



Functional Bureau Strategy

Office of Foreign Missions

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1. Executive Statement

The Foreign Missions Act (FMA) (22 U.S.C. § 4301-4316) provides the legal foundation to facilitate secure and efficient operations of U.S. missions abroad, and of foreign missions and international organizations in the United States. Congress mandated the creation of the Office of Foreign Missions (OFM) in the FMA to serve the interests of the American public, the American diplomatic community abroad, and the foreign diplomatic community residing in the United States ensuring that all diplomatic benefits, privileges, and immunities would be properly exercised in accordance with federal laws and international agreements.

As an advocate for reciprocal agreements, OFM presses for fair treatment of U.S. personnel abroad while assuring foreign diplomats based in the United States receive the same treatment that each respective government provides in return. Additionally, OFM assists foreign missions in dealing with local government offices in the United States. The concept of reciprocity is best established at 22 U.S.C. § 4301 (c), which states “the treatment to be accorded foreign missions in the United States shall be determined by the Secretary after due consideration of the benefits, privileges, and immunities provided to missions of the United States in the country or territory represented by that foreign mission, as well as matters relating to the protection of the interests of the United States.”

OFM’s implementation of the Foreign Missions Act includes overseeing the process used to formally establish, accredit or terminate foreign missions and international organizations in the United States, including approval or denial of their requests to acquire, renovate, or dispose of real property in the United States; determining, via accreditation, the rights, privileges, and immunities accorded to foreign government and international organization personnel in the United States; assisting U.S. missions abroad in negotiating the reduction or elimination of taxes and customs on their operations, construction projects, and purchases; regulating the operation, titling and registration of the foreign missions’ use of motor vehicles in the United States; overseeing the process through which shipments consigned to foreign missions and their members are permitted entry into the United States; restricting the travel of certain foreign mission members in the United States; coordinating the policies and procedures on improving the availability of banking and financial services for foreign missions in the United States; coordinating emergency management planning and response for foreign missions in the United States and their personnel; and, designating/determining other “benefits” accorded to foreign missions and the provisions thereof.

The requirements of the FMA influence OFM’s strategic goals and priorities.

2. Bureau Strategic Framework

Bureau Goal 1 Ensure Secure and Efficient Operations of U.S. Missions Abroad

Bureau Objective 1.1 Enhance the ownership or lease by U.S. missions abroad of real property by developing and enforcing reciprocity-informed policies regarding real properties owned or leased by foreign missions in the United States.

Bureau Objective 1.2 Enhance the use and management of all motor vehicles acquired, leased, or otherwise operated by U.S. missions and their members abroad by developing and enforcing reciprocity-informed policies regarding motor vehicles owned, leased, or otherwise operated by foreign missions in the United States.

Bureau Objective 1.3 Assist U.S. diplomatic and consular missions abroad by developing, implementing, and enforcing policies regarding the relief of taxes imposed on the official and personal purchases of foreign missions and their members in the United States, which ensure consideration of reciprocity and other factors, and achieve improvements to their receipt of such benefits.

Bureau Goal 2 Protect U.S. Foreign Policy and National Security Interests

Bureau Objective 2.1 Ensure compliance by foreign missions and their members with Department policy and local, state, and federal rules, regulations, and laws that affect U.S. foreign policy and national security interests by developing and enforcing reciprocity-informed policies that protect U.S. foreign policy and national security interests.

Bureau Goal 3 Protect the U.S. Public

Bureau Objective 3.1 Ensure the safety of the U.S. driving public by monitoring the level of motor vehicle party liability insurance as mandated by the Diplomatic Relations Act of 1978.

Bureau Goal 4 Communicate OFM Policies Strategically with Stakeholders

Bureau Objective 4.1 Facilitate the provision of information and services to foreign missions and other partners in a secure, timely, efficient, and appropriate manner by engaging Department personnel worldwide and local, state and federal partners to increase their knowledge of OFM's authority to employ reciprocal leverages.

