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State Department and Related Agencies: FY2005 Appropriations and FY2006 Request

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Summary

State Department funding is within the Commerce, Justice, State (CJS) appropriation. The State Department authorization is required biannually, providing ceilings and the authority for the Department of State to spend its appropriation. S. 600, State Department authorization for FY2006 and FY2007, is currently before the Senate.

The President sent his FY2006 budget to Congress on February 7, 2005. Included was the Department of State FY2006 budget request for a total of \$9,283.1 million (13.6% more than the FY2005 enacted level, including supplemental funds and rescissions) and the international broadcasting FY2006 budget request for \$651.9 million (a 10.2% increase from the FY2005 level, including supplementals and rescissions). Of particular interest is the Administration's request for a 20.9% increase in educational and cultural exchanges and a request for a more than doubling of U.S. contributions for international peacekeeping. What is notably missing from this budget request is funding for U.S. embassies in Iraq and Afghanistan.

On February 14, 2005, the President sent an \$81.9 billion emergency supplemental request. It includes more than \$2.2 billion for Department of State accounts for embassy costs in Iraq and Afghanistan and U.S. contributions to international peacekeeping. It also contains \$7.3 million to support international broadcasting in Arab and Muslim populations and to upgrade transmission facilities in Tajikistan.

Secretary of State Rice is scheduled to testify before the Senate Foreign Relations Committee, the House International Relations Committee, and the House and Senate Appropriations Committees in February on the State Department FY2006 budget request.

For FY2005 State Department funding, the President signed the Consolidated Appropriations Act of 2005 into law (P.L. 108-447) on December 8, 2004. The final FY2005 enacted funding for the Department of State amounted to \$8,174.7 million and \$591.6 million for international broadcasting.

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State Department and Related Agencies: FY2005 Appropriations and FY2006 Request

Background

Budgets for the Department of State and the Broadcasting Board of Governors (BBG), as well as U.S. contributions to United Nations (U.N.) International Organizations, and U.N. Peacekeeping, are within the Commerce, Justice, State and Related Agency (CJS) appropriations. Intertwined with the annual appropriations process is the biannual Foreign Relations Authorization that, by law, Congress must pass prior to the State Department's expenditure of its appropriations. Senator Lugar introduced a State Department authorization bill for FY2006 and FY2007 (S. 600) on March 10, 2005. (For details on the history and past foreign relations authorization legislation, H.R. 1950/S. 2144, see CRS Report RL31986, *Foreign Relations Authorization, FY2004 and FY2005: State Department and Foreign Assistance*.)

On February 7, 2005, the Administration sent its FY2006 budget request to Congress. The requested funding level for the Department of State is \$9,283.1 million, representing a 13.6% increase over the previous year's enacted level. For international broadcasting, the request of \$651.9 million represents a 10.2% increase over the FY2005 enacted level.

One week later (on February 14th) the Administration sent its FY2005 emergency supplemental budget request to Congress. The \$81.9 billion request, on top of its FY2005 enacted budget and FY2006 request, includes more than \$2.2 billion for U.S. embassies in Iraq and Afghanistan and U.S. contributions to the U.N. for international peacekeeping. Additionally, the supplemental includes \$7.3 million for international broadcasting.

The FY2005 CJS appropriation was included in Division B of the Consolidated Appropriations Act of FY2005 which was signed into law (P.L. 108-447) on December 8, 2004. It set State Department funding at \$8,283.2 million and international broadcasting at \$599.6 million. After calculating the two rescissions — Sec. 640 of Division B required a 0.54% rescission to be applied to all discretionary accounts within CJS, and Sec 122 of Division J contained another rescission of 0.80% across all agencies within the act — the totals are \$8,174.7 million for State and \$591.6 million for international broadcasting.

Table 1 provides regular and supplemental State Department and related agencies' appropriations for FY2004, FY2005 and the FY2006 request. Rescissions for FY2005 are reflected in the table.

