

# DIPLOMACY IN CRISIS:

The Trump Administration's  
**Decimation** of the State  
Department

A Democratic Staff Report  
Prepared for the use of the  
Committee on Foreign Relations  
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## Executive Summary

Every day, at home and abroad, the people who make up the Department of State help keep Americans safe from conflict, secure from terrorism, advance America's economic interests, embody our best values, and represent us to the world. The Department's public servants are dedicated to serving the nation, regardless of party, president, or politics—and they do so with little fanfare, out of public view, and often at great sacrifice.

Yet, under President Trump, the Department of State and its dedicated career public servants have found themselves under attack. Non-partisan public servants have been smeared as the “Deep State,” accused of trying to undermine the President, and labeled “radical unelected bureaucrats.”<sup>1</sup> Over the last three and a half years, the Department has been plagued by a hiring freeze, a bungled “reform” effort, proposals to slash its funding by one-third, and persistent vacancies, all of which have hampered its effectiveness.<sup>2</sup>

While Secretary Pompeo came into office stating his intentions to reverse some of the Administration's more damaging personnel policies, under his tenure, critical senior positions remain vacant without nominees, making it more difficult for the Department to do America's work on the global stage.<sup>3</sup> Assistant Secretaries, key ambassadorships, and other senior positions have sat empty for months—in some cases, years—without nominees for Senate confirmation.<sup>4</sup> A number of vacancies exist because many of the President's nominees for national security posts lack the character and fitness expected of U.S. diplomats, and their nominations therefore languish in the Senate.<sup>5</sup> The White House has repeatedly ignored basic due diligence and vetting, struggling or unable to find individuals willing to serve in this Administration and of suitable fitness to represent the United States.<sup>6</sup>

<sup>1</sup> Rebecca Ingber, “Bureaucratic Resistance and the Deep State Myth,” *Just Security*, Oct. 18, 2019; Tom Shoop, “Trump, the GOP and the ‘Swamp’: A Dangerous New Low in Bureaucrat Bashing,” *Government Executive*, Feb. 11, 2020.

<sup>2</sup> Robbie Gramer, “State Department Vacancies Increase Embassy Security Risks, Report Warns,” *Foreign Policy*, Mar. 7, 2019; U.S. Government Accountability Office, *Department of State: Integrated Action Plan Could Enhance Efforts to Reduce Persistent Overseas Foreign Service Vacancies*, at 17–20 (Mar. 2019); Felicia Schwartz, “Trump Administration Proposes 32% Cut to State Department Budget,” *The Wall Street Journal*, May 23, 2017; Conor Finnegan, “Trump Proposes Deep Cuts in State Department Budget,” *ABC News*, Feb. 12, 2018; Nahal Toosi, “Tillerson scales back State Department restructuring plan,” *Politico*, Feb. 7, 2018.

<sup>3</sup> Three and a half years into the Administration, 11 Assistant Secretary or Under Secretary posts are vacant or filled by acting officials. See Chapter 2; Tracy Wilkinson, “In His First Year, Pompeo Brought ‘Swagger’ But Made Little Progress on Foreign Policy Priorities,” *LA Times*, Apr. 26, 2019.

<sup>4</sup> For example, there was no Assistant Secretary nominee for South Asian Affairs until January 2019. That nominee was later withdrawn, and no replacement has been named. See Robert Williams, nominee to be Assistant Secretary for South Asian Affairs, PN6, (116th Congress) (nominated, Jan. 3, 2019; withdrawn, Apr. 11, 2019); Chapter 1.

<sup>5</sup> See, e.g., Justin Rohrlich, “Trump has appointed the highest percentage of inexperienced ambassadors since FDR,” *Quartz*, Feb. 21, 2019; Dan De Luce et al., “Senior Trump official embellished résumé, had face on fake Time cover,” *NBC News*, Nov. 12, 2019; see also Chapter 2.

<sup>6</sup> See Chapter 2; Patrick Finley, “Tucson doctor gets restraining order against Olson's ex-wife,” *Arizona Daily Star*, Nov. 6, 2008; Doyle McManus, “Almost Half the Top Jobs in Trump's State Department Are Still Empty,” *The Atlantic*, Nov. 4, 2018; Lisa Rein & Abby Phillip, “Help Wanted: Why Republicans Won't Work for the Trump Administration,” *The Washington Post*, June 17, 2017.

Allegations of retaliation and reprisal persist, and Secretary Pompeo has been missing in action when it comes to defending his own staff and organization.<sup>7</sup> Examples abound of how the Department's senior officials act in contravention of the professional "ethos" heralded by Secretary Pompeo.<sup>8</sup>

The result is a State Department left feeling "besieged," "demoralized," "battered," "beaten," "mistreated," "paralyzed," and "at a new low."<sup>9</sup>

Recent months have only compounded this reality. Late on a Friday night in May 2020, the President, at Secretary Pompeo's urging, ousted the State Department Inspector General charged with conducting independent oversight, whose work has revealed significant challenges and defects the Department and its leadership faces—and who was investigating the Secretary's own conduct at the time of his firing.<sup>10</sup>

Meanwhile, as the nation struggles to confront and address systemic racism, diplomats abroad face significant challenges in representing the United States and the ideals our nation embodies to the rest of the world. The State Department, itself, has significant challenges with regard to diversity, as non-white Foreign Service officers and Department employees, especially Hispanic and African American employees, continue to struggle to advance and reach the upper echelons of leadership in the State Department.<sup>11</sup>

As the nation struggles to confront and address persistent racial inequality and injustice, diplomats abroad face significant challenges in representing the United States and the ideals our nation embodies to the rest of the world.

This Senate Foreign Relations Committee Democratic Staff report catalogues some of these significant challenges. Employees report that their morale, and their confidence in their senior leaders, have dropped precipitously. Many are far more fearful today than they were three years ago to report a violation of law, and are equally afraid they will be subjected to reprisal.

Political appointees harboring suspicion about career public servants' perceived political affiliations have engaged in demoralizing and unjustified actions that have endangered the livelihoods of dedicated public servants.<sup>12</sup> At the same time, the Department's turmoil has brought to light institutional deficiencies that can be addressed, and protections for employees that should be strengthened. This report calls for a strong response to the chaos and mismanagement of the Department by the Trump administration. Congress must take action to leave the Department's dedicated employees better protected and more effective—and, in so doing, further safeguard America's national security.

<sup>7</sup> See Chapter 3.

<sup>8</sup> See U.S. Department of State, "Professional Ethos," <https://www.state.gov/about/professional-ethos> (last visited July 15, 2020).

<sup>9</sup> Ted Osius, "Respect, Trust and Partnership: Keeping Diplomacy on Course in Troubling Times," *The Foreign Service Journal*, Apr. 2018; Reid Wilson, "Diplomats describe all-time low in morale at State under Trump," *The Hill*, Oct. 21, 2019; Abigail Tracy, "Be Careful What You Wish For: How Mike Pompeo Trumpified the State Department," *Vanity Fair*, June 25, 2018.

<sup>10</sup> Edward Wong, "Inspector General's Firing Puts Pompeo's Use of Taxpayer Funds Under Scrutiny," *The New York Times*, May 17, 2020. The Inspector General has conducted in-depth investigations into political retaliation, see Chapter 3, and was in the midst of investigations into the Secretary when he was fired. Robbie Gramer, "Fired State Watchdog Confirms Ongoing Investigation Into Pompeo and His Wife," *Foreign Policy*, June 10, 2020.

<sup>11</sup> See, e.g., Robbie Gramer, "Fighting for U.S. Values Abroad, Black Diplomats Struggle With Challenges at Home," *Foreign Policy*, June 11, 2010; Lara Jakes, "A Reckoning With Race to Ensure Diversity for America's Face Abroad," *The New York Times*, June 27, 2020; U.S. Government Accountability Office, *State Department: Additional Steps Are Needed to Identify Potential Barriers to Diversity* (Jan. 2020).

<sup>12</sup> See e.g., U.S. Department of State, Office of Inspector General, *Review of Allegations of Politicized and Other Improper Personnel Practices in the Bureau of International Organization Affairs*, at 1 (Aug. 2019).

These years of intentional and collateral damage to the diplomatic workforce could not have come at a worse time. In addition to the multitude of traditional foreign policy challenges facing our diplomats, the depletion of the Department and the diplomatic corps have made it even more difficult to address the unprecedented challenges of COVID-19. The systemic challenges of senior-level vacancies, understaffing, and unqualified nominees, compounded with U.S. pandemic under-preparedness, have left U.S. diplomats feeling directionless and that they are fending for themselves.<sup>13</sup> The Trump administration's negligence and its attacks on our diplomatic corps, who serve on the frontlines of our global pandemic response, have left diplomats devoid of leadership and cost the United States valuable time in preparedness and response efforts.

The President has undermined the United States' role as a global leader, withdrawing from international organizations, agreements, and commitments, seeking to walk back our responsibilities to allies and partners, and retreating from leading the response to global crises. The State Department stands as our first line of defense on all these fronts to ensure that America does not become less secure. To keep America at the forefront, and to keep Americans safe and prosperous, we must build, retain, and stand up for a diplomatic corps that embodies the best of our nation.

This report is based on an extensive Democratic staff analysis of the Administration's nominees, Department vacancies, State Department Office of the Inspector General reports and findings, and Employee Viewpoint Survey data from 2016 to 2019. It also draws from public reports and statements by former officials documenting a decline in morale and an increased fear of retaliation, and the effect those had on the departures of several public servants from the Department.

Chapter 1 examines the pattern of vacancies and acting officials that has characterized the Trump administration's State Department, and the impact on U.S. foreign policy. Chapter 2 highlights examples of the Administration's failure to adequately vet nominees and its practice of nominating candidates who lack the fitness to serve as U.S. diplomats. Chapter 3 describes incidents of retaliation and attacks against diplomats and career public servants that have had a corrosive effect on morale. Chapter 4 presents employee survey results from selected bureaus demonstrating that a crisis in morale and lack of faith in leadership at the Department has increased to staggering levels. It also shows how the Administration's response to ongoing racial injustice affects the ability of U.S. diplomats to fulfill their mission. Chapter 5 sets out a series of recommendations and guiding principles to start the rebuilding that must take place over the coming years.

## Key Findings:

- Vacancies and acting officials at the Department have persisted through two Secretaries of State, despite numerous commitments to fill key positions.
- Three and a half years into the Administration, 11 Assistant Secretary or Under Secretary posts—more than one-third—are vacant or filled by acting officials.
- As of July 2020, more than half of Senate-confirmed Department positions have been filled at least once by someone who had not been confirmed.

<sup>13</sup> See John Hudson, "Coronavirus case in State Department-provided housing alarms diplomats," *The Washington Post*, Apr. 10, 2020; Nicole Gaouette & Kylie Atwood, "Lacking Clear State Department coronavirus guidance, embassies are 'just making it up as we go along,'" *CNN*, Mar. 20, 2020; Nahal Toosi, "Pompeo Faces Internal Questions About His Handling of the Coronavirus," *Politico*, Mar. 17, 2020; Robbie Gramer, "Pompeo Criticized for Failure to Communicate on Coronavirus," *Foreign Policy*, Mar. 17, 2020.

- Career public servants report that senior leadership exhibits a sense of disrespect and disdain for their work, prompting many to leave and contributing to a loss of expertise at the Department.
- Senior leadership's lack of accountability and refusal to defend career employees against attacks has contributed to declining morale and a drop in confidence in leadership.
- From 2016 to 2019, employees in key bureaus reported steep increases in fear of reprisal for reporting suspected violations of law and declining confidence in senior Department leadership.

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## Key Recommendations:

This report makes 10 recommendations aimed at reversing the downward trends in morale, strengthening protections for employees, and ensuring that the individuals leading our foreign policy are of the caliber that the American people deserve in their diplomats.

1. Rebuild and retain expertise in the State Department's ranks.
2. Reduce barriers to restoring lost expertise and for former diplomats and civil servants to return to the Department.
3. Promote more career employees to senior positions.
4. Increase diversity at senior ranks and throughout the Department.
5. Formalize the State Department exit survey process.
6. Initiate a review of how the "corridor reputation" system at the Department enables or exacerbates the challenges outlined in the report.
7. Restore and commit to minimum vetting standards for nominees.
8. Prioritize and fill senior leadership slots.
9. Maintain an independent Inspector General.
10. Enforce accountability for improper personnel practices and management.

## PROLOGUE

### Diplomacy 101: Why the State Department Matters

“We have got to understand that what we do in the world is not only good for the world; it’s good for us. It’s not a form of philanthropy; it’s a form of national security.”

– *Richard Haass, President of the Council on Foreign Relations*<sup>14</sup>

In the midst of the COVID-19 outbreak, in a heroic effort, from late January 2020 to June 2020, the State Department repatriated more than 100,000 Americans from 136 countries to the United States after many nations suspended international flights and closed their borders to slow the spread of the virus.<sup>15</sup> A few years earlier, employees from the State Department’s San Juan and Dallas Passport Agencies helped evacuate more than 1,200 Americans and their families from St. Maarten after Hurricanes Irma and Jose ravaged the island, ensuring that they were quickly and safely returned home.<sup>16</sup> Under both the Obama and Trump administrations, diplomats have negotiated for years to successfully obtain the release of several U.S. citizen detainees from Iranian prisons.<sup>17</sup>

This is just some of the work diplomatic professionals carry out every day—often behind the scenes, with the public unaware of the effort and sacrifice that helps keep Americans safe. Today, diplomatic professionals at home, and through more than 270 embassies, consulates, and missions abroad, help America fight terrorism, stop the proliferation of nuclear weapons, end the modern slave trade, reduce global poverty, mitigate climate change, end hunger and malnutrition, and stop the trafficking of drugs.<sup>18</sup> Our diplomats help Americans adopt children from foreign countries, provide life-saving humanitarian aid

<sup>14</sup> Richard Haas, President of the Council on Foreign Relations, Interview with Margaret Warner, *PBS NewsHour*, Apr. 17, 2017.

<sup>15</sup> U.S. Department of State, “Department of State Coronavirus Repatriation Statistics,” <https://www.state.gov/coronavirus/repatriation/> (last visited July 10, 2020).

<sup>16</sup> Luis Martinez, “Americans on St. Maarten tell of Irma’s devastation, lawlessness; 1,200 evacuated,” *ABC News*, Sept. 10, 2017; Alastair Jamieson & Daniella Silva, “Over 1,200 Americans Evacuated From St. Maarten Amid Reports of Violence,” *NBC News*, Sept. 10, 2017; DipNote, “Evacuating U.S. Citizens from St. Maarten,” Sept. 10, 2017, <https://www.state.gov/evacuating-u-s-citizens-from-st-maarten/>.

<sup>17</sup> Yeganeh Torbati & Joel Schectman, “Special Report: America’s unending hostage crisis with Iran,” *Reuters*, Aug. 1, 2018; Nicole Gaouette et al., “Trump announces American has been released from Lebanese prison,” *CNN*, Mar. 19, 2020.

<sup>18</sup> U.S. Department of State, “HR Fact Sheet,” Jan. 2020, [https://www.state.gov/wp-content/uploads/2020/01/HR\\_Factsheet1219.pdf](https://www.state.gov/wp-content/uploads/2020/01/HR_Factsheet1219.pdf); National Museum of American Diplomacy, “Who is a diplomat?,” <https://diplomacy.state.gov/diplomacy/who-is-a-diplomat/> (last visited July 9, 2020); National Museum of American Diplomacy, “How does the U.S. Department of State engage with other countries?,” <https://diplomacy.state.gov/diplomacy/how-does-the-u-s-department-of-state-engage-with-other-countries/> (last visited July 9, 2020); U.S. Department of State, “Office to Monitor and Combat Trafficking in Persons,” <https://www.state.gov/bureaus-offices/under-secretary-for-civilian-security-democracy-and-human-rights/office-to-monitor-and-combat-trafficking-in-persons/> (last visited July 9, 2020); National Museum of American Diplomacy, “What are the key policies of the U.S. Department of State?,” <https://diplomacy.state.gov/diplomacy/what-are-the-key-policies-of-the-u-s-department-of-state/> (last visited July 9, 2020).

to people fleeing conflict and persecution, support Americans caught in disasters abroad, bolster American cybersecurity, and expand American businesses.<sup>19</sup>

Department personnel also help ensure the United States is a good steward of American taxpayer dollars by monitoring and evaluating the performance of foreign assistance programs.<sup>20</sup> Diplomats help keep U.S. political leaders informed of critical developments around the world, how foreign governments are responding to U.S. policy, and the state of relations with our allies and our adversaries.<sup>21</sup> Department personnel engage in critical information gathering and analysis, which informs and influences our national security decisions.<sup>22</sup>

The State Department also promotes American democratic values, such as free and fair elections, transparency in government, protection of basic human rights and freedoms, and equality amongst all peoples.<sup>23</sup> Historically, the Department has carried out these many varied roles on a budget 19 times smaller than the U.S. defense budget, and, while the gap between the defense and international affairs budgets has decreased in recent years, the Department still operates on a budget 12 times smaller than the defense budget.<sup>24</sup>

In carrying out these duties, Department employees face a range of threats, including political violence, crime, terrorism, natural disasters, exposure to health hazards, and more.<sup>25</sup> Some make the ultimate sacrifice for their country: as of May 2019, 250 diplomats had lost their lives while serving abroad, including eight U.S. ambassadors who have died in the line of duty.<sup>26</sup>

The State Department's diplomatic corps, comprised of a Foreign and Civil service, represents highly talented and specialized individuals.<sup>27</sup> More than 60 percent of Foreign Service Officers have advanced

The State Department promotes American democratic values, such as free and fair elections, transparency in government, protection of basic human rights and freedoms, and equality amongst all peoples.

<sup>19</sup> The National Museum of American Diplomacy, "Who is a diplomat?" <https://diplomacy.state.gov/diplomacy/who-is-a-diplomat/> (last visited July 6, 2020); DipNote, "#State4States: A Year-Long Look at How @StateDept Works for the American People," Nov. 6, 2019, <https://www.state.gov/state4states-a-year-long-look-at-how-statedept-works-for-the-american-people/>, (last visited Mar. 4, 2020); U.S. Department of State, "Cybercrime and Intellectual Property Crime," <https://www.state.gov/cybercrime-and-intellectual-property-crime/> (last visited July 9, 2020); U.S. Department of State, "Bureau of Population, Refugees, and Migration," <https://www.state.gov/bureaus-offices/under-secretary-for-civilian-security-democracy-and-human-rights/bureau-of-population-refugees-and-migration/> (last visited July 14, 2020).

<sup>20</sup> U.S. Department of State, "Office of Foreign Assistance, Resources and Reports," <https://www.state.gov/resources-and-reports-office-of-foreign-assistance/> (last visited June 24, 2020).

<sup>21</sup> Andrew Glass, "Newspapers publish leaked diplomatic cables, Nov. 28, 2010," *Politico*, Nov. 28, 2017.

<sup>22</sup> U.S. Department of State, "About Us—Bureau of Intelligence and Research," <https://www.state.gov/about-us-bureau-of-intelligence-and-research/> (last visited July 6, 2020).

<sup>23</sup> U.S. Department of State, *2017-2018 Advancing Freedom and Democracy Report*, Sept. 6, 2018, <https://www.state.gov/2017-18-advancing-freedom-and-democracy-report/>.

