

United States Senate

WASHINGTON, DC 20510

June 13, 2019

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

Dear Secretary Pompeo,

We write to express our concern with recent reports that the State Department is denying requests from U.S. embassies to fly the rainbow flag on embassy flagpoles. The embassies intend to commemorate Lesbian, Gay, Bisexual, Transgender, and Intersex (LGBTI) Pride Month at a time when ongoing attacks on LGBTI communities require a strong statement of U.S. support for LGBTI rights around the world.

On June 7, 2019, NBC News and other news outlets reported that the Department's Under Secretary for Management denied requests from U.S. embassies in Israel, Germany, Brazil, and Latvia to fly the rainbow flag on their embassy flagpoles. According to NBC, "during the Obama administration, the government granted blanket permission to embassies overseas to fly the rainbow flag during June."¹ The reports add that, although the Department allowed the display of pride flags elsewhere on embassy grounds, this year it required embassies to seek approval to fly them on an embassy flagpole.

The Department's position on the display of the pride flag is not the sole concern of supporters of LGBTI rights. The *New York Times* reports that "there was no public statement this year marking June as Pride Month, and no cable to all its missions like one last year that gave detailed suggestions on celebrating gay pride and 'strongly encouraged' them to 'advance LGBTI human rights policy objectives' all year."² Additionally, the Department's LGBTI Special Envoy position remains vacant, with no indication that the Department intends to fill it in the near future.

If these reports are true, the Trump administration is sending a powerfully negative message to the rest of the world about the U.S. commitment to LGBTI rights. Despite positive developments in recent years, "anti-LGBTI violence and discrimination remained widespread around the world in 2018," according to this year's annual Human Rights Report published by the State

¹ *Trump admin tells U.S. embassies they can't fly pride flag on flagpoles*, NBC News (June 7, 2019), <https://www.nbcnews.com/politics/national-security/trump-admin-tells-u-s-embassies-they-can-t-fly-n1015236>.

² *Ernesto Londoño, Pride Flags and Foreign Policy: U.S. Diplomats See Shift on Gay Rights*, N.Y. Times (June 9, 2019), <https://www.nytimes.com/2019/06/09/world/americas/pride-flags-us-embassies.html>.

Department.³ Extrajudicial killings in Chechnya, the criminalization of same-sex relationships in more than sixty countries, and hate-crime murders in countries like Mexico and Brazil are some of the specific cases noted in the Human Rights Report. The Sultan of Brunei's recent decision to implement Phase III of the country's penal code, which punishes same-sex relations with death by stoning, further underscores the continued threats to LGBTI rights and dignities.

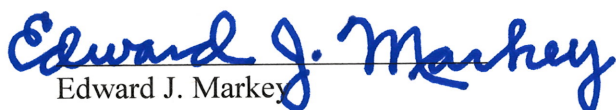
This community requires our moral leadership and support. But preventing the official flying of rainbow flags and limiting public messages celebrating Pride Month signals to the international community that the United States is abandoning the advancement of LGBTI rights as a foreign policy priority.

To understand the Department's decision to reverse these practices, we request you provide answers to the following questions no later than June 28, 2019:

1. Has the Under Secretary for Management or any other Department official denied any requests this year from U.S. embassies to fly the pride flag on an embassy flagpole? If so, why? Please provide a full list of embassies that made this request and the Department's decision regarding each request.
2. In the past, the Department typically deferred to Chiefs of Mission on whether embassies should fly a pride flag. However, according to a *Washington Post*⁴ report, this year was different. Why did the Department change its past practice of deferring to Chiefs of Mission? Please provide a copy of the advisory cable that requires embassies to seek Department approval to fly a rainbow flag.
3. Why did the Department decide not to issue a public statement this year for Pride Month?
4. Why did the Department decide not to send out a cable detailing options for celebrating Pride Month?
5. When does the Department intend to fill the position of LGBTI Special Envoy?

If you have any questions about these requests, please contact Avenel Joseph (Avenel_Joseph@markey.senate.gov) or Satrajit Sardar (Satrajit_Sardar@markey.senate.gov) in the office of Senator Edward J. Markey.