Management Goal 5 Provide timely, efficient and effective service and assistance to Department and interagency colleagues, and foreign missions in the United States, to assure appropriate privileges, benefits, and services on a reciprocal basis.

Management Objective 5.1 Provide better oversight and customer service, internally and externally, by strengthening the quality of OFM's policies, products, and information management processes.

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3. Goals and Objectives

Bureau Goal 1: Ensure Secure and Efficient Operations of U.S. Missions Abroad

Description and Linkages

OFM is responsible for ensuring equitable treatment for U.S. missions abroad and their personnel by implementing the Secretary's mandate under the FMA to ensure reciprocity is given due consideration prior to the Department's extension of benefits, privileges, and immunities to foreign missions and their members in the United States, and in accordance with U.S. rules, regulations, and laws, as well as existing bilateral and international agreements. OFM uses the broad authority of the FMA to accomplish this goal in order to achieve maximum reciprocal privileges, immunities, and benefits for U.S. missions abroad and their personnel.

Risks:

- Reliance upon partners for whom OFM's issues are not a priority;
- Reliance upon partners for whose interests and priorities might conflict with OFM's;
- Reliance upon partners who lack transparency or accountability;
- Reliance upon partners whose technical capacity does not equal OFM's or vice versa;
- Reliance upon partners who lack will or ability to share information or participate in initiatives; and,
- Technological change that results in:
 - Obsolete systems;
 - Inefficient processes;
 - Inadequate training; and,
 - Reduced accessibility to data.

OFM's goal is linked to the Department of State/USAID Joint Strategic Plan Goal 4: "Ensure effectiveness and accountability to the American taxpayer" and Strategic Objective 4.1: "Strengthen the effectiveness and sustainability of our diplomacy".

Bureau Objective 1.1 Enhance the ownership or lease by U.S. missions abroad of real property by developing and enforcing reciprocity-informed policies regarding real properties owned or leased by foreign missions in the United States.

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Justification As a primary advocate for reciprocal agreements, OFM pursues equitable treatment of U.S. missions abroad, while assuring foreign missions in the United States receive treatment equitable to the treatment their respective governments provide to U.S. missions abroad. Among other benefits, OFM oversees the development and enforcement of policies and guidance relating to the acquisition, maintenance, and sale of real properties.

Bureau Objective 1.2 Enhance the use and management of all motor vehicles acquired, leased, or otherwise operated by U.S. missions and their members abroad by developing and enforcing reciprocity-informed policies regarding motor vehicles owned, leased, or otherwise operated by foreign missions in the United States.

Justification. As a primary advocate for reciprocal agreements, OFM pursues fair treatment of U.S. missions abroad, while assuring foreign missions in the United States receive treatment equitable to the treatment their respective governments provide to U.S. missions abroad. Among other benefits, OFM oversees the development and enforcement of policies and guidance relating to the acquisition, registration, use, and disposition of diplomatic vehicles.

Bureau Objective 1.3 Assist U.S. diplomatic and consular missions abroad by developing, implementing, and enforcing policies regarding the relief of taxes imposed on the official and personal purchases of foreign missions and their members in the United States, which ensure consideration of reciprocity and other factors, and achieve improvements to their receipt of such benefits.

Justification. As a primary advocate for reciprocal agreements, OFM pursues fair treatment of U.S. missions abroad, while assuring foreign missions in the United States receive treatment equitable to the treatment their respective governments provide to U.S. missions abroad. Among other benefits, OFM oversees the development and enforcement of policies relating to tax relief.

