



United States Department of State

The Chief of Protocol

August 7, 2018

Dear Ms. Vandenberg,

Thank you for your letter to Secretary Pompeo sharing the views of nongovernmental organizations concerned with the treatment of domestic workers employed by foreign mission and international organization personnel. On behalf of the Secretary, I am responding to you as the point of contact listed in the letter.

Please be assured that the fight against human trafficking is a very high priority for the Department of State. The Department is firmly committed to protecting the welfare of domestic workers employed by the diplomatic community, in hopes of both preventing abuse and exploitation of these workers, and addressing allegations of mistreatment when they arise.

Thank you for the statement of support for the domestic worker In-person Registration Program. Through this initiative, domestic workers and Protocol staff meet at least once a year to review wages, working hours, employment contracts, and the establishment of a U.S. bank account, which is required by the Department. Employers are not present, so that workers can feel comfortable discussing their working conditions and asking questions. At the appointment, workers receive a Department of State registration card with their photo on it, a program feature which has been well-received. Workers are also given a copy of the “Know Your Rights” pamphlet, and Protocol staff discuss how to seek help if needed, including explaining how to contact the National Human Trafficking Hotline.

Additionally, the Department continues to implement the domestic worker prenotification program, which requires that foreign missions and international organization leadership notify the Office of the Chief of Protocol of an employee’s interest in hiring a domestic worker on an A-3 or G-5 visa. This program helps the Department ensure that individuals who were alleged to have mistreated domestic workers are not allowed to sponsor new employees.

We recognize that while most employers treat their workers fairly, there are, regrettably, exceptions. The Department reviews every allegation of domestic worker abuse brought to its attention and takes appropriate action, incorporating a victim-centered approach to all law enforcement engagement. In cases involving allegations of criminal complaint, if a prosecuting authority in the United States advises the Department of State that, but for a mission member’s immunity, it would prosecute the mission member for a serious crime – including one relating to the abuse or exploitation of a domestic worker – Department policy is to request a waiver of any applicable immunity. In the absence of a waiver, the Department requires the departure of the mission member and his or her dependents.

In regard to the specific cases noted in your letter, the Department has followed closely the ongoing developments in both Mr. Rana’s and Ms. Lipenga’s civil actions against their former employers. Consistent with the expectation that mission members comply with U.S. law, the

Department is committed to diplomatic engagement that assists in obtaining payment of final court judgments awarded to A-3 and G-5 visa holders, including payment from sending states directly to victims. We are also aware that the Government of India has not taken action to address the outstanding judgment owed to Ms. Gurung and are pursuing this matter.

Thank you for your continued interest in the protection of domestic workers employed by foreign mission and international organization personnel. The Department of State recognizes the significant efforts of the NGO community on behalf of survivors, and the advocacy community's leadership in the fight against human trafficking.

Sincerely,

A handwritten signature in black ink that reads "Sean P. Lawler". The signature is written in a cursive style with a large, prominent initial "S".

Sean P. Lawler
Chief of Protocol