and that have defeated attempts to provide remote access to large numbers of employees.

A questioner at Secretary Rice's June Town Hall

meeting complained about this. "Many of us travel constantly on government business, negotiating all over the world, and we're forced to establish Yahoo and Hotmail accounts to perform our business from overseas."

In fact, when State's eDiplomacy Office, which advocates the technology needs of the workforce, asked employees in 2003 what they wanted from IT services, their No. 1 request was to access unclassified information from home or on the road.

That capability would also support more telecommuting. Rep. Frank R. Wolf, R-Va., inserted a provision in the 2006 appropriations bill to penalize agencies that fail to make telecommuting more widely available. Last April, the Government Accountability Office told the House Government Reform Committee that telecommuting should be seen as "an important and viable option" to help ensure continuity of agency operations.

Telecommuters need to enter the unclassified network from computers outside the network, and Wolf's pressure forced State to rethink its stringent rules for access.

Two of the basic ways to protect a network from unauthorized intruders are to encrypt the data — wrapping it in code — and to require every person attempting to access the data to verify his or her authenticity. Glen Johnson explains three basic means to verify access: 1) what you know (a password); 2) what you have (a token); and, 3) what you are (biometric means like fingerprints or iris scans). Passwords can be stolen easily, whether by observing someone while they log on or by installing a "key logging" program that records what they type in.

The department chose to enable remote access for telecommuters by giving them a token as a second means to prove their identity: a small random-number generator that would give the employee a new, unique access code at each remote log-on. A less expensive and simpler option, providing access to e-mail with an extra password, was not favored for a variety of reasons including internal regulations governing the transmission of SBU information.

The pilot program, dubbed ONE (for OpenNet Everywhere), has completed tests by about 100 employees, and will offer remote access to most functions of the unclassified network to somewhat more than a thousand participants by the end of September. In addition to teleworkers, State personnel on detail to other agencies and others with special needs, like frequent travelers,

will be eligible for ONE. Bureaus will pay a fee to IRM for the service.

In addition, CIO Anania says that use of BlackBerry devices, which can receive and send e-mail in wireless fashion, will be allowed more generally on OpenNet. That follows a year of testing with a few groups of Washington personnel. BlackBerries, commonly used in corporate settings and other government agencies, comply with federal cyber-security standards but are too costly to operate for widespread deployment.

### **Foot-Dragging**

Improvements like ONE and allowing BlackBerries are coming somewhat late to the State Department, and they will not provide remote e-mail access to all employees. Jerry Gallucci, who directed the Office of eDiplomacy until June 30, said that foot-dragging on the part of cyber-security personnel prevented the department from making progress toward easier remote access. For example, over the past seven months, department offices reviewed the regulation that prohibits sending SBU information over the Internet. Gallucci said working-level IRM cyber-security experts acted to sidetrack any revision rather than find a way to meet what he judges to be a requirement. "They're not in that business yet," he says.

According to Gallucci, the assertion of "security concerns" has often been used to provide cover for career technical and information security personnel who are unfamiliar and uncomfortable with the newer technologies already in widespread use in the private sector and elsewhere in government. "They fear what they don't understand," says Gallucci, and so they block efforts to achieve essential capabilities such as remote access to unclassified e-mail.

However, it is also true that the more liberal private-sector cyber-security practices have permitted highly publicized leaks of customers' personal data over the past several months. In June, CardSystems Solutions, a third-party processor in Tucson, Ariz., that handles payments on behalf of several credit card companies, announced that hackers stole information for as many as 40 million cards. That security breach was the largest in a series of incidents in which online confidential information was exposed.

Are State Department employees' personnel files safer than their credit-card records? Yes, according to Norris, partly because of measures such as State's insis-

tence on requiring a token in addition to passwords. “Defense in depth” includes those physical controls as well as management and procedural controls like good background checks for employees.

### **The Stakes Grow Higher**

The debate over access versus security will continue. And new problems will no doubt emerge, surely including some that we cannot anticipate.

In the late 1990s, governments and private companies spent millions to mitigate problems arising from computer programs developed without calendar settings for 2000. Experts anticipated the obsolete code could produce failures throughout the nation’s infrastructure in airports, dams and public services. The nation held its breath as the clock passed 12 a.m. on Dec. 31, 1999. And then the control centers slowly relaxed as the core systems kept

***Diplomatic Security is  
now developing a program  
that will penalize  
employee electronic  
infractions.***

humming along.

The Y2K phenomenon was the disaster that did not occur, thanks perhaps to elaborate planning and precautions by legions of computer experts. But on May 4, 2000, the “I Love You” computer virus infected 60 million computers, causing an estimated \$13 billion in economic damage and losses. Viruses and worms became routine on the

Internet as hackers penetrated both commercial and government systems.

New challenges for cyber security emerge constantly as mobile computing, wireless connectivity and new devices from cell phones to smart appliances go on the Web. No one seems to be talking about any single Next Big Threat — at least not in the news media. But at the State Department, as elsewhere, the stakes grow larger every year. ■

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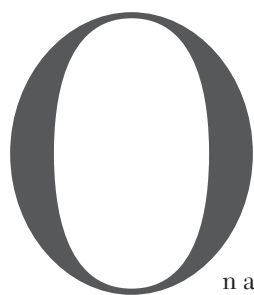
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# SECURITY CLEARANCES: KNOW YOUR RIGHTS



YOU ARE ENTITLED TO HAVE AN AFSA REPRESENTATIVE AND ATTORNEY PRESENT DURING QUESTIONING.

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*By J. MICHAEL HANNON*

On a quiet Friday morning, you receive a telephone call from your supervisor instructing you to report to the small embassy conference room downstairs. Your post doesn't get many visitors, so you're surprised to find two serious-looking people in business attire already in the room when you arrive. Placing their credentials on the table, they explain that they're special agents with the State Department's Bureau of Diplomatic Security who have come all the way from Washington, D.C., to talk with you.

At first they are rather vague about the purpose of their visit, saying they just want to ask you a few things. The questions are indirect, even friendly, at first, but it soon becomes clear that the interview has been scripted ahead of time — and you are the only participant who does not know what is going on. When you press the agents, they eventually tell you that the department has received “derogatory information” that raises doubts as to your suitability for a security clearance. But they refuse to describe the specific allegations, much less their source.

You protest that the charges are absurd, but they press you to answer their questions anyway, suggesting

that cooperation will clear the matter up quickly. The agents are then supposed to present you with one of two written “warnings”: either a Garrity Warning or a Kalkines Warning, both named after court cases. The Garrity Warning is intended to preserve the government's ability to use your answers against you in any criminal proceeding. You are told that the interview is completely voluntary, and if you choose not to answer you cannot be disciplined for that refusal. This does not necessarily mean that there is an interest in prosecuting you.

The Kalkines Warning is given when the government has chosen to forgo any criminal prosecution against you ahead of time. In that case, you will be compelled to answer questions at the risk of losing your job, but your answers may not be used against you in any criminal prosecution. This does not mean, however, that there will not be a criminal prosecution. The use of that warning simply means that the government is not planning a criminal prosecution *at that moment*.

Whichever warning the agents give you, be aware that they may attempt to minimize its seriousness to induce you to volunteer information.

If you are already confused at this point, you are not

alone. In fact, many State Department investigators apparently share your confusion, particularly those in the Inspector General's Office. In our legal practice representing Foreign Service personnel in such situations, we have found that agents sometimes give either no warning or the wrong warnings. (Complicating matters further, there are a multiplicity of warning forms floating around among different government agencies.) But even if the agents follow the proper procedures in all respects, there is one key piece of information they are not required to volunteer: the fact that you have the right to have an AFSA representative and/or attorney present during the questioning.

Even if the agents do choose to advise you of that right in this particular scenario, they may also note that it will take time and effort to arrange that, delaying a resolution of your case.

You want to believe the agents; after all, you have nothing to hide, and you are sure the "derogatory information" is silly on its face. So you go ahead and answer their questions, watching as they take copious notes about what you tell them.

If you're lucky, the agents thank you, file a report indicating that there is no truth to the allegations, and that's the end of the matter. But it may also happen that they tell you your clearance has already been suspended pending a full investigation, and you are being recalled to the department. The agents will then give you a written notice of suspension, but typically that is as cryptic as the verbal information they had provided.

The Bureau of Diplomatic Security is also authorized to refer your case to the Department of Justice or to a United States Attorney's Office for consideration of criminal prosecution. The criminal jurisdiction of United States courts reaches overseas, as the United States may prosecute in this country any conduct which has an effect on commerce between the United States and any foreign country, a standard which is broadly construed.

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*J. Michael Hannon is with the law firm of THOMPSON O'DONNELL, LLP. The firm has represented Foreign Service employees and their families for over 50 years.*

***State is permitted to  
continue suspension of an  
individual's clearance  
"until the relevant issues  
have been fully resolved."***

Once DS refers a case for criminal prosecution, the department takes the position that the matter is out of its hands, leaving you to await the exercise of discretion by the prosecutor's office and/or a grand jury. And the only time restriction imposed on these bodies is the statute of limitations for the particular crimes you are being indicted for. But for purposes of this article, let's assume they do not refer your case.

### **Minimal Due Process Only**

Upon arrival in Washington, you surrender your badge and diplomatic passport and are given a new badge. You can get around the building, but you cannot access classified information or escort guests, and you must leave the premises by 7 p.m. Ideally, you are reassigned to a temporary position in which you can earn your pay doing something that does not require a security clearance. But that does not always happen, so you might spend weeks or months sitting at home with nothing to do, receiving your salary and wondering what will happen next.

The answer to that may surprise you.

Under State Department regulations and established law, the Bureau of Diplomatic Security has the sole authority to determine whether your security clearance should be suspended on the basis of "all facts available upon receipt of the initial derogatory information." The standard to be applied is to determine whether it is "in the interests of national security" to continue your security status or to suspend it.

The regulations further provide that DS investigations must be "reported in a timely manner" and issues requiring temporary suspension of clearance must be resolved "as quickly as possible (normally within 90 days)." The department is, however, permitted to continue suspension of an individual's clearance "until the relevant issues have been fully resolved."

If that seems open-ended, it is. Today, given the security issues facing the department, the resources available to pursue these investigations are sorely taxed. Our law firm has Foreign Service clients who have been drawing their salaries while on suspension for well over 180 days. And AFSA has clients who have

had their clearances suspended for more than two years.

In the absence of a criminal referral or a decision by the prosecutor's office not to accept the case, DS completes the investigation in its own time. If it determines an employee's continued security clearance is "not clearly consistent with the interest of the national security," DS prepares and submits a recommendation for revocation or suspension of clearance eligibility to the Director of the Diplomatic Security Bureau for approval.

At this point, the employee is allowed to ask for documents in order to prepare a rebuttal to the proposal to revoke the security clearance. He or she is also informed of the right to representation, and provided with the entire investigatory file "as permitted by national security and other applicable law."

More likely than not, these documents will not include the identity of the source of the "derogatory information." It is also unlikely that the witnesses relied upon by DS will even be identified in the investigatory file. There are no rules of evidence that pertain to a DS investigation or restrain its conclusions.

The government has the initial burden of proving — "based on substantial evidence" (as opposed to the familiar "beyond a reasonable doubt" standard) — that it is not in the national interest to continue the employee's security clearance. This is often a minimal standard, because there need only be a "rational basis" for State Department action, due to the level of trust required for access to classified information. Once the government meets its burden, it is then the responsibility of the employee to refute or rebut the government's case.

The limited nature of this process is deemed by the courts to satisfy due process concerns because a security clearance is not a species of property that the Constitution protects with full-blown trial procedures. In other words, because an employee does not "own" a security clearance, it can be revoked without a trial. The employee is only entitled to "minimal due process," which includes notice and an opportunity to respond.

Pursuant to Executive Order 12968 (issued Aug. 4, 1995), once the head of DS approves the revocation of a

***Once DS moves to revoke a security clearance, the employee is only entitled to "minimal due process," which includes notice and an opportunity to respond.***

security clearance, the employee must be provided with a written explanation of the grounds for the revocation. However, that document need only be as detailed as national security interests permit. State Department regulations also require that the letter advise the affected employee of any recourse available and the procedure for requesting access to his or her investigative file.

### **The Appeals Process**

The employee is provided a reasonable opportunity (normally 30 days) to reply in writing and to appeal to a three-person management-level panel known as the Security Appeal Panel for review of the security determination. The Under Secretary for Management chairs the panel; the other two members are the Director General of the Foreign Service and the Assistant Secretary for Administration. Personal appearance is permitted before the panel, but direct and cross-examination of witnesses is not permitted. The appeal panel renders the final departmental decision concerning the employee's security clearance with a recommendation to reinstate or revoke clearance, which ultimately determines the individual's employability by State.

If the panel upholds the bureau's decision to revoke the security clearance, the employee will likely be proposed for separation for cause, because the department's position is that all Foreign Service employees must maintain a security clearance as a condition of employment. The employee is entitled to a hearing before the Foreign Service Grievance Board, but the board may not review the merits of the underlying security revocation. The board's review is limited to whether the procedural requirements for revocation of a clearance have been met and whether separation of the employee serves the "efficiency" of the Service.

Federal courts do not have the subject matter jurisdiction to review an agency's national security clearance decision. This restriction is rarely overcome. Employees have attempted to sue the State Department, arguing that the security clearance revocation was retaliatory. Even then, however, courts are often reluctant to inter-

## F O C U S

vene, out of concern that such a review is an impermissible intrusion by the judicial branch into the authority of the executive branch.

On occasion, a court might find that the interest being pursued by the employee — for example, a discrimination claim — is sufficiently important to permit a trial with appropriate limitations on the disclosure of classified information. But even in these circumstances, the court might choose not to review the basis for the security clearance revocation.

### **Know Your Rights**

Given the tremendous amount of discretion given to DS and the Security Appeal Panel, and the extremely limited due process and appeal rights afforded to the employ-

***Given the tremendous amount of discretion given to DS and the Security Appeal Panel, it is vital for all employees to call upon their advocates early in the process.***

ee, it is vital for all employees to know their rights and to call upon their advocates early in the process to interact with investigators and clearance adjudicators. Employees are guaranteed the right to have an AFSA attorney and/or private attorney represent them during a DS investigation and throughout the security revocation process. (If the employee remains overseas during the initial phase of the investigation, as in the hypothetical situation described at the beginning of this article, AFSA attorneys will gladly arrange to participate in meetings with the agents via speaker phone.)

