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Foreign Relations Reauthorization: Background and Issues

Introduction

The Constitution empowers Congress to provide funding, authorize programs, and conduct oversight with respect to the implementation of foreign policy. In exercising these powers, Congress has enacted several laws requiring foreign affairs appropriations to be authorized prior to expenditure, asserting the role of the foreign affairs authorizing committees in budgetary decisionmaking. These include Section 504(a)(1) of the National Security Act of 1947 (50 U.S.C. §3094(a)(1)); Section 15 of the State Department Basic Authorities Act of 1956 (22 U.S.C. §2680); Section 10 of An Act to amend the Foreign Military Sales Act, and for other purposes (22 U.S.C. §2412); and Section 313 of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995 (22 U.S.C. §6212). In addition to authorizing appropriations, Congress utilizes foreign affairs authorizing bills to address foreign affairs policies, make changes to agencies or functions, and establish reporting requirements.

Authorization-Appropriations Process

An avenue for exercising Congress's power of the purse is the authorization and appropriation of federal spending. The formal process generally consists of (1) enactment of an authorization measure that may create or continue an agency, program, or activity, as well as authorize the subsequent enactment of appropriations, and (2) enactment of appropriations to provide funds for the authorized agency, program, or activity. Legislative committees are responsible for authorizing legislation related to agencies under their jurisdiction, while the Senate and House Appropriations Committees have jurisdiction over appropriations measures. For additional detail, see CRS Report RS20371, *Overview of the Authorization-Appropriations Process*, by Bill Heniff Jr.

Historically, Congress adhered to authorization requirements by enacting two types of foreign affairs-authorizing legislation on a regular basis. One covering Department of State (DOS) operations, diplomacy, and international broadcasting is termed foreign relations reauthorization or State Department authorization. The second, which is not the focus of this product, is referred to as foreign assistance authorization and authorizes spending on matters such as economic development, selected security assistance, disaster assistance, and multilateral aid. The House Foreign Affairs Committee (HFAC) and Senate Foreign Relations Committee (SFRC) have jurisdiction over both authorization measures. In addition to establishing, terminating, and otherwise shaping foreign affairs programs and activities, these bills may authorize funding levels to guide congressional appropriators.

Congress last enacted a foreign relations reauthorization law that authorized appropriations for DOS's administration of foreign affairs across most appropriations accounts in 2002, applicable to FY2003 (the Foreign Relations Authorization Act, Fiscal Year 2003; P.L. 107-228). Since 2016, Congress has enacted five authorizing laws that include new DOS authorities, congressional oversight provisions, and authorizations of funding levels for select programs (see **Table 1**). Factors inhibiting the passage of more comprehensive authorization laws may include disagreements among Members over certain foreign affairs issues and reticence among some Members to vote multiple times for overseas spending that may be unpopular with constituents. Congress typically includes a provision in annual Department of State, Foreign Operations, and Related Programs appropriations measures (SFOPS; in the 119th Congress, the House Appropriations Committee renamed its SFOPS Subcommittee the National Security, Department of State, and Related Programs [NSRP] Subcommittee) that waives authorization requirements, allowing programs to be funded in the absence of an authorization of appropriations. In FY2024, for example, such a provision was included in P.L. 118-47, Division F, Section 7022.

Table 1. DOS Reauthorizations Since FY2003

FY	Action	P.L.	Div.
2003	Enacted	P.L. 107-228	—
2017	Enacted	P.L. 114-323	—
2021	Enacted	P.L. 117-81	E
2022	Enacted	P.L. 117-263	I
2023	Enacted	P.L. 118-31	F
2025	Enacted	P.L. 118-159	G

Notes: Italicized FYs indicate authorization measures that referred to a calendar year rather than a fiscal year.

In addition to regularly waiving foreign affairs authorization requirements, appropriators include foreign affairs policy directives and reporting requirements in appropriations laws that some may argue are better suited for authorizing measures. Some assert that this has resulted in appropriators taking a primary role in aspects of congressional foreign policy engagement that would otherwise fall under SFRC's and HFAC's jurisdiction.