State Department

The State Department's mission is to advance and protect the worldwide interests of the United States and its citizens through the staffing of overseas missions, the conduct of U.S. foreign policy, the issuance of passports and visas, and other responsibilities. Currently, the State Department coordinates with the activities of 50 U.S. government agencies and organizations in operating more than 260 posts in over 180 countries around the world. The Department's staff size has increased, largely because of the integration in 1999 of Arms Control and Disarmament Agency (ACDA) and the U.S. Information Agency (USIA) into State. Currently, the State Department employs approximately 30,000 people, about 60% of whom work overseas. Highlights follow.

Administration of Foreign Affairs

Diplomatic and Consular Programs (D&CP) — The D&CP account funds overseas operations (e.g., motor vehicles, local guards, telecommunications, medical), activities associated with conducting foreign policy, passport and visa applications, regional bureaus, under secretaries, and post assignment travel. Beginning in FY2000, the State Department's Diplomatic and Consular Program account included State's salaries and expenses, as well as the technology and information functions of the former USIA and the functions of the former ACDA.

For the FY2006 budget, the Administration is requesting \$4,472.6 million for D&CP, a 7.2% increase over the FY2005 level. Included in the FY2006 request is \$333.9 million for public diplomacy expenses and \$689.5 million for worldwide security upgrades.

The Administration's FY2005 emergency supplemental budget request seeks an additional \$767.2 million for D&CP. Of this, \$690 million would be for costs associated with the U.S. Mission operations in Iraq; \$60 million for U.S. Mission operations in Afghanistan; and \$17.2 million to establish State's Office of the Coordinator for Reconstruction and Stabilization.

The enacted FY2005 funding level for D&CP was set at \$4,172.2 million, including \$320 million for public diplomacy. Within the D&CP account, the conferees also designated \$649.9 million for worldwide security upgrades. They noted progress by State on right-sizing embassies and urged continued efforts in staffing overseas posts. The conferees provided \$836.5 million for the FY2005 Border Security Program, of which \$75 million is from appropriated funds and \$661.5 million will be derived from machine readable visa (MRV) fees.

Embassy Security, Construction and Maintenance (ESCM) — This account supports the maintenance, rehabilitation, and replacement of overseas facilities to provide appropriate, safe, secure and functional facilities for U.S. diplomatic missions abroad. Early in 1998, Congress had enacted \$640 million for this account for FY1999. However, following the embassy bombings in Africa in August 1998, Congress agreed to more than \$1 billion (within a supplemental funding bill) for the

Security and Maintenance account by establishing a new subaccount referred to as *Worldwide Security Upgrades*.

For FY2005, Congress enacted \$603.5 million for regular ESCM and \$900.1 million for worldwide security upgrades. The conferees included language to establish the Capital Security Cost Sharing Program, as requested by the Administration in that budget request.

For FY2006, the President requested \$615.8 million for regular ESCM expenditures and \$910.2 million for worldwide security upgrades, for a total account level of \$1,526.0 million, a 1.5% increase over FY2005 enacted funding. The most significant portion of funding for this account — that needed for the U.S. embassies in Iraq and Afghanistan — are not included in the President's FY2006 State Department request, but are included in the Administration's FY2005 supplemental budget request that was sent to the Hill a week later. It seeks \$658.0 million for construction costs associated with building a new U.S. embassy and housing facilities in Baghdad.

Educational and Cultural Exchanges — This account funds programs authorized by the Mutual Educational and Cultural Exchange Act of 1961, such as the Fulbright Academic Exchange Program, as well as leadership programs for foreign leaders and professionals. Government exchange programs came under close scrutiny in past years for being excessive in number and duplicative. By a July 1997 executive order, the Office of U.S. Government International Exchange and Training Coordination was created. For the FY2002 budget, Congress passed \$237 million, including \$125.4 million for the Fulbright programs. For FY2003 this account funding was \$243.7 million, including \$131.5 million for the Fulbright programs. The Consolidated Appropriations Act, FY2004 set the funding for Educational and Cultural Exchanges at \$316.6 million, including \$150.0 million for Fulbright. The conferees noted that exchanges with Eastern European and former Soviet Union countries are to be built into the base of the Educational and Cultural Exchanges, but Congress did not provide the money necessary to fully fund those programs.

