

**Congress of the United States**  
**Washington, DC 20510**

March 18, 2015

**VIA ELECTRONIC TRANSMISSION**

The Honorable John F. Kerry  
Secretary  
U.S. Department of State  
2201 C Street, NW  
Washington, DC 20520

The Honorable Steve Linick  
Inspector General  
U.S. Department of State  
2201 C Street, NW  
Washington, DC 20520

Dear Secretary Kerry and Inspector General Linick:

According to the State Department's Trafficking in Persons (TIP) Report, "[t]hose who patronize the commercial sex industry form a demand which traffickers seek to satisfy."<sup>1</sup> Last month, 180 victims' advocacy groups and organizations emphasized that "[t]he elimination of sex trafficking is fundamentally linked to targeting the demand for commercial sex. Any effort to prevent sex trafficking must focus on the sex buyers and facilitators."<sup>2</sup> We are writing to express concerns that the Department may not be taking adequate steps to prevent its own employees from buying sex and thereby contributing to the demand for the human sex trade.

On February 25, 2015, the *Washington Post* reported that a high-ranking State Department official was arrested after allegedly soliciting a juvenile for sex.<sup>3</sup> Additionally, an October 2014 Office of Inspector General (OIG) report found that aides to the Secretary of State contributed to an "appearance of undue influence and favoritism" in three departmental investigations, including one into allegations that the U.S. Ambassador to Belgium had solicited a prostitute in a public park.<sup>4</sup> Also, in April 2014, *Newsweek* reported whistleblowers' allegations that the U.S. Consul General in Naples, Italy "turned the diplomatic post into his personal bordello" from 2010 to 2013.<sup>5</sup> According to the article, whistleblowers alleged that the Consul General routinely had prostitutes come up to his room in the consulate, through "a side

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<sup>1</sup> U.S. Department of State, Trafficking in Persons Report (June 2008), 24.

<sup>2</sup> Letter to Sen. Charles E. Grassley, Chairman, and Sen. Patrick J. Leahy, Ranking Member, Sen. Comm. on the Judiciary (Feb. 23, 2015), <http://sharedhope.org/wp-content/uploads/2015/02/JVTA-support-letter-2015.pdf> (184 organizations are listed in the signature line of this letter, but four appear to be listed twice as duplicates).

<sup>3</sup> Justin Moyer, *State Department official charged with soliciting a juvenile for sex*, WASH. POST, Feb. 25, 2015.

<sup>4</sup> U.S. Dep't of State, Office of Inspector Gen., Review of Selected Internal Investigations Conducted by the Bureau of Diplomatic Security (ESP-14-01) (Oct. 2014), <http://oig.state.gov/system/files/233250.pdf>; see also Zeke J. Miller, *Clinton Aides Faulted for Strong-Arming State Investigations*, TIME, Oct. 17, 2014, <http://time.com/3516932/clinton-aides-investigations/>.

<sup>5</sup> Jeff Stein, *Whistle-Blower Says Diplomat Turned Naples Consul Into Personal Bordello*, NEWSWEEK, Apr. 7, 2014.

door and an elevator that required ‘secure pass codes.’”<sup>6</sup> The whistleblowers further alleged that they suffered reprisal when they reported this behavior to the Department.<sup>7</sup>

These incidents follow a June 2013 *CBS News* report revealing an internal OIG memorandum that found that members of the former Secretary of State’s Diplomatic Security detail “engaged prostitutes while on official trips in foreign countries,” and that this problem was “endemic.”<sup>8</sup> The 2013 OIG memorandum reportedly alleged that a Department official in Beirut “engaged in sexual assaults” on foreign nationals, and that a U.S. Ambassador “routinely ditched . . . his protective security detail [to] solicit sexual favors from prostitutes.”<sup>9</sup> This ambassador was allegedly allowed to return to his post. Department officials allegedly attempted to influence or prevent the Inspector General from conducting these investigations.

Other whistleblowers who claim that they too were punished for making these and related disclosures to the Department and to the OIG have contacted Senator Grassley. These whistleblowers allege that the OIG – then headed by a different Inspector General – forwarded their disclosures to the subjects of those very allegations. One whistleblower provided a copy of a 2011 e-mail in which the OIG informed the whistleblower that “persons in Rome” were reviewing the whistleblower’s allegations. The whistleblower has also provided documentation showing that the OIG attempted to recall this e-mail – twice – after it was sent to the whistleblower, apparently by mistake. The whistleblowers also claim that they made these disclosures to the office of then-Senator Kerry, but that his office stopped communicating with them once the Senator became Secretary. The whistleblowers further note that at the time, then-Senator Kerry’s former brother-in-law, David Thorne, was Ambassador to Italy.

