



VIA FEDEX and ELECTRONIC DELIVERY

March 22, 2018

The Hon. Steve A. Linick
Inspector General
Office of the Inspector General
U.S. Department of State
Room 8100, SA-3
2201 C Street, N.W. Washington, DC 20520-0308
oighotline@state.gov

Re: *Investigating Improper Social Media Use by United States Ambassadors*

Dear Mr. Linick:

Democracy Forward Foundation (“Democracy Forward”) writes to request that your office open an immediate inquiry into whether certain United States Ambassadors are using personal social media accounts to post content related to their official duties, in violation of U.S. Department of State (the “State Department” or the “Department”) rules governing social media use set forth in the Foreign Affairs Manual (the “F.A.M.”).¹ Expanding one’s personal social media following can translate not only into added influence, but also into personal pecuniary gain. Therefore, it is incumbent upon your office to investigate and ensure State Department officials adhere to the rules set forth in the F.A.M. Where, as in the examples cited below, Ambassadors have used personal social media accounts to discuss official government business, State Department rules require that the accounts be surrendered to the Department upon an Ambassador leaving public office.

As State Department rules recognize, “Digital Diplomacy is an important tool of public diplomacy. A key element of digital diplomacy is social media.”² Accordingly, State Department rules permit State Department officials to “access and contribute unclassified content (both original entries and responses to entries) on social media platforms in their official capacity.”³ Sensibly, however, Department officials “whose positions make it appropriate for them to engage in official communications on behalf of the Department over social media . . . **must not use personal social media accounts to do so.**”⁴ Rather, “[t]o engage on social media in

¹ U.S. Dep’t of State, *Official Communication Using Social Media*, 10 F.A.M. 180 (2017).

² *Id.* at 181.

³ *Id.* at 181.1(a).

⁴ *Id.* at 182(a) (emphasis added).

an official capacity, personnel *must use an account created specifically for official use that is separate from an account used for private, personal use.*⁵

These social media restrictions ensure that the positions and policies of the State Department are communicated with a single voice. They also help ensure public officials are not using their office for personal profit. Social media accounts with expansive followings are a valuable commodity, carrying potential monetary value in addition to the cachet and influence that flows from a large social media presence. Accordingly, the State Department's social media restrictions on the use of private accounts "prevent political appointees from exploiting public office by using their official title to build a massive [private] social media presence and then taking their account with them when they reenter the private sector or retire."⁶

Recent press reports have highlighted that "[s]ome of President Donald Trump's highest profile political appointees are running afoul of the government's social media rules" by posting about official government business on their personal social media profiles.⁷ For example, according to public reporting, Ambassadors Nikki Haley⁸ and Scott Brown⁹ have each used their personal social media accounts to post about official business in violation of the F.A.M.'s rules.¹⁰ Ambassador Brown has further used his official Ambassador Twitter account, in apparent violation of the F.A.M., to direct social media users to follow his personal account, as well as a social media account he maintains for his dog.¹¹ And the added publicity appears to be having a material effect: Ambassador Haley had 192 thousand Twitter followers on the day before she was confirmed as Ambassador to the United Nations. Today, her personal account has more than

⁵ *Id.* at 181.1(b) (emphasis added).

⁶ John Hudson, *Trump's Ambassadors Are Going Rogue on Twitter*, BuzzFeed News (Dec. 16, 2017, 12:02 PM), https://www.buzzfeed.com/johnhudson/trumps-ambassadors-are-going-rogue-on-twitter?utm_term=.gnemQdDao#p_n25KdZOx.

⁷ *Id.*

⁸ *See, e.g.*, Nikki Haley (@nikkihaley), Twitter (Dec. 11, 2017, 6:21 PM), <https://twitter.com/nikkihaley/status/940361048024080392> ("Today we spoke out about the brutal human rights violations of the North Korean regime and met with two of its defectors. Defectors have reported all North Koreans age 12+ are required to attend public executions - a graphic reminder of consequences of disobedience of the gov't."); *see also* Nikki Haley (@nikkihaley), Instagram (Dec. 13, 2017), <https://instagram.com/p/BcqQ1kDFtVn/> ("We are so proud of this year's US Youth Observer Munira Khalif. She has a great American story. We discussed the global importance of education for girls and how critical it is that we listen to the concerns of young people across the world.").

⁹ *See, e.g.*, Scott P. Brown (@SenScottBrown), Twitter (Dec. 5, 2017, 1:48 AM), <https://twitter.com/SenScottBrown/status/937936782032740352> ("With the Ambassador of Thailand helping to celebrate the National Day of Thailand. Also met some amazing and talented fruit and vegetable carvers. Very beautiful."); *see also* Scott P. Brown (@SenScottBrown), Twitter (Jan. 29, 2018, 5:05 PM), <https://twitter.com/SenScottBrown/status/958098875994132480> ("Had a nice welcome meeting with the new UK High Commissioner @LauraClarkeUK. Glad to have her in country as a strong member of the Diplomatic Corp.").

