

American Diplomacy at **Risk**

APRIL 2015



American Academy
of Diplomacy

ABRIDGED REPORT



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Disclaimer

It is not surprising that, in grappling with a subject this important and complex, a healthy range of views was reflected in the drafting group, the advisory group and the red team. The views of many of the participants (Academy members and other interested parties) were taken into account in the discussions and drafting but this is not a consensus product.

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Dedicated to a Strong Professional Foreign Service

A STRONG STATE DEPARTMENT,

based on a strong Foreign Service and a strong Civil Service, is a critical component of America's security. But America's diplomacy—the front line of our defenses—is in trouble. Increasing politicization undermines institutional strength; almost no career officers serve in the most senior State positions, while short-term political appointees penetrate ever deeper into the system. The Foreign Service lacks the professional education and standards to meet its current heavy responsibilities and to create its necessary future senior leaders. The Civil Service is mired in an outdated system with limited coherent career mobility. Some State Department officials seem intent on nullifying the Foreign Service Act of 1980, and its merit-based personnel system by bureaucratically seeking to blend the Foreign and Civil Services. This creates needless friction and diminishes both services. Our national interest requires our immediate recommitment to the law and to strengthening our professional Foreign and Civil Services. State needs to comprehensively review and modernize its entire system of workforce management and budgeting. This report aims to stimulate the changes necessary to prepare American diplomacy for the challenges of the 21st century.

I. American Diplomacy at Risk

The world beyond our borders profoundly affects every American's security, safety and well-being. America's \$17 trillion economy is deeply influenced by that world; globalization and the growing influence of rising powers have changed and will continue to change the global agenda and the competition we face. One in every five jobs in our nation is dependent upon international trade. More than 50 percent of our exports now go to developing countries.

Diplomacy is, as several Secretaries of State have pointed out, America's first line of defense. Our nation's diplomacy must recognize emerging threats and work to resolve them without the use of force, if possible. If the use of force becomes necessary, America's diplomats will be there to support United States forces before, during and after combat. Diplomacy is essential to resolving a host of transnational issues such as crime, weapons of mass destruction, climate change and public health.

We are safer today because of a common effort among diplomats, our military colleagues, development experts and business, non-governmental (NGO) and other private sector leaders. For example, our "smart power" activities are supported by business associations, think tanks, military leaders, educators and faith-based organizations, all of whom see the value in the strongest possible American voice and presence in the world. It is no exaggeration to say that how well we manage our diplomacy in the broadest sense is the foundation for every other element of national influence and will determine the future of American security and the fate of American ideals and values.

The historical record is impressive. In the last half of the 20th century, American diplomacy created and sustained the political dimension of containment, which led to the implosion of the Soviet Union. Diplomacy also built the international financial system that brought long term prosperity to millions after World War II. Today's global challenges multiply daily and are ever more difficult to manage. The use of force is no longer as widely acceptable or applicable as it once was. Effective American diplomacy is critical to promoting and protecting our nation's interests.

The American Academy of Diplomacy believes that diplomacy is best executed by a State Department which has as its foundation both a strong Foreign Service and a strong Civil Service. The Department is most effective when both the Foreign Service and Civil Service work together to contribute their energy, commitment, wisdom and expertise to the nation's missions. We have the utmost respect for the job our Foreign Service and Civil Service colleagues are doing. The objective of this report is to support them as they meet today's challenges and propose a path to an even more effective American diplomacy in the future. Without the most robust possible diplomacy, American strength and prosperity are jeopardized. There are urgent issues to confront. The time to address them is now.¹

1 The past two Administrations have placed emphasis on a better integration of diplomacy, defense and development. We endorse this "3D" concept and believe that more effort should be made to effect this integration through joint training exercises and closer collaboration on country teams. While this study and its recommendations focus on the State Department, we recognize that the officer corps of the US Agency for International Development (USAID) is an integral part of the Foreign Service. The development mission is closely related to the diplomatic mission, though the program management and technical skills required are uniquely related to the development profession. USAID is a statutory agency whose Administrator reports to the Secretary of State. Development professionals, humanitarian relief specialists and those engaged in transitional activities work closely with State counterparts, consistent with US foreign policy goals. USAID officials also may be engaged in diplomatic activities at post related to development cooperation, and Foreign Service officers (FSOs) are increasingly engaged in diplomacy related to global development objectives. Thus, many of the recommendations contained in this report that pertain to enhancing effectiveness apply equally to State and USAID Foreign Service and Civil Service officers. In many respects they may apply also to the Foreign Services of the US Commerce and Agriculture Departments.

The sad reality is that, despite the efforts of the career Foreign and Civil Service, America’s ability to lead globally through diplomacy is declining. Our nation’s diplomacy is becoming increasingly politicized, reversing a century-long effort to create a merit-based system based on the highest professional standards set by the 1924 Rogers Act, which aimed to combat the effects of the “spoils system.” Despite recent improvements, State is neither educating its staff to equal or surpass the professional level of our allies and competitors, nor systematically preparing its future “leadership bench” to assume senior roles.

Furthermore, and in contradiction to current law, there has been an effort to transform the valid concept of a common State Department mission—one mission, one team—into a blurring of criti-

FOREIGN SERVICE OFFICERS	CIVIL SERVICE (GS and SES)
Excepted personnel system (based on US Navy) for global service	General Schedule (GS) personnel system for USG employees
Presidentially commissioned at the officer level; commissioned by the secretary at the specialist level	No Commission
Rank in person	Rank in position through GS15; rank in person in the SES
Selection through written and oral exam and assessment of potential for advancement through the ranks	Hired to position openings based on subject matter expertise typically via US jobs
Recruits to be representative of all 50 states and the American people	No mandate to be representative of the nation in terms of geography or academic institutions
Tenure requires foreign language proficiency certification plus satisfactory performance	Tenure requires three years of substantially continuous creditable service
America’s diplomatic service governed by Vienna Convention international legal responsibilities and rights as well as US laws, regulations and obligations	America’s domestic USG employee service governed by US laws and regulations.
Worldwide availability (including family), based on needs of our diplomatic service including rotational assignments	No rotational requirement; mobility at employee’s initiative
Annual promotion boards by panel of peers with assessment of potential to perform at next rank; (2 percent low ranked with consequence)	Pro-forma review for satisfactory performance
Up or out career mobility (like military)	Mobility at initiative of employee
Time in class/rank (TIC) selection out	Indefinite tenure
Mandatory retirement at age 65	No mandatory retirement age (except for law enforcement)
SFS seven-year TIC (time-in-class) to advance from FE-OC to MC and seven to CM or be involuntarily retired; mandatory rotation; and retirement at 65	SES no competitive annual promotion or up or out requirement; no required rotations; no mandatory retirement age

Figure 1. Foreign Service Officers and Civil Service Systems Compared. The acronyms in the chart are as follows: SFS is Senior Foreign Service; SES is Senior Executive Service; TIC is Time-in-Class, the “up or out mechanism” in the Foreign Service system; OC is counselor of embassy; MC is minister-counselor; CM is career minister.

cally important distinctions between the roles and functions of the Foreign and Civil Services. This is occurring in a manner that diminishes the effectiveness of both groups and further undercuts the professionalism and discipline that America's diplomacy requires.

The Department does not have a formal policy defining the respective roles of the Civil Service and Foreign Service in Washington. In an agency with two such different systems (see Figure 1), the need for such a policy is imperative. The alternative is continued "ad hoc staffing decision making based on expediency and personal preferences that often look like "cronyism," rather than the full support of national interest-based specific criteria. Currently, decisions about which personnel system to use reflect a wide variety of factors.²

This report looks in two directions. One is at the politicization of the policy and appointment process and management's effort to nullify the law—the Foreign Service Act of 1980 ("the Act")—both of which reduce the role of a professional Foreign Service. We strongly believe this weakens the nation and the State Department and must be reversed and resisted. A second focus is on key improvements for both the Civil and Foreign Service to strengthen professional education and the formation and quality of these careers.