The FY2005 appropriation for exchanges overall totaled \$355.9 million. Included is \$160.5 million for the Fulbright Program which, according to the conferees, is to include a Foreign Student Program with Iraq and Afghanistan.

The FY2006 request for Educational and Cultural Exchanges totals \$430.4 million which represents a 20.9% increase over the FY2005 level. The President's request includes \$180.0 million targeted for Key Muslim populations.

The Capital Investment Fund (CIF) — CIF was established by the Foreign Relations Authorization Act of FY1994/95 (P.L. 103-236) to provide for purchasing information technology and capital equipment which would ensure the efficient management, coordination, operation, and utilization of State's resources. In FY1998 Congress approved a 250% increase in this fund, from \$24.6 million in FY1997 to \$86 million in FY1998.

For FY2004, Congress enacted \$79.2 million for the FY2004 CIF account. In addition, an estimated \$114.0 million was to be derived from expedited passport fees,

providing a total of \$194.0 million for FY2004. Conferees noted that \$39.6 million was provided within the Diplomatic and Consular Programs (D&CP) account for IT improvements.

The FY2005 request for CIF was \$155.1 million (95.8% above the FY2004 enacted level), with an additional \$114.0 million in estimated Expedited Passport Fees to be combined with CIF funds to provide a total \$269.1 million for information technology and communication systems at the Department of State. However, Congress enacted \$51.5 million for CIF in FY2005 and also created the Centralized Information Technology Modernization Program, with an appropriation of \$76.8 million. Combined the two accounts totaled \$128.3 million, 17.3% less than requested for overall IT funding.

For FY2006, the Bush Administration is requesting \$133.0 million for CIF and no funds for the Centralized Information Technology Modernization Program. The CIF request represents a 3.7% increase when compared with the combined technology accounts funded in FY2005.

International Organizations and Conferences

In recent years, U.S. contributions to U.N. international organizations and peacekeeping activities have been complicated by a number of issues, such as the withholding of funds related to international family planning policies. Recently, some controversial issues have included 1) the lack of agreement about the U.N.'s role in the current worldwide dispute on how to deal with Iraq; and 2) the loss of the U.S. seat on the U.N. Commission on Human Rights.

In past years, overdue U.S. arrearage payments had been an issue. Shortly after the September 11th terrorist attack and at a time when the U.S. government was seeking U.N. support in its coalition to fight terrorism, however, Congress passed, and the President signed, legislation (S. 248/P.L. 107-46) which allowed the United States to make its second tranche (\$475 million) of arrearage payments to the U.N. (For more detail, see CRS Issue Brief IB86116, *U.N. System Funding: Congressional Issues*, by Vita Bite.)

Contributions to International Organizations (CIO) — CIO provides funds for U.S. membership in numerous international organizations and for multilateral foreign policy activities that transcend bilateral issues, such as human rights. Maintaining a membership in international organizations, the Administration argues, benefits the United States by advancing U.S. interests and principles while sharing the costs with other countries. Payments to the U.N. and its affiliated agencies, the Inter-American Organizations, as well as other regional and international organizations are included in this account.

For FY2006 President Bush requests \$1,296.5 million for international organizations, 11.2% greater than the FY2005 enacted level. The request represents full funding of U.S. assessed contributions to the 47 international organizations.

Congress enacted \$1,166.2 million as the funding level for CIO in FY2005 and urged the U.N. to do more to resolve the Sudan crisis and investigate the oil-for-food program.

Contributions to International Peacekeeping Activities (CIPA) — The United States supports multilateral peacekeeping efforts around the world through payment of its share of the U.N. assessed peacekeeping budget. The President's FY2006 request totals \$1,035.5 million. This represents 114.2% increase over the FY2005 enacted level of \$483.5 million. The conferees expressed concern that the Administration had voted in the U.N. Security Council for five new or expanded peacekeeping missions (Haiti, Burundi, Liberia, Cyprus, and Ivory Coast) without seeking appropriations for them from Congress. That is why the FY2006 request is more than double the previous year's funding level.

