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The U.S. Department of State: Background and Selected Issues for the 118th Congress

Background

Created by an act of Congress in 1789, the U.S. Department of State (State Department) is the executive branch's lead foreign affairs agency and the oldest executive agency. The State Department's mission is "to protect and promote U.S. security, prosperity, and democratic values and shape an international environment in which all Americans can thrive." The Secretary of State, appointed by the President with Senate advice and consent, is the State Department's senior officer and the President's chief foreign affairs adviser. The Secretary is supported by over 77,500 State Department employees, including approximately 14,000 Foreign Service personnel, 12,000 Civil Service employees, and 50,000 Locally Employed Staff (largely host country nationals working at U.S. overseas posts).

The State Department's Washington, DC-based organizational structure includes around 30 regional and functional bureaus. Six regional bureaus oversee the department's 275 overseas posts, including 171 embassies and 88 consulates. State Department Chiefs of Mission (COMs, usually U.S. ambassadors) serve as the President's personal representatives abroad and lead diplomatic efforts for a mission or country of assignment.

Key Laws Governing State Department Operations

Congress has provided statutory frameworks for aspects of the State Department's operations through laws such as

- the **State Department Basic Authorities Act of 1956 (P.L. 84-885)**, which authorizes the State Department's organizational structure, including senior positions such as the Secretary of State and the Deputy Secretary of State, and provides for the State Department to be administered under the Secretary's supervision and direction;
- the **Foreign Service Act of 1980 (P.L. 96-465)**, which is the statutory means through which the State Department administers the Foreign Service, providing for appointment, promotion, and separation procedures; this law also authorizes COMs to direct U.S. diplomatic efforts; and
- the **Omnibus Diplomatic Security and Antiterrorism Act of 1986 (P.L. 99-399)**, which tasks the Secretary of State with, among other responsibilities, protecting U.S. government personnel on official duty abroad.

Congress has utilized **State Department authorization bills** to periodically authorize funding for the State Department and oversee its operations. Congress uses these bills to amend previously described key laws or provide new measures. Congress has not passed a standalone,

comprehensive State Department authorization since 2002. However, Congress attached authorization measures to the two most recent annual National Defense Authorization Acts (see Division E of P.L. 117-81 and Division I of P.L. 117-263). Among other matters, these laws authorized appropriations for selected purposes (including embassy security, construction, and maintenance), authorized senior State Department positions and operating units, and established a new legislative commission tasked with recommending how the State Department can modernize its operations to meet 21st century foreign policy challenges.

Strategic Planning

The State Department utilizes a core strategic planning process intended to prioritize resources, coordinate with interagency partners, and make informed decisions to achieve what it calls "the most effective U.S. foreign policy outcomes." The State Department notes that the objectives derived from its strategic planning are used for purposes including preparing its annual budget request to Congress.

The State Department's core strategic planning takes place at several levels. Congress, through the Government Performance and Results Act (GPRA) Modernization Act of 2010 (P.L. 111-352), requires the State Department and other agencies to prepare quadrennial strategic plans outlining their goals and objectives. The State Department and U.S. Agency for International Development (USAID, which is under the State Department's policy guidance) fulfill this requirement through publication of shared **Joint Strategic Plans (JSPs)**. JSPs seek to align the State Department's priorities with the executive branch's top-level strategic documents (such as the National Security Strategy) and guide bureau and mission planning.

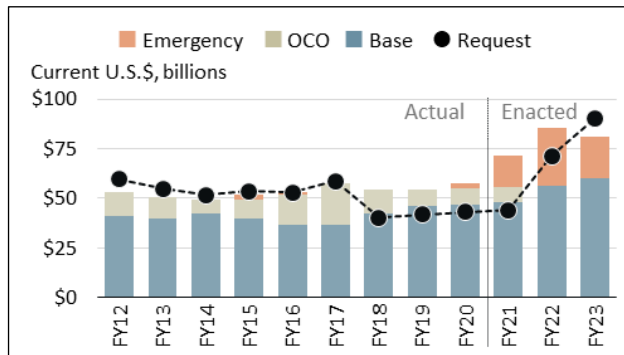
The State Department's bureaus develop **Joint Regional and Functional Bureau Strategies (JRS or FBS)**, while overseas missions prepare country-level **Integrated Country Strategies (ICS)**. Regional bureaus are required to develop their JRS with the applicable USAID regional bureau. These strategies must include *bureau and mission goals*, or long-term ambitions that are unlikely to be fully accomplished within four years yet communicate priorities to stakeholders; *bureau and mission objectives* that are specific, measurable end-states that may be achieved within four years; and shorter-term (12-18 month) *sub-objectives* tied to the day-to-day work of the bureau or mission.