Most disturbingly, the whistleblowers assert that individuals have filed five complaints against the former Consul General in Naples with the U.S. Office of Special Counsel; four with the Equal Employment Opportunity Commission; and numerous reports of misconduct with the OIG; the Secretary’s Office of Civil Rights; the Bureau of European and Eurasian Affairs; and Diplomatic Security. Still, this official not only remains employed at the Department, but also obtained a position with access to sensitive information in the Bureau of Intelligence and Research, according to whistleblowers.

In 2012, the State Department issued a cable on human trafficking, which provides as follows:

It is the position of the U.S. government that the procurement of commercial sex can fuel the demand for sex trafficking. Women, children, and men are trafficked into the commercial sex trade *regardless of whether prostitution is legal or criminalized in a country*, and thus, the procurement of commercial sex runs the risk of facilitating or supporting human trafficking . . . . [A] victim of sex trafficking may not appear to be under duress, given that coercion and threats of violence are often used to hold people in servitude . . . . Further, assumptions

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<sup>6</sup> *Id.*

<sup>7</sup> *Id.*

<sup>8</sup> *State Department memo reveals possible cover-ups, halted investigations*, CBS NEWS, June 10, 2013.

<sup>9</sup> *Id.*

based on appearances as to whether or not an individual is 18 years old are frequently erroneous, as many brothel managers and pimps dress minors to look older . . . . In addition . . . involvement with the commercial sex industry is unacceptable in light of the diplomatic and foreign policy goals of the United States . . . .<sup>10</sup>

Given the gravity of these concerns, the Department must insist that its own employees *steer well clear* of contributing to the demand for these heinous crimes. Yet, according to that same Department cable:

Foreign Service personnel who engage in [the solicitation of prostitution] *may* be subject to disciplinary action. Penalties *range* from admonishment, reprimand, suspension, to separation from the Department, depending on the circumstances.<sup>11</sup>

The Department clearly lacks a zero-tolerance policy requiring the dismissal of employees who engage in the solicitation of prostitution. We understand that current Department policy instructs employees to refrain from “in any way abet[ting] sex trafficking or solicit[ing] people in prostitution, irrespective of whether prostitution is legal in the host country.”<sup>12</sup> Without a sufficiently serious penalty attached to this prohibition, however, the current policy does not adequately safeguard the human rights and policy goals in question.

Because State Department employees represent the United States both at home and abroad, they must uphold the values and ideals in which we strongly believe. Indeed, their judgment and actions reflect upon our nation. As the State Department noted in 2005, “[s]imply put, we must dry up the ‘market’ for victims if we are serious about ending human trafficking.”<sup>13</sup> Adopting a zero-tolerance policy with respect to its own employees who engage in the solicitation of prostitution is a necessary first step.

Accordingly, please provide a response to the following by April 6, 2015:

1. Secretary Kerry:

- a. The 180 victims’ advocacy groups and organizations referenced above and copied on this letter have urged us to “target the culture of impunity for those who seek to purchase sex, especially with children.”<sup>14</sup> Have you considered adopting a zero-tolerance policy that requires the dismissal of any Department employee who is determined to have engaged in the solicitation of prostitution, without exception? Have you considered adopting a policy whereby all personnel under Chief of Mission authority, regardless of employing agency, are curtailed from post if they engage in the solicitation of prostitution, without exception? If not, please explain and provide an example

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<sup>10</sup> U.S. Department of Justice, Office of Inspector General, *Review of Policies and Training Governing Off-Duty Conduct by Department Employees Working in Foreign Countries* (Jan. 2015), at 40 (emphasis added).

<sup>11</sup> *Id.* (emphases added).

<sup>12</sup> *Id.*

<sup>13</sup> U.S. Department of State, Archive, Office to Monitor and Combat Trafficking in Persons, *UN Commission on the Status of Women Adopts U.S. Human Trafficking Resolution*, Washington D.C., Mar. 18, 2005.

<sup>14</sup> See note 2, *supra*.

involving circumstances that would justify the continued employment of such an employee.

- b. What legal barriers and restrictions, if any, are currently in place that would prevent the State Department from adopting an effective zero tolerance policy?
- c. What additional authority, if any, do you need from Congress to ensure that Department employees are expeditiously terminated for engaging in the solicitation of prostitution?
- d. How does the Department ensure that its contractors and their employees steer well clear of engaging in the solicitation of prostitution, which "form[s] a demand which traffickers seek to satisfy?"

