

3 FAH-1 H-1420 TRANSFER OF OFFICE

This subchapter contains guidelines and procedures for implementing the regulations published in 3 FAM 1420 and should be used in conjunction with that subchapter.

3 FAH-1 H-1421 DEFINITION

(TL:POH-25; 10-9-96)

(State Only)

(Applies to Foreign Service Employees Only)

Transfer of office, as used in this subchapter and in 3 FAM 1420 , refers to the permanent or temporary transfer of the authorities and responsibilities vested in the principal officer for the management of the post and the conduct of its operations.

- A permanent transfer of office is effected whenever an officer relinquishes charge of a post and does not expect to resume charge of that post, or whenever directed by the Department.
- A temporary transfer is effected whenever an officer relinquishes charge of a post with the expectation of resuming charge of the post. The procedure required in the case of a temporary transfer (see 3 FAH-1 H-1424.5) is followed at the time the principal officer relinquishes charge and again at the time the officer resumes charge.

3 FAH-1 H-1422 DESIGNATION OF OFFICER IN CHARGE

(TL:POH-25; 10-9-96)

(State Only)

(Applies to Foreign Service Employees Only)

a. The deputy chief of mission at a diplomatic post or the deputy principal officer at a consular establishment or U.S. interests section shall assume charge in the absence or incapacity of the principal officer.

b. In the absence of a deputy, the senior Foreign Service officer at a diplomatic mission, a consular establishment, or a U.S. interests section should normally assume charge of the post.

c. The principal officer at a diplomatic mission, consular establishment, or U.S. interests section may, however, at the principal officer's discretion, designate any officer with appropriate commissioned title to act in charge of the post. When such designation is made, the principal officer should notify:

- The appropriate geographic bureau in the Department and the servicing FSC of the reporting post by cable; and
- The host government or international organization by diplomatic note.

3 FAH-1 H-1423 CHARGÉ D'AFFAIRES AD INTERIM PAY

(TL:POH-25; 10-9-96)

(State Only)

(Applies to Foreign Service Employees Only)

See 3 FAM 3123 .

3 FAH-1 H-1424 TRANSFERS OF DIPLOMATIC MISSIONS

3 FAH-1 H-1424.1 Arrival of New Chief of Mission

(TL:POH-25; 10-9-96)

(State Only)

(Applies to Foreign Service Employees Only)

a. A newly appointed chief of mission assumes charge of the mission for administrative purposes, including chargé pay purposes, on the date of entry into country of assignment.

b. Ordinarily, the chief of mission is not formally recognized by the host government until presentation of credentials to the head of the foreign state or the foreign minister in accordance with local protocol. Arrangements are made for the presentation of credentials as soon after arrival of the appointed chief of mission as feasible.

- Until the new chief of mission is formally recognized, diplomatic notes and other formal representations to the host government are made in the name of the chargé d'affaires ad interim with the approval of the appointed chief of mission.

- Cables to the appropriate geographic bureau in the Department and to other posts are sent in the name of the appointed chief of mission from the time the appointed chief of mission has assumed administrative charge. Should local circumstances for any reason demand it, such cables may be sent in the name of the chargé d'affaires ad interim with the approval of the appointed chief of mission.

3 FAH-1 H-1424.2 Temporary Absence of Chief of Mission from Capital

(TL:POH-25; 10-9-96)

(State Only)

(Applies to Foreign Service Employees Only)

a. A chief of mission may not divest himself/herself of official status while in country of assignment. When temporarily absent from the capital, but within the country of assignment, the chief of mission continues to be in charge of the mission and does not make a transfer of office under such circumstances (see 5 FAM). However, such absences from the capital must be reported to the Department in accordance with section 3 FAH-1 H-1424.5 .

b. In exceptional circumstances, such as a protracted period of serious illness during which the chief of mission remains in country of assignment, the Department may instruct the temporary transfer of office. A chief of mission may request such action by the appropriate geographic bureau in the Department.

3 FAH-1 H-1424.3 Departure of Chief of Mission From Country

3 FAH-1 H-1424.3-1 Department's Permission Required

(TL:POH-25; 10-9-96)

(State Only)

(Applies to Foreign Service Employees Only)

Except in cases of emergency, a chief of mission does not absent himself/herself from country (countries) of assignment without the knowledge and permission of the appropriate Assistant Secretary in the Department (see section 3 FAH-1 H-1424.5).

3 FAH-1 H-1424.3-2 Temporary Absence

(TL:POH-25; 10-9-96)

(State Only)

(Applies to Foreign Service Employees Only)

a. A chief of mission leaving country of assignment for a temporary visit in another country (including another country to which the chief of mission is also accredited) will make a temporary transfer of office to the chargé d'affaires ad interim in the chief of mission's country of residence effective on the date of departure from the country.

b. The chief of mission resumes charge on the date of return to the country.

c. In the event that a chief of mission is transferred, reassigned, or separated while temporarily absent from the country of assignment, the chargé d'affaires ad interim will execute a certificate of transfer of office on the chief of mission's behalf, upon the arrival of a new chief of mission.

