The State Department:
No Longer the Gatekeeper

by Edward Marks

After the Second World War, the United States led the world in the reform of global governance. It also articulated and implemented a grand strategy to cope with the bipolar order that the war had brought into being. Confronted at present with a comparable crisis in global governance amid massive shifts in the global distribution of wealth and power, the United States has yet to articulate a vision, lead reform efforts, or reformulate its global strategy. This lapse from leadership reflects changes in the U.S. political system that reinforce a militarized approach to foreign policy and make it difficult, if not impossible, for the United States to formulate strategic initiatives or to implement them through diplomacy and other measures short of war.

Foreign Affairs Ministers no longer hold a monopoly over foreign affairs, as the process of international relations now includes domestic agencies and important non-state actors as major participants. This process, beginning early in the 20th century, became more dominant after the Cold War when the bipolar political and economic architecture of that period fractured into disparate interests and great fluidity in international relations.

Today, with a multiplicity of economic, social, and ideology factors in addition to the traditional competition for political influence, ministries of foreign affairs are no longer the exclusive channel for international contacts. In most governments important domestic agencies have their own direct foreign contacts, and in specialized international fora conduct their own dialogue. Further complicating the conduct of international relations has been the rise in importance of non-state actors: international companies, non-governmental organizations, global crime and political networks, and


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The National Security Structure and the Department of State

The long-standing organization of the U.S. federal bureaucracy is characterized by Congressionally-created departments with statutorily assigned missions, often referred to as “stovepipes.” This complex bureaucratic community is supposed to be managed and led by the President. The NSC was created to provide the President with an interagency coordinating body but at the insistence of President Truman it was constituted as a purely advisory body. Since its creation, the NSC itself has played various roles depending on the desires of the incumbent president while the NSC staff has played an increasingly important staff role in helping the President manage the interagency process at the strategic level.

The Department of State has accordingly been involved in a constant effort to define its role as the concept of “foreign affairs” was replaced by the broader concept of “national security” in which the role of diplomacy—State’s traditional role—was diminished. While it might seem obvious to most observers that diplomacy is a component of national security, the U.S. Congress apparently does not. In February 2011, for instance “the House Appropriations Committee decided that foreign policy is not part of the “national security budget”.²

Over the years, State has attempted by various means to redress this problem. While the assumption of tasks such as economic development and public diplomacy have made a difference, State’s marginalization has continued and even mandated by Congress and the White House, moderated by periods where major figures such as Henry Kissinger has been appointed as Secretary of State. The most challenging challenge has been that of adjusting to the now permanent presence and involvement of other agencies, and most especially DoD, in the day-to-day management of foreign relations.

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Responding to the challenges of the Cold War, dramatic changes were soon made in the organization of the national security structure of the U.S. government. The National Security Act of 1947, created the National Security Council (NSC), the Central Intelligence Agency, and the unification of the military services in the Department of Defense (DoD). The National Security Act reforms, which largely focused on the military and intelligence fields, prevented the traditional post-war return to prominence of the Department of State. In the atmosphere of the Cold War, DoD gradually became primus inter pares, in practice if not formally. This time the military did not return to their barracks even individuals.

For the United States the challenges of the Cold War required involving the full panoply of federal government agencies, and especially the world’s largest military establishment, in the conduct of foreign affairs. American uniformed personnel and military organizations were on the ground throughout the world, requiring a complex network of formal and informal bilateral and multilateral arrangements. Procuring and managing these security arrangements became a major theme of the warp and woof of American foreign policy. The result was a reversal of the traditional American practice of sharply distinguishing between peace and war. Prior to World War II, the State Department exemplified the peace situation and its role waxed and waned in alternation with the Departments of War and Navy.
The military, however, while also continuing to participate in embassies as defense attaches and military assistance teams, have also created a parallel inter-governmental system.

The existence of this dual system means that at any given time in any given country, the U.S. government has two responsible senior representatives: the resident ambassador and the geographic combatant commander. The
authority as well as the perspective of the geographic combatant commander is regional as well as bilateral while that of an ambassador is essentially local. With the existence of these two parallel “foreign policy” bureaucracies, coordination is heavily dependent on personal relations or very high-level coordination in Washington.