The rise of regional powers and the relative decline of US military and economic preeminence have made diplomacy even more central to US national security. Our analysis, however, is that the most important factors in the decline are internal. They result from our own policies and procedures. They can and must be changed to reverse the decline.

There is an increasingly politicized appointment and policy process in the State Department, resulting in a steady decrease in the use of diplomacy professionals with current field experience and long-term perspective in making and implementing policy. This is reversing a century-long effort to create a merit-based system that valued high professionalism. It is both ironic and tragic that the US is now moving away from the principles of a career professional Foreign Service based on "admission through impartial and rigorous examination" (as stated in the Act), promotion on merit, and advice to the political level based on extensive experience, much of it overseas, as well as impartial judgment at a time when we need it most.

The role of money in politics has made more egregious the practice of appointing political ambassadors who lack the appropriate experience or credentials for that role. Some highly talented citizens have served brilliantly as ambassadors. The practice of calling on private citizens, however, does not justify sending overseas ambassadors so deficient in evident qualifications as to make them laughing stocks at home and abroad. The sale of office is contrary to law. That it appears to be happening, only slightly indirectly through campaign contributions, does not justify the practice and adds nothing to either the quality or prestige of American diplomacy.

The second factor presenting a serious challenge to a strong State Department that rests on complementary but separate Foreign and Civil Services, is the policy described in official State Department April 2013 press guidance³ that there is a "requirement" to "break down all institutional, cultural and legal barriers between the Foreign Service and the Civil Service." In pursuit of this alleged "requirement," many of the State Department's current personnel actions violate the letter and the spirit of the Act.

² See section IV B. These comments also reflect a survey of former Directors General, covering a span of 26 years, and done for this study in July 2014.

³ The Department issued this press guidance in reaction to the op-ed "Presidents are Breaking the U.S. Foreign Service," by Academy Chair Thomas R. Pickering, Academy President Ronald E. Neumann, and then AFSA President Susan R. Johnson, *The Washington Post*, April 11, 2013.

The third factor is that, despite recent important improvements, State is neither educating its staff to the professional level of our competitor nations, nor systematically preparing its future leaders to assume senior roles. The Department needs to view assignments and rotational practices more strategically as an integral part of creating a deep reservoir of top talent, available to successive presidents in the decades to come.

Fourth, as the Foreign Service struggles to maintain its excellence and professionalism, the Civil Service is dealing with challenges of its own: how to have a career progression that encourages multifunctional knowledge and retains the best-performing personnel? How to curb a senior level appointments process that adds politically connected friends of each new administration? How to manage the occasional domestic or overseas assignment for professional development of the Civil Service without overlapping and reducing similar opportunities for the Foreign Service? A recent study notes that non-career political appointments have increased to 4,000 in the Federal Government.⁴ The Civil Service, like the Foreign Service, needs public support to address these issues and fully play its complementary role in the conduct of American foreign relations. We propose a new approach that would expand Civil Service mobility and opportunities for career development.

Finally, numerous *ad hoc* practices and decisions have accumulated over many years. A broad review is needed for State to optimize its organization, management and workforce development.

Our recommendations are summarized in the five headings discussed above: reversing the politicization of the policy process; ending efforts to nullify the Foreign Service Act of 1980; improving personnel development and education; meeting the challenges of the Civil Service; and optimizing workforce development. The complete recommendations, along with more detailed explanations and supporting charts and annexes, are in the full report, “American Diplomacy At Risk,” available online at www.academyofdiplomacy.org.

America’s security interests and international goals require top-quality diplomacy. The Academy recognizes that our recommendations will be controversial and will take time to implement. Without a clear and complete vision of what needs to change and how that change should evolve, nothing will improve and the national interest will continue to suffer. It is past time to start.

We have two recommendations, however, that are central to all the rest.

1. **The Secretary and the State Department should continue to press the Office of Management and Budget (OMB) and Congress for resources—positions, people and the funds needed to support them—to restore to American diplomacy the ability to play its critical role in the country’s national security.**
2. **The Department must define the respective and distinctive roles of the Foreign Service and Civil Services to clarify their complementary functions, in accordance with legislative language.**

⁴ The Partnership for Public Service and Booz Allen Hamilton, “Building the Enterprise: A New Civil Service Framework,” April 1, 2014, <http://www.ourpublicservice.org/publications>.

II. Politicization of American Diplomacy

In recent decades, the Foreign Service and the policy-making process have been under assault from two major trends: the increasing number of short-term political appointees throughout the senior ranks and well down into the working levels; and the efforts of the Department’s administrative managers to nullify the particular role of the Foreign Service and Foreign Service Officers (FSOs) embodied in the Act.

In those instances in which individuals or institutions that support the Foreign Service have objected to these trends, they have been strongly criticized by senior officials, and particularly administrative managers, and accused of “feathering the Foreign Service nest,” or of “elitism,” or both, but have never been rebutted on the merits or legislative basis of their arguments.

As proponents of the law and practices that we believe will strengthen American diplomacy, the Academy will likely be subject to similar attacks. Our motivation is to support the highest quality formulation and execution of the nation’s foreign policy and to restore the value and role of the Foreign and Civil Services to their legislatively mandated places because that is the surest way to a State Department capable of advancing America’s interests.

The numbers speak plainly: from 1975 to 2013, the proportion of FSOs in senior positions, as defined by the Department itself, has declined from over 60 percent to between 25-30 percent. The figure for 2014 is at the upper limit (30 percent) as Secretary John Kerry has appointed career FSOs to most of the regional Assistant Secretary positions.

