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

Dear Secretary Pompeo:

We are deeply concerned by the Department’s decision to halt issuance of visas to same-sex domestic partners of foreign diplomats and officials and employees from international organizations like the United Nations (UN). We strongly urge you to reconsider your decision. This policy discriminates against gay and lesbian international civil servants, many of whom are citizens of countries that outlaw same-sex marriage.

On October 1, 2018, the State Department formally halted issuance of new visas to same-sex domestic partners of foreign diplomats and officials and employees from international organizations. It also notified all current same-sex domestic partner visa-holders that they have until December 31 to present a certificate of marriage if they wish to keep their visas. Failure to do so could result in deportation 30 days thereafter.

Only 26 countries—a mere 13 percent of UN member states—allow same-sex couples to marry. In reversing the State Department’s 2009 decision to provide visas to same-sex domestic partners, your department fails to acknowledge that in most of the world, same-sex domestic partners do not enjoy the possibility of marriage—and your decision undermines the validity of these diplomats’ relationship.

The State Department justifies its decision by pointing to the 2015 Obergefell v. Hodges ruling, but U.S. case law is an irrelevant standard when it comes to writing rules that only apply to foreign diplomats. While same-sex marriage has been legal in the U.S. for more than three years, the worldwide struggle for LGBTQI rights continues and U.S. leadership on this issue is more important than ever.

While the State Department has said it will provide a burdensome “limited exception” for diplomats from countries where same-sex marriage is illegal, the Department provides no similar
exception for personnel from international organizations—an inconsistent and unnecessary exclusion.

Additionally, such a policy could create a problem for our own diplomats as well. Because countries issue visas in a reciprocal manner, there is a potential that this policy could open up our diplomats to retaliation abroad — something that is not only unjust but potentially puts their physical safety at risk in certain parts of the world.

The United States must maintain its moral leadership on all human rights issues, including those affecting LGBTQI people. This policy sends the wrong message that the U.S. is not welcoming of all people. It also needlessly excludes personnel from international organizations, and places an unnecessary burden on diplomats from countries that do not currently allow same-sex marriage. We urge the State Department to reconsider its decision.

Sincerely,

Bradley S. Schneider  
Member of Congress

Ted Deutch  
Member of Congress

Eliot L. Engel  
Member of Congress

Darren Soto  
Member of Congress

Mark Takano  
Member of Congress

Debbie Wasserman Schultz  
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Tim Ryan  
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Frank Pallone, Jr.  
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Elizabeth H. Esty  
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