2. Inspector General Linick:

- a. Since the TIP Report was first published on July 12, 2001:<sup>15</sup>
  - i. How many allegations has your office received concerning the solicitation of prostitution by State Department employees?
  - ii. How many of these allegations did your office investigate?
  - iii. How many of those allegations have not been substantiated?
  - iv. How many of those allegations have been substantiated?
  - v. How many State Department employees were allowed to continue their employment despite a substantiated finding that the employee had engaged in the solicitation of prostitution?
  - vi. Has the Department ever sought to impede or influence these investigations in any way, including resisting production of requested records, instructing your office to refrain from investigating, or revising the reporting on the results of those investigations? If so, please provide a detailed description of each instance without disclosing personally identifiable information.
- b. Will you interview the whistleblowers who contacted Senator Grassley's staff concerning the Naples, Italy allegations referenced above?

Please number your responses according to their corresponding questions and sub-questions. Please contact Jay Lim of Senator Grassley's staff at (202) 224-5225 should you have any questions. Thank you for your cooperation in this important matter.

Sincerely,

  
CHARLES E. GRASSLEY

  
JOHN THUNE

<sup>15</sup> U.S. Department of State, Trafficking in Persons Report (2001).



ROY BLUNT



DEB FISCHER



MARK KIRK



JOHN BARRASSO



JOHN BOOZMAN



THOM TILLIS



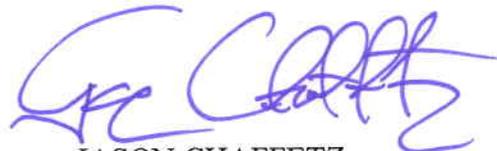
MARCO RUBIO



JONI ERNST



ANN WAGNER



JASON CHAFFETZ



ORRIN HATCH



RON JOHNSON



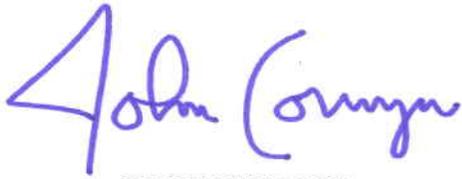
KELLY AYOTTE



ROB PORTMAN



ED ROYCE



JOHN CORNYN

cc:

1. Rights4Girls
2. ECPAT-USA
3. NAACP
4. National Domestic Violence Hotline
5. National Council of Juvenile and Family Court Judges (NCJFCJ)
6. National Criminal Justice Association (NCJA)
7. Minnesota Indian Women Resource Center
8. National Women's Law Center (NWLC)
9. American Psychological Association
10. National Children's Alliance
11. Equality Now
12. Shared Hope International
13. Association of Prosecuting Attorneys (APA)
14. Survivors for Solutions
15. Breaking Free Inc.
16. Coalition Against Trafficking in Women (CATW)
17. PROTECT
18. National Crittenton Foundation
19. First Focus Campaign for Children
20. Girls Inc. (National)

21. National Association for Children's Behavioral Health
22. National Center for Youth Law
23. Alameda County District Attorney's Office
24. Advisory Council on Child Trafficking (ACCT)
25. My Life My Choice
26. Girls for Gender Equity
27. PACE Center for Girls, Inc.
28. The Children's Campaign
29. Sojourners
30. Men Can Stop Rape
31. YWCA National Capital Area
32. WestCoast Children's Clinic
33. FAIR Girls
34. Sanctuary for Families
35. Alliance for Girls
36. Girls Inc. of Alameda County
37. DC Rape Crisis Center
38. Stop Modern Slavery
39. Women's Foundation of Minnesota
40. Healthy Teen Network
41. United Methodist Women
42. Foster Family-based Treatment Association
43. Pacific Alliance to Stop Slavery

44. Children's Home Society of Washington
45. American Association of University Women SF
46. Exodus Cry
47. Delores Barr Weaver Policy Center
48. Hope Academy of the Denver Street School
49. Directions For Youth & Families
50. Violence Prevention Coalition
51. Children Now
52. Always Free
53. Set Free
54. End Slavery TN
55. Child Advocacy Center a Division of Meridian Health Services
56. Program for the Empowerment of Girls (Albuquerque specialized court for girls)
57. Changing Destinies
58. Second Life of Chattanooga
59. Students Ending Slavery at the University of Maryland
60. Hope Run Kenosha
61. Tex Pride Disaster & Recovery First Responders
62. West Florida Center for Trafficking Advocacy
63. Empowered You, LLC
64. Traffick Free
65. Chapelwood United Methodist Church
66. Hephzibah Children's Home