Again, note that DS is not required to inform employees of those rights: they must request such representation. ■

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# LEFT IN LIMBO

## TWO FIRST-PERSON ACCOUNTS OF PROBLEMS WITH DS

*Editor's Note: The Foreign Service Journal does not normally publish unsigned articles, but we are making an exception in this instance. The two authors — one a DS special agent, the other a communications officer — have had their security clearances suspended for more than two years now, with no end in sight. Both individuals are members and clients of AFSA.*

*Both authors have made it clear that they are not asking that the articles appear anonymously because they wish to hide their identities from DS. In fact, they each give enough information about their cases that the bureau will have no difficulty in identifying them. (One has been quoted on the record in the Washington Post and on National Public Radio.) Rather, these two Foreign Service specialists are seeking to protect reputations and careers within the department, while still informing their colleagues of these troubling issues.*

*In addition, Donald R. Reid, director of DS's Security Infrastructure Program, and AFSA General Counsel Sharon Papp have each contributed commentaries on the security clearance revocation process.*

— Steven Alan Honley  
Editor

### CASE 1: MISTREATED BY MY OWN ORGANIZATION

**A** May 24, 2005, *Washington Times* article titled “Don’t Fault the Messenger” alleges that certain U.S. government departments and agencies are using security clearances as weapons of retaliation without any fear of oversight. Based on my own unfortunate experience over the last two years, I must ask whether the Bureau of Diplomatic Security falls into that category. Speaking as someone who has been a DS special agent for 18 years, I find my bureau’s conduct and tactics to be reprehensible.

My last overseas posting was a “critical threat” country where allegations were made that I had an improper relationship with a Foreign Service National employee, a citizen of the host country, and subsequently disobeyed explicit DS instructions to cease all contact with the foreign national. I have maintained that my relationship (which I reported as required by

DS’s regulations) was not sexual, or otherwise improper, and that I was never directed to cease all contact with this foreign national, as DS is now claiming.

The DS investigative record to date reveals that the bureau found no evidence that my relationship was sexual or improper. Nor does it cite any alerting counterintelligence indicators regarding the FSN. Furthermore, while it has been DS’s practice to give written “cease and desist” orders to other employees and contractors, directing them to cease all communications with certain foreign nationals, I was never given such an order, a claim that DS does not contest.

When presented with the DS report of investigation, the Department’s Office of Employee Relations found no grounds to discipline me for disobeying a DS directive, violating contact reporting requirements, or anything else. In fact, the record further shows that I properly followed 12 FAM 261 guidelines and separate post security-notice guidelines regarding contact-reporting requirements. I know for a fact that DS has issued written “cease and desist” orders to other State Department generalists and specialists, including DS



agents, and to contractors, instructing them not to have further contact with a particular foreign national. Yet I never received such an order (either written or verbal). DS has never asked me to sign such an order or provided an explanation for why they have not done so.

### **Searching for Dirt**

Meanwhile, in the ongoing inquiry being conducted on me, DS employees have engaged in inappropriate behavior and an improper line of questioning directed against the Foreign Service National in question. Topics included lewd and perverse sexual references about her and me. Recently, the FSN was badgered so much in interviews, and coerced to make verbal and written statements under duress, that she responded by filing a formal sexual harassment complaint with department EEO officials. DS's techniques do not appear to be geared toward ascertaining the truth or discovering alerting CI concerns in protecting U.S. national security, but are instead focused on obtaining sexual innuendo and gossip or employing any method or tactic to ensure my security clearance is revoked. What purpose does this serve?

I am also troubled how both DS and the department's Office of Medical Services handled DS's referral of me to MED in connection with my security clearance. Throughout the course of this investigation, I have been totally honest, open and forthright in disclosing medical treatment I had been undergoing at my last post and have continued to date while back in Washington. In fact, I was able to do my job at post even while undergoing treatment and performed at an outstanding level, as documented by my supervisors. No limitations were ever placed on me and I performed my full duties, including providing protective security for the U.S. ambassador. My current private doctor, who has treated me since I have been back in Washington, notes that I am fine and fit for law enforcement duties including overseas.

So one can imagine how astonished I was when I discovered that MED made an initial E.O. 10450 determination that undermined my efforts to regain my security clearance. MED acted solely on the

## ***Investigators have engaged in inappropriate behavior and an improper line of questioning.***

basis of a suspect DS Report of Investigation that was factually incorrect. It never even bothered to call me in for a face-to-face consultation; nor was my private doctor ever contacted. My AFSA legal representative successfully pushed DS to request another E.O. 10450 determination from MED in order to obtain input from my private doctor. This time, the determination was posi-

tive and was communicated to DS. But doubts remain in my mind. I ask the question, is DS still considering my medical condition as derogatory information to use in proposing revocation of my clearance?

### **Conflicts of Interest**

DS's proposed revocation of my clearance also relies in part on the statements of two colleagues at my last post who were assigned to the same office that took part in investigating me. In fact, one of the sources sat in on many of the interview sessions and participated in asking me questions. I believe that this first source cannot be objective in rendering an opinion about my understanding of security clearance responsibilities. This first source, meanwhile, was directly supervising the second source, who also provided a negative recommendation. I believe that the second source could not serve as an objective source, either, due to the fact that the first source was her rating officer.

Nevertheless, I was curtailed from post, my security clearance has been suspended, and I have been re-assigned to non-sensitive duties for two years now while awaiting resolution of the DS investigation. I have shared my plight with AFSA and my congressional representative and requested them to intervene with DS on my behalf. Over the last two years, I have sent e-mails and letters to DS senior management seeking prompt resolution of my case and providing my version of events. They never answered me, nor even acknowledged my queries.

For a 18-year DS veteran like myself, who has served at several hardship posts and received outstanding evaluations and various department awards, this is the greatest hurt: that my own organization treats me in such a manner.

## AFSA's Role in the Security Revocation Process

By Sharon Papp

This edition of the *Journal* contains a number of articles, some favorable, others critical, about the Bureau of Diplomatic Security. AFSA strives to support all our members while maintaining a collaborative, positive working relationship with the Bureau of Diplomatic Security. AFSA's four full-time lawyers represent numerous Foreign Service employees, including DS agents, in DS, Inspector General, and FBI investigations, disciplinary actions, and security clearance proceedings. We have worked collaboratively with the DS on drafting guidance to its security clearance background investigators and Foreign Affairs Manual language on assignment criteria to critical-threat posts, as well as guidance to the field on DS procedures for background investigations, the impact of mental health counseling on an employee's security clearance, and the effect of dual nationality on a security clearance, to name just a few issues.

Last year, we met with DS officials to discuss needed clarifications to the foreign contact reporting requirements. Since a number of employees recently had their clearances suspended or proposed for revocation based on their alleged violation of the contact reporting requirements, we urged DS to update the applicable FAM provisions and make the names of the critical threat posts more readily available. We are pleased that DS recently posted the names of the critical-threat posts on its classified Web site. However, we are still waiting for the FAM updates.

While AFSA and DS have worked cooperatively over the years, recently there have been a number of occasions where AFSA has strongly disagreed with some of the actions DS has taken in individual security clearance cases. In representing our members, it is to be expected that we will not always see eye to eye with DS. AFSA's role is to ensure that our members receive the fullest measure of due process; that cases are handled in a fair and timely manner; that investigations and decision to revoke clearances are supported by reliable evidence; that mitigating information is considered; and that decisions to revoke a clearance are consistent and limited to those issues that truly affect national security. DS's role is to ensure that allegations of misconduct or criminal behavior are thoroughly investigated; that reports of investigation are referred to the appropriate offices for action; and, if an issue arises that could affect an employee's eligibility for a security clearance, that all doubt is resolved in favor of national security.

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*Sharon Papp is general counsel for the American Foreign Service Association.*

This article contains the personal stories of two Foreign Service employees whose careers hit a national security road block. Both have had their security clearances suspended for more than two years while DS investigates the allegations against them and adjudicates their eligibility for a security clearance. Without a clearance, these employees have been unable to obtain meaningful assignments, are not competitive for promotion, and have endured prolonged anxiety while they wait for DS to determine their future with the State Department. If their clearances are revoked, and the Security Appeal Panel (the one and only appeal process available in security clearance revocations) upholds the revocations, these employees will be terminated because of the department's position that all Foreign Service employees must have a Top Secret clearance in order to be worldwide available. As neither employee is eligible for an immediate annuity, both will be forced to leave the Service, after 18 and 16 years, respectively, without a pension. And the State Department will lose the valuable investment it has made in these employees.

Fortunately, the vast majority of Foreign Service personnel have never had their clearance suspended and their only contact with the Office of Personnel Security and Suitability is the five-year security clearance update process. For most employees, this process runs smoothly. However, AFSA is currently assisting more than 20 Foreign Service employees from all cones and specialties whose clearances have been suspended, proposed for revocation or revoked by DS. In addition, a number of other Foreign Service employees are being represented by outside counsel. As with the two individuals who tell their stories here, some of these employees have been in limbo for over two years.

Clearances can be suspended or revoked for a variety of reasons. A large number of the employees AFSA is assisting have had their clearances suspended or revoked because of their unreported (and in some cases reported) foreign contacts. One employee recently had his clearance suspended more than two years after marrying a foreign national despite the fact that he filled out the required intent-to-marry forms and waited more than the requisite amount of time. Several other employees' clearances were suspended or revoked based on DS's concern regarding the manner in which they carried out their consular duties (the clearance was revoked even though the employees were not found to have engaged in visa fraud or other criminal behavior). Still other employees lost their clearances based on MED's finding that they had abused or might abuse alcohol. Several employees lost their clearances based on poor judgment (misuse of a government vehicle or computer). And

*AFSA's role is to ensure  
our members receive  
the fullest measure of  
due process.*

several employees' clearances were revoked based on their alleged falsification of information on their SF-86 (the security clearance application form).

After DS revokes a security clearance, the employee has the right to appeal to the Security Appeal Panel. Over the past few years, AFSA has represented eight employees before the panel. In two cases, the panel overturned DS's decision to deny or revoke a clearance. Both cases involved foreign influence. In two other cases, the panel ultimately reinstated the clearance after the passage of one year with demonstrated "good behavior." Both cases involved off-duty misconduct. In the fifth case, the panel stated it would consider reinstatement after two years of good behavior, but the employee resigned. This case involved pre-employment drug use that was not reported on the SF-86 form. In two cases, the panel upheld DS's decision to revoke and the employees are going through separation-for-cause proceedings. One case involved alleged alcohol/drug abuse; another involved violation of the department's rules on Internet usage. The eighth case is pending before the panel, following its request that the Bureaus of Consular Affairs and Diplomatic Security provide the employee with relevant documents.

Employees who are terminated as a result of the loss of their clearances may request a hearing before the Foreign Service Grievance Board. However, the Grievance Board's review is limited to whether the proper procedures were followed in revoking the clearance and whether the employee's termination firing promotes the efficiency of the Foreign Service. AFSA is currently representing, along with outside counsel, one employee who has requested a hearing before the Grievance Board.

Based on our involvement in these cases, AFSA believes the investigatory and security clearance adjudication processes are in need of improvement. Decisions must be rendered in a more timely fashion. In most cases, the investigatory processes move along at a relatively good pace. However, when an outside entity (e.g., the FBI or a U.S. attorney's office) is involved, there are often interminable delays in the completion of the investigation. DS has advised AFSA that it has little leverage in these situations to move outside entities forward.

While DS has made tremendous strides in shortening the processing time for granting initial security clearances, employees whose clearances have been suspended or proposed for revocation routinely must wait from 18 months to over two years for a decision from DS. The decision to suspend a secu-

rity clearance has a profound effect on the department as well as the employee, because it automatically triggers the curtailment of the employee's assignment. Of more than 20 cases AFSA is handling, approximately 15 employees were curtailed from an overseas assignment at great cost to the department. AFSA urges DS to devote whatever additional resources are necessary to resolve these cases more quickly.

DS must also do better in terms of supporting its decisions with evidence or placing the employee's behavior in the proper context. In several cases, it relied on unsubstantiated rumors and allegations about individuals to revoke their clearance, in the absence of actual evidence establishing that the individuals did what they were accused of or were rumored to have done. In addition, the bureau has sometimes ignored mitigating evidence that was readily available. AFSA often seeks evidence or documents from DS that we believe will exonerate the employee or place his or her alleged transgression in the proper context. However, our requests for such evidence are routinely denied on the grounds that DS relies only on the information in its files and that our requests are similar to "discovery" requests, which the bureau alleges are not proper in the security clearance process. In our view, before revoking an employee's clearance, DS should ensure that it has objective evidence establishing the allegations against the employee as well as any mitigating evidence that will put the employee's transgression in the proper context.

In several cases, DS revoked an employee's clearance for transgressions that AFSA believes should be handled as a performance or disciplinary matter (such as misuse of a government vehicle, violation of the department's regulations on Internet usage, or violation of consular procedures that did not involve criminal behavior). Revoking some employee's clearances for these types of transgressions, while taking no action against other employees for similar actions, is unfair and can lead to allegations of abuse of the security clearance process.

Because DS has almost unfettered discretion when it comes to granting or revoking a security clearance (with the Security Appeal Panel serving as its only "check and balance"), and because the consequences of losing a clearance are so dire, we want to work with DS to ensure that the system produces timely, well-supported, fair decisions. We hope that this issue of the *Foreign Service Journal* will further the bureau's ongoing efforts toward that goal.

CASE 2: KAFKA'S LEGACY

I have been a federal employee for 29 years, 16 of them as a State Department communications officer. During my career, I have never received a single security infraction or violation — a perfect security record. So why am I writing? Because ever since February 2003, my Top Secret security clearance has been suspended and I have been without an assignment or duties.

The events that led to a suspension of my clearance began in December 2002 with a tip that one of my post's two Foreign Service National systems administrators "might have been providing information to a hostile intelligence service." Despite critical understaffing of the communications unit, a chronic situation that persisted during my entire tour, I gave myself over entirely to the investigation. After several weeks of fruitless effort, it became apparent that the underlying premise for the investigation was flawed, but both FSNs were fired anyway — "just in case," as the Regional Security Officer put it.

At that point, the focus turned toward me, presumably to justify the efforts expended to date and to extend the "just in case" doctrine one step farther to me as the post communications officer. Following a brief, unannounced visit by a DS/ISI/CI (Office of Investigations and Counterintelligence) team, I was abruptly curtailed from post on Feb. 3, 2003, without a single consultation or debriefing. In a candid moment, the RSO revealed to me that the team leader from CI had labeled me a "liar" at a public function and had then busied himself attempting to prove it, going so far as to photograph dozens of lightning rods around the embassy that he proclaimed to be "illegal radio antennas" that I had installed. Yet the only advice the RSO could give me regarding CI's tactics was that I "should sue them."

**Guilty of Assignment**

I was finally allowed to review a memorandum from CI and DS's Office of Professional Responsibility almost two years after my curtailment from post. Hastily drafted after the CI team's departure, it provided the sole justification for my curtailment and the suspension of my security clearance, largely by citing unsubstantiated charges and bizarre allegations that might otherwise have been readily dismissed — had I been provided with a few

moments to discuss them while still at post.

CI "discovered" I had been posted to three newly-independent states, "all within the sphere of influence of the former Soviet Union, from 1993 to present." No matter how implausible the concept, CI had evidently deduced that my present and former assignments alone constituted a threat to the security of the United States government. In a manner that would have made Senator McCarthy proud, I had been, unbeknownst to me, branded "a communist sympathizer."

CI also cited my travel to a "critical HUMINT threat country" as a violation of regulations concerning travel and contact reporting. In vain I have pointed out that the RSO did not provide me with a security briefing or advisory at any time during my four-plus years at post, contrary to requirements in the Foreign Affairs Manual and Director of Central Intelligence Directives. In fact, none of my colleagues were briefed during that period. As a result many post staffers, including the RSO himself, had unwittingly traveled to critical-threat posts and countries, usually on weekend shopping trips, without having provided the required notification.

