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# United States Senate

COMMITTEE ON FOREIGN RELATIONS

WASHINGTON, DC 20510-6225

October 10, 2019

The Honorable Mike Pompeo  
Secretary of State  
U.S. Department of State  
2201 C Street, N.W.  
Washington, D.C. 20520

Secretary Pompeo:

As Secretary of State, you have a responsibility to stand up for and defend all State Department personnel and protect them against unfair attacks and political retaliation. Yet, as an August 2019 State Department's Inspector General report shows, under the Trump administration, dedicated public servants have suffered retaliation and attacks that have damaged their reputations, subjected them to threats, and left their careers in limbo. For months, you have tried to delay and avoid many of our congressional requests related to these actions. This week, the Department blocked employees from speaking, even voluntarily, to Congress. We call on you to stop impeding congressional inquiries, and start standing up for the Department's dedicated public servants.

While we have many questions about the role you and the Department have played in the Trump-Ukraine scandal, an important part of that inquiry is why the former U.S. Ambassador to Ukraine, Marie "Masha" Yovanovitch, was recalled earlier this year. In particular, her early recall raises questions about whether you put the personal interests of the President above the Department's career personnel or U.S. foreign policy.

It also raises the question of what you and the Department did to protect Ambassador Yovanovitch against improper political pressure.

For months, Ambassador Yovanovitch faced political attacks based on disinformation and statements later proven to be false. Based on her work advancing the official position of the U.S. government, she became the target of false accusations by Ukrainian Prosecutor General Yuriy Lutsenko.<sup>1</sup> Although Lutsenko later recanted his statements, Ambassador Yovanovitch remained the target of unfounded conspiracy theories, advanced in part by the President's agent, Rudy Giuliani, and his son, Donald Trump, Jr.<sup>2</sup>

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<sup>1</sup> "Ukraine Prosecutor General Lutsenko admits U.S. ambassador didn't give him a do not prosecute list," UNIAN, Apr. 18, 2019, <https://www.unian.info/politics/10520715-ukraine-prosecutor-general-lutsenko-admits-u-s-ambassador-didn-t-give-him-a-do-not-prosecute-list.html>; U.S. State Department, "US-Ukraine Joint Statement," Nov. 2018, <https://ua.usembassy.gov/joint-statement-on-u-s-ukraine-strategic-partnership/>.

<sup>2</sup> See Giuliani says State Dept vowed to investigate after he gave Ukraine docs to Pompeo, *NBC News*, Oct. 3, 2019, <https://www.nbcnews.com/politics/trump-impeachment-inquiry/giuliani-says-state-dept-vowed-investigate-after-he->

Throughout these events, you have said nothing publicly in her defense. You have not made a single remark defending Ambassador Yovanovitch or heralding her more than three decades of service to the American people. According to recent reports, you even supported her early removal—which, in the absence of any logical explanation, appears tied to the President’s effort to use U.S. policy in Ukraine to pursue his own personal political interests.<sup>3</sup>

Yet, Ambassador Yovanovitch is only the latest example of Department personnel who have paid a heavy price for their continued public service. Recently, the State Department’s Inspector General detailed the mistreatment and politically-motivated targeting of career personnel by senior officials at the Department.<sup>4</sup> One of the senior officials the Department found to have engaged in these practices, Assistant Secretary Kevin Moley, has suffered no consequence, while dozens of employees suffered damage to their careers, and worse.

Over the last several weeks, you have been similarly silent about the rights of whistleblowers to come forward about matters of national security. Despite the President’s comments equating whistleblowers with “spies,” you said nothing. After he made false and misleading statements about the whistleblower, you did not, as the former head of the CIA, point out that this whistleblower did precisely what someone who wants to report an urgent concern about harm to national security should do: follow the law.

As the head of our country’s global diplomatic force, your refusal to stand up for career employees and support whistleblowers is disturbing. It is incumbent on you not to further the President’s damaging and unfounded attacks, but to send a simple message to everyone who works at the Department of State—that you have their backs.

We hope that you will swiftly, and clearly, send that message far and wide.

**In case there is any confusion: those working for the federal government, including civil service, foreign service, and contractors, who possess information they reasonably believe demonstrates a violation of law; gross mismanagement; gross waste of funds; abuse of authority; a substantial and specific danger to public health or safety; or censorship related to research, analysis, or technical information are protected and entitled under federal law to raise those concerns through authorized channels, including to Congress or Inspectors General, without fear of retribution or reprisal. Even in cases where information is required to be kept secret in the interest of national defense or the conduct of foreign affairs, disclosure to Inspectors General or the Special Counsel is still protected.**

It is imperative that senior officials throughout government ensure that employees know their rights, and that employees are not discouraged from raising valid concerns.