<sup>24</sup> Bill Burns, President of the Carnegie Endowment for International Peace, Interview with Mary Louise Kelly, All Things Considered, *NPR*, Oct. 15, 2019; *Historical Tables, Budget of the United States Government, Fiscal Year 2021*, "Table 5.1: Budget Authority by Function and Subfunction: 1976-2025," <https://www.govinfo.gov/content/pkg/BUDGET-2021-TAB/pdf/BUDGET-2021-TAB.pdf>, at 88, Feb. 10, 2020.

<sup>25</sup> U.S. Department of State Office of Inspector General, *Review of the Effects of the Department of State Hiring Freeze*, at 9 (Aug. 2019).

<sup>26</sup> Six ambassadors have been killed by militants, and two died in plane crashes. American Foreign Service Association, "AFSA Memorial Plaque List," <https://www.afsa.org/afsa-memorial-plaque-list> (last visited July 6, 2020).

<sup>27</sup> The Department is mainly divided into Foreign Service and Civil Service, all of whom undergo rigorous and ongoing training when they start and as they progress through their careers. Foreign Service members, including many Ambassadors, largely represent the U.S. abroad and rotate through a series of foreign and domestic postings. Civil Service employees, which also include some Ambassadors, are generally based in Washington D.C., where they serve as the domestic counterparts to their Foreign Service colleagues and offer specialized subject-matter and institutional expertise in key areas of foreign policy. U.S. Department of State, "Who We Are," <https://careers.state.gov/learn/who-we-are/> (last visited July 9, 2020); U.S. Department of State, *Agency Financial Report: Fiscal Year 2019*, at 8 (Jan. 17, 2020), <https://www.state.gov/wp-content/uploads/2019/09/FY-2019-Agency-Financial-Report.pdf>. The Department also depends heavily on foreign national employees who support U.S. embassies and consulates abroad. These locally-employed staff provide local expertise, language skills, and institutional knowledge and continuity for overseas posts as American employees rotate in and out.

degrees.<sup>28</sup> U.S. diplomats are trained to communicate in over 70 foreign languages.<sup>29</sup> Characterized by “excellence and professionalism,” U.S. diplomats are recognized by Congress as “essential in the national interest to assist the President and the Secretary of State in conducting the foreign affairs of the United States.”<sup>30</sup>

Abroad, Foreign Service Officers serve in hardship posts without their families, or bring family members along in non-hardship posts, moving every two to three years. Spouses give up careers or studies, and children lose friends and are forced to navigate the disorienting experience of frequent moves. These combined sacrifices are a testament to the dedication of public servants who serve our nation and dedicate their lives to promoting American democratic values.

## Preventing Conflict

From its inception in 1789 as America’s first federal agency, the State Department has been responsible for navigating relationships between the U.S. and foreign nations, negotiating the end to foreign conflicts, and establishing the foundation for international peace and cooperation through alliances.<sup>31</sup> Its diplomats and other professionals play, in the words of former Secretary of State James A. Baker III, “indispensable roles in maintaining security and peace at home and around the world.”<sup>32</sup>

Diplomatic professionals remain our first line of defense against war because they can stop conflicts before they start. U.S. diplomats preempt war declarations with peaceful resolutions, and have convinced countries to abandon weapons of mass destruction.

Diplomatic professionals remain our first line of defense against war because they can stop conflicts before they start. U.S. diplomats preempt war declarations with peaceful resolutions, and have convinced countries to abandon weapons of mass destruction.<sup>33</sup> Then-Commander of U.S. Central Command General James Mattis recognized the important role that diplomacy plays in avoiding conflicts when he told Congress, “if you don’t fund the State Department fully then I need to buy more ammunition.”<sup>34</sup>

<sup>28</sup> Academy of Diplomacy, *Strengthening the Department of State*, at 44 (May 2019).

<sup>29</sup> U.S. Department of State, *Five-Year Workforce Plan: Fiscal Years 2019-2023*, at 44 (Feb. 2020).

<sup>30</sup> Foreign Service Act of 1980, P.L. 96-465, Sec. 101, 22 U.S. Code § 3901(a)(1).

<sup>31</sup> The State Department was originally founded as the Department of Foreign Affairs in 1789; U.S. Department of State, “A History of the United States Department of State,” July 1996, [https://1997-2001.state.gov/about\\_state/history/dephis.html](https://1997-2001.state.gov/about_state/history/dephis.html) (last visited June 24, 2020); Letter from James A. Baker III, Secretary of State, on the opening of the U.S. Diplomacy Center Pavilion, Jan. 10, 2017 (as read by Secretary of State John Kerry), <https://2009-2017.state.gov/secretary/remarks/2017/01/266823.htm>.

<sup>32</sup> Letter from James A. Baker III, Secretary of State, on the opening of the U.S. Diplomacy Center Pavilion, Jan. 10, 2017 (as read by Secretary of State John Kerry), <https://2009-2017.state.gov/secretary/remarks/2017/01/266823.htm>.

<sup>33</sup> William Burns, *The Back Channel*, Random House, at 190-192 (2019); Patrick E. Tyler & James Risen, “Secret Diplomacy Won Libyan Pledge on Arms,” *The New York Times*, Dec. 21, 2003.

<sup>34</sup> Testimony of General James Mattis, Commander of U.S. Central Command, *U.S. Central Command and U.S. Special Operations Command*, Hearing before the Senate Armed Services Committee, Mar. 5, 2013, at 16.

## Promoting U.S. Business

One of the highest, but lesser known, priorities of our embassies abroad is to promote U.S. business interests.<sup>35</sup> Ninety-six percent of global consumers live outside of the United States, and diplomacy is essential in promoting U.S. exports and creating a level playing field for American businesses abroad.<sup>36</sup>

These efforts create real benefits for American communities. For example, in 2019, Texas exported \$330.5 billion worth of goods, which supported more than 910,000 jobs in the state; foreign direct investment into Texas supported an additional 622,700 jobs in 2017.<sup>37</sup> In 2019, California exported \$174 billion worth of goods, which supported more than 683,000 jobs; foreign direct investment supported an additional 802,800 jobs.<sup>38</sup> The Department also provides visas for more than a million foreign students and tourists in the United States, who generate about \$240 billion every year for the U.S. economy.<sup>39</sup>

## Securing Alliances and Countering Terrorism

America is stronger when we have allies to help us pursue our interests. Our diplomats build, strengthen, and maintain the alliances and partnerships that make America safer and more prosperous.<sup>40</sup> Through these treaties, partnerships, and security agreements, our diplomatic professionals help our country adapt and thrive in an increasingly complex world with global challenges such as climate change, cyberattacks, and transnational crime.<sup>41</sup> As one diplomat put it, “Diplomacy is the art of turning contacts into friends, and friends into partners as we work together to solve common challenges, contribute to global development, and work towards achieving shared goals.”<sup>42</sup>

One area the diplomatic workforce leverages our alliances in is counterterrorism. Through partnerships such as the North Atlantic Treaty Organization (NATO) and the 79-member Global Coalition to Defeat ISIS, which is the largest international coalition in history, the State Department works to detect, degrade, and dismantle terrorist networks.<sup>43</sup> Diplomats and civil servants also work to address the root causes of extremism and counter violent extremist narratives.<sup>44</sup> Alongside its international partners, the Department works with nearly a dozen American cities and more than 100 cities globally to counter violent extremism and terrorism.<sup>45</sup>

<sup>35</sup> See, e.g., U.S. Agency for International Development (USAID) and U.S. Department of State, *USAID and Department of State Strategic Plan FY 2014-2017*, at 8 (Apr. 2014), <https://2012-2017.usaid.gov/sites/default/files/documents/1868/State%20USAID%20Joint%20Strategic%20Plan%202014-04-02.pdf>; Marie “Masha” Yovanovitch, Deposition before the House Permanent Select Committee on Intelligence, House Committee on Oversight and Reform, and the House Committee on Foreign Affairs, Oct. 11, 2019, at 41-42; Testimony of Marie “Masha” Yovanovitch, Former U.S. Ambassador to Ukraine, *Impeachment Inquiry: Ambassador Marie Masha Yovanovitch*, Hearing before the House Permanent Select Committee on Intelligence, Nov. 15, 2019.

<sup>36</sup> U.S. Department of State, “Direct Line for American Business,” <https://www.state.gov/direct-line-for-american-business/> (last visited July 6, 2020); William Burns, *The Back Channel*, Random House, at 11 (2019).

<sup>37</sup> U.S. Department of State, “U.S. Department of State in Texas,” <https://www.state.gov/states/texas/> (last visited July 6, 2020); International Trade Administration & U.S. Department of Commerce, “Texas Exports, Jobs, & Foreign Investment,” <https://legacy.trade.gov/mas/ian/statereports/states/tx.pdf> (last visited July 6, 2020).

<sup>38</sup> U.S. Department of State, “U.S. Department of State in California,” <https://www.state.gov/states/california/> (last visited July 6, 2020); International Trade Administration & U.S. Department of Commerce, “California Exports, Jobs, & Foreign Investment,” <https://legacy.trade.gov/mas/ian/statereports/states/ca.pdf> (last visited July 6, 2020).

<sup>39</sup> William Burns, *The Back Channel*, Random House, at 11 (2019).

<sup>40</sup> See National Museum of American Diplomacy, “Diplomacy is our Mission,” <https://diplomacy.state.gov/diplomacyisourmission/> (last visited July 9, 2020).

<sup>41</sup> See, e.g., National Museum of American Diplomacy, “Diplomacy is our Mission,” <https://diplomacy.state.gov/diplomacyisourmission/> (last visited July 9, 2020); U.S. Embassy in Turkey, “10 Things You Need to Know about NATO,” Apr. 4, 2019, <https://tr.usembassy.gov/10-things-you-need-to-know-about-nato/>.

<sup>42</sup> Julie Eadeh, Political Counselor at the U.S. Consulate General in Hong Kong, “Serving Citizens Abroad in Times of War,” Georgetown University Center for Contemporary Arab Studies, May 14, 2019, <https://ccas.georgetown.edu/2019/05/14/serving-citizens-abroad-in-times-of-war/>.

<sup>43</sup> U.S. Embassy in Turkey, “10 Things You Need to Know about NATO,” Apr. 4, 2019, <https://tr.usembassy.gov/10-things-you-need-to-know-about-nato/>; U.S. Department of State, *Fact Sheet: The Global Coalition—Working To Defeat ISIS*, Feb. 6, 2019, <https://www.state.gov/the-global-coalition-working-to-defeat-isis-2/>; U.S. Department of State, “Countering Terrorism,” <https://www.state.gov/policy-issues/countering-terrorism/> (last visited July 16, 2020).

<sup>44</sup> U.S. State Department Office of the Inspector General, *Audit of the Department of State Implementation of Policies Intended to Counter Violent Extremism*, at 1, June 2019.

<sup>45</sup> Dipnote, “Countering Racially or Ethnically Motivated Terrorism,” Sept. 30, 2019, <https://www.state.gov/countering-racially-or-ethnically-motivated-terrorism/>; Institute for Strategic Dialogue, *Strong Cities Network Programme Summary* (2019), at 4.

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## Conclusion

The nation's diplomatic personnel are, in the State Department's words, the Department's "greatest asset."<sup>46</sup> U.S. diplomats carry out the foreign policy of the United States on behalf of all Americans. Retired Ambassador Mari Carmen Aponte captured well the nature of their commitment:

[E]very single day I was at the Embassy I saw what the diplomats do for the bottom line of the United States. They help Americans in trouble overseas, they advocate for American businesses, and create American jobs via trade agreements. They make the world safer by negotiating nuclear and non-proliferation accords. They facilitate American travel abroad by issuing passports. They promote the rule of law and use aid to help countries to develop so that their people don't feel that they have to immigrate. They help mitigate and resolve conflicts. They promote legitimate travel and promote study in the U.S. which helps our economy and our universities. They help in times of natural disasters and they are front and center during outbreaks, epidemics, and pandemics.<sup>47</sup>

Nowhere have the heroic efforts and sacrifice of our diplomats been on fuller display than during the unprecedented COVID-19 pandemic. Department employees worked tirelessly, managing crucial information-sharing with their domestic counterparts, foreign governments, and Americans, and working to mitigate the impacts of the crisis as it unfolded in real-time.

They also did so with little guidance from senior leadership early on in the pandemic.<sup>48</sup> In March 2020, the President abruptly announced travel restrictions on European countries, and diplomats fielded calls from blindsided international counterparts and panicked Americans trying to get home.<sup>49</sup> As the virus began to spread more rapidly, diplomats did not know how to handle visa requests or how the Department planned to prevent spread at overseas posts, and they were troubled by the lack of transparency around the number of internal COVID-19 cases at the Department.<sup>50</sup> One diplomat concluded, "every embassy is just making it up as we go along . . . there's no uniformity."<sup>51</sup> As the virus added to the workload for diplomats, many were left frustrated by the lack of leadership and the patchwork of uneven guidance that complicated their ability to fulfill their duties.<sup>52</sup>

Further compounding these challenges was President Trump's disdainful statements about diplomats in the midst of the pandemic. During a COVID-19 White House task force press briefing, President Trump referred to the diplomats working hard on behalf of Americans as the "Deep State Department," without any pushback from the Secretary Pompeo, who was standing next to the President.<sup>53</sup>

The mistreatment of our nation's diplomats, who have risked their lives on the frontlines to keep Americans safe during the COVID-19 pandemic, is just the latest example of the mismanagement by the Trump administration and its chaotic side effects. As this report describes, despite the many benefits these diplomatic professionals provide to the United States, the Trump administration has left the State Department reeling from an unprecedented lack of leadership, and demoralized from intentional attacks on its professional integrity.

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<sup>46</sup> U.S. Department of State, *Agency Financial Report: Fiscal Year 2019*, at 122, Jan. 17, 2020, available at <https://www.state.gov/wp-content/uploads/2019/09/FY-2019-Agency-Financial-Report.pdf>.

<sup>47</sup> Remarks of Ambassador Mari Carmen Aponte, "Addressing Diversity at the State Department," Congressional Briefing hosted by Senators Bob Menendez and Ben Cardin, Feb. 25, 2020, available at <https://youtu.be/-Y9Pj3FkTNA?t=2772>.

<sup>48</sup> See Nicole Gaouette & Kylie Atwood, "Lacking Clear State Department coronavirus guidance, embassies are 'just making it up as we go along,'" *CNN*, Mar. 20, 2020; Erin Banco, "Pompeo's Virus Response Blasted by State Dept Officials," *The Daily Beast*, Mar. 17, 2020.

<sup>49</sup> See Norimitsu Onishi, "Chaos in Europe, and Anger, Over U.S. Travel Ban to Curb Coronavirus," *The New York Times*, Mar. 12, 2020; Heather Murphy, "Trump's Travel Ban Leaves Americans in Europe Scrambling to Get Home," *The New York Times*, Mar. 12, 2020; Nicole Gaouette et al., "European Union Leaders Denounce Trump's Coronavirus Travel Restrictions," *CNN*, Mar. 12, 2020.

<sup>50</sup> Erin Banco, "Pompeo's Virus Response Blasted by State Dept Officials," *The Daily Beast*, Mar. 17, 2020.

<sup>51</sup> Nicole Gaouette & Kylie Atwood, "Lacking Clear State Department coronavirus guidance, embassies are 'just making it up as we go along,'" *CNN*, Mar. 20, 2020.

<sup>52</sup> *Id.*

<sup>53</sup> Press Briefing, President Trump, Vice President Pence, and Members of the Coronavirus Task Force, Mar. 20, 2020.

## CHAPTER 1

# Vacant Posts and Frequent Turnover: An America Less Present and Less Effective

“You know how we don’t win wars without soldiers . . . . We don’t win foreign policy and we don’t maintain America’s global leadership without diplomats.”

— *Ambassador Barbara Stephenson, President, American Foreign Service Association*<sup>54</sup>

The State Department’s work is critical to ensuring American safety and prosperity. Vacancies in senior leadership posts hamper the Department’s ability to carry out its mission and engage in effective diplomacy. Yet, under this Administration, the President has been slow or failed altogether to nominate individuals for dozens of senior posts. Through two Secretaries of State, and despite numerous commitments to fill key positions, vacancies and acting officials at the Department have persisted.

Three and a half years into the Administration, 11 Assistant Secretary or Under Secretary posts—more than one-third—are vacant or filled by acting officials.<sup>55</sup> Of those positions, all but three had no named nominees by the Administration at the time of publication.<sup>56</sup>

The basic responsibility of filling key posts has been plagued by a combination of a White House that is slow to nominate, frequent turnover, and, often, poor vetting of candidates.<sup>57</sup> As an illustrative example, it took the Administration 11 months to submit the first nomination for Under Secretary for Arms Control.<sup>58</sup> Then, following a controversy over that confirmed official’s failure to disclose key information, which may have revealed a counterintelligence threat, she departed in late 2019. It took another six months for the White House to propose a replacement—a nominee who had languished in the Senate for a different Under Secretary position, due to his role in controversial policies in a prior administration and his failure to be

<sup>54</sup> Carol Morello, “How a retiring American diplomat helped navigate a ‘perilous minefield,’” *The Washington Post*, July 26, 2019.

<sup>55</sup> This does not include the announced resignation of Michael Evanoff, Assistant Secretary for Diplomatic Security, who announced on July 14, 2020 that he was leaving the Department effective July 24, 2020. Senate Foreign Relations Committee Staff Analysis, as of July 15, 2020.

<sup>56</sup> As of July 15, 2020, the following nominees were pending for Assistant Secretary or Under Secretary positions: Ronald Mortenson (nominated May 24, 2018), Carlos Trujillo, Assistant Secretary for Western Hemisphere Affairs (nominated Mar. 18, 2020), and Marshall Billingslea, nominee for Under Secretary of Arms Control (nominated May 4, 2020).

<sup>57</sup> See Chapter 2.

<sup>58</sup> Andrea Thompson, nominee for Under Secretary of Arms Control, was submitted on December 19, 2017. See PN1326, 115th Congress.

forthcoming with the Senate about that role.<sup>59</sup> As a result, the senior position responsible for negotiating with Russia and other nuclear powers on arms control and leads U.S. policy on non-proliferation has been vacant or led by an acting official for two out of the three and a half years of this Administration.<sup>60</sup>

The Senate-confirmed Assistant Secretary for Europe and Eurasian Affairs departed in February 2019; as of July 2020, the Administration has yet to nominate someone to fill that role.<sup>61</sup> The Assistant Secretary for Arms Control, Verification and Compliance, who works with partners to control the threat of weapons of mass destruction, had a Senate-confirmed official for just over one year, and has been vacant since June 2019, with no subsequent nominee.<sup>62</sup> The Under Secretary for Public Diplomacy and Public Affairs, which leads the Department's public outreach and messaging, has been vacant since March 2018, with no nominee.<sup>63</sup> There has been no confirmed Assistant Secretary for South and Asian Affairs for the entire Trump administration--a position that manages relations with India and Pakistan, and a region where the U.S. is engaged in a long-standing war.<sup>64</sup> As of July 2020, more than half of senior Department positions have been filled by someone other than a Senate-confirmed official at least once.<sup>65</sup>

Vacancies and acting posts have had serious ramifications for America's presence in the world, its overseas operations, and for U.S. national security.

Vacancies and acting posts have had serious ramifications for America's presence in the world, its overseas operations, and for U.S. national security. Senior leadership positions such as Assistant Secretaries are essential to formulating, implementing, and coordinating U.S. foreign policy. They drive international economic policy, oversee conflict prevention, and represent the United States in bilateral and multilateral negotiations on weapons nonproliferation, global health, and other critical matters.<sup>66</sup> When they are filled with officials serving in an acting capacity, those officials have diminished authority, both within the Department and with foreign counterparts.<sup>67</sup> When the positions are vacant, the work of the entire bureau suffers and slows.

