



United States Department of State

Washington, D.C. 20520

September 4, 2013

Dear Ms. Ambassador,

In accordance with the Department's policy of advising foreign missions of allegations made involving a member of a mission or a family member, we wish to refer to the allegations of abuse claimed by Ms. Sangeeta Richard, formerly a domestic worker in the household of Dr. Devyani Khobragade, Deputy Consul General at the New York Mission. The Department is in receipt of diplomatic notes NYCG/ADM/586/8/12 dated July 9, 2013 and July 30, 2013 and understands that the Consulate General in New York is aware of the matter.

According to the complaint, Ms. Richard worked as a housekeeper for Dr. Khobragade from November 24, 2012 to June 22, 2013. Ms. Richard alleges that she initially signed a contract that stipulated that she would be paid \$1,690.00 per month to work five days per week with a maximum of forty hours per week. That contract was presented to the U.S. government and was used to obtain her visa. She alleges that she then signed a superseding contract agreeing to a salary below the U.S. minimum wage. She claims that she was paid \$500 per month, was not allowed any days off for the first two months of her employment, and was required to work six to seven days a week, between eighty five to ninety hours per week. The complaint further alleges that Ms. Richard was verbally abused during her employment and has been harassed by personnel from the Indian Consulate in New York since leaving employment. She claims that her family has been harassed by police and others in India.

These allegations are of considerable concern to the Department of State and consequently, the Department requests that the Embassy look into these matters on an urgent basis and inform the Department of its findings.

The Department also requests a voluntary meeting between Dr. Devyani Khobragade and representatives from the Bureau of Diplomatic Security. Such a meeting would assist Diplomatic Security with its investigation and provide an opportunity for Dr. Khobragade to respond directly to the allegations.

Her Excellency,
Nirupama Rao
Ambassador of the Republic of India.

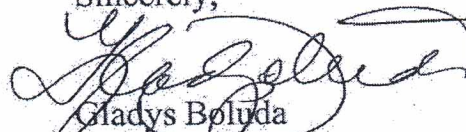
The Department takes this opportunity to remind the Embassy of several policies and procedures with respect to employment of domestic workers by accredited diplomatic staff. Since 2009, the Department has been informing all Chiefs of Mission in Washington of our efforts to develop a framework to ensure the fair and equitable treatment of domestic workers and provided the Chiefs of Mission with information and guidance relating to the employment of such workers. The Department has also advised Chiefs of Mission to take any and all measures necessary to ensure that members of their mission employing domestic workers comply with their contract obligations and respect relevant requirements and U.S. laws. The enclosed copies of Department of State Circular Diplomatic Notes advised that domestic workers must be paid by check or electronic fund transfer to a bank account, and encouraged the institution of policies to ensure adherence to this obligation so that, in the event of a dispute, the mission would have ready access to payment records.

In addition, the Department informed that mission members are expected to pay the greater of the U.S. federal or state minimum wage or the prevailing wage in the area, and are required to retain records of daily and weekly hours worked by a domestic worker, and proof of wage payments made in connection with that work for the duration of employment plus three years. The Department requests that the Embassy provide a copy of these records and documentation providing proof of wage payments.

The Department would also like to take this opportunity to remind the Embassy that U.S. law requires the Secretary of State to "suspend for such period as the Secretary determines necessary, the issuance of A-3 visas or G-5 visas to applicants seeking to work for officials of a diplomatic mission or international organization, if the Secretary determines that there is credible evidence that one or more employees of such mission or international organization have abused or exploited one or more nonimmigrants holding an A-3 or G-5 visa, and that the diplomatic mission or international organization tolerated such actions."

The Department appreciates your advising it of your findings and looks forward to receiving the requested information and documentation by September 18, 2013, in light of the seriousness of these allegations. The Embassy may telefax its response to the attention of Ms. Julia Huber, Office of the Chief Protocol, at (202) 647-4080.

Sincerely,



Gladys Boluda
Assistant Chief of Protocol