In addition to the Administration's FY2006 request for a large increase, however, the President is also seeking \$780 million for CIPA in its FY2005 emergency supplemental request. (This amount mirrors the amount the Administration said was lacking in the enacted FY2005 budget for U.N. peacekeeping missions that the Administration voted for in the U.N. security council last year, but did not seek funding for in the FY2005 budget cycle.) This request includes \$55 million that the Administration wants the flexibility to transfer to voluntary U.S. contributions to a Sudan War Crimes Tribunal. (For more detail on international peacekeeping, see CRS Issue Brief IB90103, *United Nations Peacekeeping: Issues for Congress*, by Marjorie Ann Browne.)

International Commissions

The *International Commissions* account includes the U.S.-Mexico Boundary and Water Commission, the International Fisheries Commissions, the International Boundary Commission, the International Joint Commission, and the Border Environment Cooperation Commission. The FY2006 request of \$70.3 million is an 11.1% increase from the FY2005 level of \$63.3 million.

Related State Department Appropriations

The Asia Foundation — The Asia Foundation is a private, nonprofit organization that supports efforts to strengthen democratic processes and institutions in Asia, open markets, and improve U.S.-Asian cooperation. The Foundation receives both government and private sector contributions. Government funds for the Asia Foundation are appropriated to, and pass through, the State Department. For FY2005, Congress funded the Foundation at \$12.8 million, even though the President's request of \$8.9 million was well below that level. The Administration request for FY2006 is \$10 million, nearly a 22% decrease.

The International Center for Middle Eastern-Western Dialogue Trust Fund — The conferees added language in the FY2004 conference agreement for the Consolidated Appropriations Act, FY2004 to establish a permanent trust fund for the International Center for Middle Eastern-Western Dialogue. The act provided \$6.9 million for perpetual operations of the Center which is to be located in Istanbul,

Turkey. The Despite the fact that the Administration did not request any FY2005 funding for this Center, Congress provided \$7.3 million for it in FY2005. The Administration is requesting to spend \$.8 million of interest and earnings from the Trust Fund for program funding in FY2006.

National Endowment for Democracy (NED) — The National Endowment for Democracy, a private nonprofit organization established during the Reagan Administration, supports programs to strengthen democratic institutions in more than 90 countries around the world. NED proponents assert that many of its accomplishments are possible because it is not a government agency. NED's critics claim that it duplicates U.S. government democracy programs and either could be eliminated or could operate entirely with private funding. NED's enacted FY2004 budget was \$39.6 million. President Bush included a proposal in his State of the Union address in January 2004 to double NED's funding in FY2005 to \$80 million for its Greater Middle East Democracy Initiative. However, Final congressional action provided \$60 million for NED for FY2005. The conferees strongly encouraged NED and its four core grantees to focus funding on democracy promotion activities in the Middle East. The Administration's FY2006 budget request for NED amounts to the same as its FY2005 request of \$80. This represents a 35.1% increase over the enacted \$59.2 million for FY2005.

East-West and North-South Centers — The Center for Cultural and Technical Interchange between East and West (East-West Center), located in Honolulu, Hawaii, was established in 1960 by Congress to promote understanding and cooperation among the governments and peoples of the Asia/Pacific region and the United States. The Center for Cultural and Technical interchange between North and South (North-South Center) is a national educational institution in Miami, FL, closely affiliated with the University of Miami. It promotes better relations, commerce, and understanding among the nations of North America, South America and the Caribbean. The North-South Center began receiving a direct subsidy from the federal government in 1991. The enacted FY2004 appropriation included \$17.7 million for the East-West Center and no funds for the North-South Center. For FY2005 the East-West Center received \$19.2 million while, once again, no funds were included for the North-South Center.

The Administration FY2006 request is for \$13 million (a decrease of 32.3%) for the East-West Center and no funds for the North-South Center.