Further, one-quarter of senior positions across the Department have turned over at least once since 2017.<sup>68</sup> Others serve in dual-hatted roles. Dr. Deborah Birx, tapped to lead the federal COVID-19 response for the White House Coronavirus Task Force, also technically serves as the lead for the State Department's global HIV/AIDS response.<sup>69</sup> Deputy Secretary Stephen Biegun still serves as the lead negotiator for North

<sup>59</sup> Josh Rogin, "State Department official didn't disclose ties to the boyfriend of Russian agent Maria Butina," *The Washington Post*, June 19, 2019; Kylie Atwood & Jennifer Hansler, "Top State Department official with ties to Russian agent Butina's boyfriend will depart post," *CNN*, Sept. 20, 2019. Marshall Billingslea, nominee for Under Secretary of Arms Control, was submitted on May 4, 2020. See PN1732, 116th Congress. Billingslea was nominated in January 2019 for Under Secretary for Civilian Security, Democracy, and Human Rights, and encountered strong opposition due to his prior role in torture policy under President George W. Bush. See PN107, 115th Congress; Rob Berschinski & Benjamin Haass, Opinion, "Trump Wants a Torture Proponent to Lead U.S. Human Rights Policy. The Senate Should Say No," *Politico*, Sept. 17, 2019.

<sup>60</sup> Under Secretary Thompson served from April 2018 to September 2019, just over 16 months.

<sup>61</sup> Wess Mitchell resigned in February 2019. Carol Morello, "Top diplomat for European affairs resigns from State Department," *The Washington Post*, Jan. 22, 2019.

<sup>62</sup> John Hudson & Paul Sonne, "Senior arms control official resigns from State Department, aides say," *The Washington Post*, May 13, 2019.

<sup>63</sup> The prior official, Steven Goldstein, served for just 3 months.

<sup>64</sup> The prior Assistant Secretary departed the post in January 2017.

<sup>65</sup> Senate Foreign Relations Committee Staff Analysis. The 37 positions includes 6 Under Secretary, 22 Assistant Secretary positions, and 9 Senate-confirmed positions that lead a bureau equivalent to an assistant secretary.

<sup>66</sup> See 1 FAM 130, 1 FAM 420, 1 FAM 450, 1 FAM 470.

<sup>67</sup> See, e.g., Robbie Gramer et al., "How the Trump Administration Broke the State Department," *Foreign Policy*, July 31, 2017; see also Anne Joseph O'Connell, *Vacant Offices: Delays in Staffing Top Agency Positions*, 82 Southern California Law Review, 913 (2009).

<sup>68</sup> Nine out of 37 positions have turned over at least once. The 37 positions includes 6 Under Secretary, 22 Assistant Secretary positions, and 9 Senate-confirmed positions that lead a bureau equivalent to an assistant secretary.

<sup>69</sup> Deborah L. Birx, M.D., U.S. Global Aids Coordinator & U.S. Special Representative for Global Health Diplomacy, U.S. Department of State, <https://www.state.gov/biographies/deborah-l-birx-md/> (last visited July 1, 2020).

Korea.<sup>70</sup> Before he ended his tenure as Ambassador to Germany, Ric Grenell served simultaneously as the Special Envoy for Serbia and Kosovo Peace Negotiations, and as Acting Director of National Intelligence, ostensibly holding all three positions at once.<sup>71</sup>

## Slow to Fill the Ranks

Whether by design or neglect, from the outset, President Trump placed little value on filling some of the senior-most national security and foreign policy positions. The White House was slow to fill posts across the Administration and, by many accounts, lacked the traditional transition plans to enable it to be fully staffed quickly.<sup>72</sup>

As of October 2017, President Trump had nominated only 56 ambassadors, compared with 81 from the same point in the Obama administration.<sup>73</sup> Key ambassador postings remained without a nominee, including Egypt, Qatar, Saudi Arabia, and Australia. As of October 2017, out of 22 Assistant Secretary positions, 20 were either vacant or filled in an acting capacity, and of those, only 3 had nominations pending before the Senate.<sup>74</sup> By November 2017, roughly half of the more than 150 Senate-confirmed positions at the State Department still had no named nominee.<sup>75</sup>

By early 2018, just over a year into the Administration, the numbers were not much better. As of February 2018, 8 of 22 Assistant Secretary positions were vacant or held by those in an acting capacity, with no nominee, including African Affairs, South and Central Asian Affairs, Western Hemisphere Affairs, and Near Eastern Affairs.<sup>76</sup>

While the Administration has repeatedly tried to blame the lack of Senate-confirmed officials on the Senate and the Senate Foreign Relations Committee, the Senate has moved forward dozens of nominees, particularly those that are adequately vetted and qualified. The Senate has confirmed more than 190 nominees to the State Department under the Trump Administration; more than half of those were advanced by the Senate Foreign Relations Committee after April 2018.<sup>77</sup> Further, the Committee has continuously moved forward nominees promptly who have been appropriately vetted and who meet the standards for Senate confirmation. In 2019, for example, the Committee reviewed and advanced nearly 30 nominees in less than 40 days. Many nominations take longer to advance for a variety of reasons: nominees frequently take one month or longer to submit required confirmation paperwork; the Committee has had to compensate for the Administration's failure to fully vet candidates, adding to review time; and, particularly under this Administration, the occurrence of missing or incorrect information, as well as disqualifying conduct by candidates, has considerably slowed the pace of the Committee's ability to process nominees.

<sup>70</sup> See, e.g., William Gallo, "Another Trump-Kim Meeting Before November? South Korea Hopes So," *Voice of America*, July 1, 2020; Josh Rogin, "Trump is expected to tap North Korea envoy for deputy secretary of state," *The Washington Post*, Sept. 17, 2019.

<sup>71</sup> President Donald J. Trump Announces Intent to Appoint Individual to a Key Administration Post, *The White House*, Oct. 3, 2019. Grenell was then designated a few months later to serve as the Acting Director of National Intelligence. Statement from the Press Secretary, *The White House*, Feb. 20, 2020.

<sup>72</sup> See, e.g., Robbie Gramer et al., "How the Trump Administration Broke the State Department," *Foreign Policy*, July 31, 2017; Maggie Haberman & Glenn Thrush, "A Trump Administration, With Obama Staff Members 'Filling In the Gaps,'" *The New York Times*, Jan. 19, 2017. "In 21 years of covering the State Department and in eight years of serving there, I've seen rocky transitions...but I've never seen anything like this," said Strobe Talbott, the president of the Brookings Institution, a Washington-based think tank, and a former journalist and Bill Clinton administration official." *Id.*

<sup>73</sup> Includes country ambassadors and ambassadors to international organizations. Senate Foreign Relations Committee Staff Analysis.

<sup>74</sup> As of October 1, 2017, for 22 Senate-confirmed Assistant Secretaries. *Id.*; Dexter Filkins, "Rex Tillerson at the Breaking Point," *The New Yorker*, Oct. 6, 2017.

<sup>75</sup> 76 out of 154 positions had no nominee (49 percent). Senate Foreign Relations Committee Staff Analysis, Nov. 29, 2017.

<sup>76</sup> Senate Foreign Relations Committee Staff Analysis.

<sup>77</sup> *Id.*

## Key Posts Neglected, and an Interim Team on the Field

A number of the vacancies that President Trump failed to fill left holes in the U.S. presence around the globe. For example, even as the Administration argued that we were entering a new era of great-power competition with China, and despite an ongoing war in Afghanistan, there were no Assistant Secretary nominees for East or South and Central Asia until December 2017 and January 2019.<sup>78</sup> At a time of unprecedented challenges from Russia, China, and ISIS in Africa, the Administration did not name a nominee to serve as Assistant Secretary for African Affairs until May 2018.<sup>79</sup> In the face of a worsening humanitarian crisis in Venezuela, increasing irregular migration from Central America, and heightening tensions with Mexico, President Trump failed to nominate an Assistant Secretary for Western Hemisphere Affairs until March 2018—more than 400 days into the Administration.<sup>80</sup>

Other vacancies appeared to reflect the Administration's lack of interest in advancing certain policy priorities, including having Senate-confirmed officials to lead the U.S. engagement on climate and environment issues. Consistent with President Trump's disregard for climate change and environmental issues, he did not nominate anyone to serve as Under Secretary for Economic Growth, Energy and the Environment until January 2019.<sup>81</sup>

At his nomination hearing in April 2018, then-nominee for Secretary of State Mike Pompeo acknowledged that:

At the State Department, there are too many holes, too many vacancies, too many unfilled positions. When that happens, everyone is stretched thin in the subject matter expertise that we need to deliver America's diplomacy around the world, to conduct its mission, its humanitarian missions, its development missions. Each of the missions which are entrusted to the State Department require talented people on station doing their part, working alongside it.<sup>82</sup>

Yet, despite his recognition of how vacant posts hamper the Department's effectiveness, under Secretary Pompeo's leadership, the Administration has continued to struggle to nominate qualified individuals, and, once they have people in place, to keep key posts filled. By October 2018, the White House still had failed to nominate anyone for 5 of 37 key senior Senate-confirmed State Department leadership positions and more than two dozen ambassadorial posts.<sup>83</sup> **In late 2018, more than 25 countries—including Egypt, Libya, Mexico, Qatar, Saudi Arabia, and Thailand—had no ambassadorial nominee.**<sup>84</sup> At the end of 2018, only 2 out of 6 Under Secretary positions were filled by Senate-confirmed officials.<sup>85</sup>

By mid-2019, the Administration had failed to nominate individuals or fill vacancies for at least 28 Senate-confirmed positions, including 16 ambassadorial posts. Among those were the head of South and Central Asian Affairs, for which the Administration's nominee withdrew; the Assistant Secretary for Europe and Eurasian Affairs, the State Department's most senior Europe official, which has not had a Senate-confirmed official since February 2019; and Ambassadors to Estonia, Georgia, and Ukraine—three countries on the front line in the fight against Russian aggression.<sup>86</sup>

<sup>78</sup> Susan Thornton was nominated to be Assistant Secretary for East Asian and Pacific Affairs in December 2017, but withdrawn in August 2018; Robert Williams was nominated in January 2019 to be Assistant Secretary for South Asian Affairs, but withdrawn in April 2019. David Stillwell was subsequently nominated for East Asian and Pacific Affairs in November 2018 and confirmed in June 2019. There has been no subsequent nominee for South Asian Affairs. See PN6, PN141 (116th Congress); PN1327, PN1386, PN2580 (115th Congress).

<sup>79</sup> Eli Okun, "White House taps nominees for major Africa posts," *Politico*, May 10, 2018.

<sup>80</sup> Senate Foreign Relations Committee Staff Analysis.

<sup>81</sup> See Nadja Popovich et al., "95 Environmental Rules Being Rolled Back Under Trump," *The New York Times*, Dec. 21, 2019; Keith Krach, Nominee to be an Under Secretary of State for Economic Growth, Energy, and the Environment, PN 260 (116th Congress), nominated Jan. 24, 2019.

<sup>82</sup> Nomination Hearing of Mike Pompeo to be Secretary of State, before the Senate Committee on Foreign Relations, Apr. 12, 2018.

<sup>83</sup> Senate Foreign Relations Committee Analysis. For the 37 senior positions in the State Department, five positions did not have a single nomination before October 2018.

<sup>84</sup> Senate Foreign Relations Committee Analysis. As of November 1, 2018.

<sup>85</sup> As of December 2018. Senate Foreign Relations Committee Analysis.

<sup>86</sup> Wess Mitchell, the former Senate-confirmed Assistant Secretary, departed in February 2019. Carol Morello, "Top diplomat for European affairs resigns from State Department," *The Washington Post*, Jan. 22, 2019.

Key positions have been filled by non-Senate-confirmed officials for extended periods. As of mid-2020, the Bureau of International Organization Affairs has been led by officials in an acting capacity for more than a year and a half; the Bureau of South and Central Asian Affairs has been led by non-Senate-confirmed officials for almost three and a half years. As of the time of publication, more than 20 posts, including 2 Under Secretaries, 6 Assistant Secretaries, the Inspector General, and more than 12 Ambassadors, are vacant and have no nominee.<sup>87</sup>

As of July 2020, there is no Senate-confirmed ambassador and no nominee for Afghanistan, Germany, Honduras, or Qatar. Others have gone long stretches without a nominee; Panama went two years without an ambassador until a nominee was named in May 2020.<sup>88</sup> Ukraine, on the front lines of Kremlin aggression, has not had a Senate-confirmed ambassador since April 2019.<sup>89</sup>

The cumulative effect spills into U.S. engagement abroad and impacts our relationships with host nations. When, due to a vacancy, only an acting official without the rank of ambassador is available, foreign officials may forgo a bilateral meeting rather than meet with someone who they perceive lacks the authority to make decisions and the backing of the President or Secretary. Without ambassadors and other senior officials selected by the president, confirmed by the Senate, and representing the administration with full authority, the relationship, and America's leverage, suffers. As former U.S. Ambassador to the United Arab Emirates, Barbara Leaf, noted: "Places like Saudi Arabia, Turkey, and Egypt are very status-conscious societies. Say you have a problem in Turkey: Who can pick up the phone and call [Turkish President Recep Tayyip] Erdoğan? A good ambassador can do that; a chargé [the second-in-command at the embassy] can't."<sup>90</sup>

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## Hiring Freeze Compounded Staffing Gaps

The Department's ability to fill posts was made even more difficult by the Administration's ill-considered hiring freeze—put in place for all of the federal government in January 2017, but remaining in place until May 2018 at the State Department. The freeze, on top of the significant vacancies, has reverberated through the Department and continued to pose hiring challenges.<sup>91</sup> **The freeze prevented the Department from hiring or promoting civil service employees or locally-employed embassy staff, resulting in a 7 percent decline in civil service workforce and a 20 percent decline in local embassy staff** over the course of the freeze, who are critical to carrying out overseas functions and missions.<sup>92</sup>

A State Department Inspector General (OIG) review found that the freeze hampered core functions, including providing services to U.S. citizens abroad, and adversely impacted their ability to maintain embassy security.<sup>93</sup> The OIG reported that "[s]everal bureaus charged with protecting security, health, and life safety reported to OIG that the hiring freeze had significant detrimental effects on their operations."<sup>94</sup> For example, the Bureau of Overseas Buildings Operations reported that it conducted 22 percent fewer overseas safety, health, and environmental management inspections in 2018 than in 2016 due to freeze-related staffing shortages.<sup>95</sup>

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<sup>87</sup> This does not include the announced resignation of Michael Evanoff, Assistant Secretary for Diplomatic Security, who announced on July 14, 2020 that he was leaving the Department effective July 24, 2020. Senate Foreign Relations Committee Analysis.

<sup>88</sup> Erik Bethel was nominated on May 4, 2020. PN1731 (116th Congress).

<sup>89</sup> Keith Dayton was nominated on May 14, 2020. PN1901 (116th Congress).

<sup>90</sup> Doyle McManus, "Almost Half the Top Jobs in Trump's State Department Are Still Empty," *The Atlantic*, Nov. 4, 2018.

<sup>91</sup> See Mark Sandy, Office of Management and Budget, "Memorandum for Heads of Executive Departments and Agencies," M-17-17, (Jan. 25, 2017); Eric Katz, "After 16 Months, State Department Ends Hiring Freeze," *Government Executive*, May 15, 2018.

<sup>92</sup> U.S. Department of State, Office of Inspector General, *Review of the Effects of the Department of State Hiring Freeze*, at 1 (Aug. 2019).

<sup>93</sup> *Id.* at 10.

<sup>94</sup> *Id.* at 9.

<sup>95</sup> *Id.* at 10.

A stunning **96 percent of embassies and consulates** and **95 percent of bureaus and offices** responding to the OIG reported that the freeze had a negative effect on their overall operations.<sup>96</sup> Several bureaus and overseas posts noted negative effects on employee welfare stemming from the hiring freeze, including an excessive workload leading to staff burnout.<sup>97</sup> A separate review of the Bureau of Democracy, Human Rights, and Labor revealed that the hiring freeze hindered its ability to adequately respond to increased workload, including on the Bureau's critical role in Leahy vetting—the screening of U.S. security assistance recipients to prevent funds from going to security forces that have committed gross violations of human rights.<sup>98</sup>

Another separate review found that the Bureau of Counterterrorism was unable to establish and fill four positions in the Office of Terrorist Detentions for more than two years, in part due to the hiring freeze. In late 2019, the Bureau reported that more than 20 percent (20 out of 92) of its civil servant positions were vacant, owing partly due to backlogs in hiring carried over from the hiring freeze, despite the fact that the freeze had ended approximately 18 months earlier.<sup>99</sup> As of December 2018, the Bureau of Human Resources estimated it would take approximately two years to fill Civil Service vacancies created by the freeze.<sup>100</sup>

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## Loss of Expertise

In addition to vacant and acting positions, the Department has witnessed a number of departures during the first three and a half years of the Trump administration, including some of the most experienced career personnel, as well as those in mid-level positions who had yet to climb into leadership ranks. Many career officials or second-in-command who would have traditionally been promoted to a senior position or ambassadorship have instead left or felt forced out.

Particularly in the first two years of the Trump administration, a number of senior officials departed, whether by choice, due to policy disagreements, or because they were sidelined and not offered other senior roles.<sup>101</sup> Following a series of expected, but abrupt, departures in the first few days of the Administration, additional senior departures followed during the subsequent months and years—including the Under Secretary for Political Affairs, Tom Shannon, who served until June 2018; U.S. Ambassador to Mexico, Roberta Jacobson, who served until May 2018; Special Envoy for the Global Coalition to Counter the Islamic State of Iraq, Brett McGurk, who served until December 2018, among others. As former Under Secretary of State for Political Affairs Nicholas Burns and former U.S. Ambassador to Iraq and Afghanistan, Ryan Crocker, lamented, such departures amounted to the “most significant departure of diplomatic talent in generations.”<sup>102</sup>

The Department has also lost early- and mid-career staff at alarming levels. Between July 2017 and June 2018, 722 full-time, non-seasonal employees left—about **7 percent of the Department's total staff**, and the fourth-highest rate among major agencies.<sup>103</sup> Some left because they felt they could no longer defend U.S. policies, and were, as a former Foreign Service Officer wrote in a public op-ed, “struggling to explain to

<sup>96</sup> *Id.* at 8. Of embassies, 151 responded; and 38 bureaus or offices responded. *Id.* App. B.

<sup>97</sup> *Id.* at 9-10, 19.

<sup>98</sup> U.S. Department of State, Office of Inspector General, *Inspection of the Bureau of Democracy, Human Rights, and Labor*, at 5 (Oct. 2018).

<sup>99</sup> U.S. Department of State, Office of Inspector General, *Inspection of the Bureau of Counterterrorism*, at 11 (May 2020).

<sup>100</sup> U.S. Department of State, Office of Inspector General, *Review of the Effects of the Department of State Hiring Freeze*, at 7.

<sup>101</sup> Gardiner Harris, “Diplomats Sound the Alarm as They Are Pushed Out in Drones,” *The New York Times*, Nov. 24, 2017. Even before Tillerson was confirmed as Secretary, his staff fired six of the State Department's top career diplomats, including Patrick Kennedy, who had been appointed to his position by President George W. Bush. Kristie Kenney, the Department's counselor and one of just five career ambassadors, was fired a few weeks later. None were given any reason for their dismissals. *Id.*

<sup>102</sup> Nicholas Burns & Ryan C. Crocker, Opinion, “Dismantling the Foreign Service,” *The New York Times*, Nov. 27, 2017.