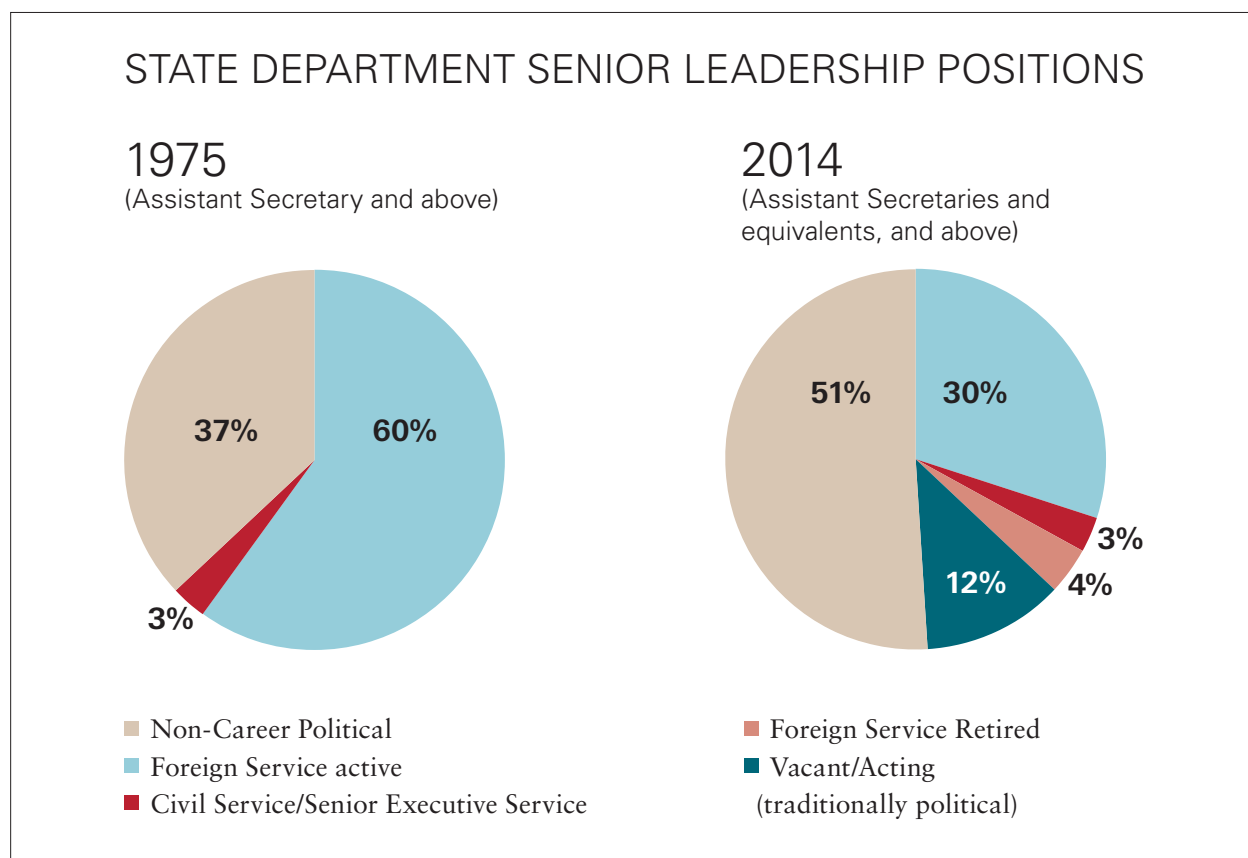


Figure 2. Senior Leadership Positions at the State Department, 1975 and 2014. Source: Data drawn from Department of State website, <http://www.state.gov>.

The price for the declining representation of the professional Foreign Service at senior levels in Washington is three-fold:

1. Loss of long-term field perspective—Knowledge essential for melding the desirable with the possible. FSOs speak foreign languages and have extensive knowledge of foreign nations and their policies, cultures, thinking, peoples and regions. They have spent years living among and working abroad with people from all walks of life and with leaders whose cooperation we need if US policies are going to be successful. No other part of the Federal government provides this knowledge.

2. Loss of Washington experience—Loss of the Washington positions that provide essential experience necessary for FSOs to excel in the critical interagency aspects of making and implementing foreign policy, and loss of the benefits in the interagency process of the unique blend of field and Washington experience among those who have implemented foreign policy abroad. This result leaves too many FSOs without sufficient Washington experience to match their overseas experience, which is essential to the development of officers' careers, such as that of former Deputy Secretary William Burns.

3. Loss of merit-based incentives—Failure to motivate and to maintain high morale when career advancement depends not on professional merit, but mainly on personal networking and political affiliations. Low morale inevitably develops when either Civil Service or Foreign Service employees see short-term, non-career appointees with less institutional knowledge moving into rungs above them on the career ladder.

Section 101 of the Act states that, “The Congress finds that— (1) a career foreign service, characterized by excellence and professionalism, is essential in the national interest to assist the President and the Secretary of State in conducting the foreign affairs ...” and “that the members of the Foreign Service should be representative of the American people, ..., knowledgeable of the affairs, cultures and languages of other countries, and available to serve in assignments throughout the world” and that “should be operated on the basis of merit principles.”

The Act also mandates that the Department should “provide guidance for the formulation and conduct of programs and activities of the Department and other agencies which relate to the foreign relations of the United States;” and “perform functions on behalf of any agency or other Government establishment (including any establishment in the legislative or judicial branch) requiring their services.”

Section 105 of the Act states that “(1) All personnel actions with respect to career members and career candidates in the Service (including applicants for career candidate appointments) shall be made in accordance with merit principles.” The guiding statute mentions only the Foreign Service to perform these functions in this manner.

The dominance of political appointees in the upper ranks of the State Department (eight out of 10 in 2014)⁵ is a major reason for the significant decline of the career Foreign Service's professional input into the policy process. A related factor is the recent explosion of ambassadors-at-large, special representatives and coordinators operating separate offices. Many are not integrated into specific bureaus that have responsibilities for these issues.

⁵ The positions are: Secretary, two Deputy Secretaries, six Undersecretaries, and the Counselor of the Department.

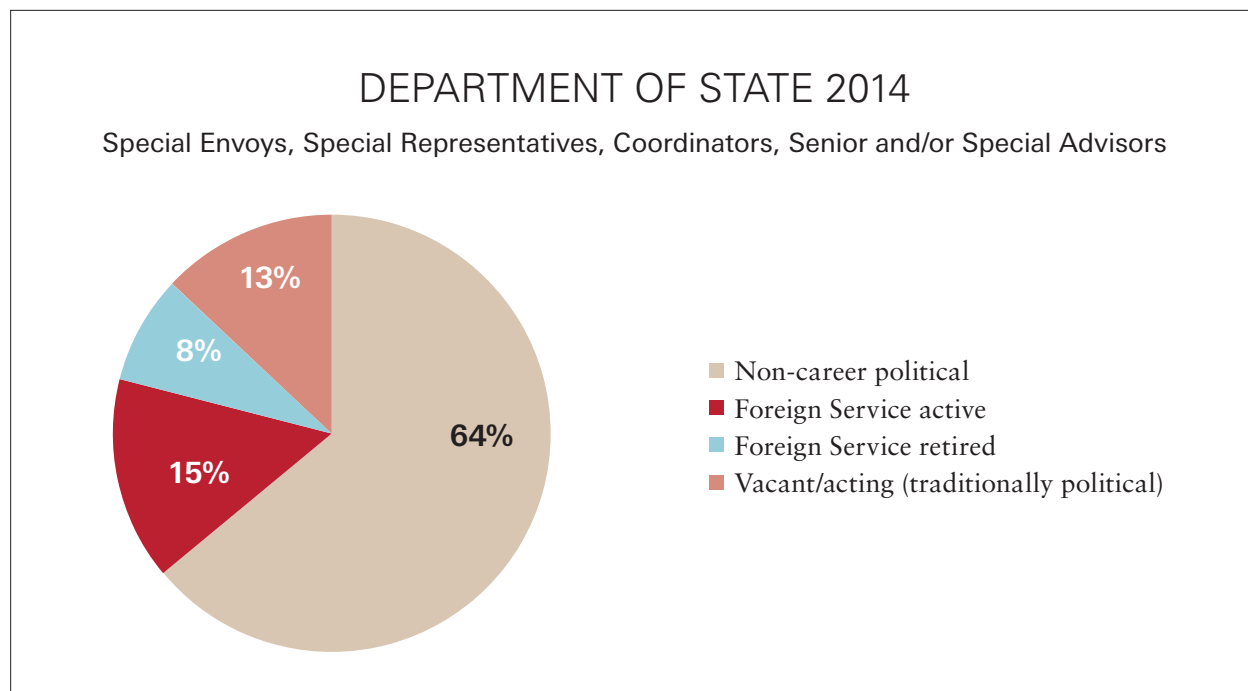


Figure 3. Composition of Special Envoys, Special Representatives, Coordinators, Senior and/or Special Advisors. Source: Data drawn from Department of State website, <http://www.state.gov>.

There are now more than 45 functions headed by individuals titled special envoy, ambassador-at-large, representative, coordinator, etc.⁶ The hiring of the appointed special envoys and their staffs is commonly outside the usual processes for bringing people into the career Foreign and Civil Services. They often bring numbers of staff from outside the Department, operate in a closed loop with other non-career staff, and pursue their issues without necessarily integrating the larger and cross-cutting national interests that must inform foreign policy decisions and implementation. Many are supposed to report directly to the Secretary; an obvious near impossibility.

The president and the Secretary of State should systematically include career diplomats in the most senior of State's leadership positions because they provide a perspective gained through years of experience and diplomatic practice, thus assuring the best available advice and support.

We make a number of specific recommendations in the full report to recognize the importance and value of the contributions made by Foreign Service professionals. Details and rationales are in the report. Of these, the most important include:

- Ensuring that a senior FSO occupies one of the two deputy secretary positions, the undersecretary for political affairs and the director of the Foreign Service Institute (FSI);
- Changing the Deputy Secretary's committee inside State that recommends ambassadorial nominations to the Secretary (the "D" committee) to include a majority of active duty or recently retired FSOs;

⁶ State's current organizational chart shows many of the Special Envoys, etc. reporting directly to the Secretary (See State's website, <http://www.state.gov>.) See Appendix C in the full report for list of functions as of June 28, 2014.

