

RELEASE IN PART
B6

From: Cheryl Mills [REDACTED]
Sent: Friday, May 22, 2009 1:22 PM
To: H
Cc: Jake.Sullivan [REDACTED]
Subject: Fwd: Advocate.com: Draft Letter Signals Clinton Ready For Equal Treatment at State

Oh my.

cdm

----- Forwarded message -----

From: Richard Socarides [REDACTED]
Date: Fri, May 22, 2009 at 11:30 AM
Subject: Advocate.com: Draft Letter Signals Clinton Ready For Equal Treatment at State
To: Cheryl Mills [REDACTED]

http://www.advocate.com/news_detail_ektid85471.asp

May 22, 2009

Draft Letter Signals Clinton Ready For Equal Treatment at State

By Kerry Eleveld

The Advocate has obtained a draft of a letter from Secretary of State Hillary Clinton to employees of the State Department that details her intentions to extend certain benefits to same-sex partners of foreign service officers posted abroad.

"Historically, domestic partners of Foreign Service members have not been provided the same training, benefits, allowances, and protections that other family members receive. These inequities are unfair and must end. Providing training, medical care and other benefits to domestic partners promote the cohesiveness, safety and effectiveness of our Posts abroad," says the letter.

The letter explains that the department will be "exercising its inherent authority to change its regulations in the Foreign Affairs Manual and Department of State Standardized Regulations" in order to allow domestic partners of foreign service personnel to qualify as family members. "Where appropriate, this extension of benefits and allowances will apply to the children of domestic partners as well."

Providing these benefits to all employees, notes the letter, will help the department "attract and retain personnel in a competitive environment where domestic partner benefits and allowances are increasingly the norm for world-class employers. At bottom, the Department will provide these benefits for both opposite-sex and same-sex domestic partners because it is the right thing to do."

The letter appears to be the culmination of Secretary Clinton's work with LGBT employee groups at the State Department. A source familiar with the situation who spoke on the condition of anonymity said the letter was drafted by senior officials at

the department and represents the Secretary's thinking on the issue. The letter currently awaits final approval from senior government lawyers.

The draft is consistent with **statements made this week** by California Congressman Howard Berman that Secretary Clinton is committed to equalizing the treatment of gay employees of the State Department and that he anticipated an announcement on the matter soon.

Full text of the letter is below:

DRAFT INTERNAL RELEASE

For Review

Today, I am pleased to announce that the Department of State will be extending a number of benefits and allowances to domestic partners of members of the Foreign Service assigned abroad.

While a career in the Foreign Service is rewarding, the demands to serve our country both at home and abroad also require great sacrifice by our Foreign Service personnel and their families as well. Family members often must uproot their lives, endure hardship conditions, and put their own careers on hold. Like all families, our Foreign Service families come in different configurations; all are part of the common fabric of our Post communities abroad.

Historically, domestic partners of Foreign Service members have not been provided the same training, benefits, allowances, and protections that other family members receive. These inequities are unfair and must end. Providing training, medical care and other benefits to domestic partners promote the cohesiveness, safety and effectiveness of our Posts abroad. It will also help the Department attract and retain personnel in a competitive environment where domestic partner benefits and allowances are increasingly the norm for world-class employers. At bottom, the Department will provide these benefits for both opposite-sex and same-sex domestic partners because it is the right thing to do.

The Department will be exercising its inherent authority to change its regulations in the Foreign Affairs Manual and Department of State Standardized Regulations to allow the domestic partners of Department Foreign Service personnel to qualify as family members for a variety of benefits and allowances. Where appropriate, this extension of benefits and allowances will apply to the children of domestic partners as well. To qualify for these benefits and allowances, an employee must file an affidavit identifying his or her domestic partner and certifying to certain eligibility requirements that will be set forth in the FAM.

The Department of State intends to provide the following additional benefits and allowances for declared 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 the partners to visit gravely ill or injured employees,*
- *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 differentials and allowances (e.g., payment for quarters, cost of living, and other allowances),*
- *Representation expenses, and*
- *Training at the Foreign Service Institute.*

The Department also will work with our inter-agency partners and host country governments to provide domestic partners with diplomatic visas, appropriate diplomatic and consular privileges and immunities, and authorization to work in the local economy abroad.

We look forward to implementing these changes.

--

Richard Socarides
Brady Klein Weissman LLP
501 Fifth Avenue, 19th Floor, New York, NY 10017
w: 212.949.5800 m:

B6