

Congress of the United States
House of Representatives
Washington, DC 20515

September 28, 2015

The Honorable Steve A. Linick
Office of Inspector General
United States Department of State
2201 C Street, NW
Washington, DC 20520

Dear Mr. Linick,

We request that the Office of Inspector General investigate the United States Department of State's handling of the 2015 Trafficking in Persons (TIP) Report as it relates to Malaysia's status within the report.

The annual report, mandated by the Trafficking Victims Protection Act of 2000 (TVPA), reviews and outlines progress of foreign nations in meeting the minimum standards of the TVPA to end the most severe forms of trafficking in persons. The worst performing nations in the TIP Report may accordingly be subject to restrictions on U.S. foreign aid, which makes its accuracy and impartiality critical. Many experts have credited the report with making a difference in combating human trafficking internationally.

Just one year ago, the TIP Report demoted Malaysia from the Tier 2 Watch List to Tier 3, among the worst offenders, after repeatedly failing to make progress on human trafficking enforcement and legislative efforts. The downgrade for Malaysia in the 2014 TIP Report was automatically applied after four years of consistently making no attempt to address the well documented human trafficking epidemic. 2014 was the third instance in seven years that Malaysia had fallen to the lowest ranking in the Report.

Over the course of the past year, numerous reports by independent nongovernmental organizations and the media underscore the continued failure of Malaysia's government to make efforts to comply with the TVPA's minimum standards. In addition, the Malaysia trafficking convictions actually decreased between 2013 and 2014. As recently as April 2015, the U.S. Ambassador to Malaysia, Joseph Yun, publically highlighted the lack of political will by Malaysian authorities in protecting the victims of trafficking and prosecuting traffickers.

The Report reflects a year-long effort by the Office to Monitor and Combat Trafficking in Persons, working in concert with foreign governments and civil society organizations to uncover the facts on the ground. Given the significance of the TIP Report's role as a key indicator in international human trafficking standards, and the congressionally mandated responsibility of the

Office to Monitor and Combat Trafficking In Persons (J/TIP) to provide impartial expert analysis, we are concerned about the role that possible political influence may have played in the development and content of the TIP Report, particularly as it relates to Malaysia's status.

Furthermore, a Special Report by Reuters dated August 3, 2015, found that senior political staff at the State Department overrode the independent and impartial assessment of the J/TIP staff on the ratings of 17 countries, a new record since the J/TIP office was first created in 2000. The report found that the "rejected recommendations suggest a degree of intervention not previously know by diplomats in a report that can lead to sanctions and is the basis for many countries' anti-trafficking policies."¹


Accordingly, we write today to ask that you explore the following questions:

- Did any factors other than those provided under the TVPA cause officials at the State Department to change the recommended status of Malaysia in the TIP report?
- Did the State Department fully comply with the requirements under the TVPA, as amended?
- Was the release of the 2015 TIP Report delayed due to any factors other than those provided under the TVPA?
- Was there any request by officials at the Office of the United States Trade Representative, Department of Commerce, or any other federal entity to influence or change Malaysia's standing in the 2015 TIP Report?

We further request that your office examine the scope and degree to which the State Department processes for evaluating a nation in the TIP Report may have been unduly influenced by political consideration as opposed to the unbiased analysis of experts in the J/TIP office.

The TIP Report is the leading accountability report for human trafficking worldwide, allowing the United States to provide a voice to the men, women, children and families that are victims of modern slavery. Maintaining the sanctity of the report is critical to U.S. leadership on combating global trafficking. We appreciate your assistance with this important matter and look forward to your response.

Sincerely,


Rosa L. DeLauro
Member of Congress


Lloyd Doggett
Member of Congress

¹ Spetalnick, Matt; Szep, Jason, "Special Report; State Department watered down human trafficking report." Reuters. August, 2015.



Alan Grayson
Member of Congress



Louise M. Slaughter
Member of Congress



Brad Sherman
Member of Congress



Barbara Lee
Member of Congress