- Obeying the law (the Act) on ambassadorial nominations as “normally from the career Foreign Service” and “without regard to political campaign contributions,” thereby limiting the number of non-career appointees to no more than 10 percent;
- Restoring the stature of the Director General (DG) of the Foreign Service and Director of Human Resources (HR), by appointing highly respected senior officers to these positions, reflecting the intent of the law and their importance in managing the personnel system of the Foreign and Civil Service;
- Limiting the number of non-career staff in bureau front offices and limiting the size of special envoy staffs while blending them into normal bureau operations, unless special circumstances dictate otherwise.

III. Nullification of the Foreign Service Act of 1980

There have been repeated previous efforts to unify the Civil and Foreign Services. They have always failed after extensive examination because the responsibilities of the services are different and because blending the services without both having the same rigorous entry requirements, responsibilities for physical and career risks, rotation, service in difficult places and “up or out” promotion systems, will fundamentally reduce the professionalism of the Foreign Service.

Some Academy members and active duty personnel who are not familiar with the Department’s personnel practices may find it difficult to believe that there is a real and significant effort underway to nullify *de facto* the Act and to homogenize the Foreign and Civil Services in a manner that is fundamentally detrimental to the existence of a unique professional Foreign Service and to the Department’s strength as an institution. We reluctantly conclude that this is the case.⁷

“The QDDR requires that we break down institutional, cultural and legal barriers between the Foreign Service and the Civil Service.”⁸

This official press guidance, approved on April 12, 2013 by the offices of the Undersecretary for Management and the DG, and cleared by representatives of both Deputy Secretaries, the political and management undersecretaries, and other officials in the offices of the DG and Undersecretary for Management, and for the Department spokesperson, is how State chose to respond to the April 2013 Washington Post op-ed, by the chairman of the Academy board, the president of the Academy and the then-president of the American Foreign Service Association (AFSA).

The “legal barriers” referred to are, of course, the provisions of the Act. Senior officials sworn “to support and defend the Constitution of the United States” and who share the president’s constitutional responsibility (Article II, Section 3) “to ensure that the laws be faithfully executed,” should not call for, nor take actions that result in, the “breakdown” of the law of the land.

Given the Department’s declaration quoted above, we believe the intention of too many in the management side of the Department is, contrary to the Act, to homogenize the Civil and Foreign Services. This is a matter of deeds, not simply of our interpretation of words, including the conversion of Foreign Service positions in the Department to Civil Service, the establishment of programs to convert GS personnel to FSOs or Foreign Service specialists bypassing the Act’s merit standards, and a bizarre effort that appears to attempt to expunge the words and phrases “Foreign Service,” “Foreign Service Officer,” and “FSO” from the vocabulary of the State Department.

A separate problem relates to the distribution of Civil Service and Foreign Service positions in the regional and functional bureaus. For reasons that no doubt include the scarcity of Foreign Service personnel as well as their assignment preferences, functional bureaus now rely very heavily on Civil Service and contractual employees, with the Foreign Service component often in single-to-low double-digit percentages. There is a clear need for the technical expertise, knowledge and continuity represented by Civil Service staffing in many functional bureaus. There is a corresponding need for field perspectives that FSOs should bring and for developing skill in integrating those perspectives with technical subjects. There is a further need to educate tomorrow’s senior Foreign Service leaders in articulating the policy aspects of technical issues.

⁷ There are currently several alternate ways to enter the FS other than via the written and oral exam process: the FS Conversion Program (also known as the Career Mobility Program); the Mustang Program; the Diplomacy Fellows Program; and Limited Non-Career Appointments (LNA).

⁸ STATE/M/DG/HR Press Guidance, April 12, 2013. QDDR is the Quadrennial Diplomacy and Development Review.

ASSAULT ON FSOs

In recent years, senior officers of the Department in the management area have sought consistently to erase the terms “Foreign Service” as an institution, “Foreign Service Officer,” and the acronym “FSO” from the State Department vocabulary. You will rarely hear those words uttered by State’s officials at all levels in their speeches and materials prepared for the public.

Their main objections appear to be the special status of the Foreign Service itself and the fact that FSOs are commissioned officers appointed by the President with the advice and consent of the Senate. The characterization of FSOs as “Foreign Service Generalists” is so firmly entrenched in HR that it has become established usage throughout the Department. The Foreign Service as an institution is simply not mentioned.

These efforts run counter to some very important facts.

First, Article Two, Section Two of the US Constitution states: “The President shall nominate, and by and with the advice and consent of the Senate, appoint Ambassadors, Ministers, Consuls...” Since 1791, those representing the US abroad have been officers commissioned by the president with the advice and consent of the Senate.

Second, this constitutional intent is implemented in statute, the Foreign Service Act of 1980 (“The Act”). The Act states that the Foreign Service is to be run “on merit principles,” including “admission through impartial and rigorous examination,” acquisition of career status only after completion of a successful probationary period, promotion on the basis of merit, “separation of those who do not meet the requisite standards” (by selection out and time in class), and availability for worldwide service. The Act establishes a Foreign Service officer corps as an elite organization, as defined by the above elements.

Third, FSOs are not “generalists.” FSOs have expertise in geographic areas, language skills, and a variety of functional disciplines, and should have strong policy formulation capabilities and leadership qualities as required by the Act.

Fourth, diplomats relate to foreign governments, foreign publics and multilateral organizations. Our international interlocutors make their decisions in their capitals. Overseas is where FSOs and Foreign Service specialists work to achieve our national foreign policy objectives while in Washington their skills provide needed broad field perspective.

In sum, FSOs are members of a rigorously selected corps of commissioned, worldwide available civilian officers appointed by the president and confirmed by the Senate. This is so as a result of constitutional mandate, Congressional design, a commitment on the part of FSOs and Foreign Service specialists to serve anywhere often under difficult and dangerous circumstances, including in conflict zones, and because FSOs and specialists all too often pay the ultimate price for their service as the scores of names on our memorial plaques honoring those who died under heroic or tragic circumstances testify.

The Academy calls on the secretary and his management team to honor the distinction in law and practice between the Foreign Service and the Civil Service. We call upon those in the Department who have misused calls for unity of effort as a chance to promote their vision of amalgamation to end this campaign to un-name the Foreign Service and decommission FSOs. These actions weaken the Foreign and Civil Services. Both Services are indispensable to a strong State Department and the proper conduct of foreign policy. Current practice is a direct threat to the Foreign Service and violates the will of the Congress. Along with the ever-greater hiring of political appointees, this campaign is a direct threat to the ability of the US to carry out effective diplomacy. The Department should be encouraging the esprit of our front-line troops, and supporting them by word and deed.