Bureau Goal 2: Protect U.S. Foreign Policy and National Security Interests

Description and Linkages

OFM is committed to protecting U.S. foreign policy and national security interests. The ability to regulate the activities of foreign missions in the United States is granted through the broad authority of the FMA and definition of a “benefit”. OFM controls foreign mission activity in the United States through defining a benefit and then creating regulations to govern access to such benefits. Deterring, detecting, and investigating non-compliance of Department policy and local, state, and federal laws is essential to protect and safeguard national security. The ingenuity, resources, and globally present nature of criminal entities that engage in fraud pose a serious risk to U.S. foreign policy objectives. In order to mitigate that risk, OFM believes in a robust and multi-faceted approach that engages and relies on close coordination between all stakeholders. Data analytics provides insight into trends and identifies links between one case and another. This data is used to develop foreign mission specific

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policies and regulations responsive to the latest and most pertinent threats to U.S. policy and national security.

Should it be in the interest of U.S. foreign policy or national security, foreign missions may be required to obtain benefits from or through the Secretary on terms and conditions as the Secretary approves, or forego the acceptance, use, or relation of any benefit or to comply with such terms and conditions as the Secretary may determine. This includes any benefit from or authorized by any local, state, or federal government authority, or any entity providing public services.

Risks:

- Reliance upon partners for whom OFM's issues are not a priority;
- Reliance upon partners for whose interests and priorities might conflict with OFM's;
- Reliance upon partners who lack transparency or accountability;
- Reliance upon partners whose technical capacity does not equal OFM's or vice versa;
- Reliance upon partners who lack will or ability to share information or participate in initiatives; and,
- Technological change that results in:
 - Obsolete systems;
 - Inefficient processes;
 - Inadequate training; and,
 - Reduced accessibility to data.

OFM's goal is linked to the Department of State/USAID Joint Strategic Plan Goal 4: "Ensure effectiveness and accountability to the American taxpayer" and strategic objective 4.1: "Strengthen the effectiveness and sustainability of our diplomacy".

Bureau Objective 2.1 Ensure compliance by foreign missions and their members with Department policy and local, state, and federal rules, regulations, and laws that affect U.S. foreign policy and national security interests by developing and enforcing reciprocity-informed policies that protect U.S. foreign policy and national security interests.

Justification OFM's ability to regulate foreign missions' activities faces challenges from infrastructure insufficiencies in meeting the needs and expectations of an increasingly demanding audience, i.e., Department colleagues, interagency partners, and the general public. OFM must take a proactive approach to anticipate new requirements and demand fluctuations.

Bureau Goal 3: Protect the U.S. Public

Description and Linkages:

One of OFM's main priorities is the protection of the U.S. public from abuses of privileges and immunities by foreign missions and its members. OFM ensures diplomatic privileges and immunities are properly exercised by establishing and maintaining relationships with U.S. law enforcement and

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security communities at the local, state and national levels to educate them on OFM's roles and responsibilities, largely regarding the proper extension of diplomatic/consular privileges and immunities.

Risks:

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- Reliance upon partners for whose interests and priorities might conflict with OFM's;
- Reliance upon partners who lack transparency or accountability;
- Reliance upon partners whose technical capacity does not equal OFM's or vice versa;
- Reliance upon partners who lack will or ability to share information or participate in initiatives; and,
- Technological change that results in:
 - Obsolete systems;
 - Inefficient processes;
 - Inadequate training; and,
 - Reduced accessibility to data.

OFM's goal is linked to the Department of State/USAID Joint Strategic Plan Goal 4: "Ensure effectiveness and accountability to the American taxpayer" and strategic objective 4.1: "Strengthen the effectiveness and sustainability of our diplomacy".

Bureau Objective 3.1 Ensure the safety of the U.S. driving public by monitoring the level of motor vehicle party liability insurance as mandated by the Diplomatic Relations Act of 1978.

Justification In order to ensure compliance by foreign missions and their members with Department policy and U.S rules, regulations, and law, OFM needs to carefully track their purchase and annual renewal of liability insurance related to the risks arising from their operation of any motor vehicle in the United States. The Diplomatic Relations Act of 1978 states that any direct action brought against an insurer shall not be subject to the defense that the insured is immune from suit.