¹⁰ *See* Hudson, *supra* note 6.

¹¹ *See* Ambassador Brown (@USAmbNZ), <https://twitter.com/USAmbNZ> (last visited Feb. 26, 2018) (instructing Twitter users: "For personal insights follow @SenScottBrown & @DiploDogGracie too").

1.3 million.¹² By comparison, the official United States Mission to the United Nations account has only 300 thousand followers.¹³

Democracy Forward has also reviewed the social media profiles of certain other Ambassadors and has determined that, in addition to Ambassadors Haley and Brown, Callista Gingrich, U.S. Ambassador to the Holy See, and Kay Bailey Hutchison, U.S. Ambassador to the North Atlantic Treaty Organization, both appear to have violated F.A.M. social medial rules:

- Ambassador Callista Gingrich regularly tweets about ambassadorial matters on her personal Twitter account and on her personal Instagram account.¹⁴ For example, on January 11, 2018, Ambassador Gingrich posted a photograph on Twitter and Instagram in which she appears with Anita Friedt, the Acting Assistant Secretary for the Bureau of Arms Control, Verification and Compliance. The photograph is captioned: “Great to be with Anita Friedt today, Acting Assistant Secretary, Bureau of Arms Control, Verification and Compliance.”¹⁵
- Ambassador Kay Bailey Hutchison also regularly posts about official ambassadorial matters on her personal Twitter page, which she has identified as belonging to “@USNATO Ambassador Kay Bailey Hutchison.”¹⁶ On January 30, 2017, Ambassador Hutchison posted a photograph in which she appears with Vice President Mike Pence. The photograph is captioned: “Talked to my favorite @VP about @NATO commitment to protect US and our allies and partners from terrorists and those who attack freedom ! @mike_pence.”¹⁷

This list is not intended to be a comprehensive assessment of social media misconduct by U.S. Ambassadors, but instead illustrates the issue, which we request that your office investigate fully.

To be clear, it is not the content of the posts that is objectionable, and, indeed, posts promoting and providing notice of official State Department business may be perfectly appropriate for an official State Department social media account. Rather, it is the blatant

¹² Compare Nikki Haley (@nikkihaley), Twitter, <https://web.archive.org/web/20170123173817/https://twitter.com/nikkihaley> (showing through an archived version of Ambassador Haley’s Twitter page from January 23, 2017, the day before she was confirmed as Ambassador, 192,000 followers) with Nikki Haley (@nikkihaley), Twitter, <https://twitter.com/nikkihaley> (last visited March 22, 2018) (1.36 million Twitter followers).

¹³ See US Mission to the UN (@USUN), Twitter, <https://twitter.com/USUN> (last visited March 22, 2018).

¹⁴ See generally Callista Gingrich (@CallyGingrich), Twitter, <https://twitter.com/CallyGingrich> (last visited Feb. 26, 2018) (describing the account as belonging to the “U.S. Ambassador to the Holy See. American businesswoman, author, documentary film producer, and musician”); see also Callista Gingrich (@callygingrich), Instagram, <https://www.instagram.com/callygingrich/> (last visited Feb. 26, 2018).

¹⁵ See Callista Gingrich (@CallyGingrich), Twitter (Jan. 11, 2018, 7:02 PM), <https://twitter.com/CallyGingrich/status/951605166880509952>; Callista Gingrich (@callygingrich), Instagram (Jan. 11, 2018), <https://instagram.com/p/Bd1CAQRjw2M/>.

¹⁶ See generally Kay Bailey Hutchison (@kaybaileyhutch), Twitter, <https://twitter.com/kaybaileyhutch> (last visited Feb. 26, 2018).

¹⁷ Kay Bailey Hutchison (@kaybaileyhutch), Twitter (Jan. 30, 2018, 10:01 PM), <https://twitter.com/kaybaileyhutch/status/958535730095099910>.

violation of State Department rules requiring separation between personal and official social media use that gives rise to our objection and request for investigation from your office. Where an individual's personal social media presence grows because it is used to communicate official business of public office, any increase in value should accrue to the benefit of the State Department, and not to the Ambassador in her or his personal capacity.

If, after the appropriate inquiry, your office determines that State Department officials, including but not limited to those described above, have used private social media accounts to discuss official government business in violation of 10 F.A.M. 180, the State Department's rules clearly dictate that the social media account in question should be "either retained by the Department for use by the next incumbent or retired in accordance with applicable records disposition schedules, as appropriate."¹⁸

Thank you very much for your prompt attention to this matter. We look forward to the results of your inquiry and would request a written update of this matter within 60 days.

Sincerely,

/s/ Anne Harkavy

Anne Harkavy
Executive Director

Karianne Jones
Counsel

Democracy Forward Foundation

¹⁸ 10 F.A.M. 182(c).