The process works “pretty well most of the time” but is under increasing pressure due to the prominent operational role of the military services as they have increasingly become the default option for U.S. government action and response. As one political analyst put it: “Over the nearly six decades that separate us from Truman’s great moment, the Pentagon has become a far more overwhelming institution... it has swallowed up much of what once was intelligence, as it is swallowing up much of what once was diplomacy.”

This situation has fostered and been driven by the resource disparity in the federal bureaucracy, a disparity that has grown since 9/11. The wealth of the military services—in money, personnel, and equipment—stems of course from the undeniable resource requirements of war fighting. A number of other problems and challenges—such as natural disaster emergencies, post-conflict reconstruction, and nation-building—also require the extensive use of resources. Unfortunately the fact that many of these new missions are essentially non-military tasks does not trump the temptation to use existing DoD resources to provide a quick response. That the military may not be the most appropriate organization to perform these tasks is irrelevant; they exist, are available and can react quickly. Once they are engaged they tend to continue as it is difficult and time consuming to transfer the responsibility to civilian organizations ill-equipped or nonexistent. Bureaucratic as well as political inertia takes over.

The combatant commands have essentially two “bundles” of tasks or portfolios: the first is the obvious mission to plan and fight wars. The other portfolio is composed of military-to-military relations and cooperation with other countries and military forces in “peacetime”. These activities—training, military equipment sales, etc.—are generally referred to as “engagement” activities and occupy much of the time, staff, and resources of the geographic combatant command headquarters, especially when they are not managing a war. Justified by an elaborate policy rationale related to potential war planning and fighting, well-funded bi- and multi-lateral engagement programs often appear to have a make-work character. In any case, well-funded engagement budgets lead to much activity because they can be done, not always because they should be done.

Commanders making high visibility visits during which they announce new or additional security assistance and exchange programs are common phenomena. “The military commands, with their forward presence, large planning staffs, and various engagement tools are well equipped for those roles and increasingly welcome them. Today they routinely pursue regional-level engagement by playing host to international security conferences, promoting military-to-military contacts, and providing military presence, training, and equipment to improve regional security.”

Unfortunately this activity of the geographic commands militates against effective whole-of-government programs and therefore coherent foreign policy. First of all, the “stovepiped” organizational structure and perspective of the...
federal bureaucracy is an obstacle in itself to a comprehensive interagency approach. Among the federal government stovepipes, DoD stands out for its action-oriented bureaucratic culture and the disparity of resources compared to other agencies. This disparity is reinforced by the unfortunate tendency for our political leadership to consider the military services the default mode in national security. The Defense Department’s 1997 Quadrennial Defense Review formally called for this expanded role with a concept called “shape-respond-prepare” which in addition to the capacity to fight and win wars called for “greater emphasis on the continuing need to maintain continuous overseas presence in order to shape the international environment.”

When called upon, the Defense Department— with the geographic commands as its agents—responds with alacrity if not always enthusiasm and in doing so, tends to sweep aside other agencies and departments. This is true even when senior political leadership does not consciously direct a unilateral military approach.

In any case, with the combination of a broad mission, broad discretion, and vast resources, the senior four-star combatant commanders bestride their “Areas of Responsibilities” like viceroys. Compared with the essentially low key operations of American ambassadors and even senior official visitors from Washington, the highly visible presence of these commanding figures, who tour their areas with extensive entourages has contributed much to the imbalance in U.S. government official representation. As a Canadian Prime Minister remarked in a different context, it is difficult and dangerous for a mouse to share a bed with an elephant, even a well-meaning elephant. In essence, DoD and its community of geographic combatant commands constitutes a separate “foreign affairs” organization which interacts directly with foreign governments at the highest levels in parallel with the Department of State and its embassy structure.

### Political Factors Tilting the Balance

Some traditional American political and cultural factors also play roles in the militarization of American foreign policy. American culture has always exhibited a passion for the “man with the gun”; from Minutemen to cowboys, the soldier and now the spy. The American public increasingly came to the view that international problems or challenges can be best met by an energetic use of force. The phrase “Nothing is off the table,” threatening the use of direct military power, has become an almost obligatory commitment by American leaders when discussing major international challenges, for instance Iran and its nuclear program.

