

# **Department of State and Foreign Operations Appropriations: A Fact Sheet on Legislation, FY1995-FY2015**

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## Introduction

Congress currently appropriates foreign affairs funding through annual Department of State, Foreign Operations, and Related Programs appropriations.<sup>1</sup> Prior to FY2008, however, Congress provided funds for the Department of State and international broadcasting within the Commerce, Justice, and State, the Judiciary, and Related Agencies appropriations (CJS) and separately provided foreign aid funds within Foreign Operations, Export Financing, and Related Programs appropriations. The transition between the different alignments occurred in the 109<sup>th</sup> Congress with a change in appropriations subcommittee jurisdiction. For that Congress, the House of Representatives appropriated State Department funds separately from foreign aid, as in earlier Congresses, but the Senate appropriated State and foreign aid funds within one bill—the Department of State, Foreign Operations, and Related Programs Appropriations. By the 110<sup>th</sup> Congress, funding for both the Department of State and foreign aid were aligned into the Department of State, Foreign Operations and Related Programs Appropriations in both the House and Senate.

Nearly all the foreign affairs appropriations within the last 21 years were passed within omnibus, consolidated, or full-year continuing resolutions, and usually after the start of the new fiscal year. Many foreign policy experts contend that stand-alone appropriation legislation would allow for a more rigorous debate on specific foreign policy activities. They also believe that the practice of delayed appropriations has constrained ongoing program operating levels and the ability to introduce or fund new programs that did not exist in the previous year's budget.

In addition to annual appropriations, several laws require Congress to authorize foreign affairs funding prior to expenditure.<sup>2</sup> Before 2003, Congress typically provided authorization in a biannual Foreign Relations Authorization bill. This practice not only authorized funding for obligation and expenditure, but also provided a forum for more rigorous debate on specific foreign affairs policies and a legislative vehicle for congressional direction. In recent years the House and Senate have separately introduced or considered foreign relations authorization bills, but none have been enacted.

**Table 1** below provides a 21-year history of enacted foreign affairs appropriations laws (excluding short-term continuing resolutions and supplemental appropriations), and dates they were sent to the President and signed into law. Some observations follow:

- Since FY1995, Congress appropriated foreign affairs funding in on-time, freestanding bills once—in 1994 for the FY1995 appropriations year. The last time Congress passed foreign affairs funding on time, but not in freestanding legislation, was for FY1997.

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<sup>1</sup> For more detail, see CRS Report R43569, *State, Foreign Operations, and Related Programs: FY2015 Budget and Appropriations*, by Susan B. Epstein, Alex Tiersky, and Marian L. Lawson.

<sup>2</sup> Laws requiring authorization, but waived within the General Provisions of the appropriations law since 2003, include Section 10 of P.L. 91-672, Sec. 15 of the State Department Basic Authorities Act of 1956, Sec. 313, P.L. 103-236, and Sec. 504(a)(1) of the National Security Act of 1947 (50 U.S.C. 3094(a)(1)).

- In the past 21 years, Congress appropriated foreign affairs funds twice prior to the start of the new fiscal year—FY1997 (in an omnibus) and FY1995 (in stand-alone measures).
- Congress included foreign affairs funding within an omnibus, consolidated, or full-year continuing resolution 17 of the last 21 years.
- FY2006 was the last time State Department and foreign operations appropriations were enacted as freestanding appropriations bills.
- Four times over the past 21 years, Congress sent the State/foreign operations appropriations to the President in March or April—six to seven months into the next fiscal year.

**Table I. History of Department of State and Foreign Operations Appropriations, FY1995-FY2015**

<b>Fiscal Year</b>	<b>Commerce, Justice, State, the Judiciary, and Related Agencies</b>	<b>Foreign Operations, Export Financing, and Related Programs</b>	<b>The Department of State, Foreign Operations, &amp; Related Programs</b>	<b>Date Sent to President and Signed</b>
FY2015			P.L. 113-164 — Continuing Resolution Appropriation, 2015, not a final-year appropriation	To Pres. 09/19/14; signed 09/19/14
FY2014			P.L. 113-76— Consolidated Appropriations Act, 2014	To Pres. 1/17/14; signed 1/17/14
FY2013			P.L. 113-6, Div. F— Consolidated and Further Continuing Appropriations Act, 2013	To Pres. 3/22/13; signed 3/26/13
FY2012			P.L. 112-74, Div. I— Consolidated Appropriations Act, 2012	To Pres. 12/21/11; signed 12/23/11
FY2011			P.L. 112-10 Title XI— Dept. of Defense and Full-Year Continuing Appropriations Act, 2011	To Pres. 4/15/11; signed 4/15/11
FY2010			P.L. 111-117— Consolidated Appropriations Act, 2010	To Pres. 12/15/09; signed 12/16/09
FY2009			P.L. 111-8 — Consolidated Appropriations Act, 2009	To Pres. 3/11/09; signed 3/11/09
FY2008			P.L. 110-161 — Consolidated Appropriations Act, 2008	To Pres. 12/24/07; signed 12/26/07

