

April 8, 2011

MEMORANDUM FOR: Directors, Field Operations  
Office of Field Operations

Director, Preclearance  
Operations

FROM: Executive Director /s/ (b) (6), (b) (7)(C) for  
Admissibility and Passenger Programs

SUBJECT: New J-1 Exchange Visitor Visa Subcategory for Same-Sex  
Domestic Partners of U.S. Foreign Service Officers

The purpose of this memorandum is to inform officers that the Department of State (DOS) has established a new J-1 visa subcategory under which non-U.S. citizen same-sex domestic partners (SSDP) of members of the U.S. Foreign Service may be eligible to come to the United States during their partners' domestic assignments.

On June 17, 2009 President Obama issued a memorandum requesting federal agencies to extend benefits to qualified SSDPs of some federal employees. Consistent with the memorandum, the DOS established a government visitor program where eligible SSDPs may apply for admission into the United States on a J-1 visa.

In order to be eligible for this program, an SSDP of a U.S. Foreign Service member must meet the requirements in 3 FAM 1610, must be traveling to the United States to join the member of the U.S. Foreign Service while he or she is on an assignment in the United States of at least six months, and must meet the requirements to obtain a J-1 visa.

For every year present in the United States, participants under this program must successfully complete two, three-credit or other approved courses, or approved community service activities, that will provide exposure to a relevant subject area. Participants in an exchange visitor program may receive compensation for DOS-approved employment in accordance with 22 CFR, Part 62.

For admissibility purposes, the J-1 applicant for admission must present Form DS-2019, Certificate of Eligibility for Exchange Visitor (J-1) Status, and may initially enter the United States no more than 30 days prior to the start of the exchange program start date (as stated on Form DS-2019) for the Duration of Status.

If you have any questions concerning this memorandum, please have a member of your staff contact (b) (6), (b) (7)(C) Program Manager, Admissibility and Passenger Programs at (b) (6), (b) (7)(C)

Attachment