<sup>103</sup> Charles S. Clark, “State Department Under Pompeo Still Coping with Vacancies: Just more than half of top jobs are filled as Trump's third year approaches,” *Government Executive*, Dec. 17, 2018.

foreign peoples the blatant contradictions at home.”<sup>104</sup> Others found a particular breaking point or policy decision they no longer felt they could implement.<sup>105</sup>

The removal and turnover of deputy chiefs of mission (DCMs) in particular has been notable. DCMs are vital to a well-functioning embassy, possessing years of diplomatic experience and regional expertise. As second-in-command of a diplomatic mission, they are responsible for the day-to-day management and are expected to help ensure continuity and leadership.<sup>106</sup> DCMs have been dismissed or reassigned at U.S. embassies in Canada, Iceland, Romania, France, the United Kingdom, and South Africa.<sup>107</sup> In one extreme example, the U.S. Ambassador to Iceland, in place for just over a year, has had seven DCMs.<sup>108</sup> The rate at which DCMs are being removed, and the reasoning behind the removals, has created cause for concern.<sup>109</sup>

The DCM for U.S. Embassy London, for example, was dismissed following a speech he gave in which he had positively mentioned President Barack Obama—an offense for which the Ambassador reportedly called the DCM a “traitor.”<sup>110</sup> Eric Rubin, President of the American Foreign Service Association stated that the removal of DCMs is becoming an “epidemic.”<sup>111</sup>

In the process, the Department lost significant institutional knowledge and substantive experience. By the end of 2017, the Foreign Service Officer corps had lost 60 percent of its Career Ambassadors, the Department’s most knowledgeable and experienced professionals.<sup>112</sup> By early 2018, there was only a single senior career official with the Department equivalent of a four-star general, down from six at the end of 2016.<sup>113</sup> As Ambassador Barbara Stephenson, then-President of the American Foreign Service Association, said pointedly: “Were the U.S. military to face such a decapitation of its leadership ranks, I would expect a public outcry.”<sup>114</sup>

The damage was also done to early- and mid-career employees. One former Foreign Service Officer noted “the growing exodus of entry-level and midlevel officers, who take with us ground-level expertise that is difficult to replace.”<sup>115</sup> The departure of senior experienced experts means that there are more junior employees who lack senior mentorship. Nancy McEldowney, a former ambassador who retired in June 2019 after a 30-year career in the Foreign Service, observed: “There’s a vacuum throughout the State Department, and the junior people now

By the end of 2017, the Foreign Service Officer corps had lost 60 percent of its Career Ambassadors, the Department’s most knowledgeable and experienced professionals.

<sup>104</sup> Chuck Park, “I can no longer justify being a part of Trump’s ‘Complacent State.’ So I’m resigning,” *The Washington Post*, Aug. 8, 2019. See also Steve Inskeep, “Ex-State Department Diplomat Criticizes Trump’s State Department,” NPR, Sept. 24, 2018 (quoting Uzra Zeya, former Deputy Chief of Mission at U.S. Embassy Paris: “The real question was - could I continue to do good, as I define it, in my role serving this president? And I reached the conclusion, simply, that I could not.”).

<sup>105</sup> David Rank, Opinion, “Why I resigned from the Foreign Service after 27 years,” *The Washington Post*, June 23, 2017, (“When the administration decided to withdraw from the Paris agreement on climate change, however, I concluded that, as a parent, patriot and Christian, I could not in good conscience be involved in any way, no matter how small, with the implementation of that decision.”); Rukmini Callimachi & Eric Schmitt, “Splitting With Trump Over Syria, American Leading ISIS Fight Steps Down,” *The New York Times*, Dec. 22, 2018 (I ultimately concluded that I could not carry out these new instructions and maintain my integrity.”).

<sup>106</sup> G.R. Berridge et al., *The Palgrave MacMillan Dictionary of Diplomacy*, at 94 (Jan. 2012); Robbie Gramer, “At Embassies Abroad, Trump Envoys Are Quietly Pushing Out Career Diplomats,” *Foreign Policy*, Feb. 5, 2020.

<sup>107</sup> Robbie Gramer, “At Embassies Abroad, Trump Envoys Are Quietly Pushing Out Career Diplomats,” *Foreign Policy*, Feb. 5, 2020.

<sup>108</sup> Christina Ruffini, “Controversial U.S. Ambassador to Iceland wanted firearm, security for Reykjavik post,” *CBS News*, July 26, 2020.

<sup>109</sup> See, e.g., Julia Ioffe, “Trump Is Waging War on America’s Diplomats,” *GQ*, Dec. 3, 2019.

<sup>110</sup> Mark Landler, et al., “Woody Johnson Was a Loyal Trump Supporter in 2016. As an Ambassador, He May Be Too Loyal,” *The New York Times*, July 24, 2020.

<sup>111</sup> Robbie Gramer, “At Embassies Abroad, Trump Envoys Are Quietly Pushing Out Career Diplomats,” *Foreign Policy*, Feb. 5, 2020.

<sup>112</sup> Ambassador Barbara Stephenson, “Time to Ask Why,” *The Foreign Service Journal*, Dec. 2017.

<sup>113</sup> Ambassador Barbara Stephenson, “President’s Views,” *The Foreign Service Journal*, Mar. 2018.

<sup>114</sup> Ambassador Barbara Stephenson, “Time to Ask Why,” *The Foreign Service Journal*, Dec. 2017.

<sup>115</sup> Bethany Milton, “My Final Break with the Trump State Department: What is there left to defend to foreign audiences, other than a promise that we’re a democracy and that there are future elections to come?” *The New York Times*, Aug. 26, 2019.

working in these top jobs lack the confidence and credibility that comes from a presidential nomination and Senate confirmation.”<sup>116</sup>

According to the resignation letter of one career Foreign Service Officer, the Trump administration’s “stinging disrespect” for the Department’s diplomatic work drove away experienced and talented staff.<sup>117</sup> Others similarly described a “complete and utter disdain for our expertise” and a “contempt” for career employees.<sup>118</sup> Many diplomats and career employees were asking “if their service is still valued.”<sup>119</sup>

## Conclusion

The lack of senior Department officials and personnel attrition levels doesn’t just mean empty desks. It translates to a lack of U.S. leadership on the global stage. If senior officials are unable to engage with counterparts—with allies and adversaries alike, in the field in global hotspots or in meeting rooms of multilateral organizations—there is a “slow degradation of America’s global leadership.”<sup>120</sup> As former Under Secretary of State under President George W. Bush, R. Nicholas Burns, said: “The United States is at the center of every crisis around the world, and you simply cannot be effective if you don’t have assistant secretaries and ambassadors in place...It shows a disdain for diplomacy.”<sup>121</sup> Put another way, as former Ambassador to Qatar Dana Shell Smith said, “having so many vacancies in essential places is a disaster waiting to happen.”<sup>122</sup>

Indeed, other countries have noticed the disempowerment of the State Department under President Trump. For example, former Foreign Minister of Ukraine Vadim Pristayko reminisced in a November 2019 interview about the level of interaction with the United States that had existed under former Assistant Secretary of State for Europe and Eurasia Victoria Nuland.<sup>123</sup> Pristayko said, “I think we need to go back to the format that was under Nuland, when she had the full power of the State Department behind her.”<sup>124</sup> In another notable example, also in November 2019, *Publitrato Colombia* released audio of Colombia’s Ambassador to the United States, Francisco Santos, and Colombia’s Foreign Minister-designate, Claudia Blum.<sup>125</sup> In offering advice about navigating the Washington power structure, Ambassador Santos said: “The U.S. State Department, which used to be important, is destroyed, it doesn’t exist.”<sup>126</sup>

The State Department’s lack of senior level leadership with Senate-confirmation vested authority and legitimacy, coupled with the hollowing out of its ranks at all levels, exacerbates a declining diplomatic network from President Trump’s harmful leadership. When the United States does not lead diplomatically, it weakens America’s ability to pursue U.S. national interests and promote American values abroad.

<sup>116</sup> Gardiner Harris, “Diplomats Sound the Alarm as They Are Pushed Out in Drove,” *The New York Times*, Nov. 24, 2017.

<sup>117</sup> Dan De Luce & Robbie Gramer, “U.S. Diplomat’s Resignation Signals Wider Exodus From State Department,” *Foreign Policy* (citing resignation letter of Elizabeth Shackelford, former Foreign Service Office for U.S. Mission to Somalia, based in Nairobi).

<sup>118</sup> Roger Cohen, “The Desperation of Our Diplomats,” *The New York Times*, July 28, 2017 (citing former Ambassador to Qatar Dana Shell Smith); Jack Corrigan, “The Hollowing-Out of the State Department Continues,” *The Atlantic*, Feb. 11, 2018.

<sup>119</sup> Roger Cohen, “The Desperation of Our Diplomats,” *The New York Times*, July 28, 2017.

<sup>120</sup> Dexter Filkins, “Rex Tillerson at the Breaking Point,” *The New Yorker*, Oct. 6, 2017.

<sup>121</sup> Gardiner Harris, “Diplomats Sound the Alarm as They Are Pushed Out in Drove,” *The New York Times*, Nov. 24, 2017.

<sup>122</sup> *Id.*

<sup>123</sup> “Пристайко считает, что нужно упразднить должность спецпредставителя США по Украине [Pristaiko believes that it is necessary to abolish the position of Special Representative to Ukraine],” *LB.ua*, Nov. 14, 2019, [https://lb.ua/news/2019/11/14/442240\\_pristayko\\_schitaet\\_nuzhno.html](https://lb.ua/news/2019/11/14/442240_pristayko_schitaet_nuzhno.html).

<sup>124</sup> *Id.*

<sup>125</sup> Jim Wyss, “Colombian diplomats spill the beans on ‘destroyed,’ U.S. State Department in secret recording,” *Miami Herald*, Nov. 21, 2019.

<sup>126</sup> *Id.*

## CHAPTER 2

# The Trump Administration's Record on Diplomatic Nominees: Repeated Vetting Failures, Poor Judgement

“Unqualified political appointees have been with us long before Donald Trump. As in so many areas, what he's done is accelerated that problem and made it a lot worse.”

— *Former Deputy Secretary of State William Burns*<sup>127</sup>

American diplomats are given tremendous responsibility by our government; with a few exceptions, they are in charge of all U.S. government employees in their host country—often numbering in the hundreds. Ambassadors are America's face to the world; they represent the United States and are responsible for protecting and advancing our national interests with foreign governments, societies, and international organizations. It is for this reason that our nation's founders saw fit to specify in the Constitution that, while presidents nominate ambassadors, they can only serve with the advice and consent of the Senate.

Senior Department officials oversee the execution of programs worth millions—and sometimes billions—of dollars. They lead skilled groups of professionals that have dedicated their careers to serving the American people. They help shape, and drive U.S. foreign policy. If these individuals do not have the temperament to manage a team of diverse employees, or the decorum to interact with officials in a foreign country, they should not be selected for the job. If they have offensive conduct, statements, or associations in their past, they should be disqualified from representing the United States.

Yet, too many of President Trump's nominees for senior State Department positions and ambassadorial posts have shown themselves to be unequal to the task. Some have misled Congress during their nomination process; some have made statements that do not reflect American values; others have behaved in ways that do not befit a position of significant power and public trust. While it is true that every administration has its share of questionable appointments, the Trump administration's choices have gone beyond the pale, jeopardizing the Department's ability to safeguard our nation's interests.

This chapter recounts an illustrative group of such nominations. These examples are by no means exhaustive, nor do they capture the full scope of the challenges to the proper stewardship of American

<sup>127</sup> George Packer, “The President Is Winning His War on American Institutions,” *The Atlantic*, Apr. 2020.

foreign policy that the Administration's nominees present. With each unfit nominee, the Administration sends a clear message: that responsible leadership, sound judgment, and experience are not a prerequisite for serving in a senior national security position; that career employees are not deserving of fair treatment; that diplomacy is not worthy of the best America has to offer.

## Lowering the Bar

The Senate has a constitutionally-mandated role to consider presidential nominees for advice and consent.<sup>128</sup> The Senate's role is to ensure that presidential nominees are sufficiently qualified and suited for the positions to which they have been nominated. Ambassadors, for example, should "possess clearly demonstrated competence to perform the duties of a chief of mission."<sup>129</sup> While this and past administrations have often filled certain ambassadorships with individuals selected due to political affiliation, nominees should still meet certain minimum standards of qualification, character, and moral fitness.

The White House is supposed to serve as a gatekeeper to ensure that only qualified, experienced, and honest individuals have the honor of representing our nation abroad. Instead, the Trump administration has largely abdicated this responsibility and nominated individuals who would have been eliminated from consideration by previous White Houses and whom prior presidents would not have submitted to the Senate for advice and consent.<sup>130</sup>

Either intentionally or negligently, the Trump administration has substantially lowered the entry requirements for foreign relations nominees. Some have submitted files to the Committee that are so rife with errors or omissions it appears they are not taking the process or the position seriously. Others have failed or refused to disclose details about their background, such as lawsuits and serious complaints, that bear on their fitness for Senate confirmation—despite the fact that reviewing details of a nominee's background is a key component of the nomination process. Others are nominated by the White House despite having made offensive and vicious public statements that have no place in our government, much less foreign diplomacy.

One Republican Senate office even sarcastically invited a nominee to "put on his tinfoil hat and visit our office with evidence for his salacious conspiracy theories and cuckoo allegations."<sup>131</sup> While that particular nomination stalled in the Senate, other nominees have been confirmed by a Senate majority intent on putting President Trump's nominees in place, no matter the damage and cost. Many have continued to serve in senior Department posts, even after concerns about their past conduct or statements were raised during the nomination process.

<sup>128</sup> U.S. Constitution, Art. II, Sec. 2.

<sup>129</sup> Foreign Service Act of 1980, Section 304(a), Pub. L. No. 96-465, 94 Stat. 2071 (1980). The Act also recommends that, given these qualifications, "positions as chief of mission should normally be accorded to career members of the Service, though circumstance will warrant appointments from time to time of qualified individuals who are not career members of the Service," and "contributions to political campaigns should not be a factor in the appointment of an individual as a chief of mission." *Id.*

<sup>130</sup> See, e.g., Brett Samuels, "Trump says media is part of vetting his nominees: 'We save a lot of money that way,'" *The Hill*, Aug. 2, 2019; Evan Osnos, "Trump vs. the 'Deep State': How the Administration's loyalists are quietly reshaping American governance," *The New Yorker*, May 14, 2018. "To vet candidates, the Obama campaign had used a questionnaire with sixty-three queries about employment, finances, writings, and social-media posts. The Trump team cut the number of questions to twenty-five by dropping the requests for professional references and tax returns and removing items concerning loans, personal income, and real-estate holdings. The questionnaire was speckled with typos, and seemed carelessly put together. Robert Rizzi, a prominent lawyer who has helped with every transition since Bill Clinton took office, told *The New Yorker*, "They would call it 'the paperwork.' We'd say, 'Well, it takes months.' They'd say, 'Just to do paperwork?' I'd say, 'It has huge consequences if you do it wrong.'" *Id.*

<sup>131</sup> Don Walton, "Sasse Office to Trump Ambassador Nominee: Bring Your Tinfoil Hat," *Lincoln Journal Star*, Feb. 6, 2018 (referring to Leandro Rizzuto, see later in this chapter).

These vetting failures have meant that under the Trump administration, the Senate Foreign Relations Committee, particularly members and staff of the minority, have dedicated significantly more resources than in the past to ensuring that nominees meet certain minimum standards and do not jeopardize the reputation or security of the United States.

## Misrepresenting Prior Experience

The nomination of Mina Chang to be an Assistant Administrator for Asia at the U.S. Agency for International Development (USAID) is a case study in how little vetting the Trump administration appears to do of its own senior officials. Chang, with scant development, management, or budget experience, was nominated to a position that oversees a billion-dollar portfolio and more than one thousand employees.<sup>132</sup> In April 2019, while awaiting confirmation, Chang was appointed to serve in the State Department as a Deputy Assistant Secretary in the Bureau of Conflict and Stability Operations, a senior position just one level below those requiring Senate confirmation.<sup>133</sup>

During the vetting process, Senate Foreign Relations Committee staff raised a number of questions about Chang's suitability for the USAID position, including whether her use of funds connected to a non-profit she had run was appropriate.<sup>134</sup> In addition, in November 2019, *NBC News* reported that Chang had embellished her resume with misleading claims about her professional background. For example, Chang had reportedly inflated her educational achievements and exaggerated the scope of her nonprofit's work.<sup>135</sup> She also claimed that she had held a position on a United Nations panel that did not exist, falsely claimed she had addressed both the Democratic and Republican national conventions, and implied she had testified before Congress when she had not.<sup>136</sup> Chang had also claimed that a *Time* magazine cover with her face on it was a result of recognition for her non-profit work, when in fact the cover was fake.<sup>137</sup>

Neither the Administration nor Chang responded to requests from the Senate Committee on Foreign Relations for documents and details about Chang's use of her non-profit's funds, but the Administration withdrew her nomination following those requests.<sup>138</sup> Six days after public reporting on her misrepresented credentials, Chang resigned from her Deputy Assistant Secretary position.<sup>139</sup> Yet, until her resignation, she was serving as a senior State Department official, reportedly with a top secret clearance that gave her access to sensitive intelligence, arguably making her vulnerable to blackmail by any foreign intelligence service that might have bothered to research her credentials.<sup>140</sup>

The White House is supposed to serve as a gatekeeper to ensure that only qualified, experienced, and honest individuals have the honor of representing our nation abroad.

<sup>132</sup> Mina Chang, Nominee to be Assistant Administrator, United States Agency for International Development, PN2528, (115th Congress).

<sup>133</sup> Denise Natali, Assistant Secretary-Bureau of Conflict & Stabilization Operations, @CSOAsstSec, "I am happy to welcome Mina Chang as #CSO's Deputy Assistant Secretary. DAS Chang brings her expertise in foreign assistance, data science and emerging technologies to help CSO inform US policies, strategies, & programs in #conflictprevention & #stabilization.", <https://twitter.com/CSOAsstSec/status/1122988331627950080?s=20>, Apr. 29, 2019.

<sup>134</sup> Chang was the founder and CEO of Linking the World, a non-profit organization that claims to "create broad awareness of America's unique role in the world." Linking the World, "Advocacy" <https://www.linkingtheworld.org/advocacy> (last visited Mar. 4, 2020).

<sup>135</sup> Dan De Luce et al., "Senior Trump official embellished résumé, had face on fake Time cover: State Dept. official Mina Chang claimed to be a Harvard Business School 'alumna' who ran a nonprofit that worked in 40 countries," *NBC News*, Nov. 12, 2019.

<sup>136</sup> Dan De Luce et al., "Senior Trump official embellished résumé, had face on fake Time cover," *NBC News*, Nov. 12, 2019.

<sup>137</sup> *Id.*

<sup>138</sup> *Id.*

<sup>139</sup> Dan De Luce et al., "Senior Trump admin official Mina Chang resigns after embellishing résumé: Mina Chang resigned Monday, six days after an NBC News report about her resume inflation and hours after NBC asked her about newly discovered false claims," *NBC News*, Nov. 18, 2019.

<sup>140</sup> Reis Thebault, "Trump appointee accused of inflating résumé, faking a Time cover pushes back in resignation letter," *The Washington Post*, Nov. 18, 2019.