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[gave-ukraine-n1061931](https://twitter.com/donaldjtrumpjr/status/1109850575926108161); Donald Trump Jr., @DonaldJTrumpJr, <https://twitter.com/donaldjtrumpjr/status/1109850575926108161>, Mar. 24, 2019.

<sup>3</sup> Rebecca Ballhaus et al., “Trump Ordered Ukraine Ambassador Removed After Complaints From Giuliani, Others,” *The Wall Street Journal*, Oct. 3, 2019.

<sup>4</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, Aug. 2019.

Your failure to intervene when the White House or your subordinates targeted career personnel and the Department's efforts earlier this week to prevent Ambassador Gordon Sondland from testifying before Congress send the wrong message. As you know, Ambassador Yovanovitch is scheduled to testify to Congress. We call on you to abide by the ethos you have set for the Department, to stand up for those who serve in the Department and the nation, and not further impede their testimony.

In addition, to assist the Committee with its oversight responsibilities over the Department's operations and treatment of employees, we request that you respond to the following, no later than October 16, 2019.

1. What, specifically, has the State Department done to protect Ambassador Yovanovitch from political retaliation?
2. How did you defend Ambassador Yovanovitch in the face of attempts by President Trump, the President's agent Rudy Giuliani, and Donald Trump, Jr. to discredit her by echoing now-debunked conspiracy theories?
3. Following the July 25, 2019 call, did you speak with President Trump about his comments regarding Ambassador Yovanovitch, particularly that she "was bad news" and "[s]he's [Yovanovitch] going to go through some things"?
4. Why was Ambassador Yovanovitch removed early from her post in Kyiv?
5. Did you receive instructions from the President, the White House, or the President's agent Rudy Giuliani regarding Ambassador Yovanovitch prior to her removal on May 7, 2019? If so, what were they?
6. Do you agree with the President's statements on whistleblowers?
7. What are you doing to ensure that all Department personnel know and understand their rights under federal whistleblower laws?
8. Has the Department issued any communications or documents to staff regarding whistleblower rights or communicating or cooperating with Congress since January 2017? If so, please provide a copy of each such communication or document.

We look forward to your immediate responses on this important matter.

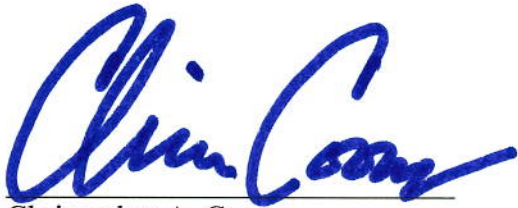
Sincerely,



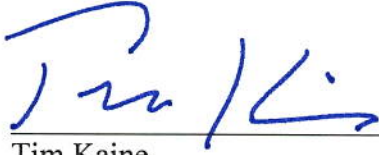
Robert Menendez  
Ranking Member



Jeanne Shaheen  
United States Senator



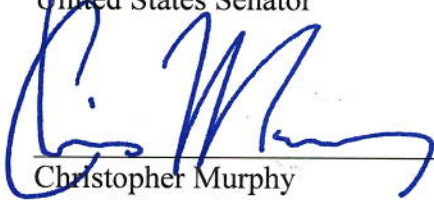
Christopher A. Coons  
United States Senator



Tim Kaine  
United States Senator



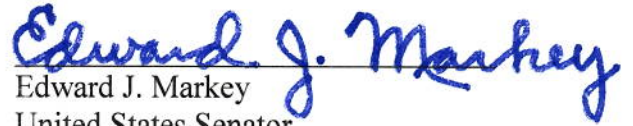
Jeffrey A. Merkley  
United States Senator



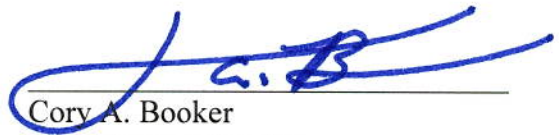
Christopher Murphy  
United States Senator



Tom Udall  
United States Senator



Edward J. Markey  
United States Senator



Cory A. Booker  
United States Senator



Benjamin L. Cardin  
United States Senator