

21-1262

The Secretary of State presents his compliments to Their Excellencies and Messieurs and Mesdames the Chiefs of Mission and has the honor to announce a change to the Department's accreditation policy concerning the duration of accreditation of certain members of bilateral foreign missions to include embassies, consular posts, and miscellaneous foreign government offices in the United States.

The Department has long granted acceptance of accreditation of bilateral foreign mission members, assuming such individuals are assigned in a receiving state for a reasonable amount of time and rotated on a regular basis; and none are posted indefinitely or for prolonged periods. The Department has reviewed and conducted a detailed analysis of this practice, which included examining the associated policies of foreign governments. As a result, the Department finds it necessary to establish greater clarity with respect its accreditation policy concerning what generally constitutes an acceptable/reasonable tour length of certain bilaterally accredited foreign mission members in the United States.

Maximum Duration of Accreditation

Effective immediately, with the exceptions stated below, the duration of accreditation acceptance of individuals assigned to a bilateral foreign mission as a

diplomatic agent, administrative and technical staff, consular officer, consular employee, service staff, or staff member, shall be limited to a maximum duration of 60 months (five years) from the reported date bilateral duties are assumed in the United States, as accepted by the Department's Office of Foreign Missions (OFM).

Further, individuals will not be eligible for accreditation at a bilateral foreign mission if previously assigned to a foreign mission (which includes international organizations) in the United States during the 36 months prior to the individual's application for a diplomatic visa. There should generally be a three-year break enjoyed outside of the United States between such assignments.

The policy does not apply to Chiefs of Mission, Deputy Chiefs of Mission, nor to missions for which the Department has already established specific requirements concerning the maximum duration of the bilateral accreditation acceptance of their personnel in the United States. Further, this policy is also not applicable to those individuals in A-2 nonimmigrant status, accepted by the Department as being "permanently resident in" the United States for purposes of the Vienna Convention Diplomatic on Relations and Vienna Convention on Consular Relations. Such individuals are commonly referred to as "locally engaged staff holding A-2 visas."

Application to Currently Accredited Mission Members

Currently Accredited for More than Four Years

Current bilaterally accredited individuals in the United States, other than the noted exceptions, who have been assigned in the United States in excess of the previous 48 consecutive months (four years), will be permitted to maintain their current status for an additional 24 months (two years). Missions with such members will separately receive a diplomatic note providing detailed information concerning this action.

Currently Accredited for Less than Four Years But More Than Three Years

Current bilaterally accredited individuals in the United States, other than the noted exceptions, who have been assigned in the United States for less than the previous 48 consecutive months (4 years) but more than 36 consecutive months (3 years), will be expected to complete their assignment no later than 72 months (6 years) from the individual's accreditation date. Missions with such members will separately receive a diplomatic note providing detailed information concerning this action.

Currently Accredited for Less than Three Years

Current bilaterally accredited individuals in the United States, other than the noted exceptions, who have been assigned in the United States for less than the previous 36 consecutive months (3 years), will be expected to complete their

assignment no later than 60 months (5 years) from the individual's accreditation date. Missions with such members will separately receive a diplomatic note providing detailed information concerning this action.

Requests for extension

Missions seeking to obtain authorization for an exception to these timeframes should submit such requests to OFM via diplomatic note six to twelve months prior to the date upon which the individual will lose standard eligibility for accreditation acceptance or the date on which they plan to apply for a new visa.

Questions concerning this matter may be directed to OFM at
OFM-Policy@state.gov.

Department of State,

Washington, August 2, 2021.

