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United States Senate

COMMITTEE ON FOREIGN RELATIONS

WASHINGTON, DC 20510-6225

August 15, 2017

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

Dear Secretary Tillerson:

I am writing to express my deep concerns about the lack of filled senior positions at the Department of State and USAID and, in particular, the impact of those vacancies on our diplomacy and security. Two weeks ago Acting Assistant Secretary Bill Miller, head of the Bureau of Diplomatic Security, left his position after 30 years with the State Department. In addition to Diplomatic Security, 26 out of 31 senior policy and management positions have no announced nominee and many are vacant. More than six months into the administration, a majority of positions requiring Senate confirmation – 86 out of 131 – remain not just unfilled, but without even a nominee. There are no Assistant Secretary nominees for the Middle East or Asia at a time of daunting new challenges from Russia, ISIS, and China. There is no nominee to serve as our Ambassador to South Korea even as we confront a deteriorating situation with North Korea. There is no Assistant Secretary nominee for Africa, which faces unprecedented humanitarian challenges.

At the same time, there are frequent reports about reshuffling and downsizing of key offices. There have also been reports that the Policy Planning office will see a considerable increase in size, indicative of a change in function and role ahead of any proposal on reorganization itself. While those reports may be premature – and I plan to reserve judgment until we hear from you what the plans in fact are – it is disconcerting to see a steady flow of these sorts of reports before Congress has seen any real plans for what the reorganization of the Department and USAID might look like.

While I understand that transitions can be messy and new department leadership requires some reasonable amount of time to make both personnel and policy decisions, I am deeply concerned that the current situation may well create unacceptable risk for the Department as it carries out our nation's foreign diplomacy and national security policy.

As we are now months into the administration's tenure, the prolonged vacancies in leadership positions are particularly troubling. The absence of assistant secretaries means no one is at the helm to direct policy and set priorities toward which thousands of the State Department's public servants can contribute their expertise in implementing on behalf of the American people. So

long as the Assistant Secretary for Diplomatic Security remains vacant, there will be no one charged with overseeing embassy security, leaving us vulnerable in an area that the Department's Inspector General cited as the "number one priority," and one that this administration had repeatedly highlighted as an issue of utmost importance. It also leaves an uncertain path forward for implementing the Benghazi Accountability Review Board recommendations.

I understand your desire to undertake a "redesign" process at the State Department to make it a more efficient and streamlined agency. Like you, I believe it is critical for the Department to transform to meet new challenges in a complex and rapidly evolving world. I certainly appreciate the complexity of that task and your assurances that there are no "pre-conceived notions" in this exercise. But addressing today's diplomatic interests and responsibilities cannot be put on hold while a redesign occurs. Achieving greater efficiency in the Department cannot come at the cost of undercutting its ability to continue to function to meet pressing and immediate challenges. If the State Department were a private company, it is hard to imagine that it would be allowed to operate for the better part of a year, and maybe longer, without critical senior management. Yet, the continued lack of urgency in filling key posts and ensuring coverage of vital functions such as Embassy Security could very well undermine our ability to further our nation's security and prosperity. It leaves the security of our embassies and even the lives of thousands of hard-working State employees at risk.

Putting this all in the context of the administration's proposed budget only reinforces my concern. Under the president's proposal, Embassy Security, Construction and Maintenance would be cut by 62%, and Diplomatic and Consular Programs would be cut by 14%. The combined funding for bureaus that lead planning and implementation of diplomatic security-related activities, the Bureau of Diplomatic Security and the Bureau of Overseas Building Operations, would decline by approximately 13% relative to the FY2017 enacted level. Given the administration's proposal for these offices to work in a more stringent fiscal environment, one would expect that the Department would want to ensure stability in leadership, and would look to fill any open posts quickly with a Senate-confirmed appointee who can provide necessary guidance.

State Department employees are public servants who have put themselves at the frontlines of American diplomacy, and increasingly they serve in conflict zones and other challenging environments to advance a broad range of critical U.S. national security interests. We need to ensure that they are provided the proper resources and leadership to accomplish their missions. Continuing to leave these officials in a perpetual state of uncertainty about the staffing and structure of their agency jeopardizes their ability to do so.

As you continue to carry out the administration's priorities, I request that you provide detailed answers to the following questions, no later than August 30, 2017:

- Please describe your plans to forward nominees for the positions subject to Senate confirmation, including an anticipated timeline for submitting a nominee for each position to the Senate.
- Which unconfirmed or vacant positions are you seeking to prioritize, and how are you prioritizing them? Have you made those priorities known to the White House?

- Do you agree that the Department should not put reorganization of the Department ahead of the needs to fill senior positions? How are you ensuring that the current vacancies are not harming the Department's ability to carry out its mission?
- Is a permanent replacement for Mr. Miller's post at the Bureau of Diplomatic Security in the process of being sent to the Senate for review? If so, can you provide an anticipated timeline?
- How does the Department plan to address all current security responsibilities worldwide when facing such a large budget shortfall compared to the last fiscal year?
- Does the administration have a plan to ensure that all recommendations of the Benghazi Accountability Review Board will be implemented in a timely and efficient manner?

The State Department plays a unique role in advancing and protecting our nation's interests across the globe. Thousands of State Department employees – deeply committed to those goals – stand ready to continue that work. I urge you to promptly address the unfilled positions throughout the Department and ensure that the current trend of attrition does not threaten the safety of any Americans both at home and abroad.

Sincerely,



Benjamin L. Cardin
Ranking Member