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TO ALL DIPLOMATIC AND CONSULAR POSTS COLLECTIVE

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FROM THE DIRECTOR GENERAL - PLEASE PASS TO AMB DCM, MO AND CLO

E.O. 13526: N/A

TAGS: AMGT, KFLO, APER

SUBJECT: Providing Adequately for Spouse, Partner, and Children Due to Separation and/or Impending Dissolution of Marriage or Domestic Partnership

1. Marital separations, divorce, and the dissolution of domestic partnerships are difficult, emotionally trying times for Foreign Service employees and their families. The stress and logistical difficulties are exacerbated while an employee is posted abroad. It has come to my attention that some spouses, partners, and children depart post on Advance Travel Orders, when there is an impending dissolution of a marriage or domestic partnership, without the basic requirements to set up a home and sustain themselves. As a result, these families are put in the position of having to seek help from relatives and friends and, in some cases, from public assistance. The failure to adequately arrange for a spouse/partner or children's transition from post can reflect adversely upon the U.S. government. Moreover, the COM and the Department have a legitimate concern in the welfare of family members accompanying employees to post and the overall morale at post.

2. Employees, spouses and partners are advised at post to seek counseling when there are serious stresses at home. The Family Liaison Office's "The Foreign Service Family and Divorce" publication addresses topics related to separation and divorce, including Advance Travel. FLO's Crisis Management Officer and the Employee Consultation Service (ECS) can provide information, resources and support. The office of Employee Relations (HR/ER) has a contract with Information Quest for free resource and referral service. The hope is that the family will be able to resolve their issues. If this is not possible, the decision may be made for the spouse/partner and family to leave post and return home. In this case employees are reminded they have a responsibility to facilitate the return of their spouse/partner (and children, if any) to the United States or other location the family may choose.

Employees are encouraged to reach a settlement with respect to disposition of HHE effects before the spouse/partner departs. Employees are also encouraged to reach a settlement with the spouse/partner in order to ensure adequate financial resources for the spouse/partner, and family to establish themselves in the United States or other location.

3. 3 FAM 1613-4 Dissolution of a Domestic Partnership requires that an employee or domestic partner of an employee who obtains benefits under the Foreign Affairs Manual (FAM) and Department of State Standardized Regulations (DSSR) based on the domestic partnership must file a statement of dissolution of the domestic partnership not later than 30 days after the date of dissolution of the domestic partnership with the appropriate agency office listed in 3 FAM 1612. Failure to file a timely statement of dissolution of the domestic partnership may result in disciplinary action and the recovery from the employee of the cost of benefits that should not have been received.

4. If arrangements are not made prior to a family's departure from post to ensure that the spouse, partner and children have adequate financial resources and HHE to furnish a home, at least until they are financially stable and/or a final property settlement is made, then employees in some circumstances may be subject to curtailment in order to make such arrangements. According to 3 FAM 2443, the Chief of Mission may curtail an employee's tour of duty if it is in the best interest of post, employee or the employee's dependents. Employees may also request a curtailment if their marital, partnership or family dissolution can best be handled in that manner. Curtailment is a management decision and its potential impact is to be considered carefully.

5. Minimize Considered.

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