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Especially after the Korean War, the concept of “national security” took on this tone of “military activism” and focus. The conventional wisdom in Congress is that while voters understand defense spending, international assistance and similar international civilian expenses remain mysterious, wasteful, and somehow irrelevant.

Domestic political constituencies have been another factor in the allocation of department roles in foreign affairs over the years. Departments (and the Congress) keep a careful eye on the interests of and advocates of domestic programs and sectors. Every department or agency has a section of the American body politic and economy with a direct collective interest in its mission: from Commerce to Labor to mine safety. That of the Department
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Unfortunately, there is one department without a meaningful political constituency: the Department of State. This is not surprising, as State deals in the external aspects of almost all elements of public policy but without a specific, unilateral responsibility for any—except a very broad responsibility for representing the country on the international scene. Given this very general and undefined responsibility, State inevitably is in the position of brokering compromises between the more focused constituencies and their interests. This is not generally a popular position, and one constantly buffeted by the to-and-fro of politics.

In addition, the State Department suffers from a traditional American dislike and distrust of foreign affairs and consequently of the department responsible for it. Commentators have long noted that the Congress would rather ignore the outside world than recognize it and that therefore, as Teddy Roosevelt’s Secretary of State John Hay said in his memoirs, the Congress “really seems to think that the State Department has no function but to provide their friends with offices.”

Of course State does have, at least theoretically, one very important constituent: the President of the United States. Of at least it could have but the history of the relationship between Presidents (and the White House) and State is a rocky one. John F. Kennedy reportedly asked, with some asperity, the respected diplomat Charles “Chip” Bohlen, “What is wrong with that department of yours, Chip?” and received the reply, “You are, Mr. President, you are.”

State’s Response

After the end of WWII, the Foreign Service was reorganized and greatly expanded. Possibly the most important development concerning the role of State was the development of the “Chief of Mission” authority and the accompanying “Country Team” concept.

By 1948, as a Department of State message later put it: “No clear and enforceable guidance existed to coordinate local U.S. policy in countries such as Greece, where three independent U.S. Missions—Diplomatic, Military, and Economic Aid—pursued their own agendas.” In 1949, former President Herbert Hoover’s Report to President Harry Truman concluded that ambassadors should have “the ultimate authority overseas with respect to the foreign affairs aspects of program operations”. This concept was adopted and expanded over the years by succeeding presidents finally culminating in the Foreign Service Act of 1980 (Public Law 96–465, October 17, 1980) during the Carter administration:

“Under the direction of the President, the chief of mission to a foreign country: (1) shall have full responsibility for the direction, coordination, and supervision of all Government executive branch employees in that country (except for employees under the command of a United States area military commander).”

The so-called “Country Team” is the organizational structure through which chief of mission authority is generally exercised. A specific Country Team is composed of the different organizational representatives who serve under the direction of a specific
ambassador/chief of mission and are subject to that chief of mission’s explicitly delegated Presidential authority for “integrating executive branch activities within his or her geographic domain.” Actually, there still is no statutory or regulatory basis for its composition and functions. However, the Mutual Security Act of 1951 essentially conceives the “Country Team” concept by requiring the President to “assure coordination among representatives of the [U.S. government] in each country, under the leadership of the Chief of the U.S. Diplomatic Mission.”

From the beginning there has been some ambiguity in the interpretation of the extent of the executive authority being delegated. Other departments and agencies sometimes dispute what constitutes an applicable chief of mission directive, requiring on-the-ground disagreements to be sent up respective chains of command, ultimately to be resolved when necessary by Cabinet level or Presidential authority. This has been especially true with those departments that also conduct extensive foreign operations: the U.S. Agency for International Development, the Department of Defense, and the Central Intelligence Agency.