3 FAH-1 H-1424.3-3 Permanent Departure

(TL:POH-25; 10-9-96)

(State Only)

(Applies to Foreign Service Employees Only)

a. A chief of mission departing from country of assignment for reassignment, or a chief of mission who for any reason does not expect to return, will make a permanent transfer of office to the chargé d'affaires ad interim, effective on the date of his/her departure from the country.

b. If a retiring or resigning chief of mission remains in the country of assignment, that officer will make a permanent transfer of office effective on the date he/she relinquishes the duties of his/her office.

3 FAH-1 H-1424.3-4 Transfers at Missions Temporarily Without a Resident Chief of Mission

(TL:POH-25; 10-9-96)

(State Only)

(Applies to Foreign Service Employees Only)

a. When a chief of mission who is assigned to more than one country visits a country of assignment where he/she is not normally resident, a transfer of office will occur between the resident chargé d'affaires ad interim and the

chief of mission upon the latter's arrival and again upon his/her departure from the country. Such a transfer will be the same as a temporary transfer described in section 3 FAH-1 H-1424.5 , except that the required notification to the Department need not be sent from the chief of mission's country of residence in accordance with section 3 FAH-1 H-1425 .

b. If a chargé d'affaires ad interim is succeeded by another chargé d'affaires ad interim, there will be (as appropriate) a permanent or temporary transfer of office between the two chargés.

3 FAH-1 H-1424.4 Transfers at Consular Offices or U.S. Interests Sections

3 FAH-1 H-1424.4-1 Arrival of Principal Officer

(TL:POH-25; 10-9-96)

(State Only)

(Applies to Foreign Service Employees Only)

The principal officer of a consular post or U.S. interests section assumes charge on the date of arrival at the post.

3 FAH-1 H-1424.4-2 Temporary Absence of Principal Officer

(TL:POH-25; 10-9-96)

(State Only)

(Applies to Foreign Service Employees Only)

a. The principal officer will make a temporary transfer of office whenever departing temporarily on leave, detail, consultation, or for any other reason from:

- The district of assignment; or
- Districts under the principal officer's supervision; or
- A U.S. interests section.

b. The principal officer may transfer office temporarily on occasions when, because of illness or other absence from office, that officer will be unable to fulfill the responsibilities of office.

c. In the event that a principal officer is transferred, reassigned, or separated while temporarily absent from the post of assignment, the acting principal officer will execute a certificate of transfer of office on that officer's behalf, upon the arrival of the new principal officer.

3 FAH-1 H-1424.4-3 Permanent Departure of Principal Officer

(TL:POH-25; 10-9-96)

(State Only)

(Applies to Foreign Service Employees Only)

a. When departing by reason of reassignment, or on other occasions when the principal officer does not expect to return, that officer will make a permanent transfer of office to the successor.

b. Normally the transfer is effective on the day prior to the principal officer's departure; however, if public business necessitates, that officer may transfer the office at any time within 10 days of the date of departure.

c. If the successor has not arrived by the time of the principal officer's departure, that officer's last official act at the post will effect a permanent transfer of office on the date of relinquishment of duties.

3 FAH-1 H-1424.5 Executing the Transfer

3 FAH-1 H-1424.5-1 Permanent Transfer

(TL:POH-25; 10-9-96)

(State Only)

(Applies to Foreign Service Employees Only)

a. Upon every permanent transfer of office, a certificate of transfer will be executed in triplicate. The original will be retained in the post files, and the incoming and outgoing officers will each retain a copy for their personal files.

b. The certificate of transfer is to be in the following form:

"The undersigned jointly certify that on (date) at (time), (name and (title)), relinquished charge of the (category of post) of the United States (city where located), and that (name and title) assumed charge.

(/s/ officer relinquishing charge)
(title of relinquishing officer)

(/s/ officer assuming charge)
(title of officer assuming charge)"

3 FAH-1 H-1424.5-2 Temporary Transfer

(TL:POH-25; 10-9-96)

(State Only)

(Applies to Foreign Service Employees Only)

The only formal action which the Department requires in the case of a temporary transfer is the appropriate notification prescribed in section 3 FAH-1 H-1424.5-4 and any necessary briefing as prescribed in section 3 FAH-1 H-1424.5-3 . This does not preclude the execution of the certificate of transfer when, at the discretion of either officer, the circumstances warrant such action. The procedures required for a temporary transfer will be followed at the time the principal officer relinquishes charge and again at the time that officer resumes charge.

3 FAH-1 H-1424.5-3 Briefing of Successor

(TL:POH-25; 10-9-96)

(State Only)

(Applies to Foreign Service Employees Only)

a. The officer relinquishing charge of an office will, in all cases, assure that his/her successor has been adequately briefed on all pending or anticipated problems which require the successor's attention. This briefing should include:

- Substantive program activities;
- Matters of protocol at post;
- A summary of post organization;
- Assignments of responsibility;
- Supervisory relationships;
- Budget plans; and
- Office of Inspector General recommendations.

b. Those functional responsibilities vested in the principal officer by regulation or exercised by that officer at the post will be transferred to the successor in accordance with pertinent regulations.

