

credit to an account of a person located in Cuba or of the Government of Cuba maintained on the books of a United States depository institution.

(2) Penalties

Any private person or entity that violates paragraph (1) shall be subject to the penalties provided in the Trading With the Enemy Act [50 App. U.S.C. 1 et seq.] for violations under that Act.

(3) Administration and enforcement

The President shall issue such regulations as are necessary to carry out this section, except that the President, in lieu of issuing new regulations, may apply any regulations in effect on October 28, 2000, pursuant to the Trading With the Enemy Act [50 App. U.S.C. 1 et seq.], with respect to the conduct prohibited in paragraph (1).

(4) Definitions

In this subsection—

(A) the term “financing” includes any loan or extension of credit;

(B) the term “United States depository institution” means any entity (including its foreign branches or subsidiaries) organized under the laws of any jurisdiction within the United States, or any agency, office or branch located in the United States of a foreign entity, that is engaged primarily in the business of banking (including a bank, savings bank, savings association, credit union, trust company, or United States bank holding company); and

(C) the term “United States person” means the Federal Government, any State or local government, or any private person or entity of the United States.

(Pub. L. 106-387, §1(a) [title IX, §908], Oct. 28, 2000, 114 Stat. 1549, 1549A-70.)

REFERENCES IN TEXT

The Trading With the Enemy Act, referred to in subsec. (b)(2), (3), is act Oct. 6, 1917, ch. 106, 40 Stat. 411, as amended, which is classified to sections 1 to 6, 7 to 39 and 41 to 44 of Title 50, Appendix, War and National Defense. For complete classification of this Act to the Code, see Tables.

§ 7208. Prohibition on additional imports from Cuba

Nothing in this chapter shall be construed to alter, modify, or otherwise affect the provisions of section 515.204 of title 31, Code of Federal Regulations, relating to the prohibition on the entry into the United States of merchandise that: (1) is of Cuban origin; (2) is or has been located in or transported from or through Cuba; or (3) is made or derived in whole or in part of any article which is the growth, produce, or manufacture of Cuba.

(Pub. L. 106-387, §1(a) [title IX, §909], Oct. 28, 2000, 114 Stat. 1549, 1549A-71.)

§ 7209. Requirements relating to certain travel-related transactions with Cuba

(a) Authorization of travel relating to commercial sale of agricultural commodities

The Secretary of the Treasury shall promulgate regulations under which the travel-related

transactions listed in subsection (c) of section 515.560 of title 31, Code of Federal Regulations, may be authorized on a case-by-case basis by a specific license for travel to, from, or within Cuba for the commercial export sale of agricultural commodities pursuant to the provisions of this chapter.

(b) Prohibition on travel relating to tourist activities

(1) In general

Notwithstanding any other provision of law or regulation, the Secretary of the Treasury, or any other Federal official, may not authorize the travel-related transactions listed in subsection (c) of section 515.560 of title 31, Code of Federal Regulations, either by a general license or on a case-by-case basis by a specific license for travel to, from, or within Cuba for tourist activities.

(2) Definition

In this subsection, the term “tourist activities” means any activity with respect to travel to, from, or within Cuba that is not expressly authorized in subsection (a) of this section, in any of paragraphs (1) through (12) of section 515.560 of title 31, Code of Federal Regulations, or in any section referred to in any of such paragraphs (1) through (12) (as such sections were in effect on June 1, 2000).

(Pub. L. 106-387, §1(a) [title IX, §910], Oct. 28, 2000, 114 Stat. 1549, 1549A-71.)

CHAPTER 80—DIPLOMATIC TELECOMMUNICATIONS SERVICE PROGRAM OFFICE (DTS-PO)

Sec. 7301.	Reorganization of Diplomatic Telecommunications Service Program Office. (a) Reorganization. (b) Purpose and duties of DTS-PO.
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7304.	General provisions. (a) Report to Congress. (b) Notification requirements. (c) Procurement authority of DTS-PO. (d) Definition of appropriate congressional committees of jurisdiction. (e) Statutory construction. (f) Authorization of appropriations for DTS-PO.

§ 7301. Reorganization of Diplomatic Telecommunications Service Program Office

(a) Reorganization

Effective 60 days after December 27, 2000, the Diplomatic Telecommunications Service Program Office (DTS-PO) established pursuant to title V of Public Law 102-140 shall be reorganized in accordance with this chapter.

(b) Purpose and duties of DTS-PO

The purpose and duties of DTS-PO shall be to carry out a program for the establishment and

maintenance of a diplomatic telecommunications system and communications network (hereinafter in this chapter referred to as “DTS”) capable of providing multiple levels of service to meet the wide ranging needs of all United States Government agencies and departments at diplomatic facilities abroad, including national security needs for secure, reliable, and robust communications capabilities.