## Misleading the Senate about Matters under Federal Investigation

The Administration withdrew the nomination of Kathleen Troia (K.T.) McFarland from the Senate after she appeared to mislead the Senate Foreign Relations Committee about her knowledge of the Trump transition team's contacts with Russian officials.<sup>141</sup> McFarland had worked closely with former National Security Advisor Michael Flynn, who pleaded guilty in December 2017 to lying to the FBI about his interactions with then-Russian ambassador, Sergey I. Kislyak.<sup>142</sup> In response to a question by Senator Booker about whether McFarland had ever spoken with Flynn about Flynn's contacts with Kislyak, McFarland responded that she was "not aware of any of the issues or events described."<sup>143</sup>

However, emails obtained by *The New York Times* in December 2017 indicated otherwise.<sup>144</sup> Further, Special Counsel Robert Mueller's investigation into Russian interference in the 2016 U.S. presidential election found that McFarland and Flynn discussed sanctions before the phone call, and that "they both understood that Flynn would relay a message to Kislyak in hopes of making sure the situation would not get out of hand."<sup>145</sup> In a public interview in 2020, McFarland further contradicted her statements to the Senate Foreign Relations Committee when she said that she "talked to General Flynn before he had this phone call. I talked to him right afterwards. He told me what he was going to say. He told me what he said."<sup>146</sup>

## Offensive, Extremist, and Racist Actions

A number of Trump administration nominees have been nominated for ambassadorships despite a history of making statements that, in previous administrations, would serve as an automatic disqualifier for any senior diplomatic post. Nonetheless, several such nominees have been confirmed over Democratic objections.

Prior to being nominated to serve as the U.S. Ambassador to Barbados, Leandro Rizzuto Jr., made a number of statements advancing fringe conspiracy theories and attacking President Trump's political opponents.<sup>147</sup> During the 2016 presidential campaign, Rizzuto used his Twitter account to launch and amplify vicious and unfounded attacks on Trump's rivals, including insults against their family members and sexist comments about spouses.<sup>148</sup> Some of his false and derogatory claims were against U.S. Senators, including some who sit on the Committee responsible for reviewing his nomination.<sup>149</sup> First nominated in January 2018, Mr. Rizzuto's nomination did not move forward due to bipartisan opposition. The Administration re-nominated him in 2019; his nomination was sent back twice to the White House by the

<sup>141</sup> Kathleen Troia McFarland, Nominee for Ambassador to Singapore, PN605 (115th Congress), PN1437 (115th Congress), (nominated, June 15, 2017, withdrawn, Feb. 5, 2018).

<sup>142</sup> Michael D. Shear & Adam Goldman, "Michael Flynn Pleads Guilty to Lying to the F.B.I. and Will Cooperate With Russia Inquiry," *The New York Times*, Dec. 1, 2017. As of the time of publication, the state of the case against Mr. Flynn was the subject of ongoing litigation. See, e.g., Charlie Savage, "Appeals Court Panel Orders End to Michael Flynn Case," *The New York Times*, June 24, 2020.

<sup>143</sup> Nomination Hearing of Kathleen Troia McFarland, Responses to Additional Questions for the Record submitted by Senator Booker, Senate Committee on Foreign Relations, July 20, 2017, Nomination Hearings of the 115th Congress-1st Session, S. Hrg. 115-413 at 486

<sup>144</sup> Gardiner Harris, "K.T. McFarland Withdraws Her Nomination to Be Ambassador to Singapore," *The New York Times* Feb. 2, 2018.

<sup>145</sup> Special Counsel Robert S. Mueller, *Report on the Investigation into Russian Interference in the 2016 Presidential Election*, Vol. I, at 167, 170 (Mar. 2019).

<sup>146</sup> K.T. McFarland, Interview, "The Story with Martha MacCallum," *Fox News*, May 29, 2020. The Committee provided McFarland numerous opportunities to correct the record and her statements, but she refused to do so.

<sup>147</sup> Nathan McDermott & Andrew Kaczynski, "Trump ambassador nominee promoted fringe conspiracy theories on Twitter," *CNN*, Feb. 5, 2018; Leandro Rizzuto, Nominee to be U.S. Ambassador to Barbados, PN1379 (115th Congress), PN136 (116th Congress).

<sup>148</sup> Nathan McDermott & Andrew Kaczynski, "Trump ambassador nominee promoted fringe conspiracy theories on Twitter," *CNN*, Feb. 5, 2018

<sup>149</sup> *Id.*

Senate.<sup>150</sup> The Administration did not give up, however. In May 2020, the Administration appointed him as the most senior official at the U.S. Consulate in Bermuda, clearly circumventing the Senate.<sup>151</sup>

Kyle McCarter, who was confirmed as U.S. Ambassador to Kenya in January 2019, tweeted on Election Night 2016, “Hillary for prison. No, really!”<sup>152</sup> At his confirmation hearing, when asked about the tweet, he replied, “you know, there is a hype in an election that we make—you know, and we question. And I did pose the question. And perhaps that was not called for, but I will tell you, I did pose the question.”<sup>153</sup> Pressed further, McCarter said, “perhaps it is one of those tweets that you would like to reel in, but you cannot. And that was one of those.” As Ambassador, McCarter continued his offensive social media posts, tweeting about the “Wuhan flu,” a racially and ethnically stigmatizing term for the COVID-19 pandemic pushed by the Trump administration, drawing fierce criticism and raising concerns about the potential to further inflame already documented rising racial tension and discrimination against Asians in Kenya.<sup>154</sup>

Before being confirmed as U.S. Ambassador to Slovenia, Lynda Blanchard shared articles on Facebook that made false claims about Democratic politicians.<sup>155</sup> She once shared an article titled, “The Clinton ‘Body Count’ expands – 5 Mysterious deaths in the Last 6 Weeks.”<sup>156</sup> On Election Day 2016, Blanchard posted on Facebook, “May God our Father paint this country red with the Blood of Jesus!”<sup>157</sup>

President Trump’s nominees have also attempted to conceal their participation in past racist actions. In 1994, Trump’s nominee for Ambassador to Norway, Mark Burkhalter, was involved in the creation of a racist campaign flyer that distorted a photograph of a Black politician to darken some of his features, give him a prominent afro, make his lips larger, and warp one of his eyes.<sup>158</sup> According to court filings, Burkhalter delivered the materials for the flyer, directed that it be attributed to a fake political action committee with a fake mailing address, authorized payment for some of its printing costs, and approved its release.<sup>159</sup> Burkhalter was sued for libel and, after nearly a year of court proceedings, settled the lawsuit for a monetary payment and signed a letter of admission taking “full responsibility” for the flyer.<sup>160</sup> As a result of his involvement with the flyer, Burkhalter faced charges from the Georgia

A number of Trump administration nominees have been nominated for ambassadorships despite a history of making statements that, in previous administrations, would serve as an automatic disqualifier for any senior diplomatic post.

<sup>150</sup> Leandro Rizzuto, Nominee to be U.S. Ambassador to Barbados, PN1379 (115th Congress), PN136 (116th Congress). His nomination was most recently returned in January 2020.

<sup>151</sup> Morgan Ortagus, Spokesperson, U.S. Department of State, “Lee Rizzuto To Become Principal Officer at the U.S. Consulate General in Bermuda,” May 27, 2020; Zachary Cohen & Andrew Kaczynski, “Trump administration taps failed ambassador nominee who spread fringe conspiracies for diplomatic post,” *CNN*, May 27, 2020.

<sup>152</sup> “Conservative Nominee Tapped for Post in Kenya Gets Grilling from Dems,” *The Charleston Chronicle*, Aug. 14, 2018.

<sup>153</sup> Kyle McCarter, *Hearing on Nominations*, Senate Foreign Relations Committee, July 18, 2018.

<sup>154</sup> Kyle McCarter, @USAmbKenya, “Only a fraction of the wananchi are wearing masks & social distancing! None of us know the magnitude of this Wuhan flu but we must take basic known wise precautions. It is only for a short time. We will come back to Prosperity & a culture of Kenya closeness soon. #USAMarafiki,” <https://twitter.com/USAmbKenya/status/1251884877454151688>; “U.S. ambassador in Kenya ignites outrage over virus criticism,” *The New York Times*, Apr. 20, 2020; “Letter from Africa: The spread of coronavirus prejudice in Kenya,” *BBC News*, Mar. 9, 2020.

<sup>155</sup> Emily R. Siegel et al., “Donors to the Trump inaugural committee got ambassador nominations. But are they qualified?” *NBC News*, April 3, 2019.

<sup>156</sup> Emily R. Siegel et al., “Donors to the Trump inaugural committee got ambassador nominations. But are they qualified?” *NBC News*, April 3, 2019.

<sup>157</sup> *Id.*

<sup>158</sup> Conor Finnegan, “Trump ambassador nominee must withdraw over role in ‘racist’ flyer, Democrat demands,” *ABC News*, July 3, 2020.

<sup>159</sup> John Hudson, “Trump’s pick for ambassador involved in racist smear against black politician,” *The Washington Post*, July 2, 2020.

<sup>160</sup> Jennifer Hansler, “Top Democrat urges White House to withdraw ambassador pick involved in racist ad targeting Black politician,” *CNN*, July 3, 2020.

State Ethics Commission; those proceedings also lasted nearly a year and resulted in Burkhalter signing a consent order that he personally authorized payment for the flyer, failed to properly disclose the payment, and agreed that he violated Georgia law and would pay a civil penalty.<sup>161</sup> Burkhalter's original conduct was reprehensible, but he further demonstrated his lack of fitness to serve as an ambassador by failing to disclose the lawsuit and ethics charges to the Senate Foreign Relations Committee.<sup>162</sup>

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## Other Inappropriate Conduct

Nominees who have demonstrated conduct that falls far short of the minimum standards to be a U.S. diplomat have nonetheless received ambassadorial nominations. For instance, Christine Torette, nominated in May 2018 to serve as U.S. Ambassador to Malta, had been subject to a restraining order after she left a bullet-riddled target sheet on an acquaintance's chair.<sup>163</sup> Although the President re-nominated her in 2019, he did not nominate her again in 2020.<sup>164</sup>

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## Conclusion

These are but a few examples of the poorly-vetted, unqualified, and unfit political nominees that President Trump has submitted to the Senate. There are several more whose issues never became public, or who withdrew rather than answer additional questions. Few, if any, of these individuals should be placed in a position of public trust with regards to our nation's security in this or any administration.

Notably, however, the President has continued to re-nominate many of these nominees despite serious objections from both Democratic and Republican Senators—only further contributing to vacancies in Senate-confirmed officials for months on end. In some cases, those who are confirmed but ill-suited for management contribute to a work environment that has driven away talented and dedicated staff, putting the well-being of the Department's workforce at risk.<sup>165</sup>

When the Trump administration fails to vet its nominees properly or intentionally ignores red flags, the American people pay the price. When individuals with stained records project our national image abroad, our country is worse off. And when our national security is entrusted to those who—through incompetence and inexperience—cannot protect it, our adversaries benefit.

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<sup>161</sup> Letter from Senate Foreign Relations Committee Ranking Member Robert Menendez to White House Chief of Staff Mark Meadows, July 2, 2020.

<sup>162</sup> As of the publication of this report, Mr. Burkhalter's nomination was still pending before the Committee.

<sup>163</sup> Patrick Finley, "Tucson doctor gets restraining order against Olson's ex-wife," *Arizona Daily Star*, Nov. 6, 2008; Christine J. Torette, Nominee to be U.S. Ambassador to Malta, PN2032 (115th Congress), PN145 (116th Congress).

<sup>164</sup> Christine J. Torette, Nominee to be U.S. Ambassador to Malta, PN2032 (115th Congress), PN145 (116th Congress).

<sup>165</sup> For example, the Senate-confirmed Chief of Protocol, Sean Lawler, resigned following serious allegations of misconduct, which included yelling, carrying a whip around the office, and bullying subordinates. "Trump's suspended protocol chief would 'scream,' use profanity, and berate employees, sources say," *CNN*, June 26, 2019; Jennifer Jacobs & Daniel Flatley, "Trump's Protocol Chief Is Quitting Just Before the G-20 Summit," *Bloomberg*, June 25, 2019.

## CHAPTER 3

### A Culture of Fear and Mistrust: Attacks on Career Employees

“If this administration is going to define disagreement as disloyalty, then it is headed toward a ruinous outcome. It will inevitably lead to the death of expertise...”

– *Ambassador Nancy McEldowney, Retired Director,  
Foreign Service Institute*<sup>166</sup>

The Department of State’s Foreign Service and Civil Service officers take an oath to support and defend the Constitution and to “well and faithfully discharge the duties of the office” that they are entering.<sup>167</sup> These public servants are non-partisan: they execute the policies of both Democratic and Republican administrations with equal force and to the best of their abilities. It is this core characteristic that ensures they serve the mission, and the nation, not any one party or president.

In return, these career public servants are supposed to receive “equal opportunity and fair and equitable treatment in employment...without regard to race, color, religion, sex, national origin, age, disability, political affiliation, marital status, or sexual orientation.”<sup>168</sup> These factors are to play no role in personnel decisions, which should be based solely on merit.<sup>169</sup> But in the era of President Trump, who has attacked career employees by name, there have been credible reports of political targeting and retaliation against career State Department employees. State Department documents have revealed that, as early as April 2017, senior White House and State Department officials had tagged some Department employees as “leaker,” “troublemaker,” and “turncoat.”<sup>170</sup>

Although some discriminatory and retaliatory measures have occurred by political appointees in lower-level leadership positions, a toxic environment can only flourish when it reflects the culture set at the top. For example, a year-long State Department Inspector General (OIG) investigation found that senior political appointees had also accused employees of being “Obama holdovers,” “traitors,” and “disloyal” based on

<sup>166</sup> Charles Clark, “Two Officials, Two Agencies, Two Exits with Harsh Words for Trump Team,” *Government Executive*, Aug. 1, 2017.

<sup>167</sup> 5 U.S.C. § 3331.

<sup>168</sup> 3 FAM 1511.1; *see also* 3 FAM 2211.

<sup>169</sup> *See* 3 FAM 1212.

<sup>170</sup> Nahal Toosi, “Emails Reveal Conservative Alarm Over ‘Obama holdovers’ in Trump Administration,” *Politico*, March 15, 2018.

their perceived political views, and retaliated against them.<sup>171</sup> A subsequent OIG report found that senior political appointees in the Secretary's office removed a career expert before her posting was complete, in part based on perceptions about her political views and ethnic origin.<sup>172</sup> Additional credible and detailed complaints alleged that employees with specialized skills and years of expertise were reassigned or given mundane tasks, such as reviewing and responding to Freedom of Information Act (FOIA) requests, in an effort to sideline them or cut them out from work on specific portfolios.<sup>173</sup>

These pernicious practices, compounded with a lack of accountability, have had damaging consequences. Employees—many of them with years of valuable service and experience—have left the Department because they found the work environment too hostile. Others have sought refuge in lower-profile jobs where they can avoid political fights and the attention of political appointees.<sup>174</sup>

The State Department's Inspector General until May 2020, Steven Linick, was an independent and nonpartisan senior career official whose mandate was to hold the Department and the Secretary accountable for any misconduct.<sup>175</sup> He oversaw lengthy investigations into political retaliation of career employees and had a reputation for being tough on the prior administration. At the time of his firing, which came the urging of Secretary Pompeo, he was leading an investigation into the potential misuse of resources by the Secretary.<sup>176</sup> Coming amid the removals of five other inspectors general in a span of six weeks, Linick's firing further demonstrated the Trump administration's contempt for, and distrust of, those committed to carrying out their responsibilities without regard to politics.<sup>177</sup> In an unusual move, Linick has been replaced by Stephen Akard, a Trump administration political appointee, who continues to also serve in his role as head of the Office of Foreign Missions.<sup>178</sup>

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## The Administration's Disdain and Distrust of Career Public Servants

President Trump came into office distrustful of career professionals at the Department of State, whom he termed "Deep State" and believed were against him, simply because they had worked to execute the policies of the previous administration.<sup>179</sup>

The idea of "loyalists" who needed to be "purged" from federal government began early in the Trump administration, and both of President Trump's Secretaries of State looked the other way when career employees alleged that political calculations were affecting personnel decisions.<sup>180</sup> Influential Republicans outside the Administration and conservative media promoted the narrative that "holdovers" must be "purged" and that

<sup>171</sup> U.S. Department of State, Office of Inspector General, *Review of Allegations of Politicized and Other Improper Personnel Practices in the Bureau of International Organization Affairs*, at 11 (Aug. 2019).

<sup>172</sup> U.S. Department of State, Office of Inspector General, *Review of Allegations of Politicized and Other Improper Personnel Practices Involving the Office of the Secretary*, at 9 (Nov. 2019).

<sup>173</sup> See, e.g., Elise Labott, "Exclusive: Frustrated State Department employees hire attorneys, charging 'political retribution,'" *CNN*, May 28, 2018; U.S. Department of State, Office of Inspector General, *Review of Allegations of Politicized and Other Improper Personnel Practices Involving the Office of the Secretary* (Nov. 2019).

<sup>174</sup> Michael Crowley et al., "How the State Dept.'s Dissenters Incited a Revolt, Then a Rallying Cry," *The New York Times*, Nov. 9, 2019.

<sup>175</sup> The Inspector General is an independent and non-partisan investigation arm of the State Department.

<sup>176</sup> Michelle Kelemen, "Ex-State Department Inspector General Says He Was Given No Valid Reason When Fired," *NPR*, June 10, 2020.

<sup>177</sup> Melissa Quinn, "The internal watchdogs Trump has fired or replaced," *CBS News*, May 19, 2020.

<sup>178</sup> Deirdre Shesgreen, "'Lapdog' or watchdog? The State Department's new inspector general under fire for conflicts of interest, inexperience," *USA Today*, June 1, 2020.

<sup>179</sup> See, e.g., Julie Hirschfield Davis, "Rumblings of a 'Deep State' Undermining Trump? It Was Once a Foreign Concept," *The New York Times*, Mar. 6, 2017.

<sup>180</sup> For example, the President's allies, including Newt Gingrich, former Speaker of the House and spouse to the Ambassador to the Holy See, encouraged him to "purge" the "Obama loyalists" out of the Department and reduce the number of "bureaucrats" whose only presumed goal was to hold up the Trump administration's agenda. See, e.g., Julie Hirschfield Davis, "Rumblings of a 'Deep State' Undermining Trump? It Was Once a Foreign Concept," *The New York Times*, Mar. 6, 2017. (quoting Newt Gingrich, "What President Trump is discovering is that he has a huge, huge problem underneath him, and I think he's shocked that the system is as hostile as it is.")

the Administration should focus on ousting “Obama/Clinton loyalists.”<sup>181</sup> Trump’s “deep state” rhetoric and attacks on career employees emboldened political appointees throughout the Department to follow through.

As retired Ambassador Ronald Neumann noted, the politicization of the State Department represents a deliberate destruction “based on the belief that the federal government is hostile and now you have to put in loyal people across the board in senior positions to control the bastards – the career bureaucrats.”<sup>182</sup>

The irony, of course, is that, in the words of a former Assistant Secretary, “[i]t’s not in [career employees’] DNA” to disclose State Department matters.<sup>183</sup> Despite what many in Congress and the public see as a series of chaotic and unwise foreign policy decisions, the Department’s career employees have continued to fulfill the Department’s mission and do their jobs.