Sincerely,



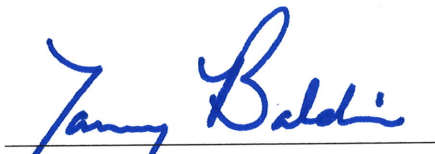
Edward J. Markey
United States Senator




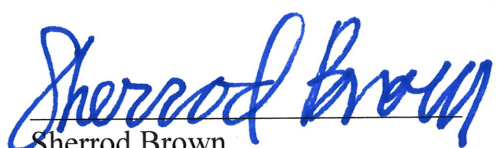
Kirsten Gillibrand
United States Senator

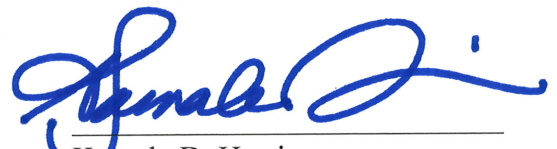
³ *State Department releases annual human rights report*, Washington Blade (March 19, 2019), <https://www.washingtonblade.com/2019/03/13/state-department-releases-annual-human-rights-report-3/>; <https://www.state.gov/reports/2018-country-reports-on-human-rights-practices/#wrapper>.


⁴ Carol Morello, *Some U.S. embassies still hoisting rainbow flags, despite advisory from Washington*, Wash. Post (June 8, 2019), https://www.washingtonpost.com/world/national-security/us-embassies-still-hoisting-rainbow-flags-despite-advisory-from-washington/2019/06/08/eeea0bd4-89f4-11e9-a870-b9c411dc4312_story.html?utm_term=.440ad27b2f8c.

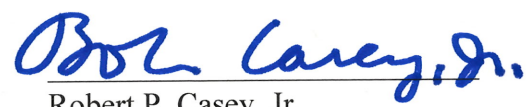

Tammy Baldwin
United States Senator

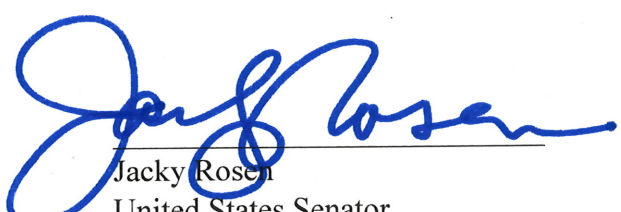

Elizabeth Warren
United States Senator


Sherrod Brown
United States Senator

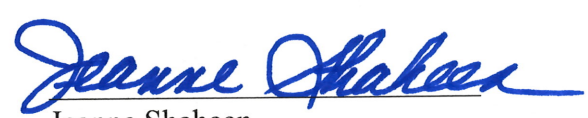

Kamala D. Harris
United States Senator

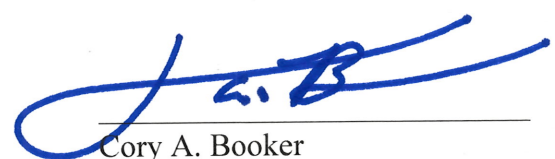

Bernard Sanders
United States Senator



Robert P. Casey, Jr.
United States Senator

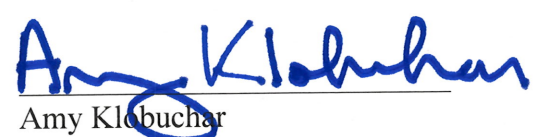

Jacky Rosen
United States Senator

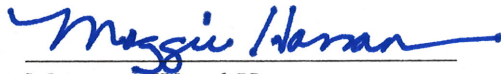

Tina Smith
United States Senator


Jeanne Shaheen
United States Senator

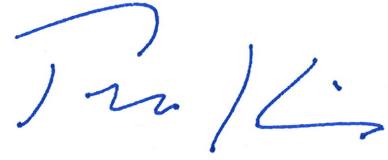

Cory A. Booker
United States Senator


Jeffrey A. Merkley
United States Senator


Amy Klobuchar
United States Senator



Margaret Wood Hassan
United States Senator



Tim Kaine
United States Senator



Richard Blumenthal
United States Senator



Patty Murray
United States Senator