(Pub. L. 106-567, title III, §321, Dec. 27, 2000, 114 Stat. 2843.)

REFERENCES IN TEXT

Public Law 102-140, referred to in subsec. (a), is Pub. L. 102-140, Oct. 28, 1991, 105 Stat. 782, as amended. Title V of the Act is not classified to the Code. For complete classification of this Act to the Code, see Tables.

REFORM OF THE DIPLOMATIC TELECOMMUNICATIONS SERVICE PROGRAM OFFICE

Pub. L. 106-113, div. B, §1000(a)(7) [div. A, title III, §305], Nov. 29, 1999, 113 Stat. 1536, 1501A-435, provided that:

“(a) ADDITIONAL RESOURCES.—In addition to other amounts authorized to be appropriated for the purposes of the Diplomatic Telecommunications Service Program Office (DTS-PO), of the amounts made available to the Department of State under section 101(2) [113 Stat. 1501A-410], \$18,000,000 shall be made available only to the DTS-PO for enhancement of Diplomatic Telecommunications Service capabilities.

“(b) IMPROVEMENT OF DTS-PO.—In order for the DTS-PO to better manage a fully integrated telecommunications network to service all agencies at diplomatic missions and consular posts, the DTS-PO shall—

“(1) ensure that those enhancements of, and the provision of service for, telecommunication capabilities that involve the national security interests of the United States receive the highest prioritization;

“(2) not later than December 31, 1999, terminate all leases for satellite systems located at posts in criteria countries, unless all maintenance and servicing of the satellite system is undertaken by United States citizens who have received appropriate security clearances;

“(3) institute a system of charges for utilization of bandwidth by each agency beginning October 1, 2000, and institute a comprehensive chargeback system to recover all, or substantially all, of the other costs of telecommunications services provided through the Diplomatic Telecommunications Service to each agency beginning October 1, 2001;

“(4) ensure that all DTS-PO policies and procedures comply with applicable policies established by the Overseas Security Policy Board; and

“(5) maintain the allocation of the positions of Director and Deputy Director of DTS-PO as those positions were assigned as of June 1, 1999, which assignments shall pertain through fiscal year 2001, at which time such assignments shall be adjusted in the customary manner.

“(c) REPORT ON IMPROVING MANAGEMENT.—Not later than March 31, 2000, the Director and Deputy Director of DTS-PO shall jointly submit to the Committee on International Relations and the Permanent Select Committee on Intelligence of the House of Representatives and the Committee on Foreign Relations and the Select Committee on Intelligence of the Senate the Director’s plan for improving network architecture, engineering, operations monitoring and control, service metrics reporting, and service provisioning, so as to achieve highly secure, reliable, and robust communications capabilities that meet the needs of both national security agencies and other United States agencies with overseas personnel.

“(d) FUNDING OF DTS-PO.—Funds appropriated for allocation to DTS-PO shall be made available only for

DTS-PO until a comprehensive chargeback system is in place.

“(e) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term ‘appropriate committees of Congress’ means the Committee on International Relations and the Permanent Select Committee on Intelligence of the House of Representatives and the Committee on Foreign Relations and the Select Committee on Intelligence of the Senate.’”

§ 7302. Personnel

(a) Establishment of position of Chief Executive Officer

(1) In general

Effective 60 days after December 27, 2000, there is established the position of Chief Executive Officer of the Diplomatic Telecommunications Service Program Office (hereinafter in this chapter referred to as the “CEO”).

(2) Qualifications

(A) In general

The CEO shall be an individual who—

(i) is a communications professional;

(ii) has served in the commercial telecommunications industry for at least 7 years;

(iii) has an extensive background in communications system design, maintenance, and support and a background in organizational management; and

(iv) submits to a background investigation and possesses the necessary qualifications to obtain a security clearance required to meet the highest United States Government security standards.

(B) Limitations

The CEO may not be an individual who was an officer or employee of DTS-PO prior to December 27, 2000.

(3) Appointment authority

The CEO of DTS-PO shall be appointed by the Director of the Office of Management and Budget.

(4) First appointment

(i) Deadline

The first appointment under this subsection shall be made not later than May 1, 2001.

(ii) Limitation on use of funds

Of the funds available for DTS-PO on December 27, 2000, not more than 75 percent of such funds may be obligated or expended until a CEO is appointed under this subsection and assumes such position.

(iii) May not be an officer or employee of Federal Government

The individual first appointed as CEO under this chapter may not have been an officer or employee of the Federal government¹ during the 1-year period immediately preceding such appointment.

(5) Vacancy

In the event of a vacancy in the position of CEO or during the absence or disability of the

¹ So in original. Probably should be capitalized.