

# United States Senate

WASHINGTON, DC 20510

December 6, 2017

The Honorable Rex Tillerson  
Secretary of State  
U.S. Department of State  
2201 C St, NW  
Washington, DC 20520

Dear Secretary Tillerson,

We write to express our continued and increasing concern regarding your plans to reorganize the State Department, the arbitrary downsizing of the Department's budget and cutting of personnel, and public statements of disdain by administration officials for the people who work at the Department and the important work that they do. In light of all this, it is no wonder there are frequent media reports about the understandable morale crisis among the professional men and women of the State Department whom you have taken on the responsibility to lead. To ensure the Department is following the law and fulfilling its mission of promoting the foreign policy interests of the United States, the Senate Foreign Relations Committee must be a full partner in the development of the Department's reorganization effort, budget and spending cuts, workforce changes, and other significant plans. To date, unfortunately, this has not been the case. Below, we raise a number of our most pressing concerns and areas for improvement, in the hopes that we can forge a constructive partnership on these issues going forward.

Improving Transparency. Throughout your confirmation process, you stressed to all members of this Committee that you would be transparent and open to working with us as you move forward with proposed changes to meet the guidelines set forth by President Trump's executive order on reforming the federal government. However, thus far, the Department's redesign, spending, and personnel moves are taking place largely behind closed doors and without the level of transparency we would expect. Moreover, proposals that have come to light lead us to question whether the intended result is in fact a more efficient Department that continues to serve the interests of the American people and promote our foreign policy objectives abroad.

To ensure that this Committee is fully informed and able to fulfill its constitutional oversight duties and work as a partner, all Senators on this Committee should receive regular briefings that thoroughly address proposed reorganization plans and decisions. This must include details and a timeline on the reorganization plan. The briefings that the Committee staff have received thus far have been neither substantive in their presentation of proposed reforms and intended outcomes, nor satisfying in addressing our many questions. Copies of all plans submitted to OMB, including the initial reorganization plan, must be made available to the Committee. In addition, the Department should develop a credible external communications strategy to ensure that all members of the legislative branch receive prompt and proper responses to inquiries and are regularly and fully briefed on the redesign. Internally, Department employees waiting or bidding on future positions should not be left in limbo. The Foreign Service is composed of families who

are willing to endure great sacrifice and move around the globe in pursuit of our national interest. Likewise, the Civil Service consists of committed, hardworking professionals who advance our foreign policy abroad. They have been shut out of career development programs, merit based promotions, and lateral transfers while absorbing the increased workload due to staff shortages caused by the hiring freeze. Your reorganization team needs to find a way to communicate with these employees and families to support employees' ability to make the best decisions about where and how they can best serve our country while meeting the needs of their families.

We believe the long-serving diplomats of the Department could be your best assets in helping formulate meaningful reforms for an institution to which they have dedicated their professional lives. We encourage more involvement of these employees—relying on outside consultants is not an appropriate model for reforming a diplomatic institution.

Details and Timeline for the Reorganization. We note that there are several elements of the reorganization process that we find to be positive, including efforts to improve information technology architecture for the Department, and we stand ready to work with you to see this vision implemented. We share the desire to streamline offices and positions with overlapping mandates that may ultimately hamper our efforts to move quickly.

However, we are concerned that elements of the reorganization may marginalize or eliminate critical bureaus and offices that help inform U.S. foreign policy. For example, a recent *Politico* article revealed a leaked chart of the new policy planning process that limits decision-making to the Office of Policy Planning—an office staffed with non-Senate-confirmed officials—in coordination with your office and other agency principals, with very little input or feedback opportunities from other relevant offices and bureaus. Just recently we learned that the office responsible for sanctions implementation was shuttered and its functions transferred to Policy Planning, which is not traditionally an “operational” part of the Department, leading to serious questions about how sanctions policy—a critical foreign policy tool in which Congress plays an important role—will actually now be implemented .

We have also heard concerns from external experts and implementing partners about the elimination, consolidation, or movement out of the Department of several critical bureaus and offices, including the Bureau of Democracy, Human Rights and Labor (DRL); Populations, Refugees and Migration (PRM); Consular Affairs (CA); and the consolidation of offices at posts around the world in ways that suggest a realignment at Main State as well. We have heard rumors that the Department is considering “hybrid Embassy” or “Regional Embassy” models and reorganizing embassies by “function”—yet, the Department has provided few details.