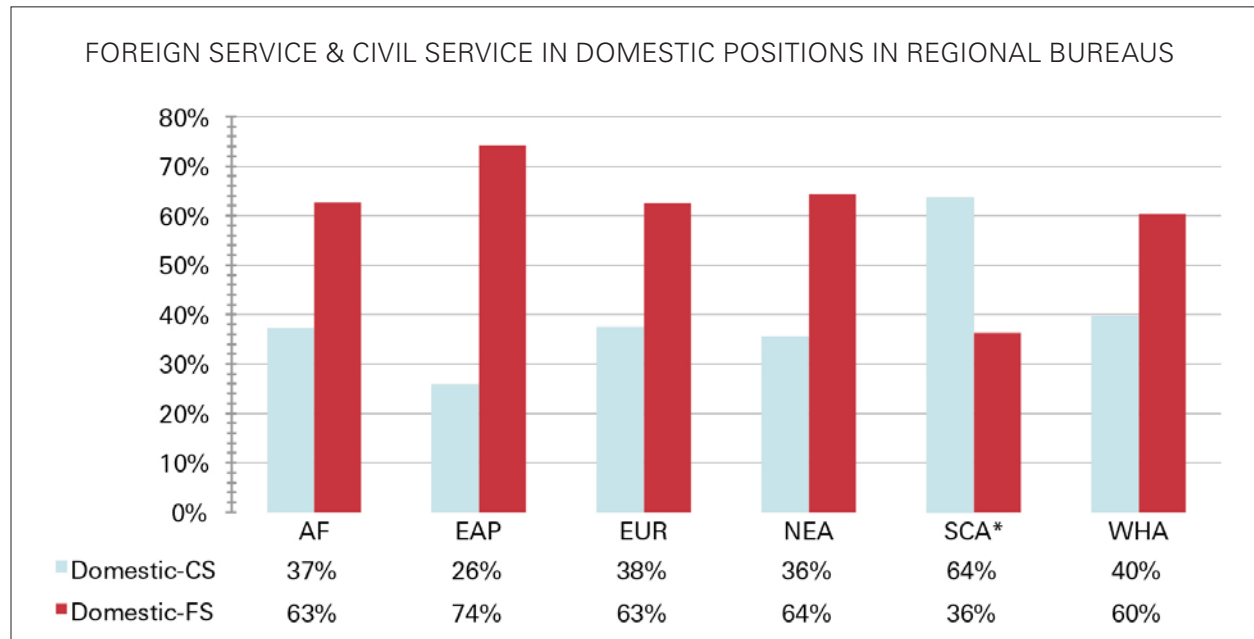


Figure 4. Foreign Service and Civil Service in Domestic Positions in Regional Bureaus. Source: Department of State HR/RMA; data as of March 31, 2014. The Civil Service numbers in SCA likely include 15 temporary limited Civil Service (“3161”) appointments and other Schedule Bs and Cs hired in S/SRAP.

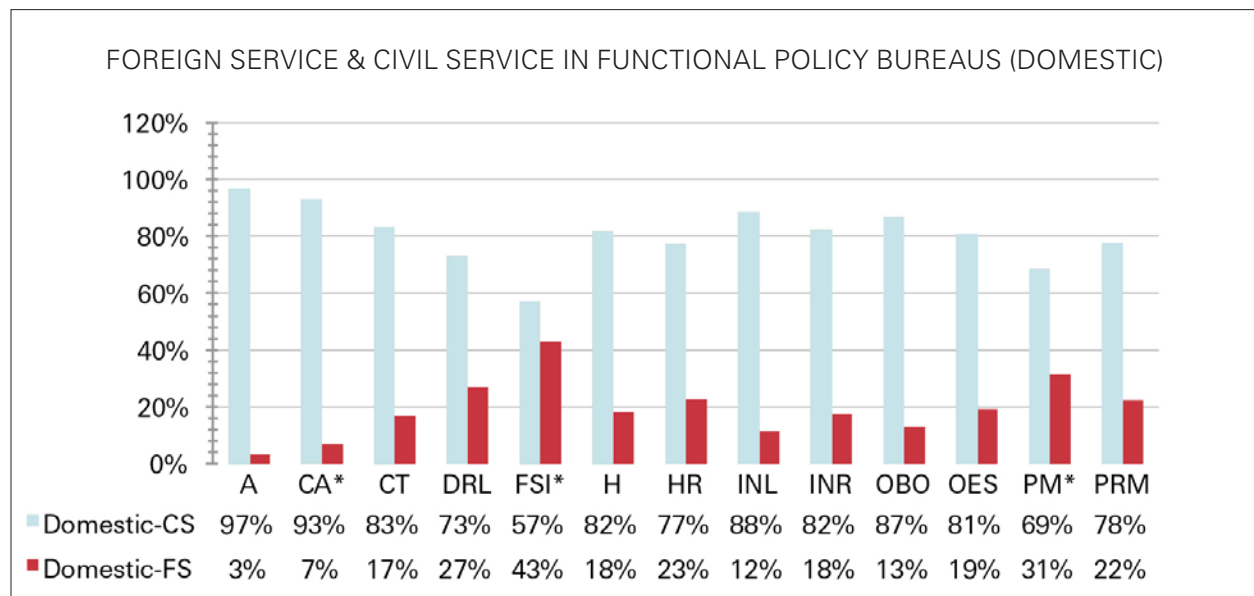


Figure 5. Foreign Service and Civil Service in Functional Policy Bureaus (Domestic). The data for the Bureau of Consular Affairs (CA) includes the Passport Agency. The CA Bureau itself has 448 Civil Service and 152 Foreign Service employees, making it 75 percent Civil Service and 25 percent Foreign Service. According to HR information of March 2013, FSI had 695 total staff of which 173 were career Civil Service, 437 were excepted (GG) Civil Service (mostly language instructors) and 85 or 12 percent were Foreign Service (nine management positions and the balance instructors). Data for the Bureau of Political Military Affairs (PM) is not clear. The numbers are not high enough to include the approximately 90 POLADS but too high to reflect actual Foreign Service numbers without the POLADS.

Later sections of the report focus on the responsibility of the Foreign Service for professional development and demanding excellence of itself. Here we focus on the need to examine and realign the staffing of the bureaus.

A series of recommendations in the full report deals with repeated efforts to nullify the Act through administrative actions. Key ones include:

- Suspend conversions above the FS-03 level of Civil Service employees to Foreign Service and of all Foreign Service positions to Civil Service until the Director General completes a thorough review and evaluation aimed at clarifying the respective roles of the Foreign and Civil Services with an understanding of the different but complementary roles of each; Taking steps to make transparent and less discretionary the Department's ability to convert Civil Service employees to Foreign Service Officers without similar disciplines and requirements; Addressing the relative allocation of Civil Service and Foreign Service positions in regional and functional offices in light of their respective roles; Focusing closely on the pilot Civil Service Overseas Development Program on its stated developmental purpose of broadening CS experience to enhance employees' contributions to their Civil Service careers and capping the program at the FS-03 position level.
- Using the language of the Act to describe publicly and internally the roles of FSOs and ceasing the practice of calling commissioned officers "generalists," that appears to diminish a profession with separate standards, qualifications, duties and risks to which others not so commissioned are not routinely exposed.

IV. Valuing the Professional Career Foreign Service

The basic qualities needed to pursue US national interests in the diplomatic arena are those one might expect for a profession centered on advocacy, representation, reporting, program management and negotiation: intellectual curiosity; facility for communication, both oral and written; interpersonal competence that motivates colleagues and convinces interlocutors; the ability to recognize opportunity and the exercise of judgment in pursuing and capitalizing on it to solve problems. This latter quality—judgment—is a product of two factors. One derives from study—familiarity with the theory and practice of international relations, and an understanding of diplomacy’s actual role in shaping outcomes to thorny issues. The second comes from experience—the skill gained by interacting over an extended period of time across a wide spectrum of people, places and situations in the global community. As the world has become more complex, and the players more numerous and more culturally diverse, practitioners must have broad and sustained experience to bring sound judgment and the best advice to decision makers. Policy makers and implementers need more support than ever to frame and manage policies in a complicated environment.

The readiness of the Foreign Service and the Department to keep pace with these challenges has been compromised over the past several decades in many ways. Budgetary issues, as documented in previous Academy studies, are only one part of the problem. Another component is decisions attempting to solve short-term staffing problems resulting in flawed intake, promotion and retention decisions. The net result of a long series of anomalies is that in 2014, 60 percent of FSOs have less than 10 years in the Service.