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## Inspector General Finds “Hostile Treatment” and “Unmerited Accusations of Disloyalty”

Less than two months after Secretary Pompeo was confirmed, it was reported that Mari Stull, a senior advisor in the International Organization Affairs (IO) Bureau, was vetting career Department employees based on their political affiliation and personal views, and compiling a “loyalty list” of those she believed met her ideological litmus test.<sup>184</sup>

According to employees, Stull reviewed social media pages of career personnel for “ideological deviations” from President Trump’s agenda and researched their work for previous administrations.<sup>185</sup> Those determined untrustworthy were sidelined and kept out of high-level meetings, creating a “level of chaos and dysfunction” that some officials had never before observed in their long careers.<sup>186</sup>

Following numerous congressional inquiries, the State Department’s Office of the Inspector General interviewed more than 40 individuals, including current and former senior Department officials, such as then-Deputy Secretary John Sullivan, then-Acting Director General for the Foreign Service William Todd, and then-Under Secretary for Political Affairs Thomas Shannon, about the allegations of political retaliation in the IO Bureau.<sup>187</sup>

In August 2019, after a 13-month investigation, the OIG concluded there had been “disrespectful and hostile treatment of employees, accusations against and harassment of career employees premised on claims that they were ‘disloyal’ based on their perceived political views, and retaliation.”<sup>188</sup> According to the OIG’s report, “[n]umerous employees told OIG that Assistant Secretary [of the IO bureau, Kevin] Moley and Ms. Stull made inappropriate accusations of disloyalty and made positive or negative comments about employees based on perceived political views.”<sup>189</sup> Stull, in particular, referred to employees as “Obama

<sup>181</sup> Sean Hannity “Trump Must Purge Deep-State Bureaucrats Now,” *Fox News*, Mar. 10, 2017; Nahal Toosi, “Emails reveal conservative alarm over ‘Obama holdovers’ in Trump administration,” *Politico*, Mar. 15, 2018.

<sup>182</sup> George Packer, “The President Is Winning His War on American Institutions,” *The Atlantic*, Apr. 2020.

<sup>183</sup> *Id.*

<sup>184</sup> Colum Lynch & Robbie Gramer, “Trump Appointee Compiles Loyalty Lists of U.S. Employees at U.N., State,” *Foreign Policy*, June 13, 2018.

<sup>185</sup> *Id.*

<sup>186</sup> *Id.*

<sup>187</sup> U.S. Department of State, Office of Inspector General, *Review of Allegations of Politicized and Other Improper Personnel Practices in the Bureau of International Organization Affairs*, at 1 (Aug. 2019).

<sup>188</sup> *Id.* at Highlights.

<sup>189</sup> *Id.* at 8.

holdovers,” “traitors,” part of the “Deep State,” and “disloyal.”<sup>190</sup> Moreover, Assistant Secretary Moley and most of the other senior officials in the bureau did nothing to address Stull’s reprehensible behavior, with the OIG finding “significant evidence of systemic deficiencies in leadership and management relating to the treatment of career employees.”<sup>191</sup>

The OIG’s investigation found a culture of hostility and disrespect had permeated the bureau. The Assistant Secretary and Stull “frequently berated employees,” and engaged in unprofessional behavior, especially toward junior staff.<sup>192</sup> Employees reported to senior officials that Moley and Stull “cultivated” a “negative and ‘vindictive’ environment.”<sup>193</sup> According to one employee, “working with Stull involved ‘six to eight hostile interactions per day.’”<sup>194</sup>

Even after Department leadership expressed concerns to Assistant Secretary Moley about his conduct and the Department Legal Adviser “counseled” Stull, their treatment of employees did not improve.<sup>195</sup> The environment Stull and Assistant Secretary Moley fostered in the IO Bureau took a toll on employees. Between March 2018 and August 2019, approximately 50 employees—more than 15 percent of the total—left the bureau, with many citing its “poor leadership” as the reason for their exit.<sup>196</sup>

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## Career Employee’s Removal Linked to Perceived National Origin and Political Views

IO Bureau employees were not the only ones in the Department to experience political targeting and retaliation. In early 2018, reports emerged that employees in the Secretary of State’s Office had been subject to retaliation, leading to congressional inquiries and, in response, a separate investigation by the OIG. In November 2019, the OIG concluded that an employee in the Secretary of State’s office had been improperly pushed out based on her national origin and perceptions about her political affiliation.<sup>197</sup>

The career State Department employee had started working in the Secretary of State’s Office in July 2016, on a fixed one-year detail from her home office. In March 2017, a conservative website published an article with a series of false claims about her prior work history and affiliations, referring to her as an “Obama aide” who had “burrowed” in the Department and was now “running Tehran policy.”<sup>198</sup>

<sup>190</sup> *Id.*

<sup>191</sup> U.S. Department of State, Office of Inspector General, *Review of Allegations of Politicized and Other Improper Personnel Practices in the Bureau of International Affairs*, at 13, 19.

<sup>192</sup> *Id.* at 6.

<sup>193</sup> *Id.*

<sup>194</sup> *Id.*

<sup>195</sup> *Id.* at 11, 13.

<sup>196</sup> *Id.* at 13.

<sup>197</sup> U.S. Department of State, Office of Inspector General, *Review of Allegations of Politicized and Other Improper Personnel Practices Involving the Office of the Secretary*, at 10-13 (Nov. 2019). The OIG also examined other allegations by four other employees in other bureaus, but was unable to conclusively determine whether inappropriate action had occurred in two instances, in part because the OIG was “unable to obtain essential information from key decisionmakers.” *Id.* at Highlights.

<sup>198</sup> *Id.* at 5

Shortly after the article was published, a White House staffer and senior Department political appointees began exchanging emails about the employee.<sup>199</sup> One political appointee falsely claimed that the employee had been “born in Iran” and, citing hearsay, that she had “cried when the president won.”<sup>200</sup> One appointee forwarded the email chain to Brian Hook, then the Director of Policy Planning under Secretary Tillerson, who responded that the information was “helpful” and that “I’ve emailed friends who tracked the Iran deal for intel on her and waiting to hear back.”<sup>201</sup> Another senior official, Edward Lacey, who was Hook’s deputy and a career official, subsequently wrote to Hook that:

With few exceptions – notably, me – your immediate predecessors handpicked all of the [Policy Planning] staff – including the career civil servants on detail to us ([the employee] being one of them). Their picks, without exception, were Obama/Clinton loyalists not at all supportive of President Trump’s foreign policy agenda. I succeeded in ousting five whose details expired before your arrival.<sup>202</sup>

Not long after Lacey’s email, the employee was pushed out of the Secretary’s office. The OIG’s investigation determined that assumptions by Administration political appointees—which they did not attempt to verify—about the career employee’s perceived political opinions, prior work for the Obama administration (as a career employee), and (incorrect) perceptions about her national origin, “played at least some role” in her early ouster.<sup>203</sup> The OIG concluded that senior political appointees at the Department used those factors to cast doubt on her loyalty to the United States and the Trump administration’s agenda, and that Hook ultimately made the decision to end the employee’s detail early.<sup>204</sup> It also found that Hook did not respond to concerning allegations by the employee that, as a result of the false media coverage, she had received threats and feared for her safety.<sup>205</sup> Hook offered differing rationales for the early dismissal, which the OIG did not find convincing.<sup>206</sup>

The OIG did not establish whether Hook took any actions against other career employees. But in April 2017, after a meeting with a staff member on the National Security Council, Derek Harvey, Hook emailed himself a list of notes about career employees, which included notations like “a leaker and a troublemaker” and a “turncoat” next to employee names.<sup>207</sup>

Both Hook and Secretary Pompeo objected to the OIG report’s conclusions. Hook took the unusual step of writing a rebuttal that he insisted be included in the final OIG report.<sup>208</sup> Secretary Pompeo demanded that IG Linick request an investigation into whether information in a *Daily Beast* article on the draft report had leaked from Linick’s office (the report had also been circulated among more than 20 people inside the Department for weeks). A subsequent investigation by the Department of Defense’s Criminal Investigative Service “found no information indicating that any DOS OIG employee provided information from the report to *The Daily Beast* prior to the publication of its article.”<sup>209</sup>

<sup>199</sup> *Id.* at 5.

<sup>200</sup> *Id.* at 6. As the OIG noted, the employee was in fact born in the United States.

<sup>201</sup> *Id.* at 6.

<sup>202</sup> *Id.* at 7.

<sup>203</sup> *Id.* at 10.

<sup>204</sup> *Id.* at 9-13.

<sup>205</sup> *Id.* at 8.

<sup>206</sup> *Id.* at 11.

<sup>207</sup> *Id.* at 23; Nahal Toosi, “Emails reveal conservative alarm over ‘Obama holdovers’ in Trump administration,” *Politico*, Mar. 15, 2018. Harvey later went to work for Congressman Devin Nunes on the House Permanent Select Committee on Intelligence.

<sup>208</sup> U.S. Department of State, Office of Inspector General, *Review of Allegations of Politicized and Other Improper Personnel Practices Involving the Office of the Secretary*, at 42.

<sup>209</sup> U.S. Department of Defense Inspector General, *Memorandum of Findings*, at 2 (Mar. 17, 2020).

## Department Leadership's Lack of Response to Political Retaliation

In the time since the allegations of political retaliation became public, the Department has largely ignored them or failed to respond.<sup>210</sup> The Department refused for nearly two years to provide documents to congressional committees seeking information about allegations of retaliation, and failed to take any action against senior officials who engaged in retaliation against career employees.<sup>211</sup>

Ambassador Michael McKinley, who served as a senior advisor to Secretary Pompeo until October 2019, said that after the release of the August OIG report, “[i]t became apparent . . . that the Department would not be taking the key corrective actions that many employees had anticipated.”<sup>212</sup> In an internal meeting with Department employees, Under Secretary for Political Affairs David Hale and then-Deputy Secretary John Sullivan acknowledged that they could have responded to the retaliation allegations earlier.<sup>213</sup>

In the end, those who engaged in retaliation escaped official accountability. Even after the OIG’s heavily critical August 2019 report, Department leadership took no immediate action: Assistant Secretary Moley remained in his leadership position without consequences, until he retired in late November 2019.<sup>214</sup> Mari Stull left the Department in December 2018, without being interviewed by the OIG.<sup>215</sup> Lacey retired before the completion of the investigation into retaliation in the Secretary’s office.<sup>216</sup> And Brian Hook kept his job as special representative for Iran and senior advisor to the Secretary.

In fact, the only person to suffer career consequences since the OIG investigations was the Inspector General himself, whom President Trump fired at the urging of Secretary Pompeo.<sup>217</sup> The message to the Department’s employees is clear: wrongdoing by political appointees will not be punished, but those who seek to reveal that wrongdoing should watch their backs.

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<sup>210</sup> The Department failed to implement an action plan within 60 days, as called for in the August 2019 OIG report. Matthew Lee, “US diplomat accused of political retribution steps down,” *AP*, Oct. 18, 2019. In response to the November 2019 OIG report, the Department only responded to the OIG’s findings regarding one of five employees. Although the OIG’s findings were inconclusive, that was due in part due to evasive answers by political appointees, and in at least one instance, the OIG noted that there was “little information about the underlying rationale” for a distinguished 30-year career employee’s reassignment. U.S. Department of State, Office of Inspector General, *Review of Allegations of Politicized and Other Improper Personnel Practices Involving the Office of the Secretary*, at 20, 27.

<sup>211</sup> The Department agreed to develop a corrective action plan to address “leadership and management deficiencies” in the IO Bureau, but Assistant Secretary Moley retired before the plan was implemented. See U.S. Department of State, Office of Inspector General, *Review of Allegations of Politicized and Other Improper Personnel Practices in the Bureau of International Organization Affairs*, at 20; Matthew Lee, “US diplomat accused of political retribution steps down,” *AP*, Oct. 18, 2019.

<sup>212</sup> Michael McKinley, Deposition before the House Permanent Select Committee on Intelligence, House Committee on Oversight and Reform, and the House Committee on Foreign Affairs, Oct. 16, 2019, at 21.

<sup>213</sup> Colum Lynch & Robbie Gramer, “State Department Failed to Shield its Diplomats from Political Reprisals, Officials Concede,” *Foreign Policy*, Sept. 3, 2019.

<sup>214</sup> Matthew Lee, “US diplomat accused of political retribution steps down,” *AP*, Oct. 18, 2019; Colum Lynch & Robbie Gramer, “State Department Failed to Shield its Diplomats from Political Reprisals, Officials Concede,” *Foreign Policy*, Sept. 3, 2019. Senior Department officials claimed that only the President could fire Moley, despite his clear violations of Department leadership and management policies.

<sup>215</sup> U.S. Department of State, Office of Inspector General, *Review of Allegations of Politicized and Other Improper Personnel Practices in the Bureau of International Organization Affairs*, at 2. Stull is now employed at an entity under the umbrella of the Organization of American States—an agency not directly part of the U.S. government, but that likely required State Department support to obtain the position. There are questions about how Stull obtained this employment despite the OIG’s findings against her from her time at the State Department. See Letter from Ranking Member Menendez to Deputy Secretary Steve Biegun and Under Secretary for Political Affairs David Hale, Mar. 27, 2020.

<sup>216</sup> U.S. Department of State, Office of Inspector General, *Review of Allegations of Politicized and Other Improper Personnel Practices Involving the Office of the Secretary*, at 4.

<sup>217</sup> Catie Edmondson and Michael D. Shear, “Trump Ousted State Dept. Watchdog at Pompeo’s Urging; Democrats Open Inquiry,” *The New York Times*, May 16, 2020 (updated May 19, 2020).

## Political Attacks on Nonpartisan Public Servants

Attacks on State Department public servants gained a further unwelcome spotlight during the impeachment inquiry into President Trump, in which several career employees testified. Career officials, who had served across Democratic and Republican administrations alike, suddenly found themselves under a frenzy of attacks as conservative media outlets—and senior administration officials, including the President—referred to them as “radical unelected bureaucrats” and “Never Trumpers.”<sup>218</sup>

Senior Department leadership, including Secretary Pompeo, remained silent in the face of these attacks, even as President Trump personally attacked some of the Department’s most distinguished career officials, including Ambassador Marie Yovanovitch, Ambassador Bill Taylor, and Deputy Assistant Secretary George Kent.<sup>219</sup>

Secretary Pompeo also declined to defend Ambassador Yovanovitch when, months earlier, she was the subject of several false smears by a conservative columnist and others: that she was a disloyal “Obama holdover,” working with George Soros to harm President Trump’s campaign and bolster Hillary Clinton in the 2016 election.<sup>220</sup> The false accusations were refuted and dismissed by her colleagues, including then-Deputy Secretary Sullivan and Under Secretary David Hale, who went as far as to say no one in the Department thought the allegations against Ambassador Yovanovitch were credible.<sup>221</sup> Yet Secretary Pompeo never said a public word in support of one of his senior-most female ambassadors, who had served the Department more than three decades, including in several hardship posts.<sup>222</sup>

Senior leadership also rebuffed repeated attempts by Ambassador Yovanovitch and other Department officials to issue a statement defending her against the false claims.<sup>223</sup> It was later revealed that Secretary Pompeo received a large file of disinformation from Rudy Giuliani that contained additional false smears against Ambassador Yovanovitch and other Department employees.<sup>224</sup> Secretary Pompeo then instructed his senior officials to review the disinformation packet, which was eventually referred to the OIG.<sup>225</sup>

Before impeachment, career employees had already suffered three years of mistreatment at the hands of senior leadership and political appointees at the Department. Yet, the impeachment inquiry demonstrated both a stunning culmination and a new low in the Administration’s attacks against career employees, exacerbating an “atmosphere of unease and mistrust” at the Department.<sup>226</sup> The Administration’s response to the testimony of diplomats in the impeachment inquiry displayed its contempt for the very notion of a non-partisan, career diplomatic service. It also served as a warning: the President and his administration would viciously attack any career official who reports or testifies about such wrongdoing, thereby further undermining the rule of law.

<sup>218</sup> Chandelis Duster, et al., “Trump lashes out at State Department employee ahead of public testimony,” *CNN*, Nov. 17, 2019; Steve Benen, “White House blasts Trump-appointed ‘radical unelected bureaucrats,’” *MSNBC*, Oct. 23, 2019; John Hudson & Carol Morello, “Bill Taylor Spent Years Fighting Corruption in Ukraine. His Last Four Months Under Trump were the ‘Antithesis’ of That.,” *The Washington Post*, Oct. 23, 2019.

<sup>219</sup> Jennifer Hansler, “Pompeo declines to defend diplomats attacked by Trump,” *CNN*, November 18, 2019; Rebecca Shabad, “Trump lashes out at Yovanovitch on Twitter during hearing,” *CNBC*, Nov. 15, 2019; Lisa Rein, “Career federal employees are the protagonists in the impeachment drama — at risk to themselves,” *The Washington Post*, Nov. 12, 2019; Yaron Steinbuch, “Trump attacks George Kent and William Taylor for testimony, despite ‘not watching’ hearings,” *NY Post*, Nov. 14, 2019.

<sup>220</sup> Marie “Masha” Yovanovitch, Deposition before the House Permanent Select Committee on Intelligence, House Committee on Oversight and Reform, and the House Committee on Foreign Affairs (Joint House Committees), Oct. 11, 2019, at 61-64; Catherine Croft, Deposition before the Joint House Committees, Oct. 30, 2019, at 14-15; The Trump-Ukraine Impeachment Inquiry Report, House Permanent Select Committee on Intelligence (Dec. 2019), at 43-44.

<sup>221</sup> David M. Hale, Deposition before the Joint House Committees, Nov. 6, 2019, at 25; John Sullivan, Nominee to be Ambassador to Russia, Testimony, Senate Foreign Relations Committee Hearing, Oct. 30, 2019.

<sup>222</sup> Jennifer Hansler, “Pompeo declines to defend diplomats attacked by Trump,” *CNN*, November 18, 2019.

<sup>223</sup> McKinley Deposition at 22, Hale Deposition at 26-27, Yovanovitch Deposition at 62-64.

<sup>224</sup> Kenneth Vogel, “Giuliani Provides Details of What Trump Knew About Ambassador’s Removal,” *The New York Times*, Dec. 16, 2019.

<sup>225</sup> William Cummings et al., “‘Mysterious’ packet of Ukraine disinformation arrives on Capitol Hill amid Trump impeachment inquiry,” *USA Today*, Oct. 2, 2019.

<sup>226</sup> Robbie Gramer et al., “Fear and Loathing at Pompeo’s State Department,” *Foreign Policy*, Nov. 1, 2019.

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## Conclusion

The attacks on career employees threaten more than just a single bureau's effectiveness. They undermine a core tenet of public service: non-partisanship. Public servants advance the mission of the agency that employs them. They seek to protect and secure the interests of the American people, and above all, they serve to uphold the Constitution. Politically-motivated attacks on career public servants do not advance the security of the United States or the American people; they only threaten to further divide and erode confidence in the critical work carried out by the Department and its employees. Those that do not stand up and defend the non-partisan public service do a great disservice to the country.

Career public servants should never be subjected to political targeting or other inappropriate or unlawful personnel practices. Secretary Pompeo's so-called "ethos" statement, which hangs in the lobby of the State Department, includes principles such as serving with "unfailing professionalism," acting with "uncompromising personal and professional integrity," taking "ownership of and responsibility for my actions and decisions" and showing "unstinting respect in word and deed for my colleagues."<sup>227</sup> Yet, time and again, the President, Secretary Pompeo, and the senior political leadership of the Department have acted with contempt towards the Department's career employees.

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<sup>227</sup> U.S. Department of State, "Professional Ethos," <https://www.state.gov/about/professional-ethos> (last visited July 15, 2020).

## CHAPTER 4

### A Crisis of Morale

“[The] prevailing mood is low and getting lower, if it can.”