Budget

Congress funds the State Department primarily through Department of State, Foreign Operations, and Related Programs (SFOPS) appropriations bills. In recent years, Congress has appropriated around \$70-\$85 billion annually

for SFOPS, including emergency funds for contingencies such as the onset of the COVID-19 pandemic and Russia's invasion of Ukraine (**Figure 1**).

Figure 1. SFOPS Requests and Funding



Source: Appropriations laws and SFOPS budget requests.

Note: Includes rescissions. Requests= Administration Budget Requests. OCO=Overseas Contingency Operations, which largely replaced emergency funds to support extraordinary foreign affairs budget needs from FY2012-FY2021.

Within SFOPS, the **Diplomatic Programs** account is the State Department's main operating appropriation. It funds priorities including most domestic and overseas Foreign Service and Civil Service salaries; public diplomacy programs; and diversity and inclusion initiatives. **Embassy Security, Construction, and Maintenance** is a key account through which Congress funds the department's share of costs involved with the design, construction, and maintenance of U.S. diplomatic facilities. SFOPS appropriations also fund foreign assistance. Agencies such as USAID and the Department of Defense administer the majority of these funds. Yet the State Department manages some aid directly, including a portion of the **Global Health Programs** account that funds the U.S. President's Emergency Plan for AIDS Relief, and maintains policy authority over most humanitarian and military assistance.

Selected Issues for Congress

During the 118th Congress, Members may consider the following issues:

Modernization. Congress is conducting oversight of Secretary of State Antony Blinken's "Modernization Agenda," which seeks to better position the State Department to address what Secretary Blinken views as emerging foreign policy challenges such as climate change and global health. Per the 2022 State Department authorization law, Congress created a commission tasked with examining "the changing nature of diplomacy" and offering recommendations as to how the State Department can modernize its structure and operational practices to best advance U.S. interests. The law provides that up to 4 of the commission's 16 members may be Members of Congress. As the commission begins its work, Members who are not part of the commission may wish to follow its proceedings, participate in commission briefings to Congress, and/or share their views regarding potential commission recommendations.

Diversity, Equity, Inclusion, and Accessibility (DEIA).

While the Foreign Service Act calls for a Foreign Service that is "representative of the American people," some Members argue that the State Department faces persistent challenges maintaining diverse Foreign and Civil Service workforces. The 2021 and 2022 State Department authorization acts sought to enhance the State Department's DEIA programming through, among other aims, strengthening recruitment of persons belonging to underrepresented groups and providing for performance and advancement requirements that reward staff efforts to foster an inclusive environment. During the 118th Congress, Members may continue overseeing State Department implementation of its Diversity and Inclusion Strategic Plan and consider other measures, including a possible bill to authorize the Office of the Chief Diversity and Inclusion Officer in law (see S. 3426 and H.R. 4589, 117th Congress).

Diplomatic Security and Risk Management.

Congress included several diplomatic security and embassy construction-related measures in the 2022 State Department authorization law intended to enable the department to weigh security risks with the priority of allowing American diplomats to engage with foreign stakeholders. As the State Department implements these provisions, Members may seek to ensure that the State Department's risk calculus is aligned with congressional intent through overseeing the State Department's efforts to incentivize and train U.S. diplomats to properly manage risk, locate new posts in areas that provide diplomats requisite security and access to foreign officials and other key stakeholders, and control costs associated with the construction of new, secure posts.

Afghanistan Withdrawal. Some Members have indicated that they are prioritizing ensuring accountability regarding the State Department's role in the 2021 U.S. withdrawal from Afghanistan. Members of Congress may advance such actions through introducing legislation to address perceived issues regarding the withdrawal (e.g., S. 2863 and H.Res. 1240, 117th Congress), engaging with the Special Inspector General for Afghanistan Reconstruction (SIGAR), participating in or monitoring congressional hearings with State Department officials, and following the proceedings of the congressionally mandated Afghanistan War Commission.

Related CRS Products

CRS In Focus IF10293, *Foreign Relations Reauthorization: Background and Issues*, by Cory R. Gill

CRS Report R46995, *Congressional Oversight of the State Department: Review of Selected Organizational Reform Efforts*, by Cory R. Gill

CRS Report R47070, *Department of State, Foreign Operations, and Related Programs: FY2023 Budget and Appropriations*, by Emily M. McCabe and Cory R. Gill

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