

3 FAM 2440 CURTAILMENT

(TL:PER-350; 04-14-1998)

3 FAM 2441 STATUTORY AUTHORITY

(TL:PER-350; 04-14-1998)

(State Only)

(Applies to All Executive Branch Employees Assigned to Posts Abroad)

The statutory authority for curtailment is found in section 207 and sections 501—505 of the Foreign Service Act of 1980 (22 U.S.C. 3927, 3981-3985).

3 FAM 2442 DEFINITION

(TL:PER-350; 04-14-1998)

(State Only)

(Applies to All Executive Branch Employees Assigned to Posts Abroad)

Curtailment means shortening an employee's tour of duty from his or her assignment. It may include the employee's immediate departure from a bureau or post. Curtailment is an assignment action, not a disciplinary one.

3 FAM 2443 CURTAILMENT OF FOREIGN ASSIGNMENTS

3 FAM 2443.1 Voluntary Curtailment

(TL:PER-350; 04-14-1998)

(State Only)

(Applies to All Executive Branch Employees Assigned to Posts Abroad)

a. An employee assigned abroad may request curtailment of his or her tour of duty for any reason. The employee should submit a written request for curtailment that explains the reasons for the request to the appropriate assignment panel through his or her counseling and assignment officer. Post management must state its support for or opposition to the employee's request.

b. Employees of other agencies may request curtailment by following the regulations and procedures issued by the appropriate employing agency.

3 FAM 2443.2 Involuntary Curtailment at Request of Chief of Mission

(TL:PER-350; 04-14-1998)

(State Only)

(Applies to All Executive Branch Employees Assigned to Posts Abroad)

a. If the chief of mission determines that curtailment of an employee's tour of duty would be in the best interests of the post, the employee, or the employee's dependents, the chief of mission may ask that the employee's tour of duty be curtailed immediately.

b. If the employee is an employee of the Department of State, the chief of mission should submit a request through the DIRGEN channel to the Director General of the Foreign Service requesting curtailment of the employee.

The request must:

- Include background information on any incidents that support the request;

- Confirm that the employee has been informed of the request and the reasons therefor; and

- Confirm that the employee has been advised that he or she may submit comments separately.

c. If the employee requests curtailment, the chief of mission should use the DIRGEN channel to:

- Inform the Director General of the chief of mission's support of the employee's request; and

- Explain fully the circumstances that, in the chief of mission's judgment, justify immediate curtailment.

d. Except in cases of serious misconduct, criminal activities, or actions that have serious security implications, a chief of mission may offer the employee the alternative of submitting a request for immediate voluntary curtailment.

If the employee is an employee of another agency, the request should be submitted to:

Agency	Submit to
USAID	Director, Office of Personnel Management
USIA	Director, Office of Personnel
Commerce	Director General, U.S. and Foreign Commercial Service
Agriculture	Director, Personnel Division for Foreign Agricultural Service

Applicable post representatives can provide correct cable addresses for other agencies. The same supporting information required in 3 FAM 2443.2 should be used in requesting curtailment.

3 FAM 2443.3 Involuntary Curtailment Directed by Chief of Mission

(TL:PER-350; 04-14-1998)

(State Only)

(Applies to All Executive Branch Employees Assigned to Posts Abroad)

- a. As an exceptional measure in situations when:
 - The chief of mission deems immediate curtailment of an employee to be in the best interests of the Foreign Service or the posts; and
 - Time will not permit the necessary exchange of communications between the post and the Department;

the chief of mission may direct the immediate curtailment of the employee's tour of duty, and the post may issue travel orders for the employee and employee's dependents to a nearby country or to Washington, DC. A prompt and full report of the circumstances must be made to the Director General in the DIRGEN channel.

3 FAM 2444 CURTAILMENT OF ASSIGNMENTS IN THE UNITED STATES

(TL:PER-350; 04-14-1998)

(State Only)

(Applies to Foreign Service Employees Only)

- a. An employee assigned within the United States may request voluntary curtailment of his or her tour of duty for any reason by submitting the request and an explanatory memorandum to the assignments panel via his or her counseling and assignments officer. The bureau of assignment

must state its support for or opposition to the employee's request.

b. Bureau Assistant Secretary or designated deputy assistant secretary may request the curtailment of a Foreign Service employee assigned within the United States by addressing a memoranda marked "Personnel Sensitive" to the Director General. The memoranda should:

- Include background information on any incidents that support the request.
- Confirm that the employee has been informed of the request and the reasons therefor; and
- Confirm that the employee has been advised that he or she may submit comments separately.

c. If the Director General determines that the requested involuntary curtailment of the tour of duty of a Foreign Service employee assigned within the United States would be in the best interest of the Foreign Service or the bureau, the Director General may direct the curtailment.

3 FAM 2445 REPORTS TO OFFICE OF INSPECTOR GENERAL AND BUREAU OF DIPLOMATIC SECURITY

(TL:PER-350; 04-14-1998)

(State Only)

(Applies to All Executive Branch Employees Assigned to Posts Abroad)

Whenever a chief of mission or Departmental official determines curtailment is necessary or requests curtailment of an employee:

Involving:	Report circumstances immediately to:
Allegations of waste, fraud (other than passport/visa fraud external to the embassy), abuse, or mismanagement, including possible criminal activity.	Office of Inspector General
A security aspect, allegations of passport and visa fraud external to the embassy or allegations of misconduct not directly related to employment.	Bureau of Diplomatic Security

3 FAM 2446 THE DIRECTOR GENERAL

(TL:PER-350; 04-14-1998)

(State Only)

(Applies to Foreign Service Employees)

a. The Director General has the authority to propose curtailment from any assignment *sua sponte*.

b. The Director General may overrule the assignment panel decision to curtail or not to curtail if the Director General determines that to do so is in the best interests of the Foreign Service or the post.

c. If the curtailment is not based on a request by a bureau or post, the Director General will notify the employee of the reasons for the curtailment, and will give the employee an opportunity to submit comments prior to making a decision.

3 FAM 2447 THROUGH 3 FAM 2449 UNASSIGNED