

and Budget may designate an officer or employee of DTS-PO to perform the duties of the position as the acting CEO.

(6) Authorities and duties

(A) In general

The CEO shall have responsibility for day-to-day management and operations of DTS, subject to the supervision of the Diplomatic Telecommunication Service Oversight Board established under this chapter.

(B) Specific authorities

In carrying out the responsibility for day-to-day management and operations of DTS, the CEO shall, at a minimum, have—

- (i) final decision-making authority for implementing DTS policy; and
- (ii) final decision-making authority for managing all communications technology and security upgrades to satisfy DTS user requirements.

(C) Certification regarding security

The CEO shall certify to the appropriate congressional committees that the operational and communications security requirements and practices of DTS conform to the highest security requirements and practices required by any agency utilizing the DTS.

(D) Reports to Congress

(i) Semiannual reports

Except as provided in clause (ii), beginning on August 1, 2001, and every 6 months thereafter, the CEO shall submit to the appropriate congressional committees of jurisdiction a report regarding the activities of DTS-PO during the preceding 6 months, the current capabilities of DTS-PO, and the priorities of DTS-PO for the subsequent 6-month period. Each report shall include a discussion about any administrative, budgetary, or management issues that hinder the ability of DTS-PO to fulfill its mandate.

(ii) Submittal date of reports to congressional intelligence committees

In the case of reports required to be submitted under clause (i) to the congressional intelligence committees (as defined in section 401a of title 50), the submittal dates for such reports shall be as provided in section 415b of title 50.

(iii) Other reports

In addition to the reports required by clause (i), the CEO shall keep the appropriate congressional committees of jurisdiction fully and currently informed with regard to DTS-PO activities, particularly with regard to any significant security infractions or major outages in the DTS.

(b) Establishment of positions of Deputy Executive Officer

(1) In general

There shall be two Deputy Executive Officers of the Diplomatic Telecommunications Service Program Office, each to be appointed by the President.

(2) Duties

The Deputy Executive Officers shall perform such duties as the CEO may require.

(c) Termination of positions of Director and Deputy Director

Effective upon the first appointment of a CEO pursuant to subsection (a) of this section, the positions of Director and Deputy Director of DTS-PO shall terminate.

(d) Employees of DTS-PO

(1) In general

DTS-PO is authorized to have the following employees: a CEO established under subsection (a) of this section, two Deputy Executive Officers established under subsection (b) of this section, and not more than four other employees.

(2) Applicability of certain civil service laws

The CEO and other officers and employees of DTS-PO may be appointed without regard to the provisions of title 5 governing appointments in the competitive service, and may be paid without regard to the provisions of chapter 51 and subchapter III of chapter 53 of that title relating to classification and General Schedule pay rates.

(3) Authority of Director of OMB to prescribe pay of employees

The Director of the Office of Management and Budget shall prescribe the rates of basic pay for positions to which employees are appointed under this section on the basis of their unique qualifications.

(e) Staff of Federal agencies

(1) In general

Upon request of the CEO, the head of any Federal department or agency may detail, on a reimbursable basis, any of the personnel of that department or agency to DTS-PO to assist it in carrying out its duties under this chapter.

(2) Continuation of service

An employee of a Federal department or agency who was performing services on behalf of DTS-PO prior to the effective date of the reorganization under this chapter shall continue to be detailed to DTS-PO after that date, upon request.

(Pub. L. 106-567, title III, § 322, Dec. 27, 2000, 114 Stat. 2843; Pub. L. 107-306, title VIII, § 811(b)(5)(E), Nov. 27, 2002, 116 Stat. 2425.)

REFERENCES IN TEXT

The provisions of title 5 governing appointments in the competitive service, referred to in subsec. (d)(2), are classified to section 3301 et seq. of Title 5, Government Organization and Employees.

AMENDMENTS

2002—Subsec. (a)(6)(D)(i). Pub. L. 107-306, § 811(b)(5)(E)(i), substituted “Except as provided in clause (ii), beginning on” for “Beginning on”.

Subsec. (a)(6)(D)(ii). Pub. L. 107-306, § 811(b)(5)(E)(ii), (iii), added cl. (ii). Former cl. (ii) redesignated (iii).