Broadcasting Board of Governors

The United States International Broadcasting Act of 1994¹ reorganized within USIA all U.S. government international broadcasting, including Voice of America (VOA), Broadcasting to Cuba, Radio Free Europe/Radio Liberty (RFE/RL), Radio Free Asia (RFA), and the newly-approved Radio Free Iraq and Radio Free Iran. The 1994 Act established the Broadcasting Board of Governors (BBG) to oversee all U.S.

¹ Title III of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995, P.L. 103-236.

government broadcasting; abolished the Board for International Broadcasting (BIB), the administering body of RFE/RL; and recommended that RFE/RL be privatized by December 31, 1999. This recommendation was repealed by P.L. 106-113.

During the reorganization debate in 1999, the 105th Congress agreed that credibility of U.S. international broadcasting was crucial to its effectiveness as a public diplomacy tool. Therefore, Congress agreed not to merge broadcasting functions into the State Department, but to maintain the Broadcasting Board of Governors (BBG) as an independent agency as of October 1, 1999.

In 2004, the 9/11 Commission recommended the international broadcasting receive an increase in funding, and the Intelligence Reform and Terrorism Prevention Act of FY2004 (P.L. 108-458) included language to support free media in Muslim populations.

Congress enacted a total of \$591.6 million for international broadcasting in FY2005 — \$30 million more than the President's FY2005 request. The conferees expressed concern about the "blurring of distinction" between the broadcasting done by the BBG and that done by the Department of Defense and required the BBG to report to congressional committees of any such DoD activities.

For FY2006 international broadcasting activities the President is requesting \$651.9 million with an emphasis on enhancing programming for the war on terrorism, as well as a \$10 million increase for modernization of techniques and technology for Cuba Broadcasting. The international broadcasting funding request is 10.2% higher than the FY2005 enacted level.

The Administration's FY2005 emergency supplemental budget request includes \$7.3 million for international broadcasting — \$4.8 million for activities related to broadcasting to the greater Middle East, and \$2.5 million to upgrade transmitting facilities located in Tajikistan.

Visa Issuance and Homeland Security

The State Department traditionally has had sole authority to issue visas overseas. The Homeland Security Act of 2002 (H.R. 5005/P.L. 107-296, signed into law on November 25, 2002) now provides the Secretary of the Department of Homeland Security (DHS) with exclusive authority to: 1) issue regulations regarding administering and enforcing visa issuance, 2) impose upon any U.S. government employee, with consent of the head of his/her agency, any functions involved in visa issuance, 3) assign DHS employees to each overseas post where visas are issued, and 4) use the National Foreign Affairs Training Center to train DHS employees who will be involved in visa issuance. The act states that these authorities will be exercised through the Secretary of State. The Homeland Security Act of 2002 further provides the Secretary of State and consular officers with the authority to refuse visa applications. The act stipulates that within one year after the act is signed, the Secretary of DHS and the Secretary of State must report to Congress on implementation of visa issuance authorities and any proposals that are necessary to

improve the activities surrounding visa issuance. Specifically regarding visa issuance in Saudi Arabia, the act stipulates that upon enactment of the act, the third party screening program in Saudi Arabia will terminate, but on-site personnel of the DHS shall review all visa applications prior to adjudication there.

The Homeland Security Act of 2002 did not alter the current authority for the Department of State to use machine readable visa fees in its expenditures. State's total allocation of machine readable visa fees in FY2001 was \$395.3 million; in FY2002 it was \$443 million; the FY2003 estimate is \$623.3 million; and the FY2004 estimate is for \$687.5 million. The FY2005 appropriation includes \$661.5 million from MRV fee collections. The budget request for FY2006 includes a request for the use of \$672.1 in MRV fees. The fees are typically used for State Department border security programs, technology, and personnel.

Now, because of terrorism, the visa issuance process takes much longer and the U.S.-led war may have reduced demand for travel to America. Thus, officials are seeing a gap between the MRV fee total estimates and actuals. The emergency supplemental appropriation helped to fill that gap in FY2004.