Bureau Goal 4: Communicate OFM Policies Strategically with Stakeholders

Description and Linkages

Congress mandated the creation of the Office of Foreign Missions (OFM) in the FMA to serve the interests of the American public, the American diplomatic community abroad, and the foreign diplomatic community residing in the United States, ensuring that all diplomatic benefits, privileges, and immunities would be properly exercised. In order to ensure this happens, OFM must effectively, consistently, and efficiently provide information, assistance, and coordination to Department and interagency colleagues--and foreign missions and international organizations--in the United States to implement appropriate privileges, benefits, and services on a reciprocal basis and in accordance with federal laws and international agreements.

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Risks:

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- Reliance upon partners whose technical capacity does not equal OFM's or vice versa; and,
- Reliance upon partners who lack will or ability to share information or participate in initiatives.

OFM's goal is linked to the Department of State/USAID Joint Strategic Plan Goal 4: "Ensure effectiveness and accountability to the American taxpayer" and strategic objective 4.1: "Strengthen the effectiveness and sustainability of our diplomacy".

Bureau Objective 4.1

Facilitate the provision of information and services to foreign missions and other partners in a secure, timely, efficient, and appropriate manner by engaging Department personnel worldwide and local, state and federal partners to increase their knowledge of OFM's authority to employ reciprocal leverages.

Justification As an advocate for reciprocal agreements, OFM presses for fair treatment of U.S. personnel abroad while assuring foreign diplomats based in the United States receive the same treatment that each respective government provides in return. Additionally, OFM assists foreign missions in dealing with local government offices in the United States.

4. Cross-cutting Management Goal

Management Goal

Provide timely, efficient and effective service and assistance to Department and interagency colleagues, and foreign missions in the United States, to assure appropriate privileges, benefits, and services on a reciprocal basis.

Description and Linkages

OFM is responsible for managing and implementing the Department's obligations and mandates under the FMA. The FMA provides the Secretary with unique and expansive authority to direct and control the operations of foreign missions in the United States, and to regulate the benefits available to such missions. Further, the FMA mandates the Department to extend benefits to eligible foreign missions and its members in the United States after due consideration of the benefits, privileges, and immunities provided to missions of the United States in the country or territory represented by that foreign mission, as well as matters relating to the protection of the interests of the United States. Thus, ensuring fairness is one of OFM's primary obligations and duties.

Risks:

- Technological change that results in:
 - Obsolete systems;
 - Inefficient processes;
 - Inadequate training; and,
 - Reduced accessibility to data.

OFM's management goal is linked to the Department of State/USAID Joint Strategic Plan Goal 4: "Ensure effectiveness and accountability to the American taxpayer" and strategic objective 4.1: "Strengthen the effectiveness and sustainability of our diplomacy".

Management Objective 5.1

Provide better oversight and customer service, internally and externally, by strengthening the quality of OFM's policies, products, and information management processes.

Justification OFM provides a wide variety of services to thousands of individuals assigned to foreign missions in the United States. In doing so, OFM supports more than 190 embassies, approximately 700 foreign consular posts, 220 permanent missions to the United Nations, 46 missions to the Organization of American States, the World Bank, the International Monetary Fund and other accredited international organizations. OFM looks to further enhance its abilities to provide services to such missions on the basis of reciprocity as described above, which directly benefits, both operationally and financially, U.S. operations abroad.

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TOMIS is the technological backbone of OFM's operations, which is widely utilized and relied upon throughout the Department and other U.S. government entities. Constant modernization and improvement of TOMIS is crucial to provide straightforward, simplified transactions, improved online and in-face interfaces, and increased options through the application process. Better management of systems and records will improve performance, monitor compliance, and increase the ability to make data-informed, strategic decisions. However, implementation of these efforts face various risks, ranging from user errors to delays in contract award processing that defer modernization efforts.