<b>Fiscal Year</b>	<b>Commerce, Justice, State, the Judiciary, and Related Agencies</b>	<b>Foreign Operations, Export Financing, and Related Programs</b>	<b>The Department of State, Foreign Operations, &amp; Related Programs</b>	<b>Date Sent to President and Signed</b>
FY2007	P.L. 109-289 (CR) and P.L. 110-5 — Revised Continuing Appropriations, 2007(Full-year CR through Sept. 30, 2007)	P.L. 109-289 (CR) and P.L. 110-5 — Revised Continuing Appropriations, 2007(Full-year CR through Sept 30, 2007)		Full-year CR to Pres. 2/15/07; signed 2/15/07
FY2006	P.L. 109-108 — Science, State, Justice, Commerce and Related Agencies Appropriations Act, 2006	P.L. 109-102 — Foreign Operations, Export Financing, and Related Programs Appropriations Act, 2006		P.L. 109-108 to Pres. 11/18/05; signed 11/22/05 P.L. 109-102 to Pres. 11/10/05; signed 11/14/05
FY2005	P.L. 108-447 — Consolidated Appropriations Act, 2005, Div. B.	P.L. 108-447 — Consolidated Appropriations Act, 2005, Div. D.		To Pres. 12/7/04; signed 12/8/04
FY2004	P.L. 108-199 — Consolidated Appropriations Act, 2004, Div. B	P.L. 108-199 — Consolidated Appropriations Act, 2004, Div. D		To Pres. 1/22/04; signed 1/23/04
FY2003	P.L. 108-7, Consolidated Appropriations Act, 2003, Div. B	P.L. 108-7, Consolidated Appropriations Act, 2003, Div. E		To Pres. 2/19/03; signed 2/20/03
FY2002	P.L. 107-77 — Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 2002	P.L. 107-115 — Foreign Operations, Export Financing, and Related Programs Appropriations Act, 2002		P.L. 107-77 to Pres. 11/16/01; signed 11/28/01 P.L. 107-115 to Pres. 1/04/02; signed 1/10/02
FY2001	P.L. 106-553 — Federal Funding, Fiscal Year 2001, Appendix B, Title IV	P.L. 106-429 — Foreign Operations, Export Financing, and Related Programs Appropriations Act, 2001		P.L. 106-553 to Pres. 10/27/00; signed 12/21/00 P.L. 106-429 to Pres. 11/06/00; signed 11/06/00
FY2000	P.L. 106-113 — Consolidated Appropriations Act, 2000	P.L. 106-113 — Consolidated Appropriations Act, 2000		To Pres. 11/22/99; signed 11/29/99
FY1999	P.L. 105-277 — Omnibus Consolidated and Emergency Supplemental Appropriations Act, 1999	P.L. 105-277 — Omnibus Consolidated and Emergency Supplemental Appropriations Act, 1999		To Pres. 10/21/98; signed 10/21/98

Fiscal Year	Commerce, Justice, State, the Judiciary, and Related Agencies	Foreign Operations, Export Financing, and Related Programs	The Department of State, Foreign Operations, & Related Programs	Date Sent to President and Signed
FY1998	P.L. 105-119 — Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 1998	P.L. 105-118 — Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1998		P.L. 105-119 to Pres. 11/24/97; signed 11/26/97 P.L. 105-118 to Pres. 11/19/97; signed 11/26/97
FY1997	P.L. 104-208 — Omnibus Appropriations Act, 1997	P.L. 104-208 — Omnibus Appropriations Act, 1997		To Pres. 9/30/96; signed 9/30/96
FY1996	P.L. 104-134 — Omnibus Consolidated Rescissions and Appropriations Act of 1996	P.L. 104-134 — Omnibus Consolidated Rescissions and Appropriations Act of 1996		To Pres. 4/25/96; signed 4/26/96
FY1995	P.L. 103-317 — Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 1995	P.L. 103-306 — Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1995		P.L. 103-317 to Pres. 8/22/94; signed 8/26/94 P.L. 103-306 to Pres. 8/12/94; signed 8/23/94

**Source:** Legislative Information System (LIS), <http://www.lis.gov>. See also <http://www.congress.gov>.

**Note:** Except for FY2015, this table excludes short-term continuing resolutions and supplemental appropriations.

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