Chief of mission authority is country specific, provided to ambassadors assigned to a specific country. This complicates any given ambassador’s relationship with departments and agencies with regional as well as country-specific responsibilities, especially DoD and its regional combatant commanders, and some intelligence agencies. The ambassador’s relationship with intelligence agencies is also complicated by their concern for protecting sources and methods, the disclosure of which they often claim, through a self-serving interpretation of relevant legislation, lies outside the responsibility to the chief of mission.

The turf question, especially with DoD and the Central Intelligence Agency, has become exacerbated since 9/11 and the inauguration of the “War on Terrorism”. Even before 9/11 there were problems with aggressive military operations, as for example when members of the “military liaison element” in Paraguay whose presence in the country had not been made known to embassy officials were pulled out of the country after killing an armed robber who had attacked them. There were reports of other deployments made without embassy or State Department involvement. With its interest in more “operational flexibility” against terrorists, for instance, by the new Special Operations Command and the dramatic expansion of DoD responsibilities in areas such as post-conflict reconstruction, new questions of operational authority are raised.

Most, if not all, observers recognize that there is a gap between a chief of mission’s de jure and de facto authority given the tendency of other agency representatives to independently pursue their organization’s equities. The Special Inspector General for Iraq Reconstruction, for example, commented in his final 2009 *Hard Lessons: The Iraq Reconstruction Experience* report that “agency personnel always report to their department heads in Washington,” which will “inevitably exert a countervailing force on interagency coordination”.

Nevertheless most observers believe that the chief of mission and Country Team model works well enough most of the time in most embassies. However this judgment refers essentially to the “tactical” level and to bilateral relations and not
to the increasingly “functional”, “regional”, and “global” character of international relations.

State itself has recognized this problem by greatly expanding the number and role of the geographic bureaus. These bureaus do not have a simple bilateral worldview and are intimately connected with other departments and agencies with similar substantive responsibilities.

So State has come some way along the road to a whole-of-government role, and no other department has a responsibility for as wide a range of U.S. government interests as does State. The American embassy is arguably the only formal whole-of-government institution in the U.S. government besides the White House. Yet State shares interest and responsibility for all of these interests with other departments who each have the advantage of focus and constituency support. State is in a sense responsible for managing the traffic flow, but a traffic cop without arrest authority—and no one really likes the traffic cop.

Can a New Balance Be Found?

If all of these factors have indeed produced an imbalance that does not serve our national interests, what can be done about it? Efforts to reorganize are often dismissed as moving around the deck chairs on the Titanic, although this is too easy a criticism as some comparatively minor changes on that ill-fated ship would have made all the difference. Despite natural skepticism about the potential for change, it is worthwhile remembering that the National Security Act of 1947 reconfigured U.S. national security institutions and the Goldwater-Nichols Act of 1986 successfully introduced “jointness” into the military services.

One effort to emphasize the leadership and coordinating role of the State Department was the Department of State’s first Quadrennial Diplomacy and Development Review (QDDR), subtitled ”Leading Through Civilian Power,” in 2010. Unfortunately, the QDDR’s primary recommendation relating to the role of State in the interagency process lacks specificity. Emphasizing the important role of the ambassador does not necessarily make it so, especially since the authority in question has actually been around a long time.

What Might Be Done: Mandate Professional Positions

State’s current structure and personnel system lacks a clear, firm role for its Foreign Service professionals. A sober study of the situation was released in April of 2015 by the American Academy on Diplomacy, American Diplomacy at Risk:

“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.”

Even when senior Foreign Service Officers are appointed to senior positions, the process is helter-skelter and high personalized. There is no place for senior Foreign Service Officers to serve as professional leaders and role-models, in the way the members of the military service chiefs do. The Counselor of the Department of State and the Director-General of the Foreign Service once played that role, but both positions have long since been downgraded; the latter into a clerical head of personnel (now called Human Resources) and no one today knows quite what the Counselor does. From the perspective of the political level, on the other hand, there are no institutional arrangements to provide the sort of professional advice for which the military chiefs are responsible in their area of expertise. The absence of this institutional input means that the longer-term, professional diplomatic perspective is absent from policymaking.

