

# United States Senate

WASHINGTON, DC 20510-1904

October 24, 2018

The Honorable Michael Pompeo  
Secretary of State  
U.S. Department of State  
2201 C Street NW  
Washington, D.C. 20230

Dear Secretary Pompeo:

I write to express my concerns with the new State Department policy implemented on October 1, which requires same-sex partners of foreign diplomats and employees posted to the United States or at U.S.-based international organizations to be legally married.

For many years, the State Department has worked to secure visas for partners and spouses of American LGBT diplomats on tours in countries that do not recognize same-sex marriage or partnerships. Likewise, the United States has extended reciprocity to foreign diplomats serving in the United States and in international organizations even if their home country does not recognize same-sex marriage or partnerships. I am aware that this new policy provides exceptions for foreign diplomats on A-1 and A-2 visas from countries where same-sex marriage is illegal and whose countries extend diplomatic privileges and immunities to U.S. same-sex diplomatic spouses. The policy does not, however, allow derivative A visas for partners of foreign diplomats whose countries do not allow same-sex marriage or accept accreditation for American diplomatic same-sex spouses, and the policy excludes those who work at international organizations on G-4 visas.

In many nations around the world, consenting, same-sex relationships are criminalized and same-sex marriage is unavailable. I am concerned that the Department's new policy could deter foreign diplomats from bringing their families to the United States and that it runs counter to how the Department has supported our own American diplomats.

In 2015, the Supreme Court recognized marriage as a fundamental right inherent to personal liberty. We must ensure American policies continue to expand the opportunities for those around the world who face discrimination based on their sexual orientation.

To this end, I urge you to maintain U.S. leadership on LGBT policies globally and to prevent penalizing same-sex couples who face significant challenges to open and legal marriage. I request that the Department ensure maximum flexibility for foreign LGBT workers and provide clear public guidance on how same-sex partners of foreign diplomat A visa holders, whose home countries do not allow same-sex marriage or accept accreditation for American diplomatic same-

sex spouses, as well as same-sex partners of employees of international organizations who have G-4 visas, can successfully apply for derivative diplomatic visas.

I appreciate your attention to this important issue and look forward to your response.

Sincerely,

A handwritten signature in blue ink that reads "Susan M. Collins". The signature is written in a cursive style with a large, stylized "S" and "C".

Susan M. Collins  
United States Senator