– *Thomas R. Pickering, seven-time U.S. ambassador, including to Russia and the UN, under six presidents from both parties*<sup>228</sup>

The previous chapters have illustrated how extended vacancies, an exodus of expertise, an influx of unqualified nominees, and unaddressed reports of retaliation against career employees have damaged the State Department. It should therefore come as no surprise that morale and confidence in the Department’s leadership has dropped precipitously since the Trump administration took office in 2017. Employees and former officials have reported that the Administration’s “stinging disrespect” for the Department’s diplomatic work has driven away experienced and talented staff, and that morale is “plunging ... to its lowest level in decades.”<sup>229</sup>

To quantify the effect of these developments on morale, Senate Foreign Relations Committee Democratic staff reviewed data from employee surveys collected annually by the federal government. Responses to the annual Employee Viewpoint Survey (EVS) are intended to measure “employees’ perceptions of whether, and to what extent, conditions characteristic of successful organizations are present in their agencies.”<sup>230</sup>

The results reveal a steady and significant deterioration of morale, effectiveness, and leadership over the past three years—with particularly precipitous declines in several offices and bureaus. Throughout the Department, there are serious concerns that coercive partisanship and prohibited personnel practices have run amok, coupled with a starkly declining confidence in senior leadership, and doubts about the effectiveness of Department operations.

<sup>228</sup> Karen DeYoung et al., “Demoralized State Department personnel question Pompeo’s role in Ukraine crisis,” *The Washington Post*, Oct. 7, 2019.

<sup>229</sup> Dan De Luce & Robbie Gramer, “U.S. Diplomat’s Resignation Signals Wider Exodus from State Department: One diplomat’s stinging resignation letter offers a glimpse into declining morale at the State Department under Trump,” *Foreign Policy*, Dec. 9, 2017; William J. Burns, “The Lost Art of American Diplomacy,” *Foreign Affairs*, May/June 2019.

<sup>230</sup> Office of Personnel Management, About, <https://www.opm.gov/fevs/about/> (last visited June 25, 2020).

EVS surveys are meant, among other things, to serve as a tool to provide agency heads insight into where improvements are needed. The Survey includes responses from employees from May to July 2019. U.S. Department of State, Resources – Bureau of Global Talent Management (Federal Viewpoint Surveys), <https://www.state.gov/resources-bureau-of-global-talent-management/> (last visited June 25, 2020).

This chapter presents some of the more concerning trends reported by the Department's employees—results that are not evident in the aggregated Department-wide data that the State Department has released—which provide critical and troubling insights into the consequences of corrosive and negligent leadership on our diplomatic corps.<sup>231</sup> It also examines the effect of the Trump administration's response to the renewed focus on racial injustice and systemic racism, which has further exacerbated already-low morale as a consequence of the Department's ongoing struggle to build a diverse, representative workforce.

## Office of the Legal Adviser (L)

The Office of the Legal Adviser (L) provides advice on all legal issues, whether domestic or international, facing the Department. Among their responsibilities, L attorneys help ensure that State Department employees follow the ethics regulations and legal guidelines that give our diplomats authority and credibility when representing America.<sup>232</sup> Recent data indicates that increasing numbers of the State Department's own lawyers believe they cannot disclose suspected violations of laws, rules, and regulations, or are subject to arbitrary action and coercion. This disturbing trend jeopardizes adherence to the rule of law for our foreign policy and national security.

Employees responding to the survey reported startling trends from 2016 to 2019, including:

- **RISING FEAR OF REPRISAL:**
  - » **A seven-fold increase in the percentage of respondents who felt they could not disclose a suspected violation of law, rule, or regulation without fear of reprisal**, from less than 1 percent in 2016 to more than 7 percent in 2019.
- **INCREASED REPORTS OF POLITICAL COERCION**
  - » **A 22 point increase among respondents who reported that arbitrary action, personal favoritism, and coercion for partisan political purposes was tolerated** in their bureau, rising from 1 percent in 2016 to 23 percent in 2019.
- **DECLINING CONFIDENCE IN SENIOR LEADERSHIP:**
  - » **A 34 point increase among those reporting that the Department's senior leaders did not maintain high levels of honesty and integrity**, rising from 0 percent in 2016 to 34 percent in 2019.
- **RISING DISSATISFACTION:**
  - » **A more than doubling in the percentage of respondents reporting that they were considering leaving their job in the next year**, rising from 13 percent in 2016 to 30 percent in 2019.

<sup>231</sup> All survey data presented in this chapter is derived from “Negative” percentages presented in 1st Level Subagency Reports compiled from responses to the Federal Employee Viewpoint Survey (EVS) for the years 2016, 2017, 2018, and 2019. The EVS is administered to full-time and part-time, permanent, non-seasonal employees. All reported percentages in this chapter refer to the percentage of employees who responded to the survey, which OPM determined was sufficient to constitute a representative sample. For more information about the EVS methodology, see the “OPM FEVS Technical Report,” <https://www.opm.gov/fevs/reports/technical-reports/technical-report/technical-report/2016/2016-technical-report.pdf> (last visited June 25, 2020).

<sup>232</sup> U.S. Department of State, “Office of the Legal Adviser,” <https://www.state.gov/bureaus-offices/bureaus-and-offices-reporting-directly-to-the-secretary/office-of-the-legal-adviser/> (last visited June 25, 2020).

## Bureau of Population, Refugees, and Migration (PRM)

The Bureau of Population, Refugees, and Migration (PRM) is responsible for protecting and assisting refugees and vulnerable migrants around the world. It oversees the Department's humanitarian assistance efforts, manages refugee admissions to the U.S., and partners with international and non-profit organizations to carry out these goals. An increased number of PRM staff reported that arbitrary action and personal favoritism was tolerated, and that the Bureau could not recruit people with the right skills to carry out its mission. These concerns are telling for a Bureau whose mission has been severely curtailed by the Trump administration, which has sought to dramatically reduce refugee admissions, and where at least one senior official responsible for that program was sidelined.

Employees responding to the survey from PRM Bureau reported concerning trends from 2016 to 2019, including:

- **RISING FEARS OF ARBITRARY ACTION AND COERCION:**
  - » **A more than doubling in the percent of respondents reporting that arbitrary action, personal favoritism, and coercion for partisan political purposes was tolerated**, rising from 19 percent in 2016 to 42 percent in 2019.
- **RECRUITMENT CONCERNS:**
  - » **A 23 point increase in the percentage of respondents reporting that their work unit could not recruit people with the right skills**, rising from 27 percent in 2016 to 50 percent in 2019.
- **DECLINING CONFIDENCE IN SENIOR LEADERSHIP:**
  - » **An almost ten-fold increase in the percentage of respondents reporting that senior leaders did not maintain high standards of honesty and integrity**, rising from 3 percent in 2016 to 29 percent in 2019.

## Bureau of Counterterrorism and Countering Violent Extremism (CT)

The Bureau of Counterterrorism and Countering Violent Extremism (CT) leads State Department efforts to counter and defeat terrorism around the world, especially through cooperation with our partners and allies.<sup>233</sup> CT employees reported increased concerns about recruitment and lacking sufficient resources, which could hamper our efforts against terrorism, affecting Americans both at home and abroad.

Employees in CT Bureau reported the following:

- **LESS EFFECTIVE OPERATIONS:**
  - » **A doubling in the percentage of respondents reporting that their work unit is unable to recruit people with the right skills**, increasing from 18 percent in 2016 to 36 percent in 2019.
- **DECLINING CONFIDENCE IN SENIOR LEADERSHIP:**
  - » **A nearly two-fold increase in the percentage of respondents who reported that their senior leaders did not generate high levels of motivation and commitment**, increasing from 28 percent in 2016 to 55 percent in 2019.

<sup>233</sup> U.S. Department of State, "Bureau of Counterterrorism," <https://www.state.gov/bureaus-offices/under-secretary-for-civilian-security-democracy-and-human-rights/bureau-of-counterterrorism/> (last visited June 25, 2020).

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## Bureau of Intelligence and Research (INR)

INR is a member of the Intelligence Community and is responsible for harnessing the nation's intelligence resources to inform U.S. policy makers at the State Department.<sup>234</sup> If INR cannot hire the people with the right skills, senior State Department officials may be operating without the full intelligence picture, leaving them at a disadvantage in interactions with U.S. adversaries and others around the world.

Among employees responding in the INR Bureau:

- **LESS EFFECTIVE OPERATIONS:**

- » **A nearly three-fold increase in the percentage of respondents reporting that their work unit was not able to recruit people with the right skill set**, increasing from 12 percent in 2016 to 33 percent in 2019.

- **DECLINING CONFIDENCE IN SENIOR LEADERSHIP:**

- » **An eight-fold increase in the percentage of respondents reporting that the Department's senior leadership did not maintain high standards of honesty and integrity**, rising from 3 percent in 2016 to 24 percent in 2019.

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<sup>234</sup> U.S. Department of State, "Bureau of Intelligence and Research," <https://www.state.gov/bureaus-offices/bureaus-and-offices-reporting-directly-to-the-secretary/bureau-of-intelligence-and-research/> (last visited June 25, 2020).

## Bureau of International Organization Affairs (IO)

IO staff are responsible for implementing U.S. policy at the United Nations and other multilateral organizations.<sup>235</sup> When other countries share the burden, U.S. policy is made more effective and can be implemented at lower cost. Yet if IO staff are subject to arbitrary action, personal favoritism, and partisan coercion, that weakens our ability to cooperate and coordinate with partners and allies, making it harder to succeed in executing U.S. policy.

Respondents reported the following for the IO Bureau:

- **RISING FEARS OF REPRISAL AND PARTISANSHIP:**
  - » **A more than doubling in the percentage of respondents reporting that arbitrary action and coercion for partisan political purposes were tolerated**, from 24 percent in 2016 to 53 percent in 2019.
- **LESS EFFECTIVE OPERATIONS:**
  - » **A nearly tripling in the percentage of respondents reporting that their agency was unsuccessful at accomplishing its mission**, increasing from 8 percent in 2016 to 23 percent in 2019.
- **DECLINING CONFIDENCE IN SENIOR LEADERSHIP:**
  - » **A nearly tripling in the percentage of respondents reporting that senior leaders at the State Department did not maintain high standards of honesty and integrity**, increasing from 12 percent in 2016 to 35 percent in 2019.

<sup>235</sup> U.S. Department of State, "Bureau of International Organizations," <https://www.state.gov/bureaus-offices/under-secretary-for-political-affairs/bureau-of-international-organization-affairs/> (last visited June 25, 2020).

## A Silent Morale Crisis: Diversity

Already-low morale has been exacerbated by the Trump administration's response to the renewed focus on racial injustice and systemic racism. Even before the death of George Floyd in May 2020, State Department employees reported rising concerns about leadership's handling of diversity issues. The employee survey responses show a 16 point increase from 2016 to 2019 in the percentage of employees reporting policies and programs did not promote diversity in the workplace in the Bureau of Population, Refugees, and Migration. In the Bureau of Intelligence and Research, the percentage of respondents who felt their supervisor was not committed to a workforce representative of all segments of society increased from nearly 0 percent in 2016 to 10 percent in 2019. In the Bureau of International Organization Affairs, the percentage of respondents who felt their supervisor didn't work well with employees from different backgrounds doubled from 10 percent in 2016 to almost 21 percent in 2019.

Already-low morale has been exacerbated by the Trump administration's response to the renewed focus on racial injustice and systemic racism.

While the overall proportion of racial and ethnic minorities at State increased from 2002 to 2018, the proportion of African Americans and women at the State Department decreased to lower than pre-2002 levels, even as the State Department workforce grew.<sup>236</sup> Out of 189 ambassadors currently serving overseas, only four are Hispanic, and just three are African American career diplomats.<sup>237</sup> Hispanic employees and women are underrepresented at the Department, representing 7 percent and 43 percent of the State Department workforce respectively.<sup>238</sup> In senior leadership, the numbers paint an even more disturbing picture: in 2018, white employees represented 87 percent of Executive leadership, with a three percent decrease in African American leadership from 2002. Racial or ethnic minorities in the civil service were 4 percent to 29 percent less likely to be promoted than their white counterparts, even with similar education, occupation, or years in federal service.<sup>239</sup> For the Foreign Service, in 2019, a majority of promotions went to white men: 5 percent went to African Americans, 7 percent to Hispanics and Asians, 6 percent to other ethnic minorities, and 36 percent went to women.<sup>240</sup>

Like other federal agencies, State Department employees face sexual harassment and gender discrimination.<sup>241</sup> In addition to the number of gender discrimination claims filed at the Department spiking in 2018, underreporting and a fear of career derailment for coming forward with harassment and discrimination allegations continue to plague the Department.<sup>242</sup> The intersection of race and gender are acute at the Department, where Black women employees decreased from 13 percent in 2002 to 9 percent in 2018 and are at the highest risk of experiencing sexual harassment.<sup>243</sup>

<sup>236</sup> Government Accountability Office, *State Department: Additional Steps Are Needed to Identify Potential Barriers to Diversity*, at 16, 20, 23 (Jan. 2020), <https://www.gao.gov/products/GAO-20-237>.

<sup>237</sup> American Academy of Diplomacy Statement, June 9, 2020, <https://www.academyofdiplomacy.org/wp-content/uploads/2020/06/2020-06-09-AAD-Press-Release-State-Must-Improve-on-Diversity-final.pdf>.

<sup>238</sup> Lara Jakes, "A Reckoning with Race to Ensure Diversity for America's Face Abroad," *The New York Times*, June 27, 2020; Hispanic people account for 18.5 percent of the population and women account for 50.8 percent of the population. Government Accountability Office, *State Department: Additional Steps Are Needed to Identify Potential Barriers to Diversity*, at 18, 25 (Jan. 2020), <https://www.gao.gov/products/GAO-20-237>.

<sup>239</sup> Government Accountability Office, *State Department: Additional Steps Are Needed to Identify Potential Barriers to Diversity*, at 38, Figure 7, 22, Figure 4, 91, Figure 14 (Jan. 2020), <https://www.gao.gov/products/GAO-20-237>.

<sup>240</sup> Lara Jakes, "A Reckoning with Race to Ensure Diversity for America's Face Abroad," *The New York Times*, June 27, 2020.

<sup>241</sup> Emily Tamkin & Robbie Gramer, "Will State Miss its #MeToo Moment?," *Foreign Policy*, Mar. 5, 2018; U.S. Commission on Civil Rights, *Federal #MeToo: Examining Sexual Harassment in Government Workplaces* (Apr. 2020), <https://www.usccr.gov/pubs/2020/04-01-Federal-Me-Too.pdf>.

<sup>242</sup> *Id.*

<sup>243</sup> Office of Civil Rights, U.S. Department of State, No Fear Act For 1st Quarter 2020, Feb. 7, 2020, <https://www.state.gov/no-fear-act-for-1st-quarter-2020/>; The number of complaints pertaining to discrimination based on color, national origin, age, disability, and religion also increased from 2015 to the end of 2019. Government Accountability Office, *State Department: Additional Steps Are Needed to Identify Potential Barriers to Diversity*, at 26 (Jan. 2020), <https://www.gao.gov/products/GAO-20-237>; U.S. Commission on Civil Rights, *Federal #MeToo: Examining Sexual Harassment in Government Workplaces*, at 70, 235 (Apr. 2020), <https://www.usccr.gov/pubs/2020/04-01-Federal-Me-Too.pdf>.

Politically-motivated retaliation and reprisal remain a concern, especially among diplomats from historically underrepresented backgrounds. In at least one instance, an Indian American diplomat before she resigned was told that she and an African American colleague were blocked from senior leadership assignments because they did not pass the “Breitbart test,” and were not deemed to be sufficiently politically loyal toward President Trump.<sup>244</sup> In a further sign of the fear-based climate at a Department reeling from Secretary Pompeo’s refusal to back Department employees testifying in the impeachment inquiry, current officials who described to the press their frustration and concern on issues of race and diversity in the diplomatic corps only spoke on the condition of anonymity, for fear of retaliation or endangering their careers.<sup>245</sup>

As non-white, non-male diplomats face their own professional struggles in attempting to advance their careers at the Department, they also bear the additional burden of espousing American ideals to other nations as America and the State Department struggle to confront injustice at home. Beyond the challenges of experiencing harassment from foreign citizens, foreign government officials, and, at times, even other U.S. government officials based on their skin color, gender, and qualities other than the content of their character, diplomats of color have also expressed a lack of support from their supervisors and Department leadership.<sup>246</sup>

While diversity issues at the Department long predate the Trump administration, they are exacerbated by the Administration’s continued inflammatory and xenophobic response to racial and ethnic issues.<sup>247</sup> In the first five months of the Trump administration, the Department’s three most senior African American career officials and the top ranking Hispanic official were removed or resigned from their positions.<sup>248</sup> Given President Trump’s racially insensitive comments labeling African nations and Haiti as “shithole” countries, moral equivocations after a white supremacist murdered an anti-racist protester in Charlottesville, and continued disparagement of Mexicans, Muslims, and other diverse groups of Americans, it comes as no surprise that he stands out from his four predecessors for only nominating one African American female ambassador, two and a half years into his term.<sup>249</sup>

Most recently, some African American diplomats have become so dejected by the Administration’s belittling response to worldwide protests against racial injustice triggered by a spate of police killings of African Americans, including Breonna Taylor and George Floyd, that they are considering quitting the Foreign Service.<sup>250</sup> One African American official said, “I think that a lot of foreign service officers of color, particularly black officers, are at a point where they’re just fed up.... We’re dissatisfied, we feel dehumanized, and I think enough is enough.... there is an issue of diversity, recruitment, and retention that they’ve not taken seriously.”<sup>251</sup>

For more than two weeks after the outbreak of protests, diplomats looked to Secretary Pompeo for guidance on how to address the protests to their foreign counterparts and reassurance about the Department’s efforts to address racial injustice.<sup>252</sup> Yet, instead, it fell to Deputy Secretary Biegun to send messages to the Department’s employees, causing frustration about Pompeo’s delegation of such a highly-sensitive issue.<sup>253</sup> Other diplomats felt abandoned

<sup>244</sup> Lara Jakes, “A Reckoning with Race to Ensure Diversity for America’s Face Abroad,” *The New York Times*, June 27, 2020.

<sup>245</sup> Lara Jakes & Edward Wong, “U.S. Diplomats Struggle to Defend Democracy Abroad Amid Crises at Home,” *The New York Times*, June 8, 2020.

<sup>246</sup> See, e.g., Ambassador Charles Ray, “How U.S. Border Agents Mistreat Black American Diplomats,” Washington International Diplomatic Academy, June 7, 2020; Tianna Spears, “What do I Want From White People? (An Illustration on Being Black in America),” May 30, 2020, <https://whatsupwithtianna.com/2020/05/30/what-do-i-want-from-white-people-an-illustration-on-being-black-in-america/>; Robbie Gramer, “Fighting for U.S. Values Abroad, Black Diplomats Struggle with Challenges at Home,” *Foreign Policy*, June 11, 2020.

<sup>247</sup> Uzra Zeya, Opinion, “Trump is Making American Diplomacy White Again,” *Politico*, Sept. 17, 2018; Robbie Gramer, “As State Department Withers, So Does Diversity in Top Ranks,” *Foreign Policy*, Oct. 25, 2017.

<sup>248</sup> Robbie Gramer, “As State Department Withers, So Does Diversity in Top Ranks,” *Foreign Policy*, Oct. 25, 2017.

<sup>249</sup> Uzra Zeya, Opinion, “Trump is Making American Diplomacy White Again,” *Politico*, Sept. 17, 2018; see Natalie E. Brown, Nominee to be Ambassador to the Republic of Uganda, PN1035 (116th Congress) (nominated August 2019; nomination hearing held May 2020).