In preparation for my January 2003 trip to the same country my colleagues (including the RSO) had visited before without incident, I compared notes with the RSO several weeks before I departed concerning my plans, travel dates and the hotel where I would be staying. I found out years later (once I was allowed access to my security file) that CI also knew of my planned travel at least two full days before my departure. Yet despite an active dialogue between the CI and the RSO during this time frame, none of the security officers involved prevented my travel, raised alarms or advised me of any security risks or advance reporting requirements.

**Reporting Contacts — Too Little Information, Too Late ...**

In support of a subsequent proposal to revoke my security clearance, DS also cited my alleged violation of reporting provisions concerning my relationship with two foreign nationals. DS stated my conduct could render me vulnerable to exploitation by foreign governments, particularly since I was legally still married at the time. Simple research determined that there was no requirement to file a contact report on one of the foreign nationals and I pointed out to DS that I had, in fact, filed a report concerning the second one, immediately after I met her in person. (I

had corresponded with her for several months on the Internet prior to meeting her.) DS has to date refrained from clarifying or even defining just what a “contact” is. I had assumed that it meant a face-to-face encounter, but it is now suggested (even though no person has officially stated this) that any communication with any person at any time constitutes a “contact” for reporting purposes. In any case, without being provided briefings or information covering this crucial topic, I could only act based on personal experience that tended to fall short of high DS expectations.

In concluding that my contact with two foreign nationals made me vulnerable to coercion, DS ignored significant issues concerning my impending divorce, which were well-known to post administration and staff, including the

***DS's techniques do not appear to be geared toward ascertaining the truth, but are instead focused on ensuring my security clearance is revoked.***

RSO. Instead, DS relied on uncorroborated anecdotal “evidence” from a single source. This disregard for mitigating evidence opened up a universe of unlimited speculation that DS heartily embraced and exploited. Innocent, mundane actions (such as having a cup of coffee with a female foreign national with whom I had a platonic relationship) were interpreted in the most wildly salacious and licentious manner possible.

Furthermore, information I had provided freely to the RSO on a contact report form (DS-1887) became “evidence” that was obtained through a “debriefing.” Yet more than two years later, DS continues to claim that I failed to submit such a report — even though CI acknowledged receipt of it in January 2003 and quoted freely from it in the subsequent Report of Investigation.



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## The Department of State's Security Clearance Revocation Process (12 FAM 230)

By Donald R. Reid

The rules governing access to classified information are equally applicable across the U.S. government. Whenever an agency is compelled to first suspend an employee's access, and perhaps later revoke that access, the seriousness of the process demands that agency's utmost attention. While the process can be time-consuming, arduous and sobering, it is one based on law and administrative regulation. For those reasons, and because the vital interests of our national security are at stake, the Department of State, through its Bureau of Diplomatic Security, strives to make the process fair and timely. As the department is prohibited from commenting publicly on individual cases, readers may find a review of the process helpful.

To begin with, the standard for access to classified information has remained the same for more than 50 years – it must be “clearly consistent with the national security interests of the United States” always resolving any doubt “in favor of national security” (E.O. 12968). These access decisions are based on specific adjudicative guidelines that describe both areas of security concern and related aggravating and mitigating circumstances that must be weighed. These core source documents and many other related authorities can be found on the Diplomatic Security Web site at: <http://clearances.ds.state.gov/>.

When a set of facts calls into question an employee's continuing eligibility for a security clearance, his or her security clearance might be suspended. Reasons for suspending a clearance are individual to each case, but are based on a security concern or concerns in the government-wide adjudicative guidelines cited above. Decisions to suspend a security clearance are made by the director or principal deputy assistant secretary of Diplomatic Security, acting on behalf of the Secretary of State. The suspension allows the department to conduct a more complete investigation with a more comprehensive set of facts to determine if the clearance should be restored or revoked. At this point, an employee is provided written notification of the decision to suspend and may be assigned to non-sensitive duties.

There are several variables that can determine the length of time a suspension remains in effect. For instance, if the suspension decision was based on preliminary facts from a DS criminal investigation, a Federal Bureau of Investigation counterintelligence investigation, or an Inspector General inquiry, those matters must be resolved and U.S. Attorney prosecutorial decisions rendered before the department can use the information for an administrative action.

When, in the department's view, the employee's security clearance should be revoked, he or she is provided a written explanation of the basis for that conclusion and afforded an opportunity to appeal. Consistent with any releasability restrictions (Privacy Act, etc.), when asked, the department will provide the employee copies of relevant documents and, of course, he or she may retain counsel. Based upon the employee's written appeal, the director/principal deputy assistant secretary of DS may decide to restore the clearance or continue forward with a revocation action. When the latter occurs, the employee is notified and informed of his or her right to appeal, in writing and in person, to a panel consisting of the under secretary for management, the director general and the assistant secretary for administration. The decision of the panel is final.

Similar to the time period following a clearance suspension, there are several variables that determine the timeline before a final decision is rendered by the panel. Each major step in the process is followed by a 30-day period for response from the employee. Requests by the employee for reasonable extensions to complete a reply are usually granted. If the information forming the basis for a revocation decision is classified, attorneys who are not cleared must receive security clearances before they can see the underlying documents. New evidence presented by an appellant, or by other sources, must be verified, often through additional investigation.

Throughout the process, the senior adjudicators and the department's legal staff review the cases. New facts uncovered either in the employee's rebuttal or through follow-up investigation are constantly reviewed to determine if a suspension can be lifted, if such a decision is in the interests of national security.

The department's Personnel Security and Suitability function has undergone tremendous efficiency and effectiveness changes over the last few years. In delivering security clearances, it is client-centered and timely. The suspension and revocation process is effective. The process allows for a thorough examination of all the information gathered by the department and by the employee and his or her legal representatives. A review by the OIG in the fall of 2004 corroborated the “thoroughness, responsiveness and balance” of the department's revocation function. The appeals panel consists of the most senior officers in the department, who carefully weigh the facts in light of the interests of the employee, the department and the overriding context of the interest of national security. While the process can be time-consuming in some cases, and the department is committed to improving its efficiency, any changes to the process must take into account fairness to the employee, the best interests of the department and, ultimately, the national security interests of the United States.

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*Donald R. Reid is the director of the Security Infrastructure Program within the Bureau of Diplomatic Security.*

**Ssshh! ... Rule Change  
in Progress**

At the halfway mark of my assignment, on June 28, 2001, a department notice, "Additional Requirements for Reporting Contacts with Certain Foreign Nationals," was finally released — six months after the referenced changes were implemented in 12 FAM 262.1(b).

These changes added a new contact reporting requirement for nationals from a country with a critical threat (counterintelligence) post — a direct contrast to previous 12 FAM 262 assurances that there were "no restrictions on relationships." Absent any briefings or awareness campaigns it would be impossible for any employee to keep up with this bureaucratic "shell game."

Later, while assisting AFSA with research on the subject, I discovered that no instructions had been issued to posts concerning contact and travel reporting policy for almost a full decade. The lag between published changes and implementation was highlighted in a May 10, 2005, Government Accountability Office report:

"In December 2003, State revised its Foreign Affairs Manual to mandate and improve implementation of personal security practices. In May 2004, State notified posts worldwide on use of a Personal Security Self-Assessment Checklist to improve security outside the embassy. However, none of the posts we visited were even aware of these and other key policy changes. ... In explaining why posts were not aware of the new personal security regulations, DS officials noted that posts were often overwhelmed by work and may have simply missed the cables and changes in the Foreign Affairs Manual. They also noted that changes like this take time to be implemented globally."

While this rationalization was being offered to the GAO, DS was ruthlessly persecuting me for not being fully versed in all 12 FAM regulations, chastising me for a "callous disregard for security."

Nor did DS merely withhold information about changes to regulations. When I was scrutinizing documentation that I received from the Office of Personnel Security and Suitability, a peculiar entry caught my eye. The adjudicator had slyly changed the wording of 3 FAM 629.2-1 from:

*During my 29 years of  
government service, I have never  
received a security infraction.*

*Yet my clearance has been  
suspended since February 2003.*

"Report any relationship (not only continuing relationships) with a national of a *communist-governed/allied* country; such relationships should be reported at the first opportunity (see also 11 FAM 236.3)" to:

"Any relationship (not only continuing relationships) with a national of a *criteria country-governed/allied* country: such relationships should be reported at the first opportunity." (Italics added.)

On Sept. 28, 2004, I alerted DS to this obvious manipulation of the Foreign Affairs Manual, a baneful effort to bolster the case against me by citing non-existent regulations. Yet the bureau has not retracted or even explained this unlawful statement, which remains part of the official record to this day.

**DS's Failure to Consider the  
"Whole Person Concept"**

The case against me is permeated with prejudicial and pejorative wording. In direct contradiction of the standard "whole person concept," which requires adjudicators to evaluate all "available, reliable information about the person, past and present," the resulting Summary and Analysis was based entirely on a single three-page document, the Report of Investigation covering a single month of my life. That document omits any mention of my contributions to the federal government over a 29-year career, including 16 years as a State Department communications officer (during which State has given me numerous awards). Discarded, too, was the content of six lengthy interviews DS conducted with me that presented a wealth of exculpatory information.

The adjudicator called no witnesses, would accept no evidence and would not speak to me even though I was physically no more than 40 yards away at any given time. In fact, I did not meet the adjudicator, nor was I allowed to see any documents related to my case until almost two years after my curtailment from post.

Demonstrating disregard for even the most basic investigative standards, the adjudicator states as "established fact" that I am married and remain so "to the present" even though I have been divorced since 2003, an event duly routinely reported to the State Department's

## F O C U S

Human Resources Division almost two years ago.

Rather than seek balanced information, it seemed that the adjudicator went out of his way to avoid it — a refutation of the 1974 Privacy Act provision that directs investigators to “collect information to the greatest extent practicable directly from the subject individual.”

The biased and prejudicial nature of the Summary and Analysis strongly suggests retaliation for a complaint that I filed with the Office of the Inspector General on Dec. 31, 2003. E-mail evidence indicates that the adjudicator in my case and others within his office had access to the complaint during April 2004, at which time the Summary and Analysis was being drafted. Other than reprisal, there is no plausible reason for an adjudicator, pledged to “evaluate the facts fairly and objectively,” to

***The adjudicator called no witnesses, would accept no evidence and never spoke to me even though I was physically no more than 40 yards away.***

rely solely on negative speculation and innuendo when reliable information was readily available and to interject personal opinion and rhetoric into the Summary and Analysis, a supposedly neutral document. Nor is there any excuse for outright falsification of the FAM, intended to harm me and severe enough to be considered a felony, to be authorized

by two senior DS officials.

Secretary of State Condoleezza Rice, speaking about a recent *Newsweek* story based on a single anonymous government source whose data proved to be false — a situation parallel to mine — stated that, “It’s appalling that this story got out there... I hope that everybody will step back and take a look at how they handled this — everybody.” After nearly three years in bureaucratic limbo, with no end in sight, I couldn’t agree more. ■

## The Middle East Journal



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# WORKING TOGETHER FOR SECURE BORDERS, OPEN DOORS

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THE BUREAUS OF DIPLOMATIC SECURITY AND  
CONSULAR AFFAIRS ARE COOPERATING TO COMBAT  
PASSPORT AND VISA FRAUD AROUND THE WORLD.

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*BY ANTHONY F. RENZULLI*

The 9/11 attacks underscored the fact that U.S. border security actually starts at our diplomatic missions around the world — specifically at the visa section window. Through its participation in the Assistant Regional Security Officer Investigator Program, U.S. Consulate General Mumbai (formerly Bombay), located in western India, is a leading example of effective cooperation between the Bureaus of Diplomatic Security and Consular Affairs. There, as at other posts around the world, the A/RSO-I Program is enhancing our capacity to combat passport and visa fraud, and to deal with suspected wanted persons and other potential threats at our windows, thereby raising the overall level of security for both our local and American staff.

In 1996, DS and CA signed a Memorandum of Understanding to assign investigators to three of the highest-fraud posts in the world — Manila, Kingston and Lagos — to improve coordination between the two bureaus and bring to closure cases of possible visa and passport fraud. The MOU recognizes that these agents are in a unique position to respond promptly to allegations of fraud and malfeasance and to coordinate investigations with DS headquarters. For that reason, these

particular assistant RSO positions have special reporting requirements and specific responsibilities under the MOU, in addition to the core responsibilities of an RSO. Their primary duties encompass visa and passport fraud investigations, fraud prevention training for post and host government authorities, liaison with law enforcement and other host government authorities on visa and passport fraud issues, and intelligence gathering as it relates to U.S. border security.

Building on its initial success, the program expanded to Islamabad and Bogota in 2001, and Santo Domingo and Jakarta in 2004. In addition to those posts, which were added under the MOU, the Fiscal Year 2002 and 2003 9/11 budget supplemental enabled DS to create assistant RSO slots with similar duties at 18 other overseas posts, including Mumbai, though they are not formally part of the framework.

### **Taking a Bite out of Crime**

India is currently the second largest source of legal immigration to the U.S., the leading source of international students bound for our schools, and the leading source of skilled workers under the H1B program. In 2004, Consulate General Mumbai was the second lead-

ing issuer of CID transit visas to maritime workers in the world — a statistic that becomes even more critical when one considers the much-discussed challenge of maritime security. In addition, the already substantial business and tourist travel from this area is growing 20 percent per year.

Fortunately, despite being one of the busiest consular sections in the world, Mumbai could today be fairly identified as a “medium-threat” fraud post. But like other posts in India, alien smugglers and document vendors are increasingly targeting us, and their creativity and duplicity seem limitless.

Accordingly, it is essential that we aggressively combat fraud in Mumbai (and the rest of the country, for that matter) to keep it from joining the ranks of notoriously high-fraud posts, with all the deleterious effects this could have on the international travel so important to India’s economic growth — and, indeed, to our own.

It is against this backdrop that Special Agent Colin Sullivan, Mumbai’s first A/RSO-I, arrived in 2002. He wasted no time. In addition to working to ensure the security of the consulate general and its employees (including serving as acting RSO for the summer transfer period), he quickly developed close and effective cooperation with his consular colleagues as he focused on fraud prevention. He was able to turn several investigations by the post’s Fraud Prevention Unit into arrests by local police.

In the process, he developed an excellent working relationship with Mumbai police officials. We expect his successor to expand that success to police forces in other key areas of our consular district, including Goa, Gujarat and Pune. In fact, at a recent event, covered by the local papers, RSO Special Agent Scott Messick and Colin Sullivan presented an award to beaming officers at Mumbai’s Sahar Airport Police Station for “the success and cooperation [it] and the U.S. consulate have shared in combating document fraud in India.” Indeed, in the past year, Mumbai police have arrested nearly 20 visa applicants presenting fraudulent documents or engaging in other serious misrepresentation at post.

These arrests have had a significant deterrent effect, not only here but in places like Hyderabad, a city that

has emerged as a major source of fraud for posts throughout India.

