

# SENATE RESOLUTION No. 125

## STATE OF NEW JERSEY 218th LEGISLATURE

INTRODUCED JANUARY 24, 2019

**Sponsored by:**

**Senator LINDA R. GREENSTEIN**

**District 14 (Mercer and Middlesex)**

**Senator NILSA CRUZ-PEREZ**

**District 5 (Camden and Gloucester)**

**SYNOPSIS**

Condemns State Department policy restricting G-4 spousal visas for same-sex partners of staff of US-based international organizations.

**CURRENT VERSION OF TEXT**

As introduced.



1    **A SENATE RESOLUTION** condemning the State Department’s policy  
2       restricting G-4 spousal visas for same-sex partners of staff of  
3       United States-based international organizations.  
4  
5    **WHEREAS**, On October 1, 2018 the State Department established a  
6       new policy restricting spousal visas for the same-sex partners of  
7       staff of United States-based international organizations; and  
8    **WHEREAS**, This reverses a years-old policy that allowed same-sex  
9       partners to obtain a spousal visa even where they were not  
10      legally married, offering the foreign partner in a same-sex  
11      relationship a way to continue the relationship without the danger  
12      of retribution in their home country; and  
13    **WHEREAS**, Now, spousal visas will be given only to same-sex  
14      couples who are legally married; and  
15    **WHEREAS**, While the State Department asserts that this puts same-  
16      sex couples in the same position as opposite-sex couples, doing  
17      so denies the reality of the oppression that lesbian, gay, bisexual,  
18      transsexual, and queer (LGBTQ) people in same-sex  
19      relationships face around the world, and puts them in danger of  
20      retribution; and  
21    **WHEREAS**, This will have a disproportionate, negative impact on  
22      LGBTQ people because opposite-sex marriage is legal in all of  
23      the 193 United Nations countries, but same-sex marriage is only  
24      legal in about two dozen of those countries; and  
25    **WHEREAS**, While same-sex marriage has been legal in the United  
26      States since 2015 and has the support of over 60 percent of  
27      Americans, some countries still outlaw homosexuality and even  
28      imprison people for being LGBTQ or for being in a same-sex  
29      relationship; and  
30    **WHEREAS**, Historically, LGBTQ people have faced obstacles and  
31      oppression throughout the world, and in many countries continue  
32      to face oppression and violence, including harassment, assault,  
33      and even murder; and  
34    **WHEREAS**, LGBTQ people in many countries fear retribution from  
35      both the government as well as individuals if others learn of their  
36      sexual orientation or relationship; and  
37    **WHEREAS**, In 11 countries it is a capital offense to engage in same-  
38      sex sexual acts and same-sex couples therefore risk the death  
39      penalty if they reveal their relationship by formalizing the  
40      relationship through marriage to obtain a G-4 visa; and  
41    **WHEREAS**, This change in policy affects the same-sex partners of  
42      employees of organizations such as the United Nations,  
43      International Monetary Fund, and the World Bank and those  
44      affected who are from countries that do not recognize same-sex  
45      marriage face tangible risks of discrimination, prison time, or  
46      execution in their home country; now, therefore,  
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48    **BE IT RESOLVED** *by the Senate of the State of New Jersey:*

2. Copies of this resolution, as filed with the Secretary of State, shall be transmitted by the Secretary of the Senate to the President and Vice President of the United States; the Secretary of State of the United States; the Majority and Minority Leaders of the United States Senate; the Speaker and Minority Leader of the United States House of Representatives; and every member of Congress elected from this State.

This resolution condemns the State Department's policy restricting G-4 visas for same-sex partners of staff of United States-based international organizations and contends that the actions of the State Department are harmful to lesbian, gay, bisexual, transsexual, and queer (LGBTQ) people in same-sex relationships.

On October 1, 2018 the State Department announced a new policy under which same-sex and opposite-sex couples will be required to be legally married in order for the foreign partner in a relationship to qualify for a G-4 spousal visa. The change reverses an older policy under which same-sex couples did not need to be legally married in order for the foreign partner to obtain a G-4 spousal visa. The old policy provided protections for LGBTQ persons from countries that discriminate against LGBTQ people.

Given that LGBTQ persons face discrimination, dangerous conditions, and violence in many countries outside of the United States, this means that the foreign partner in a same-sex relationship with a staff member of a United States-based organization may face danger or discrimination in their home country.

The state-sanctioned discrimination against LGBTQ persons around the world is a significant and ongoing issue, and some countries still imprison or put to death those who are LGBTQ or in a same-sex relationship. Even where the consequences are not so severe, the discrimination against LGBTQ persons may have a significant and lasting impact on a person's life. In addition, LGBTQ persons may face violence at the hands of other individuals because of their sexual orientation or relationship.

The State Department's new policy effectively means that people will have to choose between formalizing their relationship in a way that might be personally harmful or risking the failure to obtain a visa. As a result, the policy will have a significant and detrimental effect on LGBTQ persons in relationships with Americans working for international organizations.