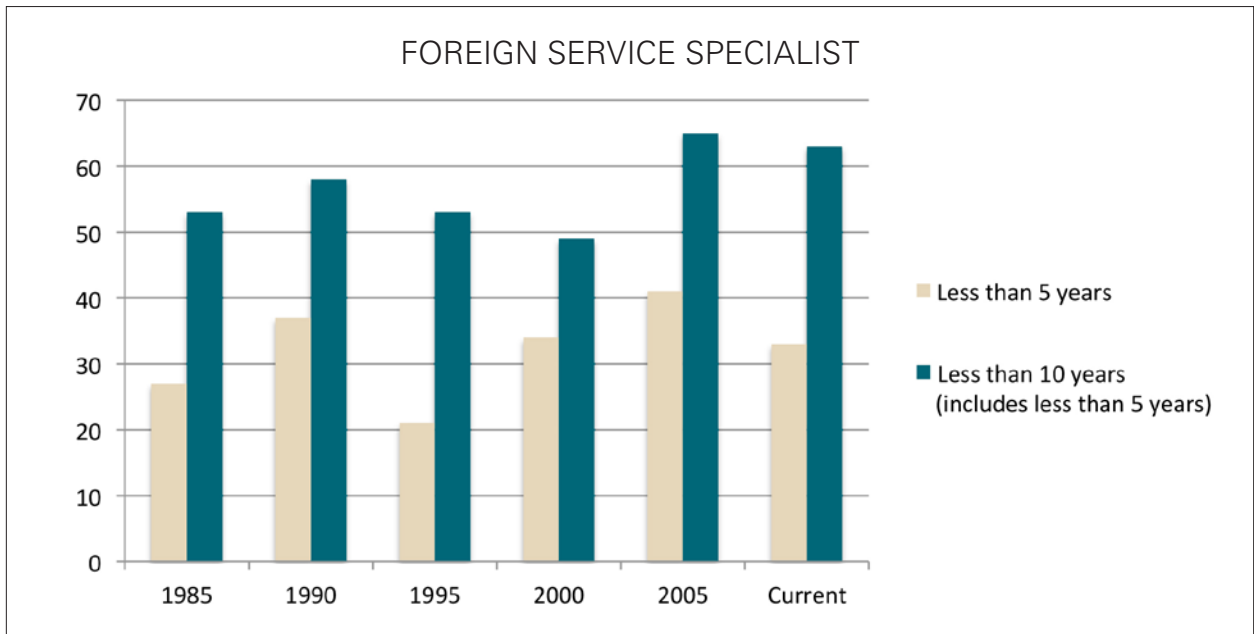
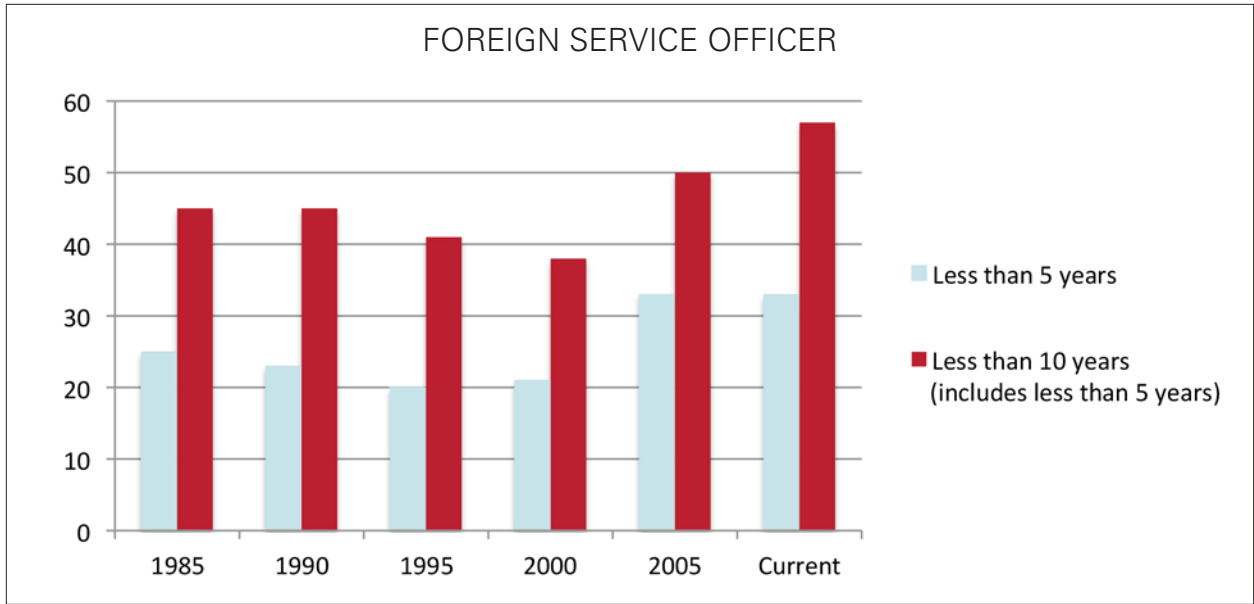
State’s bureaus are replete with recourse to short-term measures to meet their staffing needs, measures that fall far short of diplomatic capacity that best advances our national interests. As one inspection report by the Office of the Inspector General (OIG) in 2013⁹ noted, since at least 2004, more than 20 percent of one key regional bureau’s staffing was non-permanent, with interns, fellows and others on temporary duty being used to perform necessary functions for which there were no permanent, direct-hire positions. A 2004 OIG report on this same bureau noted that even with such temporary staffing, the bureau “strains to meet routine activity without virtually any surge capacity.” Bureau staffing patterns were not made available to this project but it is safe to assume that other bureaus are likely required to do the same to meet their operational staffing needs.¹⁰

It is no surprise that Department managers, long on ingenuity and problem-solving and long accustomed to the exhortation to “do more with less,” have been brilliant in finding temporary “solutions” for some of the staffing shortfalls. Innovations have filled some of the most gaping holes. These measures, however, are “Band-Aids,” not permanent solutions to the problems deriving from broken government-wide budgeting, personnel, management and contracting processes cited by a wide variety of commentators.

The Department needs to put a premium on rational workforce development by encompassing the variety of experience, including management and executive leadership development, needed by senior FSOs to provide informed and judicious leadership in the policy realm. The Diplomatic Readiness Initiative of Secretary Colin Powell and the Diplomacy 3.0 Initiative of Secretary Hillary Rodham Clinton moved the Department in the right direction of increasing staff. In order to

⁹ Office of the Inspector General (OIG), “Inspection of the Bureau of East Asian and Pacific Affairs,” ISP-I-13-39, September 2013.

¹⁰ OIG, “Inspection of the Bureau of East Asian and Pacific Affairs.”



Figures 6 and 7. Length of Time in Service: Foreign Service Officers and Specialists

maintain this process, the Foreign Service needs to develop the skills and commitment of its senior professionals to take on the responsibilities of maintaining and building the institution.

The US will continue to have worldwide responsibilities and interests. To exercise its authority and power the US must have a distinct, diverse professional diplomatic service, defined as such, and establish self-policing mechanisms such as formal accreditation and certification, as do other professional bodies and the great majority of the world's diplomatic services.

Diplomacy today is virtually unique among professional bodies in the US in its lack of: stringent entry requirements relating to its field, formal accreditation and the absolute requirement for purposeful continuing education and re-certification during the career, according to a comparison of eight other professions. The Department is correctly proud of its delivery on its commitment to a Foreign Service reflecting diversity across a wide spectrum of background and experience. The goal of “representativeness” in the Act comes with the continuing need for professional excellence. A key responsibility of a career service is to develop a senior bench and a mentoring class, which in addition to participating in policy formulation and leading policy implementation, also should develop and manage a diverse career service. There has been major improvement in the training and education delivered by the Foreign Service Institute (FSI).

On-the-job training remains a critical component of officer preparation. It is currently uneven and insufficient to ensure a robust diplomatic service. Professional education is a critical area that has too long suffered from underinvestment.

Over the past several decades, American universities and graduate schools have focused more on theories of international relations, international development or strategic communications rather than on the practice of diplomacy itself, area studies or culture.¹¹ The Department needs to continue and intensify recent efforts to focus on building essential officer skills, including in strategic thinking and planning. Professional education should install pride in the profession; diplomats first and specialists later. While specialization at the entry and mid-level has merit, at the senior Foreign Service level, “specialization tracks”—the so-called “cones”—should recede. Multifunctional promotions should be re-introduced at the mid-level to supplement promotions by cone and to ensure development of a Senior Foreign Service of broad perspective and competency. Promotion within the Senior Foreign Service ranks should not be tied to cones. The Career Development Program (CDP), underway since 2005, recognizes the need to balance institutional needs and individual preferences. Career development should combine a broad range of policy, leadership and management experience to prepare senior officers to understand, address, anticipate and manage current and future challenges.

