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U.S. Overseas Diplomatic Presence: Background and Issues for Congress

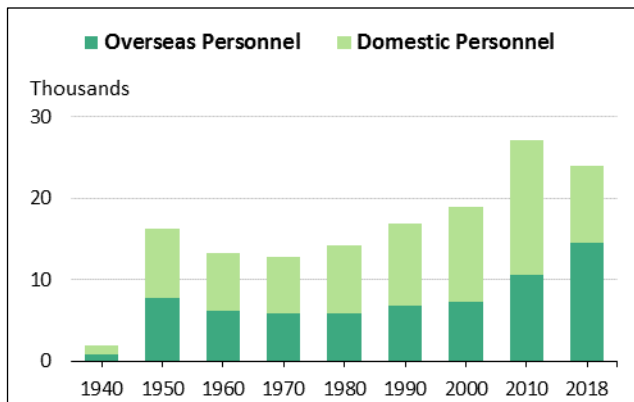
Members of Congress maintain enduring interests in the U.S. diplomatic presence overseas. Congress plays an ongoing role in shaping the U.S. overseas presence by authorizing and appropriating funding for the construction and security of diplomatic facilities and, separately, the hiring of U.S. diplomatic personnel. Members of the 116th Congress may continue to monitor and oversee these issues, including potential implementation of restructuring or reform initiatives proposed by the executive branch.

History of U.S. Overseas Diplomacy

The conduct of U.S. diplomacy overseas predates the Declaration of Independence, tracing its history to the inception of the Continental Congress. Early U.S. diplomats played a vital role in efforts to attain independence from the British Empire. Benjamin Franklin's diplomatic efforts were instrumental in the signing of the Treaty of Alliance with France in 1778. By 1797, an independent United States maintained diplomatic relations with France, Great Britain, the Netherlands, Portugal, and Spain.

U.S. overseas staffing levels and global presence have increased throughout American history, experiencing significant growth in the 20th century as the United States assumed a greater leadership role in global affairs. The United States engaged in its greatest expansion of overseas diplomatic presence following World War II. From 1940 to 1950, the number of overseas diplomatic personnel rose from 840 to 7,710. The number of overseas diplomatic missions experienced a concomitant expansion, rising from 58 in 1940 to 74 in 1950 and to 170 by 2018 (see **Figure 1**).

Figure 1. Composition of U.S. Department of State Personnel, 1940-2018



Sources: Created by CRS based on data from U.S. Department of State, Office of the Historian, Department Personnel, 1781-2010, and Bureau of Human Resources, HR Fact Sheet 2018; Plischke, Elmer. *U.S. Department of State: A Reference History*. Westport, CT: Greenwood Press, 1999.

Types of Diplomatic Posts

The United States has expanded the diversity and functions of its overseas posts over the years. Types of overseas posts vary in terms of their roles within missions, the rank of Foreign Service Officers at post, and the types of functions the post performs. The State Department's *Foreign Affairs Manual* describes the types of diplomatic and consular posts. Descriptions of many of such posts are as follows:

- **Permanent Bilateral Missions.** Embassies headed by ambassadors and established to conduct continuing diplomatic relations with the government of another country or authority.
- **Multilateral Mission.** U.S. missions to international organizations rather than foreign governments, such as the U.S. Mission to the United Nations (USUN).
- **U.S. Interest Sections (USINTs).** Offices operating under the auspices of a protecting power in countries with which the United States does not maintain diplomatic relations, tasked with maintaining U.S. interests and providing consular services to U.S. citizens in such countries.
- **Consulates General (CGs):** The offices and staff of a consul general, often located in major, noncapital cities of the host country. Consulates General normally have a greater diversity of multidisciplinary staff than Consulates, and they often house personnel from non-State agencies.
- **Consulates:** Typically smaller than Consulates General, consulates comprise the office and staff of consuls. Lacking the broader remit of Consulates General, consulates focus almost exclusively on consular functions such as the adjudication of immigrant and nonimmigrant visa applications and the provision of passport services to U.S. citizens abroad.
- **Consular Agencies.** An office that provides non-visa consular services, typically staffed by local residents working part-time.
- **American Presence Posts (APPs).** Small diplomatic and consular offices, typically staffed by one U.S. direct-hire officer. Legally, APPs are considered consulates.
- **Virtual Presence Posts (VPPs).** Established to provide remote diplomatic engagement with important cities or regions, these posts have no resident U.S. employees.

VPPs generally receive regular visits from mission personnel.