While we understand that many of these ideas may not come to fruition – and indeed the Department has reiterated that it is not seeking to move CA to the Department of Homeland Security or asking to consolidate USAID within the State – the lack of communication and transparency with Congress as these reorganization elements are being considered is worrisome and contributes to harmful rumors which limit productivity, undermine our diplomacy, and prevent this Committee from carrying its critical oversight function.

Justification for Personnel Losses and Continued Hiring Freeze. In addition to proposals about restructuring, we are especially alarmed by a series of decisions affecting personnel, particularly with regard to the Foreign Service and senior career officials. As you are aware, a recent column by the President of the American Foreign Service Association put the impact on the Foreign Service in stark terms, citing the “depletion” of leadership ranks “at a dizzying speed”:

“There is no denying that our leadership ranks are being depleted at a dizzying speed, due in part to the decision to slash promotion numbers by more than half. The Foreign Service officer corps at State has lost 60 percent of its Career Ambassadors since January. Ranks of Career Ministers, our three-star equivalents, are down from 33 to 19. The ranks of our two-star Minister Counselors have fallen from 431 right after Labor Day to 369 today—and are still falling. “These numbers are hard to square with the stated agenda of making State and the Foreign Service stronger. Were the U.S. military to face such a decapitation of its leadership ranks, I would expect a public outcry. Like the military, the Foreign Service recruits officers at entry level and grows them into seasoned leaders over decades. The talent being shown the door now is not only our top talent, but also talent that cannot be replicated overnight. The rapid loss of so many senior officers has a serious, immediate, and tangible effect on the capacity of the United States to shape world events.”

We are extremely concerned that—intended or not—the reorganization and budget pressures on the Department are depleting one of the core instruments of U.S. national security, and as a result, these efforts will hamper our Foreign and Civil Services from fully performing their functions. If that is the case, the price will be paid in American security and prosperity for decades to come. Rather than encouraging personnel to seek employment elsewhere, the Department should encourage professional development and career advancement in order to retain the highest caliber of employees. We would be remiss in our duties to the American people if we did not press you to adopt immediate measures to mitigate and reverse the damage.

While we respect the need for a considered process as the reorganization continues to unfold, the Department’s continued hiring freeze and protracted vacancies have diminished morale and the capacity for the Department to carry out critical work. The freeze on lateral transfers, in particular, limits the adequate allocation of existing resources and human capital. As we understand it, the exemptions to the hiring freeze that allowed the Department to fill a limited number of priority Employee Family Member positions proved not to be effective in meeting labor needs and created further distortions in the Department’s workforce. Although the situation has since been rectified, the freeze also prevented the State Department from hiring Presidential Management Fellows. However, the freeze continues to prevent the hiring of Boren Scholars and Fellows, who offer critical skills in national security priority languages and regions, including those who had already been selected for employment at the Department. Additionally, although we were pleased the Department reversed its initial decision to freeze Pickering, Rangel and Payne fellows, we remain concerned about the Department’s long-term commitment to these critical programs. The Department has acknowledged the important role these fellowships play in a shaping a qualified, talented, and diverse workforce, and it should confirm it will continue to support these fellows in the future. More broadly, however, given the uncertain timeline of the



reorganization and the ongoing detrimental effects the freeze is having on the workforce, the Department should immediately lift the freeze. Certainly it can do so while still preserving a judicious review of hiring and office moves.

We also remain puzzled and increasingly concerned by what appear to be arbitrary goals to reduce the Department's workforce. While we may support careful, considered approaches to streamlining personnel, the Department's lack of explanation thus far for the targets it has set to eliminate a minimum number of positions leaves us unable to assess whether these goals are justified by any benefit to the United States. Not only do we have deep concerns about how State is seeking to achieve attrition goals, we think that attrition as a strategy for managing a workforce is problematic because it does not allow management to control for the skills, experience, and workforces that it actually needs. When dealing with national security, the potential costs of such a mismatch can be fatal.