3 FAH-1 H-1424.5-4 Notification of Department

A. Reports Regarding Arrival and Recognition of New Chief of Mission

(TL:POH-25; 10-9-96)

(State Only)

(Applies to Foreign Service Employees Only)

The appropriate geographic bureau and PER/CDA/SL/PAS in the Department will be notified promptly:

- Of the date(s) on which an appointed chief of mission first enters the country or assignment and arrives at post; and
- When the chief of mission has been formally recognized by the host government.

A copy of the notification will be sent to missions in any other countries to which the chief of mission is also assigned if there are officers in residence there.

B. Reports of Departure Under Orders

(TL:POH-25; 10-9-96)

(State Only)

(Applies to Foreign Service Employees Only)

The departure of a chief of mission from the country of assignment under Department orders will be reported to:

- The appropriate regional bureau;
- Missions in any other countries to which the chief of mission is also assigned if there are officers in residence there; and
- The FSC servicing the post of assignment.

The report will contain the effective date of the transfer of office and the name of the chargé d'affaires ad interim in the chief of mission's assigned country of residence.

3 FAH-1 H-1425 ABSENCE FROM POST

3 FAH-1 H-1425.1 Requests for Permission to Leave Country

(TL:POH-25; 10-9-96)

(State Only)

(Applies to Foreign Service Employees Only)

a. A chief of mission or chargé d'affaires ad interim desiring to be absent from the country (or countries) of assignment will request permission from the appropriate Assistant Secretary in the Department reasonably in advance of the proposed departure. A copy will also be forwarded to missions in other countries to which the chief of mission is also assigned if there are officers in residence there.

b. Each request must contain:

- Anticipated dates of departure and return;
- Name of the officer who will assume charge; and
- Address(es) where the chief of mission may be reached in an emergency.

c. If permission is granted and the chief of mission proceeds as planned, no other notification to the appropriate geographic bureau in the Department regarding transfer of office is required until the chief of mission returns and resumes charge.

d. In certain geographical areas where travel to neighboring countries does not place the chief of mission beyond easy rapid communications with the Department or post, the chief of mission may request standing permission from the appropriate geographic bureau in the Department to perform such short trips as may be necessary.

3 FAH-1 H-1425.2 Reports on Travel Within Country (Countries) of Assignment

(TL:POH-25; 10-9-96)

(State Only)

(Applies to Foreign Service Employees Only)

a. Absences from the capital by the chief of mission traveling within the country (countries) of assignment, which place that officer beyond easy, rapid communications with the Department and/or post, will be reported to the appropriate geographic bureau in the Department.

b. It is within the discretion of the chief of mission whether a particular absence from the capital will warrant notifying the appropriate geographic bureau in the Department.

c. Reports of such absence will contain the following information as appropriate:

- Anticipated dates of departure and return;
- Address(es) where the chief of mission may be reached in an emergency; and
- (If the chief of mission is proceeding to another country to which also accredited), the name of the officer who will assume charge in the country of residence.

3 FAH-1 H-1425.3 Reports of Return to Capital

(TL:POH-25; 10-9-96)

(State Only)

(Applies to Foreign Service Employees Only)

Whenever the chief of mission returns to the capital after a reported absence, the date of the arrival and the effective date of any transfer of office will be reported to:

- The appropriate geographic bureau in the Department; and
- Missions in any other countries to which the chief of mission is also assigned if there are officers in residence there.

3 FAH-1 H-1425.4 Method of Transmission

(TL:POH-25; 10-9-96)

(State Only)

(Applies to Foreign Service Employees Only)

The notification to the appropriate geographic bureau in the Department will be transmitted in the manner deemed most suitable by the post in each case.

3 FAH-1 H-1426 REPORTS REGARDING TRANSFER OF CONSULAR OFFICES

(TL:POH-25; 10-9-96)

(State Only)

(Applies to Foreign Service Employees Only)

a. The appropriate geographic bureau in the Department will be notified promptly of every permanent transfer of office occurring at a consular post.

b. Only the embassy will be notified of a temporary transfer of office at a consular post.

c. The notification will include:

— Effective date of transfer of office;

— Names and dates of arrival and/or departure of officers involved in transfer of office; and

— (If temporary absence) anticipated period of absence.

3 FAH-1 H-1427 OTHER REQUIRED REPORTS

(TL:POH-25; 10-9-96)

(State Only)

(Applies to Foreign Service Employees Only)

The reports required by this subchapter are in addition to those prescribed in 3 FAM 3320 and 6 FAM .

3 FAH-1 H-1428 NOTIFICATION OF HOST GOVERNMENT

(TL:POH-25; 10-9-96)

(State Only)

(Applies to Foreign Service Employees Only)

The host government and, as appropriate, representatives of third countries, will be notified in accordance with local protocol or custom, of any transfer of office.

3 FAH-1 H-1429 UNASSIGNED