Among the recommendations of the American Academy of Diplomacy’s report is a legislative mandate that the following positions must be filled by career Foreign Service Officers, preferably for fixed terms:

- One of the Deputy Secretaries of State
- The Under-Secretary for Management
- Counselor of the Department
- The Director-General of the Foreign Service
- The Director of the Foreign Service Institute

**Also: Exporting the Chief of Mission Authority**

The State Department’s QDDR notes the need to “Empower and hold accountable Chiefs of Mission as Chief Executive Officers of interagency missions,” in essence repeating what has been the traditional view since the days of President Truman.

Another way of putting it is that, under this authority, the ambassador is supposed to perform the role of the Chief Executive Officer of a multi-agency mission. As the QDDR points out, “the best ambassadors play that role effectively”. However it is no secret that the executive authority of ambassadors as chiefs of mission has often been challenged and restricted in the interplay of bureaucratic competition and policy debate. In addition, the managerial expertise of ambassadors as chief of missions has varied widely with little thought and effort by the State Department to provide background and training.

Even if successful, however, enhancing the role of ambassadors in the field can only go so far in enhancing the State Department’s role in regional and global policy. Therefore consideration might be given to arranging for intermediate levels of oversight and coordination. As the Project on National Security Reform report pointed out, in the foreign affairs arena at least, there are no cross-agency oversight or management authorities between the President/White House and resident ambassadors with chief of mission authority. The existing authority...
provides a model for how to deal with the challenge of managing multiple department programs overseas by creating an intermediate management level at the under or assistant secretary level of a significantly restructured Department of State.

The objective would be to strengthen the lines of authority across the stovepipes by “importing” the chief of mission authority into the Department of State itself, and specifically granting it to what ought to be the key intermediate management level: the Regional Assistant Secretaries. An operational oversight chain of authority would therefore be created running from the President through the Secretary of State and Assistant Secretaries of State, which would oversee and reinforce at each level the integrating role that chiefs of mission are responsible for exercising in their Country Teams.

The thus empowered Regional Assistant Secretaries would provide a middle level in the chain of management to ensure that policy and resources are integrated and coordinated at the policy level and then flow down to Country Teams, rather than going directly through numerous discrete bureaucratic and authority stovepipes. With this authority, the State Department could provide for integrated management and oversight of all U.S. government civilian and political-military international operations.

Horizontally, an Assistant Secretary (possibly elevated to the Under Secretary level) with “chief of mission” type authority would provide a Washington-based mid-level coordinating point for all concerned departments and agencies. Operating as a regional interagency team, the various U.S. government interests and programs could be coordinated at the operational level analogous to the manner in which (at least in theory) the Country Team coordinates the various departments at the “tactical” level.

This arrangement would not extend to geographic combatant commanders or their assigned forces in combat operations or other Title 10 missions assigned by the National Command Authority. However while the combatant commands would continue to prepare and review war plans through their existing military chain of command, the State Department Regional Assistant Secretaries would provide assistance in developing the plans developed at the geographic combatant commands for pre- and post-conflict activities to include training, military-to-military cooperation, liaison arrangements, and humanitarian relief.

Thus, these Regional Assistant Secretaries would fulfill the long expressed desire of the military for an effective civilian counterpart to their geographic commanders. Having the close relationship between the relevant geographic combatant commander and Regional Assistant Secretaries would ensure a strong relationship between peacetime engagement and deterrence and preservation of a stable steady-state situation in the regions.

In sum, the whole Department of State would be re-organized as the “Department of Foreign Affairs Coordination” where policy and resource integration directed at the White House or Cabinet level would be implemented in a coordinated fashion at the Regional Assistant Secretary level, and then at the Country Team level.

Finally: Resizing the Geographic Combatant Commands

The existing military structure also requires reorganization. The problematic parallel foreign
policy system has arisen with the growth of the post-Goldwater-Nichols combatant command structure.

The geographic commands have essentially two tasks: war planning and fighting; and intra-government military engagement. Both tasks remain, and will always remain, DoD and the military services’ responsibilities. However, while the war planning and fighting responsibility is obviously uniquely a duty of DoD and the military services, the government-to-government military programs no longer can be handled as a discrete military activity. In today’s world, U.S. military commanders can no longer be permitted to operate as “policy entrepreneurs” except as part of the overall U.S. government; as part of the total team. The so-called “nexus” of security challenges—terrorism, narcotics, smuggling, international criminal networks, etc.—can no longer be managed as single agency programs but must be integrated into whole-of-government programs.