<sup>250</sup> Robbie Gramer, “Fighting for U.S. Values Abroad, Black Diplomats Struggle with Challenges at Home,” *Foreign Policy*, June 11, 2020.

<sup>251</sup> *Id.*

<sup>252</sup> Abigail Tracy, “With America Engulfed in Crisis, Diplomats Abroad are Left at a Loss,” *Vanity Fair*, June 3, 2020; Conor Finnegan, “US Diplomats struggle to navigate racial protests, Trump’s messages, charges of hypocrisy,” *ABC News*, June 2, 2020.

<sup>253</sup> Nahal Toosi, “U.S. diplomats ask ‘Where’s Pompeo?’ on Floyd death,” *Politico*, June 6, 2020.

as they faced questions from their counterparts around the world and waited for a statement addressing racial inequality in the U.S. and the Department from Secretary Pompeo.<sup>254</sup>

In comparison, several top military officers issued videos and statements to their respective branches, addressing Mr. Floyd's death, diversity, and racism; reinforcing American values; and expressing solidarity with affected staff.<sup>255</sup> Sixteen days after Floyd's death, Secretary Pompeo sent a Department-wide email emphasizing the need to combat "propaganda" from autocratic societies about human rights in America, in a move fiercely criticized by many Department employees as "too little, too late," embarrassing, disappointing, and "out of touch" from the reality Department employees were facing.<sup>256</sup> A week later, the Department's only African American Assistant Secretary of State and a Trump appointee, Mary Elizabeth Taylor, resigned based on the Trump administration's response to racial injustice and the protests.<sup>257</sup>

In a familiar scenario that has played out time and again during the Trump administration, Secretary Pompeo's deafening silence and failure to stand up for Department employees and issue statements of unequivocal support to and for his employees has baffled and disappointed Department employees.<sup>258</sup> Secretary Pompeo's leadership vacuum left diplomats freewheeling, issuing their own statements addressing racial injustice and reassuring colleagues, offering unintentionally disjointed messages to their foreign counterparts, questioning the Department's true commitment to diversity, and struggling to maintain America's credibility in the world.<sup>259</sup>

The frustration of career diplomats with senior leadership and the lack of diversity, equity, and inclusion at the Department, exacerbated by President Trump and his nominees, is ongoing. As recently as July 2020, reports surfaced of "cringeworthy" racist and sexist comments that U.S. Ambassador to the United Kingdom Robert "Woody" Johnson made to London embassy staff.<sup>260</sup> Ambassador Johnson reportedly made disparaging comments about minorities and women on a "weekly, if not daily," basis, that diplomats found "deeply offensive" and "demoralizing."<sup>261</sup> Additionally, Ambassador Johnson would hold official meetings and events at a men-only venue, excluding women, before another diplomat warned him to stop.<sup>262</sup>

In stark contrast to the Department leadership's silence in the face of false smear campaigns and unmerited attacks against career employees, the Department offered a full-throated defense of Ambassador Johnson, stating "We stand by Ambassador Johnson and look forward to him continuing to ensure our special relationship with the UK is strong."<sup>263</sup> The Department's quick defense of Ambassador Johnson is emblematic of the Department's willingness to protect President Trump's allies, even at the expense of career employees who may be facing toxic leadership and hostile work environments.

<sup>254</sup> Kylie Atwood & Jennifer Hansler, "Pompeo's 'deafening' silence angers diplomats as protests over racial injustice spread globally," *CNN*, June 9, 2020.

<sup>255</sup> Nancy A. Youssef, "Military Leaders Send Missives to Troops: 'Stay True' to the American People," *The Wall Street Journal*, June 4, 2020.

<sup>256</sup> Robbie Gramer, "Fighting for U.S. Values Abroad, Black Diplomats Struggle with Challenges at Home," *Foreign Policy*, June 11, 2020.

<sup>257</sup> Seung Min Kim, "Top State Department Official Resigns in Protest of Trump's Response to Racial Tensions in the Country," *The Washington Post*, June 18, 2020.

<sup>258</sup> Kylie Atwood & Jennifer Hansler, "Pompeo's 'deafening' silence angers diplomats as protests over racial injustice spread globally," *CNN*, June 9, 2020.

<sup>259</sup> Lara Jakes & Edward Wong, "U.S. Diplomats Struggle to Defend Abroad Amid Crises at Home," *New York Times*, June 6, 2020.

<sup>260</sup> Jennifer Hansler et al., "NFL Owner and Trump Ambassador to UK Sparks Watchdog Inquiry over Allegations of Racist and Sexist Remarks and Push to Promote Trump Business," *CNN*, July 22, 2020.

<sup>261</sup> Matthew Lee & Danica Kirka, "Allegations Against Trump Envoy Roil US Embassy in London," *Associated Press*, July 23, 2020; Jennifer Hansler et al., "NFL Owner and Trump Ambassador to UK Sparks Watchdog Inquiry over Allegations of Racist and Sexist Remarks and Push to Promote Trump Business," *CNN*, July 22, 2020.

<sup>262</sup> Jennifer Hansler et al., "NFL Owner and Trump Ambassador to UK Sparks Watchdog Inquiry over Allegations of Racist and Sexist Remarks and Push to Promote Trump Business," *CNN*, July 22, 2020.

<sup>263</sup> Matthew Lee & Danica Kirka, "Allegations Against Trump Envoy Roil US Embassy in London," *Associated Press*, July 23, 2020.

## Measurable Damage to Integrity, Leadership, and Workplace Culture

The responses and views by employees shown in the EVS surveys provide valuable, yet disturbing insights. They show the pernicious effect of a culture in which “loyalists” are rewarded and career public servants are viewed with suspicion and sidelined.<sup>264</sup> They demonstrate that a sense of inclusion and belonging as an American diplomat is frayed. They give credence to the increased workload and burnout resulting from staff attrition and lack of faith in leadership. And they indicate that far too many employees are working in a culture of fear and survival, not support and professional development.

While resignation letters and EVS survey responses offer hints as to the reasons the Department is hemorrhaging talent it has spent years investing in, the State Department’s annual score in the Partnership for Public Service’s Best Place to Work Agency Ranking offers another clue.<sup>265</sup> The mass exodus of senior and mid-level leadership, and a drop in interest of joining the Foreign Service coincides with a large drop in the Department’s ranking of workplace culture and sinking morale levels. After consistently ranking as one of the top five large federal government agencies to work at since 2012, the State Department fell from a ranking of 4 in 2016 to 8 in 2017 after the Trump presidential transition.<sup>266</sup> After a year of Trump administration leadership, the Department’s ranking dropped even more in 2018, from 8 to 14.<sup>267</sup>

The results of these surveys should be a concern for all Americans. If public servants who carry out our national security and foreign policy are working in fear, feel demoralized, and feel unable to report violations of law, our safety and security is endangered. When Department leadership is silent and deferential to a President who puts personal gain above national security and at every turn undermines the ability of our diplomats to represent the United States, the basic functions of diplomacy and our foreign policy are compromised.

Many of these concerning trends started under Secretary Tillerson, but have worsened under Secretary Pompeo, despite Secretary Pompeo’s commitment to bring “swagger” back to the Department. Moreover, as the data reflects responses thorough July 2019, it does not reflect the further reported drops in morale during the House impeachment inquiry due to attacks on career employees, made worse by the Department’s failure to defend them.

Rising fears of retaliation and partisanship, less effective operations, declining confidence in senior leadership, and rising dissatisfaction throughout the State Department have resulted in “an exodus of senior staffers with decades of experience” that is “taking a startling and measurable toll on American foreign relations.”<sup>268</sup> A weakened State Department means a weakened America in the global arena. The results of these surveys show that the current trajectory is a demoralized Department that feels less supported, less secure, and, therefore, less able to fulfill its mission.

<sup>264</sup> See also Chapter 3.

<sup>265</sup> See e.g., Dan De Luce & Robbie Gramer, “U.S. Diplomat’s Resignation Signals Wider Exodus From State Department,” *Foreign Policy*, Dec. 9, 2017; Partnership for Public Service, “Agency Report: Department of State,” <https://bestplacetowork.org/rankings/detail/ST00> (last visited July 14, 2020). These rankings are based on three questions for the U.S. Office of Personnel Management’s Federal Employee Viewpoint Survey, administered annually: I recommend my organization as a good place to work. (Q. 40); Considering everything, how satisfied are you with your job? (Q. 69); Considering everything, how satisfied are you with your organization? (Q. 71).

<sup>266</sup> Partnership for Public Service, Frequently Asked Questions, “Download Historical Rankings,” <https://bestplacetowork.org/about/frequently-asked-questions/#why-arent-past-rankings-shown>.

<sup>267</sup> *Id.*

<sup>268</sup> Reid Wilson, “Diplomats Describe All-time Low in Morale at State under Trump,” *The Hill*, Oct. 21, 2019.

## CHAPTER 5

# Conclusion and Recommendations: The Challenges Ahead

The Trump administration's disdain for diplomacy and neglect of the State Department have created unprecedented challenges for U.S. diplomats and the Department's public servants. Senior positions have remained vacant. Career employees have been attacked and their work devalued by the Department's leadership. Inappropriate politicization of the Department and its resources continues to fester. Experienced civil servants and Foreign Service Officers have been driven from serving their nation, leaving gaping holes in our nation's diplomatic and national security capabilities.

Even in the best of times, the work facing the nation's diplomatic corps is formidable. Today, the State Department is on the front lines battling a global pandemic, while their own country's response is failing. Diplomats are promoting human rights and justice abroad, while our own country's shortcomings in our ongoing struggle with systemic racism are painfully evident. They seek to negotiate peace in Afghanistan, Iraq and Syria, while the White House actively dismisses intelligence critical for safeguarding American lives. The Department is implementing policy for a new era of strategic competition with Russia and China, while President Trump willingly undermines U.S. national security in favor of his own personal and political interests. Maintaining their integrity as diplomats when U.S. credibility on the global stage is waning and the President undermines them with a simple tweet is a daunting task.

While some of the challenges identified in this report are not new—the State Department has long faced systemic institutional challenges—the Trump administration, by design or inattention, has pushed the Department to the brink of failure and collapse. It is in this crisis, however, that we also have an opportunity to change course and reexamine the Department's structure and norms.

Current and future White House and Departmental leadership will need to address these challenges with genuine and sustained effort. If the current trajectory continues, we will be at risk of losing the Department of State as a functioning tool for our national security and foreign policy. While some may applaud this as “draining the swamp,” there can be no question that Americans will pay a price for such a loss in our security, safety, and prosperity. The nation needs to decide what kind of State Department it wants: one that carries out foreign policy based on the expertise and experience of those who serve our country, or one that caters to the personal, political, and financial interests of a President or Secretary of State—to the detriment of U.S. national security.

Congress, as our Article I branch of government, has a vital role in changing the current trajectory. Congress must craft and pass comprehensive legislation to revitalize the Department of State, strengthen protections for our diplomats, and rebuild a battered workforce. Such legislation must also enhance transparency and accountability at the State Department.

A strong, principled, and ethically sound State Department leadership, devoted first and foremost to the Department's mission, is also critical in shouldering this burden. All Department leadership must protect career personnel from the political whims of any White House and at every moment defend against the weaponization of the Department and its resources for political ends. Leadership must address mismanagement and misconduct at the Department swiftly, and hold political appointees to the same high standards expected of career employees.

Changing the current trajectory will also require a more engaged civil society, and, in particular, an active and vocal cadre of former Department and national security officials. If the past few years have shown anything, it is that the burden on career public servants is too heavy; they alone cannot ensure that our government adheres to the rule of law and upholds national security while also advocating for their own wellbeing and careers.

Below are guiding principles to ensure our diplomatic professionals receive the treatment they deserve.

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## Building a 21st-Century Diplomatic Corps

1. **Rebuild and Retain Expertise in the State Department's Ranks.** Given the deep damage to the top ranks of our nation's diplomats the past three years, a top priority must be rebuilding the diplomatic corps, including enhanced recruitment and retention efforts. Senior posts must be filled by those with commensurate experience and expertise, and promotions must represent the diversity in skills and experience of diplomatic professionals to ensure talented personnel do not leave the Department. The current toxic work environment stemming from mismanagement and President Trump's attacks must be addressed by senior leadership to keep employees from leaving, especially individuals who bring unique expertise and diverse perspectives to the Department.
2. **Reduce Barriers to Restoring Lost Expertise and for Former Diplomats and Civil Servants to Return to the Department.** Over the last three and a half years, the Department has lost significant institutional and diplomatic expertise, both in the foreign and civil services. While fresh perspectives and young talent are a welcome addition, we must find more ways to enable those who have hard-earned national security expertise to rejoin the Department and continue their service. The Department and Congress should consider the merits of increasing avenues to enhance mid-career hiring authorities and ways to move laterally within the federal government between other foreign policy agencies and similar positions with similar skillsets.
3. **Promote More Career Employees to Senior Positions.** Those serving in senior leadership positions are increasingly less representative of the career Foreign Service Officer and Civil Service workforce. In 1975, more than 60 percent of positions at the Assistant Secretary level and above were held by career Foreign Service Officers.<sup>269</sup> By 2014, only 30 percent were held by career Foreign Service Officers.<sup>270</sup> As of April 2020, career officials at the Department hold only eight percent of leadership positions at the Assistant Secretary level and above.<sup>271</sup> According to the American Academy of Diplomacy, declining representation of the Foreign Service in senior

<sup>269</sup> American Academy of Diplomacy, *American Diplomacy at Risk*, at 15 (Apr. 2015), [https://www.academyofdiplomacy.org/wp-content/uploads/2016/01/ADAR\\_Full\\_Report\\_4.1.15.pdf](https://www.academyofdiplomacy.org/wp-content/uploads/2016/01/ADAR_Full_Report_4.1.15.pdf).

<sup>270</sup> *Id.*

<sup>271</sup> George Packer, "The President is Winning His War on American Institutions," *The Atlantic*, Apr. 2020.

leadership of the Department results in a loss of long-term field perspective, a loss of Washington experience, and a failure to motivate long-term State employees.<sup>272</sup> For those in the Civil Service, the problem is even more acute as the large number of senior leadership positions held mostly by political appointees and a few Foreign Service officials effectively creates a promotion cap for Civil Service employees.<sup>273</sup> Department leadership should consider expedited promotions for qualified career personnel into senior leadership positions. In addition to leading to better-informed policy, maintaining a robust cadre of career diplomatic professionals in senior leadership positions reduces overall politicization of the Department and will encourage career professionals to remain at the Department if they know their hard-earned expertise is valued.

4. **Increase Diversity at Senior Ranks and Throughout the Department.** Diversity, equity, and inclusion at the Department is lacking, and traditionally underrepresented employees at the Department face a difficult and different set of challenges and barriers in their careers. The Department must heed the Government Accountability Office's recommendation to identify and address potential barriers to equal opportunity in the diplomatic workforce, and should also take measurable steps to increase diversity in the senior ranks of the Department. Furthermore, the Department should examine ways to increase transparency in the assignments process to ensure an objective set of criteria and metrics are the primary basis for assignment and that implicit biases do not play a limiting role in an employee's career trajectory. Congress should immediately pass the Department of State Inclusivity Act (S. 3430) to enhance diverse representation of all kinds at all levels of the State Department.
5. **Formalize the State Department Exit Survey Process.** To rebuild the diplomatic corps and retain talent, the Department must accurately identify and address the barriers and challenges personnel face in the workplace. To gain a fuller understanding of the reasons Department employees depart, and ways to improve, the Department must formalize its exit survey process for all employees, adjust annually to address issues raised in these surveys, and make key findings available to Congress.
6. **Initiate a Review of How the "Corridor Reputation" System at the Department Enables or Exacerbates the Challenges Outlined in This Report.** While the Department formally operates on a merit-based system, there is a clear understanding that one's informal "corridor reputation," based on the views of peers and Bureau leadership, plays a large role in career assignments, which can ultimately determine career advancement. Most recently, diplomats have expressed a hesitancy to raise concerns about diversity and harassment, among other issues, for fear of ruining their corridor reputation and being viewed as a "problem child."<sup>274</sup> The Department must review the degree to which this corridor reputation system perpetuates historic institutional deficiencies. Congress must initiate a Government Accountability Office review to study how this system interacts with and possibly exacerbates the challenges outlined in this report, and issue recommendations based on their findings.

<sup>272</sup> American Academy of Diplomacy, *American Diplomacy at Risk*, at 15-16 (Apr. 2015).

<sup>273</sup> American Academy of Diplomacy, *Strengthening the Department of State*, at 35 (May 2019), <https://www.academyofdiplomacy.org/wp-content/uploads/2019/05/AAD-Strengthening-the-State-web-version.pdf>.

<sup>274</sup> See, e.g., U.S. Commission on Civil Rights, *Federal #MeToo: Examining Sexual Harassment in Government Workplaces*, at 214 (Apr. 2020), <https://www.usccr.gov/pubs/2020/04-01-Federal-Me-Too.pdf>; Lara Jakes, "A Reckoning with Race to Ensure Diversity for America's Face Abroad," *The New York Times*, June 27, 2020.

## Ensuring Strong, Principled State Department Leadership

7. **Restore and Commit to Minimum Vetting Standards.** To undo the damage done by a series of nominees who lack the experience, expertise, tone, and tenor to serve as our nation's diplomats, the current and future administrations must take seriously their duty to genuinely and properly vet nominees both for their qualifications as well as for any conflicts of interest, misconduct, lack of good judgement, legal troubles, inappropriate statements, or other disqualifying behaviors. All nominees must be held to the same high standards as their career employee counterparts.
8. **Prioritize and Fill Senior Leadership Slots.** The Department's senior positions, including Under Secretaries, Assistant Secretaries, and Ambassadors, set the stage for good leadership and help drive and implement U.S. foreign policy. There must be a focus on filling these positions early on in the administration, or within a short period of a newly-created vacancy to avoid the damaging effects of persistent vacancies left open for too long or filled by acting officials.

## Bolstering Accountability at the Department

9. **Maintain an Independent Inspector General.** Any potential fraud, waste, abuse, and misconduct at the State Department must be addressed by an independent Inspector General, chosen based solely on ability and integrity, and free from any conflicts of interest or political pressure. The ability to report misconduct to the Inspector General without fear of reprisal or political interference in investigations is paramount to the well-being of the State Department and its workforce.
10. **Enforce Accountability for Improper Personnel Practices and Management.** Complaints to Congress and the Inspector General about retaliation and other misconduct at the Department have demonstrated a need for reform of the Department's complaint filing and review processes. Employees report feeling discouraged from lodging a complaint through formal human resource channels because it is reviewed by political appointees who may retaliate against them and ruin their careers. Employee complaints about workforce behavior must be taken seriously and met with accountability by Department leadership, without any politicization. Impunity for misconduct cannot be allowed to continue. The Department must emphasize a zero tolerance policy for retaliation and reprisal, including terminating any employee found to engage in such behavior, no matter their status or position.

Every day, our diplomatic professionals work to ensure American safety and security, sometimes placing their lives on the line in their patriotic service. In exchange, they must be guaranteed the support of their leadership and a work environment free from politicization and discrimination. For the past three years, beset by extraordinary global challenges abroad and attacks and mismanagement at home, the work of the Department's career professionals to safeguard and protect our nation's security has been jeopardized.

This report serves as a first step in outlining the challenges facing our diplomatic corps—and should serve as a warning of the future cost to our security if they are not addressed promptly. Addressing these challenges will take the immediate and ongoing focus of a broad coalition, including Congress, current and former State Department officials, civil society, and the current and future presidential administrations, dedicated to rebuilding our long-established and world-renowned professional diplomatic corps.