Table 1. State Department and Related Agencies Appropriations
(millions of dollars)

	FY2004 enacted	Supp. P.L. 108- 106	Supp. P.L. 108- 287	FY2005 request	FY2005 enacted*	FY2005 Supp. request	FY2006 request	% change FY2006 request vs. FY2005 enacted
State Department								
Diplomatic & Consular Program	4,063.5	120.5	665.3	4,285.0	4,172.2	767.2	4,472.6	7.2%
Public Diplomacy	(301.6)			(309.2)	(320.0)		(327.9)	2.5%
Worldwide Security Upgrades	(639.9)			(658.7)	(649.9)		(689.5)	6.1%
Ed & cultural exchange prog. (USIA)	316.6			345.3	355.9		430.4	20.9%
Office of Inspector General	31.4			30.4	30.0		30.0	0.0%
Representation allowances	8.9			8.6	8.5		8.3	-2.4%
Protec.-missions & officials	9.9			9.6	9.7		9.4	-3.1%
Embassy security/constr/maintenance	524.4			626.7	603.5	658.0	615.8	2.0%
Worldwide security upgrades	852.3	43.9	20.0	912.3	900.1		910.2	1.1%
Emergency-diplo. & consular services	1.0	115.5		7.0	1.0		13.6	1260.0%
Repatriation loans	1.2			1.2	1.2		1.3	0.8%
Payment American Inst. Taiwan	18.6			19.5	19.2		19.8	3.1%
Foreign Service Retirement Fund	135.0			132.6	132.6		131.7	0.7%
Capitol Investment Fund	79.2			155.1	51.5		133.0	158.3%
Centralized Information Tech Modernization Program					76.8		0.0	.-

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	FY2004 enacted	Supp. P.L. 108- 106	Supp. P.L. 108- 287	FY2005 request	FY2005 enacted*	FY2005 Supp. request	FY2006 request	% change FY2006 request vs. FY2005 enacted
Total, Administration of Foreign Affairs	6,042.0	279.9	685.3	6,533.5	6,362.2	1,425.2	6,776.1	6.5%
International Organ. & Conf.								
Contributions to international organizations	999.8			1,194.2	1,166.2		1,296.5	11.2%
Contributions to international peacekeeping	450.1	245.0		650.0	483.5	780.0	1,035.5	114.2%
Total International Organ. & Conf.	1,449.9	245.0	0.0	1,844.2	1,649.7	780.0	2,332.0	41.4%
Total International Commissions	57.2	0.0	0.0	70.4	63.3		70.3	11.1%
Related Appropriations								
Int'l Cntr for Middle Eastern-Western Dialogue	6.9			0.0	7.3		0.8	-89.0%
The Asia Foundation	12.9			8.9	12.8		10.0	-21.9%
National Endowment for Democracy	39.6			80.0	59.2		80.0	35.1%
East-West Center	17.7			13.7	19.2		13.0	-32.3%
Eisenhower Exchange	0.5			0.5	0.5		0.5	0.0%
Israeli Arab Scholarship	0.4			0.4	0.4		0.4	0.0%
Total Related Appropriations	78.0			103.5	99.4		104.7	5.3%
Total State Department	7,627.1	524.9	685.3	8,551.4	8,174.7	2,205.2	9,283.1	13.6%
International Broadcasting								
Capital Improvements	11.3			8.6	8.4	2.5	10.9	29.8%
Broadcasting Operations	540.3	40.0		533.1	583.1	4.8	603.4	3.5%

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	FY2004 enacted	Supp. P.L. 108- 106	Supp. P.L. 108- 287	FY2005 request	FY2005 enacted*	FY2005 Supp. request	FY2006 request	% change FY2006 request vs. FY2005 enacted
Broadcasting to Cuba	--			27.6	--		37.7	--
Total International Broadcasting	551.6	40.0	0.0	569.3	591.6	7.3	651.9	10.2%
TOTAL State & Broadcasting	8,178.6	564.9	685.3	9,120.7	8,766.3	2,212.5	9,935.0	13.3%

*FY2005 enacted figures reflect a 0.54% rescission within the CJS (Division B) portion of the omnibus law and the 0.80% across-the-board rescission applied to all accounts within the act.