Congress exercises oversight of the U.S. overseas presence pursuant to several provisions of law, including Section 48 of the State Department Basic Authorities Act of 1956, as amended (P.L. 84-885). This measure requires the State Department to notify Congress no less than 45 days prior to closing a consular or diplomatic post abroad. Similar requirements have also been included in annual State, Foreign Operations, and Related Programs (SFOPS) appropriations bills. Congress also funds the planning, design, construction, and maintenance of all U.S. overseas posts through SFOPS. The current U.S. overseas presence is detailed in **Figure 2**.

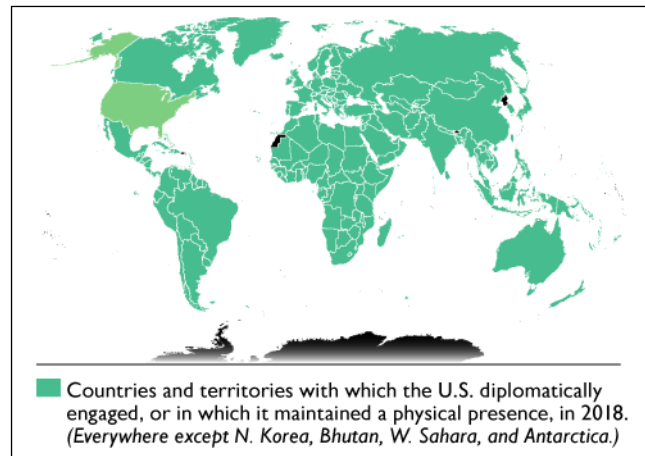
Representation of Other Federal Agencies at U.S. Overseas Posts

As the complexity of U.S. diplomatic functions has grown, so too has the diversity of U.S. agencies represented at overseas missions; today, 30 U.S. agencies are represented. In addition to the State Department and the U.S. Agency for International Development, some of the most prominent agencies with overseas personnel include the Departments of Commerce, Agriculture, Defense, Homeland Security, and Justice, as well as the Centers for Disease Control and Prevention and the Library of Congress.

The combined presence of these U.S. agencies within embassies, consulates, and other diplomatic posts is collectively referred to as U.S. overseas “missions.” The term “Chief of Mission” (COM) refers to the U.S. officer in charge of each mission to a foreign country, foreign territory, or international organization. The statutory basis for the authority and responsibility of COMs is primarily found in the Foreign Service Act of 1980, as amended (FSA 1980; P.L. 96-465). Section 207 of FSA 1980 outlines COM responsibilities, authority over personnel, and the obligations of U.S. personnel and agencies to keep the COM informed of all activities and operations of employees in that country. National Security Decision Directive (NSDD) 38, which went into effect in 1982, gives COMs further control of the size, composition, and mandate of overseas full-time mission staffing for all U.S. agencies. Requests by agencies for additions, deletions, and changes to their staffing overseas are managed by the Office of Management Policy, Rightsizing, and Innovation (M/PRI).

Typically, the U.S. ambassador posted to a country with which the United States maintains diplomatic relations serves as the COM. In the absence of an ambassador, the FSA authorizes the President to appoint a career U.S. Foreign Service officer as a *chargé d'affaires* “for such period as the public interest may require.” However, many observers note that, while *chargés d'affaires* are generally qualified and capable of serving as COMs, it is preferable for a host of reasons for the United States to be represented abroad by U.S. ambassadors confirmed by and with the advice and consent of the Senate.

Figure 2. U.S. Overseas Presence in 2018



Source: Created by CRS based on data from <https://www.usembassy.gov/>.

U.S. Overseas Presence and Restructuring Initiatives

In the FY2019 Congressional Budget Justification for the U.S. Department of State, then-Secretary of State Rex Tillerson outlined the State Department’s Impact Initiative, which highlights 16 keystone projects covering 3 broad issue areas. One of those issue areas, “Modernizing Global Presence, and Creating and Implementing Policy,” contained policy items with ramifications for the U.S. overseas presence. Under the goals of this issue area, the U.S. Department of State proposed three main projects, listed below. The implementation status of these goals is unclear. There is no reference to them in key documents outlining Department of State reorganization plans and broader government reform efforts.

- **Improve U.S. Government Global Presence Governance:** This project focused on examining and building upon existing programs governing the U.S. global presence to allow agencies to improve their coordination on overseas deployments while also providing for clearer evaluations of the U.S. global presence relative to national interests.
- **Develop and Implement a National Interest Global Presence Model:** This project discussed efforts to develop new quantitative means to compare overseas personnel deployments and other costs with U.S. national interests and policy priorities in the territory in question to support more data-informed decisionmaking regarding changes to the U.S. overseas presence.
- **Expanding Post Archetype Options:** This project focused on examining the overseas post models (described above) and revising them to align with the challenges the United States currently faces.

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