

United States Senate

COMMITTEE ON THE JUDICIARY

WASHINGTON, DC 20510-6275

May 17, 2007

The Honorable David M. Walker
Comptroller General of the United States
U.S. Government Accountability Office
441 G Street, NW
Washington, DC 20548

Dear Mr. Walker:

Recent news reports indicate an increasing number of cases of foreign diplomats who have subjected their domestic workers to abuse and exploitation and relied on the doctrine of diplomatic immunity to escape liability.

For example, according to a May 2 article in the Washington Post, a Tanzanian diplomat is likely to invoke diplomatic immunity in a recent lawsuit filed by his former domestic worker alleging she was beaten and mistreated at the diplomat's home in Bethesda, Maryland. In another recent case reported on by the Washington Post and National Public Radio, a Kuwaiti diplomat allegedly enslaved three domestic workers from India at his home in McLean, Virginia.

These domestic workers, mostly women, generally enter the United States on A-3 visas – special visas for the personal servants of foreign diplomats with A-1 or A-2 visas – to work as live-in employees in the diplomats' homes. Fewer than two thousand of these visas are issued annually, but many more of these workers are present in the United States at any given time.

We are concerned about the lack of effective measures to protect against diplomats' abuse of domestic workers and to ensure such workers have enforceable rights. We write to request that the Government Accountability Office undertake a study of the number of investigations and cases that have been pursued by the U.S. government and the efforts made by the U.S. government to address this abuse.

Specifically, we would like you to examine:

- How do the U.S. Departments of Justice, State, and Homeland Security cooperate in investigating the abuse of domestic workers by diplomats?
- How many criminal investigations and prosecutions has the U.S. government undertaken regarding allegations of abuse and exploitation by foreign diplomats in the United States?

How many civil actions in federal or state courts have been filed by trafficking victims against foreign diplomats in the United States? How many of these criminal and civil cases, investigations, and prosecutions have involved claims of diplomatic immunity?

- How does the Department of State handle allegations of domestic worker abuse by diplomats?
- What are the Department of State's policies for granting A-3 visas to personal employees of diplomats? How does State **ensure** that consular offices are implementing the policies correctly and consistently?

To build on GAO's previous and ongoing work addressing efforts to combat human trafficking, we believe it is important to examine these questions. Such an examination will provide for a more complete understanding of the roles played by the U.S. government in addressing allegations of **human** trafficking against foreign diplomats.

Sincerely,



Richard J. Durbin
Chair
Subcommittee on Human Rights and the Law
Committee on the Judiciary



Tom Coburn, M.D.
Ranking Member
Subcommittee on Human Rights and the Law
Committee on the Judiciary