Subsec. (a)(6)(D)(iii). Pub. L. 107-306, § 811(b)(5)(E)(iii), (iv), redesignated cl. (ii) as (iii) and substituted “reports required” for “report required”.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in title 50 section 415b.

§ 7303. Diplomatic Telecommunications Service Oversight Board

(a)¹ Oversight Board established

(1) In general

There is hereby established the Diplomatic Telecommunications Service Oversight Board (hereinafter in this chapter referred to as the “Board”) as an instrumentality of the United States with the powers and authorities herein provided.

(2) Status

The Board shall oversee and monitor the operations of DTS-PO and shall be accountable for the duties assigned to DTS-PO under this chapter.

(3) Membership

(A) In general

The Board shall consist of three members as follows:

- (i) The Deputy Director of the Office of Management and Budget.
- (ii) Two members to be appointed by the President.

(B) Chairperson

The chairperson of the Board shall be the Deputy Director of the Office of Management and Budget.

(C) Terms

Members of the Board appointed by the President shall serve at the pleasure of the President.

(D) Quorum required

A quorum shall consist of all members of the Board and all decisions of the Board shall require a majority vote.

(4) Prohibition on compensation

Members of the Board may not receive additional pay, allowances, or benefits by reason of their service on the Board.

(5) Duties and authorities

The Board shall have the following duties and authorities with respect to DTS-PO:

- (A) To review and approve overall strategies, policies, and goals established by DTS-PO for its activities.
- (B) To review and approve financial plans, budgets, and periodic financing requests developed by DTS-PO.
- (C) To review the overall performance of DTS-PO on a periodic basis, including its work, management activities, and internal controls, and the performance of DTS-PO relative to approved budget plans.
- (D) To require from DTS-PO any reports, documents, and records the Board considers necessary to carry out its oversight responsibilities.
- (E) To evaluate audits of DTS-PO.

(6) Limitation on authority

The CEO shall have the authority, without any prior review or approval by the Board, to

make such determinations as the CEO considers appropriate and take such actions as the CEO considers appropriate with respect to the day-to-day management and operation of DTS-PO and to carry out the reforms of DTS-PO authorized by section 305 of the Admiral James W. Nance and Meg Donovan Foreign Relations Authorization Act, Fiscal Years 2000 and 2001 (section 305 of appendix G of Public Law 106–113).

(Pub. L. 106–567, title III, §323, Dec. 27, 2000, 114 Stat. 2845.)

REFERENCES IN TEXT

Section 305 of the Admiral James W. Nance and Meg Donovan Foreign Relations Authorization Act, Fiscal Years 2000 and 2001, referred to in subsec. (a)(6), is section 1000(a)(7) [div. A, title III, §305] of div. B of Pub. L. 106–113, which is set out as a note under section 7301 of this title.

§ 7304. General provisions

(a) Report to Congress

Not later than March 1, 2001, the Director of the Office of Management and Budget shall submit to the appropriate congressional committees of jurisdiction a report which includes the following elements with respect to DTS-PO:

- (1) Clarification of the process for the CEO to report to the Board.
- (2) Details of the CEO’s duties and responsibilities.
- (3) Details of the compensation package for the CEO and other employees of DTS-PO.
- (4) Recommendations to the Overseas Security Policy Board (OSPB) for updates.
- (5) Security standards for information technology.
- (6) The upgrade precedence plan for overseas posts with national security interests.
- (7) A spending plan for the additional funds provided for the operation and improvement of DTS for fiscal year 2001.

(b) Notification requirements

The notification requirements of sections 413a and 415 of title 50 shall apply to DTS-PO and the Board.

(c) Procurement authority of DTS-PO

The procurement authorities of any of the users of DTS shall be available to the DTS-PO.

(d) Definition of appropriate congressional committees of jurisdiction

As used in this chapter, the term “appropriate congressional committees of jurisdiction” means the Committee on Appropriations, the Committee on Foreign Relations, and the Select Committee on Intelligence of the Senate and the Committee on Appropriations, the Committee on International Relations, and the Permanent Select Committee on Intelligence of the House of Representatives.

(e) Statutory construction

Nothing in this chapter shall be construed to negate or to reduce the statutory obligations of any United States department or agency head.

(f) Authorization of appropriations for DTS-PO

For each of the fiscal years 2002 through 2006, there are authorized to be appropriated directly

¹ So in original. Section enacted without a subsec. (b).