But if the geographic combatant commands as robust bureaucratic organizations contribute to this imbalance, what could replace them, or how could they be reorganized? After all, these responsibilities must be performed in some manner by someone. Perhaps another way to pose the question is to ask: Could much of the workload done at the combatant commands be accomplished more efficiently through a reallocation of labor between the Joint Staff, Service headquarters, and the separate four-star commands?

This approach suggests it might be possible to separate the two portfolios: war planning and fighting mission would stay with the current combatant commands (perhaps downsized some) while intra-government military engagement mission would be reassigned to a unified support organization, located somewhere in the U.S. but preferably in the Washington area under the authority of the Join Staff and in close proximity to the Department of State, U.S. Agency for International Development, the intelligence community and other pertinent parts of the U.S. government. Within DoD this “engagement command” (Foreign Military Sales, foreign military training, etc) would report directly to the Joint Staff while operating downstream in support of beefed-up military representation in American embassies.

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This arrangement would recognize the essentially bilateral character of military engagement programs while providing for greater integration with coherent, overall foreign policy. All of the present range of military engagement activity—from military education exchanges to training teams to liaison and medical and dental teams—would be planned and implemented by military members of our individual embassy Country Teams and would, therefore, from initiation to completion be an integral part of our overseas operations and relationships. Interagency coordination—whole-of-government operations—would be a more natural result if it were the product of operators in the field, and not the product of two distinct higher headquarters.

Conclusion

If the perspective of the State Department as a uniquely “Presidential” department is accepted, then the effectiveness of State depends to a large degree on it being used appropriately. The record is mixed. The periods of high and effective usage obviously match the incumbencies of the “great” Secretaries of State: people like Dean Acheson,
Henry Kissinger, and George Shultz. In each case, the most notable aspect of their success was their relationship with and support of their President as the Secretary of State is not an independent actor. But these situations are heavily personality driven. Despite occasional recoveries by especially strong Secretaries, the long-term trend has produced the present situation which many feel suffers from an imbalance in our management of our foreign affairs; an imbalance which does not serve us well in today’s world. There is no one cause for this situation, and some of them are unavoidable aspects of a changing world.

Pending further developments this situation leaves the U.S. government in a difficult position vis-à-vis its management of its foreign policy obligations. As noted earlier, governments deal with each other across a multiplicity of contacts and subjects, across a bewildering network of department relationships. This cannot be changed; there is no going back to the “gatekeeper” situation. But some order is required. In the U.S. governmental bureaucracy the President is the obvious single point of overall authority and direction, but any president is limited by time and space. The only other point of formal overall, comprehensive management is in U.S. embassies with chief of mission authority, despite its practical limitations. In-between is constant bureaucratic warfare.

The major outlier to this system is the Department of Defense. While it reports to the President at the top, from then on it operates a parallel foreign policy system that maintains a separate U.S. government relationship with foreign governments. It is true that DoD interacts with the Department of State at various levels in Washington, and that the deployed geographic combatant commanders interact with embassies across the globe. However this is a coordination relationship between two systems, not an integrated governmental system.

The three organizational changes discussed in this article—providing for an institutional role for the Foreign Service, empowering State to operate as a mid-level implementation chairperson, and shifting a significant amount of operating authority away from the combatant commander—would inevitably lead to greater integration. Until we go at least some way down these roads the United States will continue to wrestle with a bifurcated foreign policy bureaucracy. Secretary of State Henry Kissinger once commented that he had no telephone number with which to call Europe. How fortunate the other countries of the world are then, that they have two telephone numbers with which to call Washington. IAJ
Notes


7. Robert Oakley and Michael Casey noted that the core problem with Country Team management was that “Other agencies often view the Ambassador as the Department [of State’s] representative, rather than the President’s.” For these and other reasons, there remains a significant chasm between the Chief of Mission’s formal authority and his ability to exercise it. See Oakley and Casey 2007.