Mumbai’s A/RSO-I, and the A/RSO-I in New Delhi, Special Agent Matt Wolsey, recently worked together, and with Hyderabad police, to arrange for the arrest of one of India’s leading document vendors — a criminal whose abilities were so sophisticated that his application packages led to dozens of visa issuances to bogus applicants at all of the India posts before the final identification of this fraud ring by the consular section in Mumbai. We are expecting more arrests in Hyderabad from that investigation.

The Hyderabad case is a good example of how the A/RSO-I and the consular section work together to prevent and stop fraud. Indeed, hundreds of applicants affiliated with this document ring were ultimately refused visas. It was the Mumbai Non-Immigrant Visa Unit’s initial identification of possible fraud that led to an investigation by the post’s Fraud Prevention Unit. Once a definitive trend was established, the A/RSO-I entered the investigation as all four India posts reviewed thousands of previous visa issuances. (Locally engaged staff and eligible family members at all our India posts deserve a special mention for their hard work and the innovation they brought to developing quick and effective means for reviewing these thousands of files.) The A/RSO-I and the fraud prevention officer briefed line officers on the key indicators to be on alert for, and Mumbai police were immediately called in to arrest any applicant presenting documents that a consular officer and the assistant RSO could definitively prove were fraudulent and had been acquired through the Hyderabad vendor.

Immediately following these arrests, the number of applicants presenting these fake document packages dropped off, and the A/RSO-I then effectively worked with counterparts countrywide and through police in Hyderabad to secure the arrest of the document vendor. He even secured a copy of the vendor’s hard drive containing vast amounts of fraudulent data, corporate logos, letterhead, U.S. visa application forms, tax forms, Indian passports and more. Special Agent Sullivan’s briefing of the consular section on the contents of this vendor’s computer was an eye-opener and really drove home the seriousness of the challenge we face together.

### **An Invaluable Resource**

As a law enforcement officer, the A/RSO-I provides a

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*Anthony F. Renzulli is the fraud prevention officer at U.S. Consulate General Mumbai.*

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wide array of contacts and resources that enhance the consular section's general ability to investigate fraud. In addition, the investigator can provide assistance when the consulate encounters applicants who might be wanted persons, alien smugglers or other "high interest" persons.

Special Agent Sullivan's tour in Mumbai has recently ended, but the contributions he made to the consulate's ability to combat fraud will continue to pay dividends. We are confident that our second A/RSO-I, who arrives this summer, will be able to expand the investigative capacity of the program.

Meanwhile, the Bureaus of Consular Affairs and Diplomatic Security have begun to pool their efforts in other ways, too. CA now grants RSOs (and domestically-assigned agents) access to the Consular Consolidated

***The assistant RSO was able to turn several investigations by the post's Fraud Prevention Unit into arrests by local police.***

Database, giving them access to information on all U.S. passport and visa applications throughout the world, as well as to other key databases such as SEVIS (which tracks the enrollment status of foreign students). And an increasing number of new A/RSO investigators are receiving the same consular training as new consular officers, enabling them to arrive at posts with consular commissions.

With this training, and access both to the independent namecheck system and to our local IV and NIV system, the ability of the A/RSO-I to work with the consular section to combat passport and visa fraud should be further enhanced. The recent hiring of an FSN assistant to the A/RSO-I should further expand our abilities to turn fraud investigations into arrests, through improved outreach to Indian law enforcement. ■



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# THE SPOKESMAN LEAVES THE PODIUM

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FSO RICHARD BOUCHER WAS THE VOICE FOR SIX SECRETARIES OF STATE OVER THE PAST 13 YEARS. HERE, FOR A CHANGE, HE SPEAKS FOR HIMSELF.

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BY GEORGE GEDDA

**R**ichard Boucher, a career Foreign Service officer, spent almost half of the past 13 years as State Department spokesman and assistant secretary of State for public affairs. He was the voice for six Secretaries of State; very few of his predecessors spoke for more than one. He worked closely with all six at Foggy Bottom as well as on often-grueling overseas trips. The fact that so many Secretaries of State — four Republicans and two Democrats — relied on him for such a sensitive task is a remarkable tribute to his skill and trustworthiness. It is, after all, a job in which the tolerance level for missteps is understandably low.

Boucher was able to go before the media each day and explain, often without looking at notes, the Secretary's thoughts in sentences that parsed and that could be understood not only by the press corps' diplomatic experts but also by ordinary citizens watching on C-SPAN or other news outlets. Yet he always seemed relaxed and seldom had to grope for words. Grandstanding was not his style. The press admired him even though diplomatic sensitivities prevented him from going beyond the often skimpy guidance with which he was provided each day. "There are more questions than answers," Boucher said in a *Foreign Service Journal* interview on June 3, the day before he passed the spokesman's torch to fellow career diplomat Sean McCormack (see sidebar, p. 76).

He witnessed some abrupt policy shifts as he migrated from one administration to the next. He watched Secretary of State Madeleine Albright raise a toast to North Korean Chairman Kim Jong-Il in Pyongyang in October 2000. Barely 15 months later, President Bush lumped North

Korea together with Iran and Iraq in an international "axis of evil." Hardly an example of policy continuity, but Boucher seemed to take it all in stride.

His miscues were rare. In September 2003, he was asked about a meeting among Belgium, Germany, France and Luxembourg in Brussels on European defense. "Yeah, the chocolate makers," Boucher deadpanned, drawing laughter from the press. He realized immediately that he had crossed a line. "Sorry . . . I think they've been referred to that way in the press; I shouldn't repeat things I see in the press."

During the Clinton administration, when he wasn't department spokesman, Boucher spent most of his time as consul general in Hong Kong; U.S. envoy to the APEC, the Pacific Rim economic cooperation group; and as ambassador to Cyprus. He joined the State Department in March 1977. China was an early specialty; once full diplomatic relations were established, he was assigned to open the consulate in Guangzhou.

A native of Rockville, Md., about 12 miles north of Foggy Bottom, Boucher enjoys taking computers apart and putting them back together in his spare time. He and his wife, Carolyn, met in China. Their daughter Madeleine, 18, is a freshman at Columbia University. Son Peter, 14, attends Washington International School.

Following are excerpts from the June 3 *Foreign Service Journal* interview:

**FSJ:** Which Secretaries of State did you speak for?

**RB:** I started out as deputy spokesman to Secretary [James] Baker. I moved up to the spokesman's job for Secretary [Lawrence] Eagleburger and was here for about the first six months for Secretary [Warren] Christopher.

And at the end of the Clinton administration, Secretary [Madeleine] Albright asked me to come back when Jamie Rubin left and I served for nine months. Under Secretary [Colin] Powell, I didn't think I would stay long but stayed all the way through. And I then stayed on for the first five months or so of Secretary [Condoleezza] Rice.

**FSJ:** *What's the best part of the job?*

**RB:** The best part of the job is the whole world. There are very few jobs in Washington where you deal with the whole world at the same time. From minute to minute, you can be trying to explain Russia policy, what we are doing against AIDS, how we are promoting democracy in the Arab world. And you deal with the whole world in all of its aspects — economics, politics, diplomacy, arms control, proliferation. And that makes it interesting and exciting. There is nothing quite like it in government. There are few jobs where you try to understand intellectually why we're doing one thing in Zimbabwe and then something slightly different in Cambodia.

So it has been an extraordinary education. And even after all this time I'm learning new stuff every day. [And] I'm forgetting the stuff every day, too (laughs). But I'm learning new stuff every day.

At one point in my life, I probably knew as much about Chinese economic reform as anybody. And there is indeed a pleasure that comes from that. But trying to understand and figure out the big picture is a challenge that speaks not only to what are American interests but what is our role fundamentally in the world. Or, in understanding democracy policy as it applies to different places. I think that's the most interesting thing going on right now.

**FSJ:** *What is the most difficult part of the job?*

**RB:** Answering all those questions. There are more questions than there are answers. And there are usually more questions you can't answer than questions you can answer. So how do you give people an honest indication of what policy is, what the Secretary wants, the direction she is going in a way that supports the diplomatic process without

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*A frequent contributor to the Journal, George Gedda covers the State Department for The Associated Press. He was present for most of the press briefings Richard Boucher gave since 1993.*

getting into things that might make it more difficult to achieve our policy goals? Every day you've got to do that balance.

Questions usually go right to the heart. Journalists are as smart as we are.

**FSJ:** *Have you ever made a sensitive negotiation more difficult by saying the wrong thing?*

**RB:** I don't think I've ever messed up any negotiation. But I've certainly seen it happen. Once, when I was a senior watch officer, I remember walking a very highly classified cable with instructions down to a communicator so they could send them to our negotiators in Geneva who were negotiating with the Soviets on a missile deal. I walked it downstairs and I came back up. I was on the midnight shift. I came back up and the newspapers had arrived. There was the U.S. position and the U.S. fallback position on the front page of the *Washington Post*. It was 1986 or 1987.

The other thing is that people get a distorted impression of U.S. policy. For a long time there was the belief that we had provided arms to the Khmer Rouge. Because we had a policy of not commenting on intelligence, this belief was rampant. It took a major effort inside the bureaucracy to say [publicly], "No, we don't supply arms to the Khmer Rouge."

**FSJ:** *But didn't [National Security Adviser Zbigniew] Brzezinski encourage the Chinese to supply the Khmer Rouge because they were the only anti-Soviet force in Southeast Asia in the late 1970s and early 1980s?*

**RB:** That's a different question. The idea that the United States supplied them was wrong.

**FSJ:** *Has being a spokesman been more difficult since 9/11?*

**RB:** Everything we've been doing is more difficult since 9/11 because what we say is more important. What our diplomats are doing in the field is more dangerous and difficult because we know how important security and the job are. On the other hand, it gives a certain sense to our role in the world, to what we are trying to accomplish. And that applies to the briefing, as well. There is an organizing principle: to prevent another attack on America. And that has enormous ramifications for everything we do around the world, even the support for democracy. You have to be able

to explain everything in that context. Because that is the only thing that really matters.

When we were coming back from Peru that day [Sept. 11, 2001], on the airplane, everyone was sort of sitting around, and about a couple of hours into the flight, I walked up to Secretary Powell's cabin. He had his yellow pads written out. And I had my little piece of paper. And I said, there's half-a-dozen things we're going to have to think about. I went through my half-a-dozen things. He said, "You've got to understand; this changes everything." He was right.

I don't want to leave the impression that preventing another attack on the United States is a simple thing. It involves visa policy, proliferation policy and democracy, how we interact with foreign governments, how foreign governments treat their citizens, how much interest we take in different things.

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***"I used to say it's time to leave this job when somebody has a coup on Friday night and you think they did it to ruin your weekend."***

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We're now confronted with the problems of Uzbekistan. You want to have your base there. You want to be able to fight terrorism with the Uzbek government. So aren't you compromising on democracy? The fact is the two are very closely related: building stability and healthy societies through

democracy as well as working together on security.

**FSJ:** *How disruptive has the job been with respect to home life, late hours, late phone calls, etc.?*

**RB:** I suppose there are a variety of jobs where you never quite get away from them. This one is pretty constant. The advantage is you do everything in the world. The disadvantage is you do everything in the world. If something happens far away, somehow you need to know about it and need to deal with it. Other people don't have the same weekend as we do. Some people don't have the same midnights as we do. It's pretty disruptive. It's a lot of travel and a lot of phone calls.

The one virtue compared to a lot of other jobs is that you live in the unclassified world most of the time. And so you do a lot of your work on weekends by BlackBerry and cell phone. So you may be on the phone, but at least you're on the phone at your kid's soccer game.

**FSJ:** *Presumably your next job will be a little less disruptive?*

**RB:** A little more predictable. Not necessarily quieter. I used to say it's time to leave this job when somebody has a coup on Friday night and you think they did it to ruin your weekend. I never quite got to that point of paranoia but you do start to take things a little bit personally ... It's like being a wire service reporter sometimes.

**FSJ:** *Is there a particular answer that you've given over the past dozen years or so that you regret more than any other?*

**RB:** In my own mind, I think I screw something up every day. There is always something I think I could have done better or didn't do as well as I should have. Sometimes if I got it wrong, I go out to try to fix it right away.

### **The New Spokesman: Sean McCormack**

**R**ichard Boucher's replacement as State Department spokesman and as assistant secretary of State for public affairs is Sean McCormack, a fellow Foreign Service officer.

Seldom has a spokesman been better prepared for the job than McCormack. He served in that role for the National Security Council during President Bush's first term, working closely with then-NSC adviser Condoleezza Rice. That experience permitted a relatively seamless transition to his new State Department role.

McCormack's official titles while working for Rice were Special Assistant to the President, Spokesman for the National Security Council and Deputy White House Press Secretary for Foreign Policy.

McCormack began his career in the Foreign Service in 1995. The following year, he was assigned to the U.S. embassy in Ankara as the Farsi-speaking officer in the consular section.

After two years in Ankara, he was posted to the U.S. embassy in Algiers from 1998 to 1999, with responsibility for economic reporting and consular issues. McCormack served in the State Department Operations Center in 1999 before moving to the Executive Secretariat Staff ("The Line"). He was detailed to the National Security Council Staff in 2001.

McCormack graduated from Colby College in 1986 with a bachelor's degree in economics. He received an M.A. in international relations from the University of Maryland, College Park, in 1990.

— George Gedda

**FSJ:** I remember when Ed Muskie was Secretary of State 25 years ago. He was amazed at how an off-hand remark would reverberate around the world. Do you see in your mind's eye a banner headline as you think about what to say and perhaps hold back?

**RB:** I think you have to try to understand what's it's going to look like to the people that hear it. Your first responsibility is for what you say, how you explain things. But you have to think about what it's going to look like. You have to remember that something that's a minor story in America is a big story in the country you're talking about. Marlin Fitzwater [press secretary for President Reagan and the first President Bush] once said, "I stand at the podium and I see all these electrons going out and I can't catch them." It is indeed instantaneous. When you travel, you might see a big story in a newspaper for something that took 30 seconds in a

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***"There is always something I think I could have done better or didn't do as well as I should have. Sometimes if I got it wrong, I go out to try to fix it right away."***

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briefing. You see a story about something you didn't really say much about. But it creates a story out there. You're very conscious of it.

People come back from the oddest places and say, "I heard you on the radio." But that's less a reflection of me than it's a reflection of the media first of all, how international things are. If you say something stupid in Southeast Asia, it's going to go all over the world. ... [So] you try to keep it straight and steady so the answer is as clear as possible. Sometimes I will say [in answer to a question], "I don't know," or "I don't know; I'll check on it." And I know that in some countries that creates a headline, "State Department uninformed on X policy." And then there is a long analysis as to why we don't know about something. In fact there is probably somebody who does know. I just don't happen to know myself.

And then the next day we'll come back with an answer and they'll write another story saying, "The State Department has finally figured it out."

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**FSJ:** Are there any issues that you see as important that the press simply ignores?

**RB:** Economics. When the Secretary of State travels around the world, he or she spends a good deal of time talking about economics, talking about development assistance, talking about economic growth, good governance, corruption, how [to become] a Millennium Challenge country, how [to] export more textiles to the U.S. When the airplanes hit the World Trade Center on 9/11, Secretary Powell was talking to the president of Peru [in Lima] about exports of Peruvian cotton to the United States. Secretary Rice, whenever she's gone on her trips to Asia, to Latin America, to Europe, met with African leaders, everybody's talking about China and China's export policies. That's what a lot of the world's fussing about. I think there is a lot less (media) attention to economics and how it fits into

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**“One day the Israelis and the Palestinians or the Jordanians sign a treaty and it’s big news. [Then] there’s another story saying we failed to get peace in the Middle East today.”**

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foreign policy. We do try to talk about the doubling of development assistance. We try to talk about the importance of CAFTA [the Central American Free Trade Agreement].

