

# United States Senate

WASHINGTON, DC 20510

October 11, 2018

The Honorable Michael R. Pompeo  
Secretary of State  
U.S. Department of State  
2201 C Street, NW  
Washington, DC 20520

Dear Secretary Pompeo,

We write to express concern over the Department of State's policy enacted on September 30, which halts the provision of diplomatic visas for unmarried, same-sex partners of foreign diplomats and employees posted to the United States or at U.S.-based international organizations. This new policy has the potential to be unnecessarily cruel and fails to take into account some of the challenges faced by same-sex couples around the world.

In too many places around the world, LGBTQ individuals are subjected to discrimination and unspeakable violence, and receive little or no protection from the law or local authorities. In 69 countries, consenting, same-sex sexual relations are criminalized, and same-sex marriage is available in only 26 UN member states.

To bar LGBTQ diplomats from bringing their partners to the United States is to condone the discriminatory policies of many countries around the world. Diplomats and their families take great risks to serve their country, often uprooting their families every few years in order to represent their nation. This new rule discriminates against diplomats from countries where same-sex marriage is still illegal.

American LGBTQ diplomats, supported by the State Department, have fought to secure visas and recognition for their spouses on tours in countries that do not recognize same-sex partnerships, often at great risk to themselves and their careers. This new policy could not only deter foreign diplomats from bringing their families to the United States, but threatens the progress made on this front.

While we acknowledge that "limited exceptions" will be made for diplomats on A-1 and A-2 visas from countries where same-sex marriage is illegal, this exception does not appear to be guaranteed and excludes those who are coming to the U.S. to work at international organizations. Consular policies should never act as a deterrent for LGBTQ diplomats who want to represent their countries in the United States. We urge you to extend the exceptions to those who seek to work at U.S.-based international organizations, take full advantage of the exception process to ensure officials who face challenges to legal marriage are not put in the position of choosing between their careers and their families, and promulgate clear public guidance so that those affected by the change can work with the State Department to pursue successful applications for

diplomatic visas for service in the United States. We also urge the State Department to delay the implementation of this rule until this revised guidance has been published on a public website.

The 2015 Supreme Court decision, *Obergefell v. Hodges*, sent a signal to the world about the importance of equal rights for all. We must ensure our policies continue to expand, not curtail, the opportunities for those around the world who still face discrimination for their sexual orientation. We appreciate your attention to these critical concerns and look forward to your prompt response.

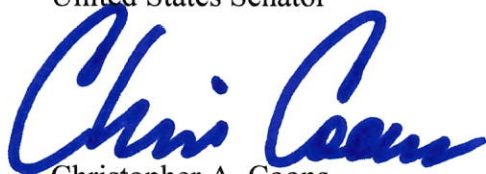
Sincerely,



Robert P. Casey, Jr.  
United States Senator



Jeffrey A. Merkley  
United States Senator



Christopher A. Coons  
United States Senator



Patrick Leahy  
United States Senator



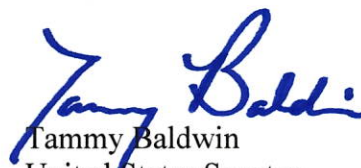
Ron Wyden  
United States Senator



Patty Murray  
United States Senator



Kirsten Gillibrand  
United States Senator



Tammy Baldwin  
United States Senator



Bernard Sanders  
United States Senator



Sherrod Brown  
United States Senator



Tammy Duckworth  
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Edward J. Markey  
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Richard Blumenthal  
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Cory A. Booker  
United States Senator



Jack Reed  
United States Senator



Richard J. Durbin  
United States Senator



Tina Smith  
United States Senator



Tim Kaine  
United States Senator



Jeanne Shaheen  
United States Senator



Benjamin L. Cardin  
United States Senator