67. Side-By-Side Church International
68. Lives Worth Saving
69. Pleasant Grove United Methodist Women
70. Sisters of Providence
71. A2 Trafficking Task Force
72. Michigan Abolitionist Project
73. Set Free Movement
74. Refuge of Light
75. Ash Creek Baptist Church
76. Companions of Wisdom
77. Zonta Club of Pinellas County
78. Oasis of Hope
79. Benton County Republican Women
80. Ho'ola Na Pua (Hawaii-based child sex trafficking service provider)
81. Butterfly House
82. International Christian Center
83. New Life Refuge Ministries
84. The Red Web Foundation
85. Coastal Bend Grace House
86. Freedom13
87. The RavenHeart Center
88. Scott County Sheriff's Office
89. Flathead Abolitionist Movement

90. The Porch Light
91. Honermann Homeschool
92. Heartly House
93. Milton Hershey School
94. River's Voice Music
95. San Antonio Against Slavery
96. Smoky Hill Vineyard Church
97. Sauk Prairie Church
98. MQA Charity in Action
99. St. Mary of the Lake Human Trafficking Working Group
100. Eden's Glory
101. Project Resource Company
102. Shelter In The Storm
103. Daughters of Charity
104. Denver Street School - Hope Academy
105. Stockton Covenant Church
106. National Association of Social Workers
107. I'm Aware
108. Christian Inn Ministries, Inc.
109. Living in Liberty
110. Precious Ones
111. Thomas Spann Clinic
112. Children's Hospital of Wisconsin

113. CharlotteLaw Advocates Against Trafficking of Humans
114. Saint Hilary Parish
115. RJ Huffman & Associates
116. Sufficient Grace Outreach
117. Anti-Trafficking Task Force, First Congregational Church of Boulder
118. The MENTOR Network
119. Freedom From Exploitation
120. Hope Hollow Exploitation Victim Assistance and Consultation Services
121. Virginia Beach Justice Initiative
122. Religious Sisters of Charity
123. To Love Children Educational Foundation International Inc.
124. Children's Advocacy Center of Suffolk County
125. Make Way Partners
126. Restore NYC
127. Ozone House, Inc.
128. ENC Stop Human Trafficking Now
129. YouthSpark
130. Visitors from the Past
131. Perhaps Kids Meeting Kids Can Make A Difference
132. Living Water for Girls
133. The Ray E. Helfer Society
134. Edmund Rice International
135. Bay Area Girls Unite

136. Horizon Farms
137. The Tobert and Polly Dunn Foundation
138. Lotus Medicine
139. Leadership Conference of Women Religious (LCWR)
140. Home Instead Senior Care
141. From Words 2 Action Outreach Ministries
142. Butterfly Dreams Abuse Recovery
143. L Pathy Foundation
144. Dignity Health
145. Forsythe County Child Advocacy Center
146. Civil Society (Minnesota based anti-trafficking organization)
147. 300m4freedom
148. Bluff Country Family Resources
149. Sexual Assault Services, Inc.
150. Asian Women United of MN
151. Tubman Family Crisis & Support Services
152. Rochester Franciscan
153. Human Trafficking Task Force, Trinity Presbyterian Church
154. Anoka Ramsey Community College
155. New York Asian Women's Center
156. St. Mary's Social Justice Ministry
157. Franciscan Peace Center Anti-Trafficking Committee
158. Kids At Risk Action

159. Nomi Network
160. Soroptimist International of Stuart
161. Someplace Safe
162. Calvary Temple
163. Genesee County Youth Corporation
164. Youth Attention Center
165. The Advocates for Human Rights
166. Livingston Family Center
167. Central New Mexico Counseling Service
168. Downey McGrath Group
169. Women Graduates-USA
170. Lutheran Services in America
171. Life for the Innocent
172. Too Young to Wed
173. WRAP Court (specialized "CSEC" court, Philadelphia)
174. Real Life Giving
175. Angels Ministry
176. California Alliance of Child and Family Services
177. Crittenton Center
178. Children's Court Division (2nd Judicial District Court, Albuquerque)
179. Oak Chapel UMC
180. Greif Fellowship in Juvenile Human Trafficking at The Ohio State University