**FSJ:** There is a lot of good work that is done out of this building. You have the annual reports on human rights, on U.S. support for human rights, on trafficking in persons, on the state of religious freedom around the world. Do you think the media should be paying more attention to these activities?

**RB:** All the time. Part of it is the nature of our business and the nature of the press business. News is news. News is drama. News is different. Our work involves steady pursuit of a lot of things. It may not be different from one day to another. It may not be different from one year to another. So there are all these reports that we do and once a year create big stories, maybe a couple of other times, maybe different pieces of it. But there are dozens and dozens of people who work on these every day to try to make next year's story better than this year's story, to try to help people who are caught in slavery, who are caught in jail because of human rights violations. I'm sure there are a lot of things that we can do better in terms of [drawing] attention to them.

[Take the issue of] Middle East peace. People are working every day on that. Every day or every other day there is a story that we failed to get peace in the Middle East. One day the Israelis and the Palestinians or the Jordanians sign a treaty and it's big news. [Then] there's maybe three or four days of follow-up stories — and within three or four days there's another story saying we failed to get peace in the Middle East today. It's part of the nature of our business. There are these moments that stick in your mind and I think the Afghan elections, you know some of the pictures from there, the Iraqi elections, again, pictures from there. That will stick in people's minds. You've given them an image they can grab onto. Part of our job is to make sure that people see those images. ■

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# BOOKS

## The Past as Prologue

### Understanding Iraq

William R. Polk, HarperCollins Publishers, 2005, \$22.95, hardcover, 221 pages.

REVIEWED BY ROBERT V. KEELEY

Anyone dealing with the Iraq quagmire, or who truly wishes to understand this horrendous adventure, should make the time to read this new book, which fully lives up to its pithy title. I have not seen a better book on the subject. It provides a strong antidote to the profound and pervasive ignorance about Iraq that prevailed in Washington as we were led into this war.

The author could hardly be more expert. William R. Polk has been studying, teaching, writing about and following Iraq since he first went there as a graduate student in 1947. During the Kennedy administration he was the Middle East specialist on the State Department's Policy Planning Council. A graduate of Harvard and Oxford, he taught Middle East politics and history and Arabic language (which he speaks) and literature at Harvard and at the University of Chicago during a long academic career, and has published many books in his field. He was even in Iraq shortly before we launched our invasion in 2003.

In five succinct chapters he covers the history of Mesopotamia in ancient times, under Islamic rule (before and

*Polk's book provides a strong antidote to the profound and pervasive ignorance about Iraq that prevailed in Washington as we were led into this war.*



as part of the Ottoman Empire), British Iraq, revolutionary Iraq (devoting particular attention to the Saddam Hussein regime), and "American Iraq" (1990 to the present). The most interesting chapter for me was about the British experience, which offers so many parallels with our own. Among other missteps, the British tried to establish security on the cheap by hiring local militias, in their case made up of minority ethnic Assyrian Christians.

Polk takes us through the history of our own involvement with Iraq: the "Baghdad Pact" (aka CENTO), a Dulles creation to counter Soviet influence in the region; the short-lived Hashemite "Arab Union" with Jordan to counter Nasser's "United Arab Republic" and Arab nationalism in general; and our assistance to Saddam Hussein during the mutually destructive war with Iran, to counter what we saw as dangerous Islamic extremism.

People in the Middle East have longer memories than we do. They do not forget the heritage of Western colonialism and imperialism. Consider the U.K.'s "Iraq Petroleum Company," designed to exploit the world's largest supply of oil in a single territory. Iraq's share of the oil revenues was \$40 million in 1952. In 1972 the Iraqi government (instigated by Saddam Hussein) nationalized the IPC, with dramatic results. By the following year, Iraq's oil revenues were \$1 billion. They reached \$8 billion two years later. And by 1980 they were \$26 billion.

This mountain of cash permitted a vast program of development and modernization, unprecedented in the Middle East, that in a very few years transformed Iraq into the most advanced state in the Arab world — a Saddam legacy that no one now cares to remember. Iraq was briefly, in some limited ways, an exemplar for the region, until a combination of fear and hubris drove Saddam way off-course, into a useless war that caused immense damage to both Iraq and Iran, and in turn to the entire neighborhood — and, regrettably, eventually to the United States as well.

Polk's final chapter is a cogent, informed and understandably pessimistic critique of our current performance in Iraq. His policy prescription for the future, briefly stated, is that since democracy cannot be imposed by military means, we should get out sooner rather than later. I believe he would add that we should also at least learn from our mistakes,



and avoid such totally misguided adventures in the future. That is not isolationism; it is realism and common sense.

*Robert V. Keeley, a retired FSO, served as ambassador to Mauritius, Zimbabwe and Greece. He was president of the Middle East Institute in Washington from 1990 to 1995. Recently he was elected chairman of the Council for the National Interest Foundation. His small independent publishing company, the Five and Ten Press, has produced 24 original paperbacks since 1995.*

## Advancing Religious Freedom

### Can God and Caesar Coexist? Religious Freedom and International Law

*Robert F. Drinan, S.J., Yale University Press, 2004, \$30, hardcover, 266 pages.*

REVIEWED BY JOHN M. GRONDELSKI

The overwhelming reaction to Pope John Paul II's death shows that religion is alive and well on the global "public square." Indeed, since the 1990s, there has been greater worldwide focus on the human right to freedom of religion and conscience, especially in light of persecution of believers in places like China and Darfur.

But religious freedom is not just a discovery of recent years, insists Father Robert Drinan, a Jesuit priest, Georgetown law professor and former congressman. The notion of a human right to religious freedom has been evolving over the past half-century, starting with the Universal Declaration of Human Rights and reaching

new heights in the 1981 U.N. Declaration on Religious Freedom. Yet despite this steady but quiet progress, literature on the subject has been limited. Drinan tries to fill that gap in 13 chapters examining nearly every imaginable facet of the topic, concluding with a summary chapter that gives the book its title: "Questions of God and Caesar."

Drinan argues that the 1946 Declaration should be turned into a legally enforceable treaty. But he's familiar with the problems his position entails. For example, countries like China have a history of trampling "on any culture or religion that could pose a threat to the ruling powers." He's also dubious that Muslim countries could reconcile religious freedom with basing their civil law on sharia. And he expresses dissatisfaction with the jurisprudence of the European Court of Human Rights, which he believes is overly deferential to national laws at the expense of claims of violations of religious freedom, especially of minorities.

The greatest obstacle, however, is that the notion of an international right to religious freedom remains inchoate. Drinan admits that "appropriate standards by which to judge restrictions on the free exercise of religion are just beginning to be articulated." Despite this, he believes that the general trajectory in which this right is evolving is on course, and that a multilateral treaty would foster that development.

This reviewer is less than convinced by Drinan's optimism that a treaty (even one backed by some kind of international tribunal or U.N. committee) would significantly advance religious freedom. Why would a nation that tramples religious freedom change, just because the U.N. says so? Why would nations that cur-

rently could — and don't — sanction gross violators of religious freedom suddenly sacrifice pragmatism for principle?

Drinan also omits one other principle of Catholic social thought relevant to this study: subsidiarity. Subsidiarity maintains that responsibilities that can be handled at a lower or more localized level should not be entrusted to higher or more removed bodies. In light of subsidiarity, is an international covenant advisable at this time? "Religious freedom" unfortunately remains a term of somewhat ambiguous content. At one extreme is China, where religious freedom does not encompass the right to belong to a religion free of state control. At the other extreme are some quarters of the U.S. and western Europe, where "freedom of religion" is taken as "freedom from religion." Given such equivocation, a convention guaranteeing religious freedom would seemingly have to be so minimal as to ensure protection for the most basic rights of conscience or run the risk of wreaking worldwide mischief, as judges or diplomats expansively interpret ambiguous texts. In such a context, "one-size-fits-all" worldwide may do the cause of religious freedom more harm than good.

Still, respect for religious freedom is an indispensable element to the progress of democracy. Curiously, for all his references to Catholic thought, Drinan never really develops John Paul II's insight that religious freedom is the first human right and, therefore, a prerequisite to democracy. A state acknowledging religious freedom recognizes its claims on its citizens are limited by other allegiances. Democracies do not "grant" religious freedom; by checking Caesar's claims, religious freedom gives birth to democracies.



With these caveats in mind, *Can God & Caesar Coexist?*<sup>9</sup> deserves readership, if only because of the dearth of literature on the question of religious freedom in international law and rights. Drinan has launched a worthwhile conversation. It needs continuation.

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*John M. Grondelski, an FSO since 1998, has served in London and Warsaw. He is now a Russia desk officer in the European Bureau.*

## Reporting Worthy of the Name

### A Continent for the Taking: The Tragedy and Hope of Africa

*Howard W. French, Vintage Books, 2005, \$15, paperback, 280 pages.*

REVIEWED BY HERMAN J. COHEN

Calling all Foreign Service veterans of Congo-Zaire service!

For the thousands of our colleagues who rotated through Kinshasa between 1960 and 2005, Howard French's play-by-play narrative of the fall of dictator Mobutu, followed by the arrival of Laurent Kabila at the head of a Rwandan-sponsored invasion in 1997, is the most exciting and accurate ever written.

French was the *New York Times* correspondent in West and Central Africa from 1993 to 1998. It was a time of great turmoil, and French, who was based in Abidjan, was there to cover every crisis. He was quite willing to dodge bullets and risk being taken hostage in order to get the story on the ground. At the same time as he was reporting on the military state of play, he was doing outstanding analysis about U.S. policy, the geno-

cide in the eastern Congo where Rwandan Tutsis were exterminating Hutu refugees with impunity, and the disagreements between Embassies Kigali and Kinshasa about what was really going on in the forests around Kisangani.

His description of what went on in Liberia during the transition in 1997 that brought Charles Taylor to power is almost as gripping as his narrative about Zaire. Where he found Washington somewhat passive about Zaire, he found it hopelessly indifferent to the political challenge in Liberia. Both Republican and Democratic administrations refused even to contemplate any moral responsibility for the country founded by former American slaves.

French is right on the mark in several of his analytical conclusions.

In Liberia, the U.S. could have brought the crisis to a halt on any number of occasions with a small military intervention. But there was an almost pathological fear in Washington of having Liberia as a permanent burden. French correctly calls attention to the disgraceful difference between U.S. policies toward Bosnia and Liberia.

French is the only journalist I have read who correctly describes the conflict in Zaire between 1996 and 2003 as a proxy war directed by the tiny Rwandan government that was determined to control power and resources in its giant neighbor. In contrast, most journalists, many academics and the clueless State Africa Bureau during Clinton's second term all naively believed that Zaire was undergoing a real civil war.

French also provides a touching description of Mali's efforts to establish a real democracy, and correctly deplores the absence of any special "democracy dividend" from the inter-

national community.

Where I part company with French is in his explanation for the fact that most of Africa has moved backward since 1960. He blames the colonial powers for alienating African peoples from their original cultures and forms of government. Why is it then that most African governments are now moving back toward the same democratic systems bequeathed to them by the Europeans, after experimenting disastrously with one-party states, Marxist economic systems and heavy corruption?

The U.K. left Nigeria with one of the best indigenous civil services in the British Commonwealth. It was not London's fault that corrupt Nigerian military generals took power through coups and then proceeded to destroy their civil service.

French also blames the United States for propping up human rights violators like Mobutu in Zaire and Samuel Doe in Liberia for Cold War reasons, and for maintaining correct relations with undemocratic governments in Nigeria and Angola because we needed their crude oil. Well, the last time I looked, strategic necessity trumps human rights and democracy every time (check out China and Saudi Arabia today).

Let's face it. The original crop of African leaders chose the worst options for political and economic policy, and their nations suffered dearly. Colonialism had nothing to do with it.

But analytical differences aside, French keeps the action moving and the descriptions exciting. This book is a great read for Africanists and generalists alike.

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*Herman J. Cohen, a retired FSO, was Assistant Secretary of State for Africa during the George H. W. Bush administration.*



## IN MEMORY

**Grace Ball**, 78, wife of retired FSO Albert Ball, died July 5 in Temecula, Calif., from heart failure.

Mrs. Ball was born Grace Sarrafian in Beirut, and came to the United States in 1948 to teach the Bible and related courses to teenagers. She attended the Pacific School of Religion in Berkeley, where she received her master's degree in religious education. While living at International House, she met her husband, and they were married in 1953. She then transferred to the University of California at Berkeley, where she received another master's degree, this one in French literature, and continued studying for her Ph.D.

After Mr. Ball completed his Ph.D. in English, she accompanied him on his teaching career to the University of Wisconsin in Madison, to the University of Puerto Rico at Rio Piedras, and on a research/teaching Fulbright Grant to Paris and Aix-en-Provence.

Mrs. Ball's travels as a Foreign Service wife included postings in Leopoldville, Abidjan (where the Balls' daughter, Ruth Anne, was born), Osaka, Athens, Brussels and Tokyo. While in Athens, Mrs. Ball served as president of the American Women's Club. During her hus-

band's first tour in Japan (1967-1971) she learned the art of flower-beading, earning plaudits for the beautiful and intricate designs she produced for the next 20 years. Mrs. Ball spoke fluent French and German, as well as Armenian and some Turkish.

Besides her husband, she leaves a daughter, Ruth Anne Artz, a granddaughter, Amanda Artz, and a grandson, Andrew Artz, of Highland, Calif.



**Margaret J. Barnhart**, 76, a retired Foreign Service officer, died of pneumonia May 13 at Sibley Memorial Hospital in Washington, D.C.

Ms. Barnhart was born in Greensburg, Pa. She attended Goucher College, where she was a member of Delta Gamma sorority, and graduated with a bachelor's degree in international relations in 1950. That same year Ms. Barnhart began her career at the State Department, working with, among others, Under Secretary of State Loy Henderson. She received her commission as a Foreign Service officer in 1961.

After a posting to Paris, she was

transferred in 1965 to Tokyo as senior visa officer and vice consul. In 1968 she was assigned to Jerusalem as vice consul. During that tour she became involved in the difficult search for noted Episcopal theologian James Pike. The Pikes had become stranded in the Judean desert after an automobile breakdown, and Mrs. Pike went on for help when her husband could no longer walk. As a consular officer, Ms. Barnhart worked with Mrs. Pike until the bishop's body was finally found.

Mrs. Pike praised Ms. Barnhart's service in a book about the ordeal, *Search*: "I don't ever remember being so grateful for someone's company. She was the perfect companion for me. When I felt like talking she carried on lengthy conversations about whatever interested me ... when I fell silent she simply sat quietly and calmly with me."

In 1970, Ms. Barnhart returned to Washington, D.C., as a personnel officer and then served as editor of *State* magazine. Later positions included consul general in Bangkok and Buenos Aires, and consul in Rio de Janeiro. Her last posting was in the department's Bureau for Refugee Affairs. She retired in 1984.