The Department should make a long-term commitment to professionalizing the career Foreign Service. This embraces two aspects: (1) setting and assuring that appropriate standards are maintained and enforced and (2) managing the Service as a professional career diplomatic service, as envisaged in successive Foreign Service Acts, in a dynamic complex world. The recommendations below and in the following sections build on progress already made. The details of numerous major recommendations and sub-parts are in the full report. Of these, the most salient include:

11 Donna Oglesby, “A Fine Kettle of Fish: How Diplomats and Academics Teach Diplomacy,” paper presented to the British International Studies Association Conference, Dublin, Ireland, June 2014.

COMPARATIVE PROFESSIONAL REQUIREMENTS

Profession	Degree for Entry	Mastery Test	License	Cont. Ed Required	Renewable prof. Status	Levels of Prof. Recognition	Alt Entry to Prof.	Prof. Sanctions	Means of sanctions
Accounting	YES	YES	YES	YES	YES	NO	NO	YES	Peer panel
Architecture	YES	YES	YES	YES	YES	YES	NO	YES	State
Clergy (Presbyterian)	YES	YES	YES	YES	NO	NO	Rare	YES	“Church Court”
Law	YES	YES	YES	Varies	YES	YES	NO	YES	State Bar
Medicine (GP)	YES	YES	YES	YES	YES	NO	NO	YES	Medical Boards
Military Officer (Marines)	YES	YES	YES	YES	NO	YES	NO	YES	Court Martial
Teacher (Primary)	YES	YES	YES	YES	YES	YES	NO	YES:	Low Evaluation scores
Teacher (High School)	YES	YES	YES	YES	YES	YES	NO	YES	Low evaluation
Social Work	YES	YES	YES	YES	YES	NO	NO	YES	Action on complaint
Diplomacy (USA)	NO	NO	“Sworn in”	NO	NOT during career	YES	YES	Ambiguous	Dept. of State and/or COM (pol/ career)
Diplomacy (Europe)	YES, plus foreign languages	YES	Sworn in & accredited	YES	Varies	YES	Very Rare	“Loss of confidence”	Foreign Ministry and/or COM

Figure 7. Comparative Professional Requirements

Entry Level

- Realigning the Foreign Service with the military and intelligence officer corps, with which it shares the risks and physical demands of overseas service, by re-instituting a lower maximum entry age ceiling that provides for a 20-year career before mandatory retirement;
- Expanding professional formation by instituting a six-month “practicum” in the Department prior to being sent abroad and delaying the first tenuring evaluation;
- Treating initial pre-entry cone designation as temporary for purposes of recruitment; confirm or change it as part of the tenure decision to ensure the best fit for both the officer and the Service; and,
- Expanding and enhancing quality continuing professional education.

Mid-grades

- Developing supervisory and DCM education modules to increase and professionalize their mentoring of subordinates;
- Refining and expanding the existing Career Development Program (CDP) to improve the preparation of FSOs for broad leadership and supervisory responsibilities at the senior level;
- Completing an FSI Certificate in Diplomatic Studies, begun in the pre-tenure period, in order to compete for promotion to FS-01;
- Requiring officers seeking promotion into the Senior Foreign Service to have completed at least one assignment in either another foreign affairs agency or in a functional (global policy) bureau; and,
- Reinstating multifunctional promotions to recognize that at the most senior levels we need broad gauge experience more than narrow functional expertise.

V. Strengthening the Professional Civil Service

We believe there can be no truly successful Department of State unless all elements of the Department’s work force—Foreign Service, Civil Service, non-career appointees and locally engaged staff—are able not only to aspire to the highest standards of professionalism in supporting our nation’s foreign policy, but also have the institutional flexibility and support to allow them to reach their full potential. Although this report is primarily focused on Foreign Service professionalism, the chances of success are exponentially greater when our colleagues in the Civil Service are also freed from constraints of the outmoded GS system and offered opportunities to better support the Department.

We are not experts in the Civil Service and many will say that the following recommendations are impossible to implement because “OPM will never accept them” or “the Department is too constrained by existing law.” Both of these may be true but we believe that the time has arrived to modernize and make the career Civil Service more flexible. We suggest changing the way Civil Service employees manage their careers as recommended by numerous recent reports and commentaries.

State stands apart from other US government agencies in having a “unique mission with a unique workforce.”¹² Of the Department’s 24,767 American citizen employees, 13,860 constitute an excepted service (the Foreign Service). The Civil Service component numbers 10,907. The role of the Civil Service in the Department, broadly, is to enable and facilitate the Department’s ability to carry out the policy, management and operational aspects of its mandate “to serve effectively the interests of the United States and to provide the highest caliber of representation in the conduct of foreign affairs” (The Act, Sec. 101, b.10). Additionally, as our foreign policy has incurred responsibility for more technical fields, the senior Civil Service has become a key repository of knowledge and skills in areas such as arms control, climate change, communications policy and many more.

The Act also seeks “increasing efficiency and economy by promoting maximum compatibility among the agencies authorized by law to utilize the Foreign Service personnel system, as well as compatibility between the Foreign Service personnel system and other personnel systems of the Government.”¹³ Designed primarily to foster harmonization among the Foreign Service cohorts of the then-five foreign affairs agencies (State, USAID, Agriculture, Commerce and USIA—now integrated into State), this section of the Act calls only for compatibility between the Department’s two distinct systems, not homogenization. In today’s complex foreign affairs environment, the distinctions have become blurred, creating confusion and tension about the complementary roles of the Foreign and Civil Services in advancing diplomatic objectives.

The career Civil Service is facing challenges: increasing politicization within its ranks; recurring budget uncertainties; the influx of contractors throughout the Department; lack of focus on and the absence of options for career development; and limited and uneven training opportunities. Not least is the frustration engendered by the lack of upward mobility inherent in the Civil Ser-

¹² Russell Rumbaugh and John Cappel, “Exploration of the Civil Service,” paper for the American Academy of Diplomacy, April 2014.

¹³ Foreign Service Act of 1980, Sec. 101, b.9.

vice rank-in-job system in contrast to the opportunities, and indeed the necessity, for upward mobility that is embedded in the Foreign Service's rank-in-person system.

The creation in 1978 of the Senior Executive Service (SES), although providing for rank-in-person, contained no limits on position incumbency or competitive mandatory retirement provisions. This has produced a corps of senior officers who can stay indefinitely in positions but have no career ladder. Career advancement in the mid-levels of the Civil Service differs among agencies and bureaus within agencies. Civil Service career advancement beyond the mid-levels is extremely difficult.

In recent years the Department has devised mechanisms to allow greater fluidity between the Foreign and Civil Services. Blurring their distinctions, as called for in the first QDDR in 2010, is a mistake and a disservice to both. Much of the impetus for the blur derives from the distortions of the Foreign Service workforce over the past 20 years caused by staffing shortfalls and promotion and retention issues. Now that the problems that grew out of those situations are receding, it is time to review conversion and address the issue of career development for Civil Service employees in a different manner.

The upper ranks of the Civil Service need a career ladder. They require opportunities to broaden their professional experience in return for accepting some additional career mobility and responsibilities. The Civil Service needs more access to professional education. These are the courses the Department should pursue. What it should not do is repeat the first QDDR's formulation nor continue policies that blur rather than clarify the roles of the two Services.