We have also received disturbing reports that senior Foreign Service Officers (FSOs) and senior Civil Service officials are being blocked from being nominated for positions or are only being offered roles to assist with FOIA review and other tasks not commensurate with their experience and grade. In addition, we have heard that Foreign Service promotions at all levels were set at historic lows, with some employees speculating that these moves were intended to force out more mid-level officers due to time in class restrictions. We have also heard that Civil Service officials have been completely blocked from merit-based promotions for almost a year, including promotions that were in progress in 2016. These actions are effectively forcing many to retire far too early, and many mid-career professionals to see more lucrative private sector employment, leading to a decapitation of experienced officers and institutional leadership. Coupled with the severe reduction in intake of new FSOs, we are concerned that these actions are leading the State Department down a dangerous path where it will be unable to complete its mission successfully.

Filling Senior Vacancies. We continue to be alarmed by the significant vacancies that exist for senior-level management and policy positions at the Department, including those that are traditionally filled by career Deputy Assistant Secretaries, for example, in such critical posts as the Bureau for Counterterrorism and the Bureau for Political and Military Affairs. It is unclear whether these posts are unfilled by design or dysfunction; either way it is deeply troubling.

Further, approximately 30 countries still do not have named Ambassador nominees, including South Korea, Jordan, Egypt, and Saudi Arabia. Despite claims that the Senate's slow pace is to blame for the lack of confirmed nominees, the fact is that the Committee has promptly processed the vast majority of nominees, and only a handful are currently awaiting a Senate vote. We cannot confirm nominees who have not been nominated. Currently, approximately half of Senate-confirmed nominees for the Department have not yet been nominated. We urge you to expeditiously prioritize individuals for those key appointments and empower individuals in place to contribute to policy formation.

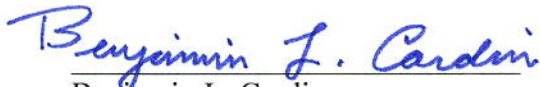
Upholding the Mission of the Department. Proposed changes to the Department's mission statement send a troubling signal about the vision for the Department and its role in foreign policy. All reorganization, budget, and personnel plans need to ensure that the promotion of democracy and respect for human rights around the world remain a central part of the State

Department's overall mission. As the Secretary of State, you are not only accountable for efficient deployment of State's resources, you are responsible for stewardship of its people and their ability to meet the mission of advancing and defending American interests around the world.

We thank you for your consideration and stand ready and willing to assist you and your colleagues as you work to promote the ideals of the United States abroad. However, without a major shift in the communication and partnership by the Department, we are concerned that you will be unable to adequately support the thousands of employees who have committed their lives to public service to advance the longstanding principles of this country. We intend to explore our legislative options to address these concerns in upcoming State Department Authorization bills and other appropriate vehicles, but would prefer to work together with you and the Department to address our common goals of building an efficient and effective State Department for the twenty-first century. To that end, we ask that you take the steps we have outlined and provide details about the concerns we have raised.

We look forward to hearing from you shortly and request a formal briefing and written reply to our concerns by December 20, 2017. We remain committed to working with you on next steps to ensure the State Department has all the resources it needs to complete its mission.

Sincerely,



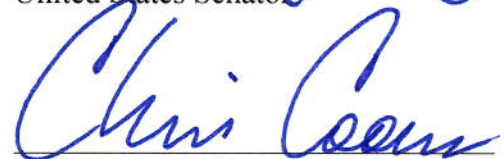
Benjamin L. Cardin  
United States Senator



Robert Menendez  
United States Senator



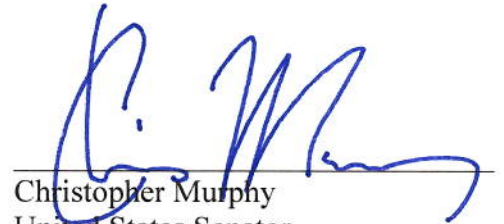
Jeanne Shaheen  
United States Senator



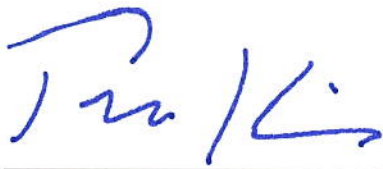
Christopher A. Coons  
United States Senator



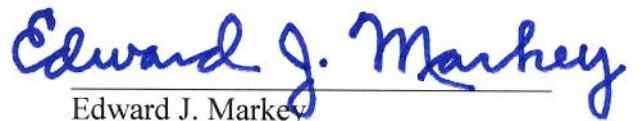
Tom Udall  
United States Senator



Christopher Murphy  
United States Senator



Tim Kaine  
United States Senator



Edward J. Markey  
United States Senator



Jeffrey A. Merkley  
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