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# The U.S. Department of State: Background and Selected Issues for the 117<sup>th</sup> 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 United States' oldest executive agency. The State Department states that its mission is to "lead America's foreign policy through diplomacy, advocacy, and assistance by advancing the interests of the American people, their safety and economic prosperity." The Secretary of State, appointed by the President with the advice and consent of the Senate, is the State Department's senior officer and the President's principal foreign affairs adviser. The Secretary is supported by about 77,000 State Department employees, including approximately 13,000 Foreign Service personnel, 11,000 Civil Service officers, and 50,000 Locally Employed Staff (largely host country nationals working at U.S. overseas posts).

The State Department's Washington, D.C.-based organizational structure includes approximately 30 regional and functional bureaus. The six regional bureaus are responsible for overseeing the operations of the State Department's 275 overseas posts worldwide, including 171 Embassies and 77 Consulates General. The State Department also supports the foreign affairs activities of other U.S. government entities, including the U.S. Agency for International Development (USAID).

## Key Laws Governing State Department Operations

Congress has provided statutory frameworks for many aspects of the State Department's operations through key 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 organizes and administers the Foreign Service, providing for admission, appointment, promotion, and separation procedures; and
- the **Omnibus Diplomatic Security and Antiterrorism Act of 1986 (P.L. 99-399)**, which tasks the Secretary of State with, among other responsibilities, providing for the evacuation of U.S. government personnel and private citizens when their lives are endangered abroad.

Congress has historically used **State Department authorization bills** to authorize funding for the State Department and oversee State Department operations. In doing so, it often used these measures to amend previously described key laws or provide new standalone measures. Congress has not passed a standalone, comprehensive State Department authorization law since 2002. However, Congress attached the Department of State Authorization Act of 2021 to the National Defense Authorization Act for Fiscal Year 2022 (see Division E of P.L. 117-81). This law authorizes appropriations for selected purposes (including embassy security, construction, and maintenance) and makes several changes to State Department internal operating procedures (including required staff cooperation with the Office of Inspector General).

## 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 considers its strategic plans as "foundational documents" for building 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 USAID 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 also guide bureau and mission planning.

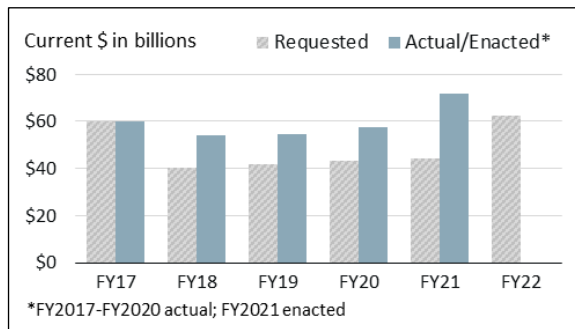
Following publication of the JSP, the State Department's bureaus develop **Joint Regional and Functional Bureau Strategies (JRS or FBS)**, while overseas missions prepare country-level **Integrated Country Strategies (ICS)**. Regional bureaus are required to develop their JRS with the applicable USAID 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 (1-2 years) *sub-objectives* tied with 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, which include funding for State Department operations, U.S. participation

in multilateral organizations, and development and security assistance, among other priorities. **Figure 1** illustrates that in recent years, Congress has appropriated funds for SFOPS that exceed the State Department's request.

**Figure 1. SFOPS Requests and Funding, FY2017-FY2022**



**Source:** CRS. Data from appropriations laws and SFOPS budget requests.

**Note:** Includes Overseas Contingency Operations and Emergency Funding.

Within SFOPS, the **Diplomatic Programs** account is the main operating appropriation of the State Department. It funds programs and functions including most domestic and overseas Foreign Service and Civil Service salaries; public diplomacy programs; and diversity and inclusion programs. **Embassy Security, Construction, and Maintenance** is another key operating account through which Congress funds the State 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 manage the majority of these funds. However, 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 117<sup>th</sup> Congress, some Members of Congress have expressed concern regarding what they perceive as significant management challenges at the State Department. Some such challenges are discussed briefly below.

- Diversity and Inclusion.** 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 recruiting and retaining a diverse workforce. The Department of State Authorization Act of 2021 includes several diversity-related provisions, including those requiring the Secretary to expand anti-discrimination training for personnel and implement performance and advancement requirements that reward efforts to foster an inclusive environment. Some Members have introduced other bills to advance diversity and inclusion, including S. 3426. This measure would, among other ends, authorize the Office of the Chief Diversity and Inclusion Officer in law and task it with ensuring recruitment and retention of a diverse workforce.

- Modernization.** Congress is conducting oversight of Secretary of State Antony Blinken's "Modernization of American Diplomacy" initiative, which is intended to position the State Department to address what he views as emerging foreign policy challenges such as climate change, global health, and cyber security. Section 5319 of P.L. 117-81 may advance similar goals, as it authorizes the Secretary to more easily hire candidates with scientific, technological, engineering, or mathematical expertise for certain Civil Service positions. In implementing the initiative, the State Department also notified Congress in December 2021 of its intent to create a Bureau of Cyberspace and Digital Policy and a Special Envoy for Critical and Emerging Technology pending congressional approval.
- Overseas Evacuations.** Some Members argue that the State Department struggled to implement its mandate to evacuate U.S. government personnel and private citizens abroad during recent evacuations related to the spread of Coronavirus Disease 2019 (COVID-19) and the Taliban takeover of Afghanistan. Section 5704 of P.L. 117-81 requires the State Department to submit a report evaluating the efforts of its Coronavirus Repatriation Task Force to repatriate U.S. citizens in response to COVID-19. Congress is also conducting oversight of ongoing Afghanistan evacuations, including through considering legislation (see, for example, H.R. 6418) and convening hearings and briefings with senior State Department officials.
- Diplomatic Security and Risk Management.** Some Members have expressed concern that stringent security measures at overseas posts can preclude Foreign Service officers from engaging with foreign officials, civil society groups, and others in host countries to advance U.S. interests. Members have introduced legislation in the 117<sup>th</sup> Congress (see S. 669, H.R. 6034, and S. 816) to adjust the process the State Department employs to investigate attacks against U.S. personnel and property abroad to ensure it reflects an appropriate balance of empowering personnel to pursue vital diplomatic goals and addressing security risks.

### Related CRS Products

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

CRS Report R45203, *State Department Personnel: Background and Selected Issues for the 117th Congress*, by Cory R. Gill

CRS Report R46935, *Department of State, Foreign Operations, and Related Programs: FY2022 Budget and Appropriations*, by Cory R. Gill, Marian L. Lawson, and Emily M. Morgenstern

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