## IN MEMORY



Ms. Barnhart favored many charities during her lifetime, including the Western Pennsylvania Conservancy (the home of Fallingwater, Frank Lloyd Wright's masterpiece) and FONZ, the Friends of the National Zoo. She was a member of Diplomatic and Consular Officers, Retired and the Kenwood Golf and Country Club.

She is survived by her goddaughter, Susan Lewis Glass of Leesburg, Va.; a cousin, Nadine Smith of Washington, D.C.; and several cousins in Pennsylvania.



**Charles A. Cariddi**, 88, a retired Foreign Service officer, died in Mobile, Ala., on June 12, after a brief illness.

Mr. Cariddi, who was born in New York City in 1916, served with the United States Army in the Middle East during World War II. In 1945 he began a 30-year career in the Foreign Service. His postings included Cairo, Frankfurt, Bonn, Paris (two postings), Tehran, Rio de Janeiro, Recife, Brasilia, Brussels and New Delhi. Mr. Cariddi retired to Mobile, Ala., in late 1976.

Mr. Cariddi will be remembered by his many friends for his steadfast commitment to service of his country, his sharp and perceptive wit, generous and loyal heart, love and deep knowledge of classical music, and for his considerable talents as an accomplished amateur painter and photographer. Mr. Cariddi was also a gifted linguist, fluent in French, Italian, German, Greek, Arabic, Portuguese and Farsi. He also possessed a truly encyclopedic knowledge in matters of art, science and literature, which he shared with his friends and family and continued to develop throughout his life.

Mr. Cariddi is survived by his wife of 60 years, Andrée Cariddi, of Mobile, Ala.; three children, Priscilla of Mobile, Ala., Alan of Paris, France, and Claudia of Tucson, Ariz.; and four grandchildren, Michelle, Jenifer, Melanie-Anne and Alan Jr.



**Thomas A. DeHart**, 78, a retired Foreign Service officer, died Jan. 30 in Bend, Ore., due to complications arising from lung cancer.

Mr. DeHart was born in Upland, Calif. He served in the Marine Corps during World War II, participating in combat operations at Bougainville and the landing at Okinawa. Following the war, he used the G.I. Bill to attend Whittier College, and later undertook graduate studies at The George Washington University.

In 1952 Mr. DeHart joined the Foreign Service and was posted to Munich and Hong Kong. His next assignment was to the political section in Taipei, where he reported on Taiwan's non-existent opposition, an experience that convinced him to specialize in consular affairs. After serving as deputy director of the visa office in Washington, Mr. DeHart was posted to Adelaide in 1967, returning to Hong Kong the following year. He served as consul general in Santo Domingo and Tijuana before retiring to central Oregon in 1976.

Mr. DeHart is survived by his wife, Elaine DeHart of Sunriver, Ore., and four children: Tom DeHart Jr. of Grand Prairie, Texas; Lynn DeHart of Kona, Hawaii; Cathy DeHart of Spokane, Wash.; and Jim DeHart, an FSO, of Falls Church, Va.



**Charles Edward Gates**, 88, a retired FSO, died May 30 of a heart

attack at his home in Willows, Calif.

Born in Richmond, Calif., he attended Piedmont High School and then received a bachelor's degree from Armstrong Business College. In 1941 he married his college sweetheart, Carlyse Lohse, of Willows, Calif. Mr. Gates was drafted into the 9th Army Air Force Signal Corps in 1942, and served for more than five years in Egypt, England, France and Germany. He ended his military career as a major.

On June 20, 14 days after D-Day, Mr. Gates landed on Normandy Beach. Later he enjoyed telling about the two weeks he spent living at the top of the Eiffel Tower, manning the U.S. military communication equipment.

Following the war, Mr. and Mrs. Gates settled in Willows. Mr. Gates went into business and became an active member of the community. He served on the Willows School Board and as a deputy sheriff and volunteer fireman. He was president of the local Little League and a founding member of the Century Swim Club. He was active in the Boy Scouts, Masonic Lodge, Elks Lodge, Rotary Club and the Willows Chamber of Commerce.

In 1962, Mr. Gates joined the Foreign Service. Over a 14-year career, he was posted to Manila, Sydney, Rome, Lagos and Antwerp. He retired in late 1976, and returned to Willows. During his retirement years, Mr. Gates continued to travel the world, either on business for himself or for pleasure with his wife. Friends and family recall his joy in telling of his years in the Foreign Service, meeting and working with such a diverse and interesting group of individuals and being able to travel the world while doing it. During his lifetime he visited 147 different countries.

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## IN MEMORY

Mr. Gates is survived by his three sons, Carl of Conway, Ark., Marvin of Carson City, Nev., and Raymond of Ukiah, Calif. He was preceded in death by his wife of 62 years, Carlyse.

**Lewis E. Gleeck Jr.**, 92, a retired Foreign Service officer, died July 1 at his home in Bowie, Md., following a lengthy illness.

Mr. Gleeck was educated at Pomona College, the University of Chicago, Columbia University and the U.S. Army War College. In 1940 he began a 29-year career in the Foreign Service, serving in Canada, Finland, Sweden, Austria, Iceland, Norway, Pakistan and Washington, D.C. Posted to the Philippines in 1962, Mr. Gleeck served there for the next six years, retiring from the Foreign Service in 1969 as consul general.

Mr. Gleeck remained in the Philippines for the next 30 years, joining USAID to work on land reform and cooperatives for six years and subsequently serving for several years as a consultant on base-community relations to the U.S. Navy at Subic Bay. He then served as editor of the American Historical Collection's bulletin and the curator of its library from 1976 through 1998. Established in 1950, this large and unique collection on the relationship between America and the Philippines is now housed in the Rizal Library at Ateneo de Manila University in Loyola Heights, Quezon City.

During his long and varied career, Mr. Gleeck published at least 14 books — among them, *President Marcos and the Philippine Political Culture* (Cellar Book Shop, 1988) — and scores of articles on the

American experience in the Philippines.

He is survived by his wife of 31 years, Norma C. Gleeck; two sons, Alfred Lewis Gleeck and Edward Gleeck; and a daughter, Eva Gleeck.

**John A. (Jack) Linehan**, 81, a retired FSO and ambassador, died peacefully at his home on May 19 of complications of bladder cancer.

Born in Gloucester, Mass., on July 20, 1924, and educated in local schools, he attended one year at Boston University before being drafted into the Army as a medic. Ambassador Linehan landed at Utah Beach on June 11, 1944, five days after D-Day, and was awarded five battle stars upon his discharge. He returned to Boston University and earned his bachelor's degree in political science in 1948. Three months later, he married Janice Rowley, a Gloucester neighbor whom he had known since the age of 7. The two departed for Washington, D.C., where Amb. Linehan attended Georgetown School of Foreign Service, receiving a bachelor's degree in Foreign Service.

Sworn into the U.S. diplomatic service in 1952, he went to his first post — Paris — with his wife and five-month-old son in 1953. In Paris, as he often said, Amb. Linehan had the honor for some time of being the lowest-ranking diplomat at the American embassy, and the sole proud claimant to the title of third secretary.

Subsequent postings soon moved him out of that spot, however. He was vice consul in Quebec City; consul in Adelaide; chief of the political section in Monrovia; deputy chief of mission in Accra (while Shirley Temple Black was the ambassador); and ambassador in Freetown. Later, he headed

## IN MEMORY



inspection teams to U.S. embassies and consulates in all parts of the world. He was also seconded by the Department of State for four years to serve as executive director of the American-Australian Bicentennial Foundation.

Throughout these peregrinations — which also included stints in Washington, D.C., and at the Air War College in Montgomery, Ala., where he received a master's degree in political science from Auburn University — he was accompanied by his wife and children, with the result that they became a very close-knit and loving family.

First retiring to Bethesda, Md., Amb. and Mrs. Linehan moved to Sarasota, Fla., in 1995. There he became active as a Guardian ad Litem (a citizen dispute small-claims mediator), a board member of the Sarasota Opera Guild and the Foreign Service Retirees Association of Florida, as well as a board member of DACOR and the DACOR Bacon House Foundation. He was also an active member of St. Andrew United Church of Christ, serving as president of the church council for two years.

Amb. Linehan leaves behind his wife of 57 years, Jan; two sons, Mark H. (and his wife Karen LaBonte) of Yorktown Heights, N.Y., and Andrew A. of Portland, Ore.; a daughter, Sarah, also of Portland, Ore.; and one beloved granddaughter, Ruth, of Yorktown Heights. The family suggests that memorial gifts be made to the St. Andrew UCC Endowment Fund.



**Jeanne L. Norins**, 87, a retired Foreign Service staff officer, died May 14 at her home in San Francisco, Calif.

Ms. Norins was born in Los

Angeles, Calif. She joined the War Department in 1942 as a stenographer, and served in Washington, New York (with the U.N.'s new program of aid), Italy, Germany, England and Brazil.

In 1951, Ms. Norins joined the Department of State as a staff officer. In an 18-year career there she served in Athens, Aden, Bangkok, Tokyo, Malta, Ottawa and Vientiane, often as the ambassador's secretary. She was sent on temporary duty to help establish diplomatic posts in East Africa and handled one of the first hijackings of a U.S. airliner for the State Department in 1961. Ms. Norins retired in 1969.

Following retirement Ms. Norins settled in San Francisco, where she became active in community affairs. She raised housing issues with the Board of Supervisors and played an important role in securing municipal funds for a new hospital. She also successfully lobbied the board to lengthen the time to cross the street at signal-controlled intersections. A strong believer in an independent and professional Foreign Service, she was active in the Bay area's foreign affairs organizations. She also led three statewide professional associations.

Jeanne Norins leaves many nieces, nephews and cousins, including Robert Berg of Washington, D.C. The family requests that her memory be honored with contributions to the Senior Living Foundation of the American Foreign Service Association or to the DACOR Bacon House Foundation. ■

Send your "In Memory" submission to:  
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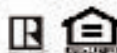
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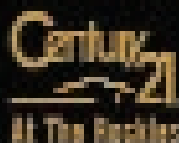
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# REFLECTIONS

## *Imams on the Edge: Dispatch from the Uzbek-Afghan Border*

By JESSICA P. HAYDEN

I had been in Uzbekistan for two days. After a harrowing flight in an ancient Soviet Tupelo to Karshi, my mode of transportation went from frightening to death-defying. Riding in an Uzbek-built Nexia, sans seat belts, I was heading south through the windy, mountainous roads to the Afghan border. My driver, catching on to my distress, winked at me and tried to be reassuring. Promising a safe ride, he told me to get some sleep. He then swerved into oncoming traffic to avoid a man-sized pothole. No, there was no chance that I'd get any sleep on *this* trip.

Not that I would have wanted to. I was on my way to Termiz, which sat on the southern border of the former Soviet Union and was the point from which the Soviets invaded Afghanistan in the 1980s. While I wasn't here to search caves for al-Qaida, I was in search of young men and women susceptible to Islamic fundamentalism. My job with USAID was to introduce U.S. assistance programs to conservative village leaders, many of them mullahs and imams.

In many rural areas, the village imam is often the most educated and well-respected figure, often serving

as counselor, teacher and doctor all at the same time. By training imams in modern health care or agricultural issues, USAID can have a greater impact. But working with religious leaders serves another, unstated goal. In this region, where young men and women are constantly exposed to the Islamic-extremist view of the world, it is USAID's hope that the more religious leaders understand about U.S. involvement in local communities, the less they will see America in negative terms.

Just outside of Termiz, we met with a health support group headed by Imam Batir, an enthusiastic, middle-aged man with expressive eyes and an easy smile. He was glad to be sharing his activities with us. My colleague David, an American Muslim who speaks fluent Uzbek, was of particular interest to the group. The discussion quickly steered from health issues to inquiries about religion. The group wanted to know what it was like to be a Muslim in America. For the next five minutes, David delivered a passionate address about his conversion to Islam at the age of 15 and how he is proud to be a Muslim and proud to be an American.

"In America, it is wonderful to be a Muslim because we have the freedom to practice and worship without imposition from the government."

It is a concept with which we in the U.S. are familiar. From our earliest social studies classes, Americans are taught that the church should be

separated from the state and that all faiths should have the right to practice what they believe. But for these villagers in Uzbekistan, who have lived through the mandatory atheism of the Soviets followed by the autocratic and suspicious rule of modern-day Uzbekistan, these words held special significance. When David finished, the room erupted in applause.

It is just this kind of reaction that USAID hopes will bridge the information gap that currently exists in many Muslim communities. While no one expects that sending a few well-intentioned Americans into these communities will solve America's "image problem," these outreach efforts may cause some to think twice about who and what America really is.

These imams live on the edge of an infamous border and on the margins of society. It is USAID's hope that by engaging these communities, the pull of extremists will appear less promising; and calls to fight against an "evil America" will ring shallow and untrue. It remains to be seen how effective these outreach programs will be. Americans often lack the cultural, linguistic and religious linkages to make inroads with these communities. But that is beginning to change, as evinced by my colleague who, I believe, truly won the hearts of those villagers on the Afghan-Uzbek border.

Still, on the edge, you can fall either way. ■

---

*Jessica P. Hayden is a free-lance writer who worked for USAID in Central Asia from 2003 to 2005. The stamp is courtesy of the AAFSW Bookfair "Stamp Corner."*

# AFSA NEWS

American Foreign Service Association • September 2005

## 2005 AFSA AWARDS CEREMONY

### AFSA Honors Dissent and Performance

BY SHAWN DORMAN

“**A** FSA’s dissent awards are unique in government service,” then-AFSA President John Limbert remarked at the 2005 AFSA awards ceremony. “They are not about performance, nor are they about being right on an issue. Rather we present them to Foreign Service colleagues who have chal-

lenged the system from within and have questioned conventional wisdom, regardless of the personal consequences.”

In thanking Director General W. Robert Pearson for co-hosting this year’s awards ceremony with AFSA, Limbert went on to say, “How remarkable it is that the chief management and chief labor officer of the Foreign Service should share

a podium to honor dissenters.” Director General Pearson, in his remarks, noted that AFSA and management have “done an enormous amount in the past two years to change the Foreign Service to meet tomorrow’s challenges.”

**Continued on page 4**



Sen. Richard Lugar (center) accepting the Lifetime Contributions to American Diplomacy Award, presented by Deputy Secretary Robert Zoellick (right) and AFSA President John Limbert.



### AFSA Welcomes New Governing Board

Acting AFSA President Louise Crane passes the AFSA gavel to incoming AFSA State Vice President (and Acting President) Steven Kashkett at the AFSA Governing Board transition lunch on July 15.



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### DAS JOBS GO TO MID-LEVEL FSOS

## AFSA Protests Out-of-Step Assignments

BY SHAWN DORMAN

**A**fter hearing that three of the coveted deputy assistant secretary positions in the Bureau of European and Eurasian Affairs would be awarded to non-senior Foreign Service officers (one FS-2 and two FS-1s), AFSA raised objections with senior department management — in writing and in person — and urged that the appointments not be made. (See the AFSA president’s column, p. 5.) AFSA did not object to the individuals involved, but to the message sent by the appointments. Putting mid-level officers in DAS positions undermines the entire assignment system, according to AFSA.

