

Questions for the Record Submitted to
Deputy Secretary – Designate Jacob Lew by
Senator Robert P. Casey, Jr (#1)
Senate Foreign Relations Committee
January 22, 2009

Gay and Lesbian Employees at the State Department

The Department takes commendable efforts to ensure the safety and well-being of the families of Foreign Service officers who serve their country abroad at regular intervals. However, it denies to partners of gay and lesbian Foreign Service officers the language, area studies, and other types of training that spouses receive. Partners aren't allowed the same access to embassy medical services that spouses receive, even in countries with poor medical care, and often aren't allowed even access to embassy facilities.

Unlike spouses, partners aren't guaranteed evacuation in the event of political instability or danger. They can't compete for embassy jobs, even if they might be best qualified to do the work our embassies need. And though the Department will pay to transport even a pet to an employee's overseas post, it won't pay the air ticket of a life partner.

Question:

As the Deputy Secretary of State for Management and Resources, how do you plan to approach the issue of what benefits and training should be provided to domestic partners of Foreign Service Officers?

Answer:

The Department hires, recruits, assigns, and promotes employees without regard to sexual orientation. Unmarried partners of U.S. Government employees assigned abroad – same-sex and opposite-sex - are treated in an equivalent manner. Unmarried partners fall under the Members

of Household (MOH) category and are afforded certain benefits, as set forth within the personnel section of the Foreign Affairs Manual. These benefits include assistance in obtaining appropriate residency permits and travel visas in accordance with local law, ability to obtain Mission ID badges, consideration for Mission employment if legal requirements are met, inclusion in the Mission warden system and Mission phone book, and inclusion on the same basis as spouses in events sanctioned by Missions.

The Department allows family members and MOHs, including unmarried partners, to enroll in the Security Overseas Seminar, a two-day course at the Foreign Service Institute that is mandatory for all employees prior to their first overseas assignment. The Department's "Iraq Pre-deployment Workshop" and any equivalent future classes are available to the MOHs of employees assigned to Iraq, an unaccompanied post. In addition to security-related training, the Department has extended access for MOHs to the Foreign Service Institute's distance learning and Familiarization and Short-term (FAST) language courses, on a space-available basis, i.e., on a par with Eligible Family Member spouses. With ability in the local language, individuals can be less conspicuous in dangerous circumstances, more alert to possible dangers, and better able to converse with first responders.

I will ask the Department's Bureau of Human Resources and the Office of the Legal Adviser to advise me whether any further steps to provide benefits and training to MOHs are appropriate and legally available.

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Political Appointees at the State Department

It is important not only to fully staff and fund the State Department, but also to ensure that our career diplomats have the ability to fill senior positions within the Department. I was pleased to hear that the Secretary-Designate plans to retain Ambassador Bill Burns, our most distinguished career Foreign Service Officer, as the Undersecretary for Political Affairs. However, some reports have circulated that Secretary Clinton plans to staff most, if not all, Assistant Secretary and Deputy Assistant Secretary positions, with political appointees, even in regional bureaus traditionally headed by career diplomats.

Question:

Do you have any insight into the Secretary's plans to staff the front offices of the various regional and functional bureaus? Are you concerned that naming political appointees, as highly competent as they may be, to the majority of the Department's senior positions could send the wrong signal to our nation's career diplomats?

Answer:

The Secretary is reviewing options for staffing the most senior positions in the Department's regional and functional bureaus. Throughout this process, the Secretary is looking for the people – whether political

appointees or career diplomats – who will best carry out the President's Foreign Policy agenda and further U.S. interests abroad.

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Arms Control/Nonproliferation Functions at the State Department

In 1999, the Arms Control and Disarmament Agency (ACDA), which had responsibility for arms control and nonproliferation issues, was abolished and its functions were consolidated into the Department of State. Today, some analysts believe that the 1999 consolidation of the functions into the Department of State was a mistake and are concerned over reduced emphasis on arms control and nonproliferation policy, especially following the further 2004 reorganization of the “T family” that led to the departure of some long-serving State Department experts.

Question:

What is your response to those who advocate that arms control and nonproliferation functions be taken out of the State Department and assigned to independent agencies? Do you think the current structure in the State Department and its culture provides sufficient emphasis to promote these functions?

Answer:

Arms control and nonproliferation are central elements of our foreign policy and core functions of the Department of State. Success in negotiating a successor to the START Treaty and promoting, developing,

and securing consensus and progress on WMD proliferation requires bilateral and multilateral diplomacy, drawing on all the resources of the Department and led by the Secretary, who has made clear the priority she assigns to these issues. These functions should be integrated into the Department rather than be assigned to independent agencies. The Department's capabilities to carry out these functions will be revitalized to support this effort.

Question:

Secretary Clinton spoke at her confirmation hearing of a desire to revitalize the Arms control and nonproliferation bureaucracy in the Department and bring back some institutional expertise. Can you elaborate further on her plans?

Answer:

The Secretary and her senior staff are considering how best to revitalize the capabilities of the Department of State to negotiate arms control agreements and achieve our nonproliferation goals.

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Coordination of New Deputy Position with Undersecretary for
Management

Question:

While I am encouraged by your nomination by President Obama and Secretary Clinton, it remains unclear to me how your job responsibilities will fit into the existing Department organization, whereby an Undersecretary has traditionally handled management and resource issues.

Q: How will your responsibilities be coordinated with those of the Under Secretary of State for Management, a position in which I understand Pat Kennedy will continue, the senior official traditionally tasked with budgetary and administrative functions for the Department?

Answer:

By statute and the Secretary's desire, I coordinate all management and resource issues. As the Secretary has said, there is more than enough work in this arena. The Under Secretary for Management

remains responsible for managing the operating budget and the operations of the Department of State under my direction.