We advance some very bold recommendations to deal with perennial problems experienced by the upper ranks of the Civil Service. To improve State's management of the Civil Service, the Department should provide career paths and greater mobility at the lower levels and provide the professional growth and discipline at the senior levels that attract and reward needed talent, opening up more opportunities for upward promotion at the senior ranks. We recommend:

- Centralizing management of the Senior Executive Service (SES) in the Department's HR bureau, rather than the regional and functional bureaus, to expand mobility and career opportunities;
- Establishing orientation and expanded professional education and training for the Civil Service, and,
- Establishing a new option for Civil Service employees of a "Career Policy Program" for domestic positions that incorporates rank-in-person, mobility and up-or-out competitive promotions allowing qualified Civil Service employees to bid on up to 10 percent of Foreign Service domestic positions on the yearly list of openings.

This new service within the Civil Service component would give employees the opportunity to broaden their experience through rotations and expand their challenges and opportunities for advancement. At the same time, it would respect the norms that govern Foreign Service assignments, is of a dimension that should not create inordinate assignment problems for FSOs and avoid the difficulties that ensue when Civil Service employees who have no finite assignment length encumber Foreign Service positions that normally have a defined tour-of-duty. Acceptance of this recommendation will require a large effort to review position classifications in State.

VI. Improving Work Force Development, Organization and Management

State is modernizing and upgrading its physical facilities in Washington and overseas, embracing new technologies and communications, and is making solid strides in improving education and training. The Foreign Service Institute and its director deserve plaudits for their receptivity to change, enthusiastic embrace of new technology, and willingness to evaluate and implement new ideas in the design and delivery of education and training. The FSI needs the full support of the Congress and the Department for resources to continue and expand on these laudable efforts.

The focus of this project is on the need for State to address the development and management of its human resources. Sustaining and strengthening professional identities includes instilling members of the professional cadres with a strong sense of their respective roles in supporting State's mission. For FSOs, basic to inculcating *esprit de corps* is an appreciation for the icons of the profession¹⁴ and for the special obligations that membership in the profession incur, including a disciplined approach to worldwide availability, as well as the benefits that flow from being an accredited, recognized diplomatic practitioner.

The detailed recommendations on steps that State should take to extend the modernizing and upgrading of the policies that govern its human resources are in the full report. In summary these are:

- Extensively overhauling the whole system of recruitment, staffing, assignments and promotions that has become so filled with *ad hoc* changes over time that it no longer constitutes a coherent system.
- Re-examining the Hard-to-Fill exercise, in place for more than 20 years, to ensure its focus is on the truly hard-to-fill and is not an alternate route for non-competitive entrance into the Foreign Service.
- Restoring ultimate authority for the development and assignment of officers to the Bureau of Human Resources, Office of Career Development and Assignments, to assure that bureau needs and officer preferences are balanced with long-term workforce development and Service needs.

This Summary Report is designed to be read in conjunction with the full report available at www.academyofdiplomacy.org. It provides additional recommendations and for each its justification.

¹⁴ Don M. Snider, "Modern Professions within the US Government: Are there Lessons from the US Army?" US Military Academy, paper presented at AFSA, May 29, 2014.

Appendix A

Department of State Press Guidance of April 12, 2013

M/DGHR Press Guidance, April 12, 2013

Is the U.S. Foreign Service Broken?

Key Points

- Like any other executive branch agency, the State Department benefits from a diverse workforce comprised of both career foreign service and civil service employees, as well as political appointees who bring a unique set of experience and skills from their work in the private and non-governmental sectors. Both the civil and foreign services bring unique and complementary expertise and talent to our national security mission.
- While serving in the State Department, political appointees make valuable contributions to the long-term vitality of the institution, whether it be by drafting new policy guidelines and procedures (FAM), introducing new ways of doing business such as public-private partnerships, or revitalizing review processes like the QDDR, Quadrennial Diplomacy and Development Review. We value their unique perspectives and inputs.
- Career employees do occupy many of the senior leadership positions throughout the Department and overseas. The President reaffirmed on first taking office in 2008 that the vast majority of Chief of Mission appointments must be filled by career members of the Foreign Service, in accordance with Section 304 (a)(2) of the Foreign Service Act of 1980.
- Section 304 (a)(2) also recognizes, however, that circumstances will warrant the appointment of qualified individuals as Chief of Mission who are not career members of the Foreign Service.
- The Secretary believes that we need to avail ourselves of the important knowledge and experience that citizen diplomats acquire from successful careers in academia, business, law, the arts, military, and political life.
- We are better for the service and contributions of such towering figures as Washington Irving, Michael J. Mansfield, David Bruce, Claire Booth Luce, Mabel Smyth-Haith, and the hundreds of others who answered their President's call to serve in a diplomatic capacity on behalf of the United States.
- The majority of our overseas ambassador positions are filled with career Foreign Service Officers. The ratio has been fairly consistent over the years: 70 percent career FSOs and 30 percent non-career.
- Of the 214 total Deputy Secretary, Assistant Secretary, and Deputy Assistant Secretary positions, 185 are encumbered. Of those encumbered positions, 69% are career and 31% are political appointees.
- It is also worth noting that Deputy Secretary Burns is the second active career Foreign Service Officer to fill that position.

- The U.S. needs the diverse skills of all of our employees—Civil Service, Foreign Service, Political Appointees, and LE staff—to advance U.S. foreign policy.
- It is that diversity, our citizen diplomats, diplomatic corps, and other foreign policy professionals working together from which we derive our greatest strengths.

Hard Questions:

Q: Has the Civil Service grown at the expense of the Foreign Service?

A: Given existing resource constraints, we have worked to grow both our civil service and foreign service positions to meet our areas of greatest need. Since 2008, Foreign Service employment has increased by 21% under the Diplomacy 3.0 hiring initiative. During that same time period, Civil Service hiring increased by about 7%, in order to provide much-needed program and infrastructure support. In addition to being involved in virtually every area of the Department from human rights to trade, Civil Service employees in the United States provide direct assistance to U.S. citizens, including issuing passports and assisting U.S. citizens in trouble overseas. Civil service employees also occupy senior leadership positions in the Department.

Q: What is the new approach to building a strong, professional diplomatic service at the State Department?

A: *The Quadrennial Diplomacy and Development Review requires that we break down institutional, cultural, and legal barriers between the Foreign Service and the Civil Service* [emphasis added]. In order to help fill staffing mid-level gaps that have resulted from the less-than-attrition hiring of the 1990s and to provide additional development opportunities, we are offering new opportunities for our tenured Civil Service employees who have been with the Department in permanent positions for at least three years to participate in temporary duty and long-term assignments abroad. This year, we established an Overseas Development Program which provides 20 opportunities for Civil Service employees to serve overseas in Foreign Service positions. This is modest compared with the 3,500 Foreign Service positions that turned over during the 2013 cycle.

Lead Bureau(s): M/DGHR

Keywords: Foreign Service, Civil Service

Drafter: HR/PC: BGreenberg

Cleared by:

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M: SMirza: ok

M/PRI: JCore: ok

D/N: MWeiller: ok

D/B: AHerrup: ok

S/P: ELacey: ok

P: CWestley: ok

HR/FO: PLussier: ok

American Diplomacy at **Risk**

ABRIDGED REPORT

A strong State Department, based on a strong Foreign Service and a strong Civil Service, is a critical component of America's security. But America's diplomacy—the front line of our defenses—is in trouble. Increasing politicization undermines institutional strength; almost no career officers serve in the most senior State positions, while short-term political appointees penetrate ever deeper into the system. The Foreign Service lacks the professional education and standards to meet its current heavy responsibilities and to create its necessary future senior leaders. The Civil Service is mired in an outdated system with limited coherent career mobility. Some State Department officials seem intent on nullifying the Foreign Service Act of 1980, and its merit-based personnel system by bureaucratically seeking to blend the Foreign and Civil Services. This creates needless friction and diminishes both services. Our national interest requires our immediate recommitment to the law and to strengthening our professional Foreign and Civil Services. State needs to comprehensively review and modernize its entire system of workforce management and budgeting. This report aims to stimulate the changes necessary to prepare American diplomacy for the challenges of the 21st century.



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