“Career DAS positions are senior positions for good reason,” said then-AFSA President John Limbert, “They are filled by former chiefs of mission and others with

**Continued on page 7**



## Welcome for New Staff Member

A warm welcome to Jonathan (Jon) Reed, AFSA's new accounting assistant. Jon comes to AFSA from C-SPAN and is a graduate of George Mason University. He can be reached by phone at extension 526, or by e-mail at reed@afsa.org.

## FSN Relief Fund Runs Low – Support Needed

AFSA urges all Foreign Service members to consider donating to the Foreign Service National Emergency Relief Fund, a fund set up by the State Department to respond to crisis or humanitarian requests on behalf of FSN employees. Recent relief disbursements have depleted the fund and it is in urgent need of replenishment. The most recent emergency has been in Zimbabwe, where approximately 70 FSNs have lost homes and property in connection with the government's devastating "urban cleanup" campaign. The disbursement for this emergency will bring the fund to a dangerously low level.

Contributions to the fund can be made by check, credit card or through payroll deduction. Send checks to Donna Bordley, RM/CFO, Rm. 7427, 2201 C St. N.W., Washington, DC 20520. Checks should be payable to the U.S. Department of State, designation for the FSN Emergency Relief Fund. Consider all the times an FSN has helped you through a difficult situation at post, and give generously.

Additional information about the fund can be found at <http://web.rm.state.gov>. If you have questions, call Donna Bordley or Ronda Harvey at (202) 647-5031.

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## Life in the Foreign Service

■ BY BRIAN AGGELER, FOREIGN SERVICE OFFICER



*"Tab D lays out the timeline leading up to this current diplomatic crisis, and Tab E is a recipe for a really exceptional butternut squash, rosemary, and blue cheese risotto."*

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Gilbert Sheinbaum



## Cheap Shots Diary

The July 12 *Financial Times* carried AFSA's rebuttal to a June 30 op-ed in the newspaper by Danielle Pletka titled "U.S. Mixed Messages on an Arab Diplomacy," which unfairly claimed that a number of FSOs do not loyally carry out administration policies.

The letter, by then-acting AFSA President Louise Crane, was entitled, "Diplomatic Corps Not a Source of Disloyalty." Here's an excerpt from her letter: "Danielle Pletka has joined the ranks of those pundits and critics who, when they don't like the policy, blame the Foreign Service. . . . Ms. Pletka, like the critics before her, assumes that the moment a Secretary of State walks into the State Department lobby the new Secretary is immediately taken hostage by the Foreign Service and rendered mute and helpless. If so, then it is curious as to why such illustrious Secretaries of State as James Baker and George Shultz never mentioned their impotence at the hands of the Foreign Service in their memoirs and actually speak highly of their association with our nation's career diplomatic corps.

"The members of the Foreign Service of the United States are loyal government employees serving under often difficult and dangerous conditions. To accuse them of disloyalty and of undermining the policy is both absurd and foolish."

Briefs • Continued on page 8

## The Real Foreign Service



I made a depressing discovery when I started telling friends and acquaintances outside the State Department that I had been elected vice president of AFSA and when I tried to explain that AFSA is the labor union and professional association for America's diplomats. I discovered that many people out there, even those who work in other parts of the U.S. government, really don't think much of the Foreign Service.

Despite the dramatic changes that have occurred in the world over the past few decades — and in the conditions under which we serve overseas — little has changed in the distorted public image of a diplomat. People still seem to think of diplomats as overpaid snobs who breeze through a cushy, relaxing existence sipping champagne at black-tie receptions every evening in places like Paris and Rome. Many people out there imagine that we are enjoying the good life and that we have no need for a labor union or any kind of special consideration.

We in the Foreign Service need to do a better job correcting this quaint public image of a diplomat. We need to educate the public, the media and the Congress on the often harsh realities of life for today's Foreign Service professional. We need to remind people that we spend most of our careers working in difficult places, scattered in every corner of an increasingly dangerous world. Few realize that we have more hardship posts, more danger-pay posts and more unaccompanied posts than ever before. People need to see that we are standing on the front lines of the war on terrorism, dealing with political instability and regional conflicts, working to protect U.S. trade and commercial interests, confronting poverty and HIV/AIDS and safeguarding the rights of American citizens all over the world.

We need to get out the message that the Foreign Service is composed of patriots who spend their lives acquiring foreign languages, regional knowledge and foreign affairs expertise that will enable them to serve and protect their country.

This lack of understanding or sympathy for the Foreign Service undermines everything AFSA is trying to accomplish, from overseas locality pay to fairness in assignments and promotions to a meaningful role for America's diplomats in the foreign policy-making process.

In my capacity as State Department VP for AFSA, I plan to devote the next two years to correcting the misperceptions about Foreign Service professionals, to defending the Service and to fighting for those things that we need in order to do our jobs well. I plan to speak out loudly when the Foreign Service gets unfair treatment or is unjustly slighted. I plan to listen to my fellow active-duty Foreign Service members at State — the largest constituency by far within AFSA — and to take your concerns and ideas to heart. In September, I will send out a comprehensive, interactive, Internet-based survey seeking the opinions of the State active-duty membership, which I hope to use as a guide for deciding how best to represent you on key issues.

My door (in the AFSA office, Room 1251 on the first floor at Main State) will always be open, and the e-mails you send to me (KashkettSB@state.gov) will always be welcome and will always get a reply.

Let's work together to preserve the proud traditions of the Foreign Service while adapting our profession to the changed world of the 21st century. □

## Future Perfect



Many people, and I am one of them, are fascinated with the idea of time travel. Ever see that movie “Somewhere in Time” with Christopher Reeve, where he travels back to woo a stage actress from a previous era? I thought I would combine these sci-fi proclivities with the career advancement aspirations of USAID AFSA members. So after hours, I stole into HR’s promotion-panel briefing room and tried to transport myself into the future. After several failed attempts, I succeeded in commuting into the near future of June 2006 and found myself sitting at next year’s promotion-panel debriefs. The physics of time travel prevented my pen and notepad from making the trip, so memory is my only resource. Nevertheless, for members to know with absolute certitude what is valued by next year’s boards should greatly augment their promotion prospects. Here are some of the board member quotes I brought back from the future:

- “Strong work objectives, which emphasize impact and results, were a common denominator for employees who earned high ratings. Conversely, we low-ranked employees with poor, slapdash or inadequate work objectives.”

- “Work objectives that were challenging and complex, and afforded the employee the opportunity to display a broad range of skills, merited our highest consideration.”

- “Evaluations with strong narratives that answered the ‘so what’ question were the most competitive. We were most impressed when there was a clear, factual account of the role that the employee played in the mission accomplishing its specific development goals.”

- “Effusively superlative adjectives and hyperbolic statements unsupported by concrete examples lacked credibility and rang hollow and meaningless. They turned us off!”

- “Raters who effectively used the ‘Role in the Organization’ section to discuss the employee specifically, as opposed to tedious boilerplate descriptions of the mission or the strategic objective, were placed much higher in our rank order.”

- “Rating officers who used the mid-cycle review section to highlight an employee’s progress, or to provide significant additional context, enhanced our ability to make a better assessment and thus upped the promotion possibilities for the employee.”

- “We valued the opinion of the Appraisal Committee when it used its section to endorse the rater or provide helpful further understanding of the employee’s accomplishments or shortcomings.”

- “Employee statements that rambled and were whiny and complaint-ridden were self-destructive in our view. Bloated, overly self-aggrandizing comments in a statement were the kiss of death. We particularly disliked statements that disparaged other offices or employees. It’s unbelievable, but again this year several employees committed ‘suicide’ in the employee statement section.”

I searched the briefing room in vain for a discarded *Wall Street Journal* for the return trip, or at least some stock quotes to share, but, unfortunately, I melted back to the present without them. However, if you heed the tips above, you could still reap some very healthy profits in your career. □



AFSA awards ceremony guests in the Benjamin Franklin Diplomatic Reception Room at the State Department.

Several types of AFSA awards were presented at the June 17 ceremony in the Benjamin Franklin Diplomatic Reception Room of the State Department. Before an audience of more than 300, AFSA presented three dissent awards, three outstanding performance awards, one special achievement award and the Lifetime Contributions to American Diplomacy Award.

### “You Picked the Very Best Person”

Deputy Secretary of State Robert B. Zoellick presented the Lifetime Contributions to American Diplomacy Award to Senator Richard Lugar, Chairman of the Senate Foreign Relations Committee, R-Ind. “You picked the very best person I can imagine for this (award),” Zoellick commented. He described Sen. Lugar as having a strong interest in not only foreign policy, but in the people who develop and carry it out.

Lugar received a standing ovation when he rose to accept the award. “It is exciting to be surrounded by people who believe in the power of diplomacy and who are optimistic about what the United States can achieve in the world,” Lugar remarked. “Our country depends on the Foreign Service to temper a world that is often uncertain and dangerous. We take for granted that Foreign Service officers will venture into hostile circumstances to advance U.S. interests, often with far less protection than corresponding military units. Many Foreign Service officers have given their lives in



Clockwise, from top: AFSA award winners, from left; David Dlouhy, Lisa Vershbow, Catherine McSherry, Marilyn Tarter, Nancy Alain, Scott Gallo, James Holt and Claire Coleman; wearing Lisa Vershbow jewelry creations, from left: Kaara Ettesvold, Lisa Vershbow, Janet Hahn and Jenny Stein (Amb. Alexander Vershbow in back row); Scott Gallo's daughter with his certificate.

## Honoring Outstanding Performance

Amb. Harrop presented the Delavan Award for a Foreign Service office management specialist to Nancy Alain for her outstanding performance in Baghdad under extremely difficult conditions. Alisa Hanson was asked to stand to be honored as the runner-up for this award.

Jon Clements presented the M. Juanita Guess Award for an outstanding community liaison officer to Catherine C. McSherry and Marilyn D. Tarter of Embassy Bangkok, for their exemplary work mobilizing the community in response to the December 2004 tsunami disaster and aftermath. FSN CLO colleague Kun Jeed of Embassy Bangkok was present and McSherry and Tarter graciously asked her to stand and be recognized as well.

Caroline Easterling presented the Avis Bohlen Award for a Foreign Service family member to Lisa Vershbow (the wife of the U.S. ambassador to Russia, Alexander Vershbow) for her tremendous achievements in bringing American contemporary art and craft to Russia and for reaching out to the Russian community through art. The runner-up for this award, Fatima Goodspeed, was honored during the ceremony as well.

David Dlouhy received a special achievement award for facilitating major positive changes in the services provided by the Retirement Office, including the creation of the Web-based "RNet" support service. The award was presented by John Limbert.

The only way AFSA can honor the dissenters among us is if we hear about them, from you. If you work with or know of someone who has had the courage to challenge the system from within, please consider submitting an AFSA dissent award nomination. It is never too early to do this. You can find the nomination requirements at [www.afsa.org/awards/index.cfm](http://www.afsa.org/awards/index.cfm). □

service to their country. Innumerable others have made the deep personal sacrifices of being away from their families, of risking their health in difficult posts, and of forgoing more lucrative financial opportunities in other fields. Rarely are these sacrifices celebrated or even understood by casual observers."

## Honoring Dissenters

The William R. Rivkin Award for dissent by a mid-level Foreign Service officer was presented to Geoff Pyatt for his intellectual courage in pushing for new opportunities in the U.S.-India relationship while serving as political counselor for Embassy New Delhi. The award was presented by Ambassador William Rivkin's son Robert, who noted that his father "was never so happy as when brilliant young Foreign Service officers would challenge him." Claire Coleman

accepted the award on Pyatt's behalf.

The great-granddaughter of Averell Harriman, Caroline Easterling, presented the W. Averell Harriman Award for dissent by a junior Foreign Service officer to James Arlen Holt, for his courage in reporting apparent fraud and abuse of power committed by a more senior officer while serving as a general services officer for Embassy Seoul during his first Foreign Service tour.

Ambassador William Harrop, noting that specialists have not been recognized often enough, presented the Tex Harris Award for dissent by a Foreign Service specialist to F. Scott Gallo. Gallo was recognized for his brave refusal to move embassy personnel onto a new residential compound that he and many colleagues believed was insecure. His dissenting view eventually prevailed and the necessary changes were made.

## Fighting for Diplomacy & Locality Pay

BY ERICA LALLY AND KEN NAKAMURA

Few Americans realize that one of the critical battles in the War on Terror is being fought in the halls of Congress. The Foreign Relations Authorization Act (S. 600) provides critical support for the diplomatic efforts that are key to our national security. However, unless something drastic occurs, the Senate is unlikely to consider this important piece of legislation.

The Foreign Relations Authorization Act authorizes:

- Key changes in personnel rules;
- Programs to maintain and protect diplomats serving overseas;
- Tools of diplomacy, such as public diplomacy, foreign assistance and the development of reconstruction and stabilization activities in regions of conflict;
- Foreign policy directives and strategies from Congress; and
- Operating funds for diplomatic agencies.

There are some in Washington who believe that the Foreign Relations bill is irrelevant. They could not be more wrong.

In our increasingly globalized world, diplomacy is not an international nicety; it is a national-security necessity. As Secretary of State Condoleezza Rice stated in her swearing-in speech, "We must use American diplomacy to help create a balance of power that favors freedom. The time for diplomacy is now."

In order for diplomacy to succeed, the U.S. needs sufficient money, manpower, equipment, programs, training and policies for the diplomatic component of the national-security system. The Foreign Relations Authorization Act is the only vehicle that can authorize the resources we need. As a result, Senate consideration and passage of this bill is critical to the promotion of U.S. national security interests.

Though the Foreign Relations Authorization Act is important for all Americans, the consideration and passage

of this bill should be especially important to the members of the Foreign Service. Beyond the provisions for operating funds, embassy security programs and information technology investments, there are also a number of personnel provisions within the House and Senate authorization bills that directly benefit Foreign Service employees. The authorization bill authorizes pay parity between



overseas salaries and D.C.-level pay; higher ceilings for hardship and danger allowances; an increased death gratuity; additional living quarters and allowances for service at the United States Mission to the U.N.; worldwide availability language; allowance changes so children of Foreign Service employees can be educated in the U.S.; part-time, intermediate and temporary (PIT) regulation time requirements for retirement benefits; and reduction of the mandatory low-ranking quota from 5 to 2 percent.

AFSA has worked diligently to get these personnel provisions into the authorization legislation, and had never before made

such progress on issues such as Washington-level salaries for all Foreign Service employees overseas. Obtaining locality pay is still our number one job! The House passed the legislation, but if the Senate does not consider and pass the Foreign Relations Authorization Act, the personnel provisions will die along with the bill. The AFSA team is in regular contact with congressional staff and members of Congress regarding the authorization bills, but we cannot succeed without the help of the members of the Foreign Service. The Foreign Relations Authorization Act should be right up there with

the many other important issues the Senate must consider. Your senator and Senate Majority Leader Bill Frist, R-Tenn., need to know the importance of the Foreign Relations Authorization Act to the American people and to the 25,000 active and retired members of the Foreign Service. Please write and tell them.

