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## INFORMATIONAL MEMORANDUM FOR THE ADMINISTRATOR

THROUGH: Suzanne Hale  OCT 7 2009  
Acting Associate Administrator

FROM: Franklin D. Lee  
Deputy Administrator  
Office of Administrative Operations

SUBJECT: Benefits for Domestic Partners of Foreign Service Officers

### ISSUE

The Office of Administrative Operations has prepared a draft memorandum for FAS-wide distribution regarding FAS extension of benefits for Same-Sex Domestic Partners of Foreign Service Employees serving abroad in response to the Administrator's request.

### SUMMARY

The Foreign Agricultural Service (FAS) will join Department of State (DOS), USAID, VOA/IDB, and FCS in adopting the new benefits and allowances for same-sex partners, as described in DOS's Foreign Affairs Manual (FAM) and the DOS Standardized Regulations (DSSR). FAS will implement these measures consistent with DOS's guidance.

### BACKGROUND

President Obama announced in June 2009 that his administration intended to provide same-sex domestic partners the same benefits provided to married people of the opposite sex. However, executive departments and agencies can only extend benefits if they have legal authorization to do so.

Following a detailed review of existing legislation, it was determined the Secretary of State, as the overseer of the Foreign Service personnel system, could provide some benefits to Foreign Service Officers serving abroad. FAS, and all other Foreign Affairs agencies, will work with foreign governments to provide same-sex partners, to the extent possible, with diplomatic visas, privileges and immunities, and authorization to work in the local economy.

## Benefits for Same-Sex Domestic Partners of Foreign Service Employees

I am pleased to announce that Foreign Agricultural Service (FAS) is extending all legally available benefits and allowances to same-sex domestic partners of Foreign Service members serving abroad. This new policy (effective July 30, 2009) has also been adopted by Department of State (DOS), U.S. Agency for International Development, Voice of America/International Broadcasting Bureau, and Foreign Commercial Service.

The new benefits and allowances are described in DOS's Foreign Affairs Manual and the DOS Standardized Regulations. FAS will implement those measures consistent with DOS's guidance. For any questions concerning those benefits, contact Office of Foreign Service Operations.

FAS (working with DOS) will provide the following additional benefits and allowances for declared same-sex domestic partners of eligible employees serving overseas:

- Diplomatic passports,
- Inclusion on employee travel orders to and from posts abroad,
- Shipment of household effects,
- Inclusion in family size calculations for the purpose of making housing allocations,
- Family member preference for employment at posts abroad,
- Use of medical facilities at posts abroad,
- Medical evacuation from posts abroad,
- Emergency travel for partners to visit gravely ill or injured employees and relatives,
- Inclusion as family members for emergency evacuation from posts abroad,
- Subsistence payments related to emergency evacuation from posts abroad,
- Inclusion in calculations of payments of overseas allowances (e.g., payment for quarters, cost of living, and other allowances),
- Representation expenses, and
- Training at the Foreign Service Institute.

FAS, and all the other Foreign Affairs Agencies, will work with foreign governments to provide same-sex domestic partners, to the extent possible, with diplomatic visas, privileges and immunities, and authorization to work in the local economy.

President Obama announced in June that his administration intended to provide same-sex domestic partners the same benefits provided to married people of the opposite sex. However, executive departments and agencies can only extend benefits if they have the legal authorization to do so. Following a detailed review of existing legislation, it has been determined that the Secretary of State, as the overseer of the Foreign Service personnel system, could provide some benefits to Foreign Service Officers serving overseas.

Unfortunately, U.S. domestic law currently prevents extension of those same benefits to employees working in the United States. However, President Obama has directed OMB to undertake a review of existing government-wide benefits and to implement all possible measures allowed under current law.