Relevance of Foreign Relations Reauthorization

In recent years, some Members of Congress and other observers have expressed concerns that the executive branch conducts foreign policy without sufficient

recognition of congressional prerogatives. Among the areas where Congress can assert its authority in this regard is the regular passage of comprehensive foreign relations authorization laws. Passing such laws may have several potential implications, including fulfilling a key responsibility of HFAC and SFRC; serving as a means for HFAC and SFRC to provide funding guidance to the appropriators for DOS operations and activities; creating a consistent legislative vehicle for Congress to participate in shaping foreign policy priorities and/or reforming, reorganizing, creating, or eliminating agencies, offices, or functions; and providing Congress more opportunity to consult with DOS to coordinate foreign policy.

Recent Congressional Action

In 2016, Congress enacted the Department of State Authorities Act, Fiscal Year 2017 (P.L. 114-323), the first foreign relations reauthorization enacted since 2002. While this law did not authorize appropriations, it included new authorities and oversight measures pertaining to foreign policy matters, including diplomatic security, embassy construction, and DOS personnel management. DOS authorization measures introduced in the 115th (H.R. 5592) and 116th (H.R. 3352) Congresses did not become law. In the 117th Congress, Congress began attaching DOS authorization measures to National Defense Authorization Acts (NDAAAs) and enactment of DOS authorizations became more regular (see **Table 1**). Among other actions, these laws

- authorized appropriations for the Embassy Security, Construction, and Maintenance appropriations account and for promoting U.S. citizen employment at the United Nations and other international organizations and advancing U.S. interests in such organizations;
- authorized senior DOS positions and operating units and specified their responsibilities, including the Assistant Secretary of State for International Narcotics and Law Enforcement Affairs and the Bureau of Cyberspace and Digital Policy; and
- authorized DOS to enter into contracts and agreements to modernize the passport issuance process, and called on DOS to ensure modernization efforts brought about a streamlined experience for passport applicants.

Issues for Congress

In September 2025, HFAC passed a broad, nine-bill DOS “reauthorization package.” These bills specify the authorities of (and in some instances create) senior positions, bureaus, and offices across DOS and include authorities shaping DOS’s work (e.g., one bill includes a provision creating an Arctic Watcher Program to combat efforts to undermine U.S. interests in the Arctic). In October 2025, the Senate passed an NDAA that included a DOS authorization measure (Division J of S. 2296). This bill, scoped similarly to past authorization measures included in NDAAAs, seeks to increase congressional

oversight of DOS’s workforce management practices and overseas diplomatic presence; create a program to enhance the use of data and artificial intelligence at U.S. diplomatic posts; and authorize and expand DOS’s Regional China Officer Program, among several other measures. S. 2296 also includes a separate “Department of State Matters” division (Division G) intended to provide DOS new tools for deterring states from wrongfully detaining Americans abroad and, separately, crack down on the import of fentanyl and its precursors into the United States, among other provisions. As Congress weighs these or other authorization measures, it may consider the following issues:

Foreign Affairs Agency Reorganization. In May 2025, DOS formally notified Congress of its intent to reorganize its bureaus and offices, with the stated intention of curbing the growth of DOS’s bureaucracy and eliminating or reconstituting offices with missions perceived as at odds with U.S. national security interests. These changes are reflected in DOS’s current organization chart, published in August 2025. Congress may choose to leverage an authorization measure to codify and/or alter DOS’s reorganization efforts. The HFAC “reauthorization package” closely corresponds to the DOS reorganization in some respects. For example, the HFAC package seeks to codify DOS’s effort to establish a Bureau of Emerging Threats to address perceived security threats posed by lethal autonomous weapons and emerging uses of artificial intelligence, among possible other sources. In other areas, the HFAC package differs from DOS’s approach. While DOS, for example, has worked to create a new Bureau of Global Acquisition to manage DOS’s procurement functions, the HFAC package would not establish such a bureau. The Senate authorization measure in its current form does not seek to reorganize DOS on a scale similar to DOS’s initiative or the HFAC package.

Role of Congress in Foreign Policy Management. Some observers have expressed concern with what they view as Congress’s undue influence in some aspects of foreign policy. Others argue that congressional input helps ensure that U.S. foreign policy addresses the full range of issues of interest to the American people, and/or that a lack of congressional oversight of DOS has contributed to management challenges and programs that they contend do not reflect U.S. interests. As it considers authorization legislation, Congress may try to balance such concerns and seek to shape DOS programs and activities while also considering whether DOS has sufficient flexibility to pursue U.S. foreign policy interests consistent with any legislative reforms. Alternatively, Congress could enact a more prescriptive authorization that it views as consistent with its Constitutional and statutory duties to oversee U.S. foreign policy.

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