In the Congressional Relations portion of the AFSA Web site ([www.afsa.org/congress.cfm](http://www.afsa.org/congress.cfm)), we have included writing points and a sample letter, so that active and retired members, their friends and their relatives can write to Sen. Frist asking him to bring the bill to the Senate floor for

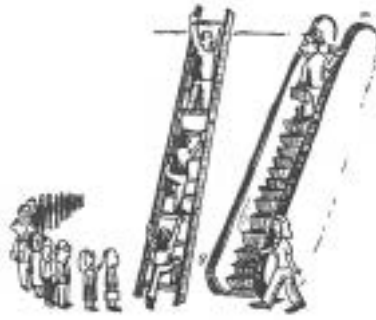
debate and a vote. As a reminder, all government employees must clarify that they are writing in their personal capacity, and cannot use government letterhead, equipment or official time to write.

The Foreign Relations Authorization Act is critical to U.S. national security. Additionally, key personnel provisions such as pay parity make this act even more important to the Foreign Service. AFSA hopes that with the help and support of the members of the Foreign Service, the United States Senate will bring the Foreign Relations Authorization Act to the Senate floor for consideration and passage of this important bill. □

strong management experience.”

The AFSA sentiment was shared by many of the rank-and-file in the department. A number of officers, who wanted to remain anonymous due to the sensitivity of the issue, confirmed that the so-called “Baby DAS” assignments had caused an uproar. As one FSO put it: “Naming an FS-1 or -2 to a DAS slot is very upsetting to those invested in the system. Aside from the symbolism of having a more junior person in charge, it has practical implications for senior officers trying to keep moving up — how is it going to work for them to go to an FS-2 DAS for help in getting jobs?”

AFSA’s position is that the appointments negate the cumulative nature of the Foreign Service career, as demonstrated by the core precepts, which are created in consultation with AFSA. AFSA asked management what message these appointments send about the “fair share” assignments standards that AFSA fought hard for and that State management adopted. Fair share includes a hardship requirement for FS-1s to become senior officers. AFSA supported the strengthening of fair share and the rest of the new career development requirements recently established for crossing the threshold,



in part to counter cynicism in the Service and the impression in Congress that some individuals are able to burrow into a succession of Western European postings or lengthy Washington assignments while others are repeatedly assigned to greater hardship duty.

Secretary Rice noted during her June town hall meeting with State employees that: “There are times when because of extraordinary service or because of extraordinary talent, people may end up a couple of steps

ahead.” One official who met with AFSA on the matter asserted that “the promotion system is broken,” in justifying going outside the regular system on the DAS assignments. But if the system is broken and people who deserve to be promoted at an accelerated pace are not being promoted fast enough, is management looking at ways to fix it? It is indeed the case that one of the new mid-level DASes has been in the Foreign Service for 17 years. Perhaps we should be asking why someone who’s been doing a great job in the Foreign Service for 17 years is not a senior officer already.

The DAS appointments did go through, despite the protests. AFSA will be monitoring future appointments and will speak out as warranted. □

#### NEW AFSA FINANCIAL AID SCHOLARSHIP

## Marc Grossman and Mildred Patterson Scholarship Established

BY LORI DEC, AFSA SCHOLARSHIP ADMINISTRATOR

In June, Ambassador Marc Grossman and his wife, Mildred Patterson, with generous support from friends and colleagues, established a perpetual AFSA Financial Aid Scholarship. This need-based scholarship will serve to celebrate their distinguished careers and contributions to the Foreign Service. Donations made at Amb. Grossman’s retirement reception at AFSA in May supported the creation of the new scholarship, which will be given to the child of a Foreign Service employee each year. The first recipient — Jonathan Christensen, a freshman at Brigham Young University — will receive funds for the upcoming academic year. Because only the interest from the original donation amount will be bestowed as the scholarship, it will continue in perpetuity.

Marc Grossman entered the Foreign

Service in 1976 and served for 29 years. From 1994 to 1997, he served as ambassador to Turkey. Following this appointment, he served as assistant secretary of State for the Bureau of European Affairs; Director General of the Foreign Service and Director of Human Resources; and Under Secretary of State for Political Affairs, the position he held until he retired in April 2005.

Mildred Patterson entered the Foreign Service in 1976, as well. She served in Copenhagen, Brussels, Washington and Ankara. She retired in November 2002 following an assignment as deputy executive director of the Bureau of Consular Affairs.

For more information on the AFSA Scholarship Program or to make a contribution to this scholarship, please contact Lori Dec at [dec@afsa.org](mailto:dec@afsa.org) or toll-free (800) 704- 2372, ext. 504. □

## AFSA NEWS BRIEFS

Briefs • Continued from page 3

### AFSA Assists FAS Grievants

AFSA recently assisted FAS Foreign Service officers in grievances regarding Senior Foreign Service pay that resulted in the agency’s agreement to rectify a long-standing disparity in calculating the salaries of officers newly promoted into the Senior Foreign Service. For a number of years, FAS had been using a calculation process different than the one enunciated in the FAM when calculating rates of pay for these new promotees. The FAM uses a 6-percent pay increase when computing base pay upon promotion. FAS was applying only a two-step increase, resulting in a disparity in pay for some similarly-ranked officers within FAS.

FAS agreed to settle the grievances in favor of the employees, agreeing to use the 6-percent pay increase when calculating base pay upon promotion. Moreover, the agreement extended to include others in the class promoted at the same time. Subsequently, FAS expanded this remedy to include those who were affected by the disparity as far back as 1999.

Continued on page 9

# Q&A



## Retiree Issues

BY BONNIE BROWN,  
RETIREE COORDINATOR

### **Q: Are former spouses of Foreign Service employees and retirees entitled to pension and survivor benefits?**

**A:** A former spouse, who was married to a Foreign Service employee during at least 10 years of his or her creditable federal service (five while a member of the Foreign Service), is automatically entitled to both pension and survivor benefits, unless those benefits are waived. A former spouse is entitled to these benefits if he/she was divorced after Feb. 15, 1981, and there is no court order or notarized spousal agreement that provides otherwise. A former spouse annuity ends if he/she remarries before becoming 55 years of age.

The pension benefit is a pro-rata share of up to 50 percent of the Foreign Service pension, and the survivor benefit is a pro-rata share of the regular survivor annuity. This amounts to 55 percent of the annuity under the old retirement system (FSRDS) and 50 percent under the new (FSPS).

### **Q: How is a pro-rata share calculated?**

**A:** A pro-rata share reflects the percentage of time the former spouse was married to the employee during his or her years of creditable service. For example, if married during the entire period, the former spouse is entitled to 50 percent of the pension. If married for half of the years of creditable service, the spouse is entitled to 25 percent of the pension.

### **Q: Can a court order or separation agreement alter these entitlements?**

**A:** The department must comply with the provisions relating to retirement benefits in a valid state court order or court-approved property settlement. The property settlement agreement does not have to be a subject of the court order; it can qualify as a spousal agreement if notarized. Court orders and property settlements can divide an annuity or a refund of retirement contributions, provide a survivor annuity payable upon the death of an employee or retiree, permit a former spouse to continue coverage under the FEHB program and require an employee or retiree to assign his or her FEGLI coverage to a former spouse or children.

### **Q: What is the effect of court-ordered benefits for a former spouse on the survivor benefits of a current spouse?**

**A:** The maximum possible combined total of all current and former spouse survivor annuities is 55 percent of an FSRDS annuity and 50 percent of an FSPS annuity. As a result, a court order awarding a survivor annuity to a former spouse may

reduce the amount that can be paid to the spouse married to the annuitant at the time of death.

### **Q: What is the effect of the death of a spouse or former spouse entitled to a survivor annuity?**

**A:** If there is no surviving spouse, the department will restore the retiree's annuity to its full amount. In the event there is a surviving spouse eligible for a survivor annuity, there is no adjustment.

### **Q: Are former spouses entitled to health coverage?**

**A:** A former spouse's federal health benefits as a family member end on the day of divorce. A former spouse may apply for spouse-equity FEHB health-plan enrollment within 60 days, if he or she was covered as a family member prior to the divorce, has a current or future entitlement to an FSRDS or FSPS pension or survivor benefit, has not remarried prior to turning 55 and was divorced on or after May 7, 1985. A former spouse who is not eligible for this enrollment may still be eligible for temporary continuation of health benefits coverage for 36 months.

### **Q: What information should a former spouse submit to the State Department Retirement Office in support of an application for former spouse benefits?**

**A:** A former spouse should submit a certified copy of the court order; a statement that the court order has not been modified, superseded or set aside; and the name, date of birth, Social Security number, address and change in marital status of the employee or retiree and former spouse. Since there are specific time limitations for qualifying for certain benefits, it is important to submit the divorce notification promptly. Similarly, a former spouse should be aware that there are time restrictions with respect to filing spousal agreements that affect FSRDS pension and survivor benefits.

More detailed information on this subject can be found at [www.state.gov/documents/organization/16038.pdf](http://www.state.gov/documents/organization/16038.pdf). □

## AFSANEWSBRIEFS

Briefs • Continued from page 7

### Visit the BOOKFAIR

The 45th annual BOOKFAIR, sponsored by the Associates of the American Foreign Service Worldwide, opens on Friday, Oct. 14, at 2 p.m. BOOKFAIR is held in the Exhibit Hall of Main State. Employees, their escorted guests, retirees and their spouses are cordially invited. During the week, from Oct. 17 through Oct. 21, BOOKFAIR is open from 11 a.m. to 3 p.m.

BOOKFAIR is open to the general public on two weekends: Oct. 15-16 and Oct. 22-23, from 10 a.m. to 4 p.m. On the final day, some items will be half-price. VISA, MasterCard and checks will be accepted. Please call (202) 223-5796 with questions.

Your attendance at BOOKFAIR helps support AAFSW programs to benefit the Foreign Service community, so please come on over and shop!

## Sick Overseas: Health Care and Neighbors in the Foreign Service

At our last post, Almaty, it got so bad that our Regional Medical Officer, Dr. Ottwell, threatened to rename the Medical Unit in honor of us. My family and I were her best customers — it seemed every week one of us paid her a visit. Sometimes, it was something simple: an ear infection, the stomach flu, a cough. But other times, we had big problems. First, I was medevaced on a teensy plane to Finland, where I underwent surgery. Another time, my toddler son got his hands on some Tylenol and drank the whole bottle. The medical staff held him down and force-fed him syrup of ipecac and charcoal until he vomited all over them. And finally, our tour was cut short when our infant became critically ill and MED determined that we could no longer remain at post.

There's more. My husband had his appendix removed in Moscow. That happened shortly before my other son was attacked by a dog, resulting in giant gashes on his head and a panicked trip to the RMO. One son developed an eye problem in Yerevan; the other had reflux in Almaty.

Some of these problems would have been easier to handle state-side. I never want to travel on an air ambulance again, and I know my husband would prefer to avoid all Russian hospitals. But in many cases, we've actually been fortunate to be overseas. The RMO in Moscow began evaluating my son within minutes of the dog attack. When he gulped the Tylenol, again, they were helping us within the hour. When I was medevaced to Finland, it seemed half the doctors and nurses at the State Department were con-

sulted about my care. I certainly never would have gotten such personalized care in an emergency room back in Virginia.

It can feel lonely when you're far from home and sick — who doesn't want their mother at a time like that? But every time we've had a medical crisis, the immediate members of our embassy community have rallied around us. Not just the doctors and nurses, who've been known to make house calls. When I was lying in the emergency clinic in Almaty, waiting for the medevac plane to arrive from Moscow, I felt very alone — I'd been in the country for less than two weeks and knew almost no one. But the CLO officer arrived with snacks and books and a sympathetic shoulder to cry on. Our sponsors watched our toddler for the day and kept our dog while we were away in Finland. My husband's bosses never once complained that the new guy was already leaving the country. And a dear friend of ours, another State Department RMO, actually met us in Finland to make sure we were okay.

Everywhere we've been, we've found a community that's ready and willing to help us out whenever we're in need. Only now, back in Virginia, as I juggle doctor's appointments and sick kids without help from the neighbors, do I truly realize what a gift my Foreign Service neighbors have been. □

*Donna Scaramastra Gorman is a free-lance writer in Virginia whose work has been published in the Washington Post and the Seattle Times. She has accompanied her RSO husband and two children to Moscow, Yerevan and Almaty.*

### Web-zine Calls for Help

A message from the founder of *Tales from a Small Planet*: Good news first: *Tales* (the Web-zine for expats) has had a great year. We won a "Best of the Web" award from *Forbes* magazine, we recruited more staff and volunteers and we featured more Real Post Reports than ever before. We have a new editorial panel in place so that the quality of our literary magazine has risen. Our message boards are now monitored and are busier than ever.

What's the bad news? I'll be blunt: If *Tales* does not raise a substantial amount of money, we're going out of business. This is not a fund-raising ploy — it's a fact. We do not have enough funds at this time to continue paying our staff (and believe me, they're working for rock-bottom stipends as it is). Please click on the Support Us button at the top of our home page at [www.talesmag.com](http://www.talesmag.com) to find out how you can help keep us going. You've let us know by your frequent visits to our site that you need us. Now we really need you.

Please send a donation, even a small one. It's tax-deductible and any amount will help.

*Francesca Kelly, Tales from a Small Planet, "What it's really like to live there."*

### USAA: End of the Road

AFSA is standing down in the long fight to convince USAA to add non-State Foreign Service employees to those eligible for insurance coverage. We went to great lengths to push the issue with USAA, as we have reported over the past months. After AFSA Governing Board member Ted Wilkinson attended the 2004 USAA annual meeting and met with the USAA general counsel, a review of the policy barring new non-State membership was undertaken by USAA.

The resulting conclusion by USAA was that "the principal mission of USAA is serving USAA's core eligibility group, the active military. Extending eligibility to [State Department] FSOs and Foreign Service specialists was, and is, an accommodation... the accommodation will not be extended (to other groups)... regardless of the degree of similarity they bear to their Department of State counterparts." USAA concludes by noting that AFSA should either accept this policy or face the alternative, which would be "achieving perfect symmetry by denying eligibility to all FSOs and Foreign Service specialists, including those in the Department of State."

Find the letter at [www.afsa.org/aidvp/usaalettertowilkinson052605.pdf](http://www.afsa.org/aidvp/usaalettertowilkinson052605.pdf). For the time being, case closed. □

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E-mail: lisa@dclarm.com

**BARBADOS: DIPLOMAT'S 3-BR,** (sleeps 6) West Coast seaview home, walk to beaches, shops, restaurants, golfing. Low season 1,000/week, 3,000/mo; High: 1,500/3,750. Zabriskie at pegnairobi@yahoo.com.  
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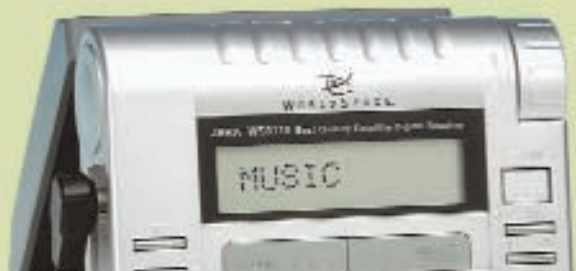
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