

TITLE VI—DIPLOMATIC TELECOMMUNICATIONS SERVICE
PROGRAM OFFICE

Section 601. Reorganization of Diplomatic Telecommunications Service
Program Office

TEXT:

- (1) Strike Section 311 of the Intelligence Authorization Act for Fiscal Year 2002 (Public Law 107-108).
- (3) Strike Section 351 of the Intelligence Authorization Act for Fiscal Year 2003 (Public Law 107-306).
- (4) Strike Section 371 of the Intelligence Authorization Act for Fiscal Year 2004 (Public Law 108-177).
- (5) Strike Section 305 of the Admiral James W. Nance and Meg Donovan Foreign Relations Authorization Act, Fiscal Years 2000 and 2001 ((as enacted into law by section 1000(a)(7) of Public Law 106-113 and contained in appendix G of that Act; 113 Stat. 1501A-405)).
- (6) Strike Subtitle B of Title III of the Intelligence Authorization Act for Fiscal Year 2001 (Public Law 106-567) and insert:

“SUBTITLE B—DIPLOMATIC TELECOMMUNICATIONS SERVICE
PROGRAM OFFICE (DTS-PO)

“Sec. 321. DIPLOMATIC TELECOMMUNICATIONS SERVICE PROGRAM OFFICE. –

- (a) REORGANIZATION.— The Diplomatic Telecommunications Service (DTS), established pursuant to Title V of Public Law 102-140, shall be reorganized in accordance with this subtitle.

(b) IN GENERAL.--The Diplomatic Telecommunications Service (DTS) encompasses the Diplomatic Telecommunications Service Program Office (DTS-PO) and the DTS Network. The DTS Network is a worldwide telecommunications network supporting all United States Government agencies and departments operating from diplomatic and consular facilities abroad.

(c) PURPOSES.—The purpose and duties of DTS-PO is to implement a program for the establishment and maintenance of a DTS Network capable of providing multiple levels of service to meet the wide-ranging needs of all United States Government agencies and departments operating from diplomatic and consular facilities abroad, including national security needs for secure, reliable and robust communications capabilities.”

“Sec. 322 ESTABLISHMENT OF THE DIPLOMATIC TELECOMMUNICATIONS SERVICE GOVERNANCE BOARD.—

(a) GOVERNANCE BOARD ESTABLISHED.--There is hereby established the Diplomatic Telecommunications Service Governance Board (hereinafter in this subtitle referred to as the “Governance Board”) for the purpose of directing and overseeing the activities and performance of the DTS Program Office. Subject to the requirements of this subtitle, written implementing arrangements to define and appoint the Chairmanship, voting membership, and other relevant and appropriate governance processes and procedures for the Governance Board shall be established by and between the Departments and Agencies authorized by the Director of the Office of Management and Budget to manage, oversee, resource or otherwise administer DTS-PO. Such implementing arrangements may be classified if appropriate in accordance with criteria established by applicable law or Executive Orders.

(b) MEMBERSHIP.—

(1) IN GENERAL. —

(A) The Governance Board shall include voting members and nonvoting members.

(B) The voting members shall consist of a Chair and four other members from the departments and agencies that use the DTS Network.

(C) The non-voting members shall be representative of DTS customer organizations and shall act in an advisory capacity.

(c) CHAIR DUTIES AND AUTHORITIES.--The Governance Board Chair shall preside over all meetings and deliberations of the Governance Board and provide its Secretariat functions. The Governance Board Chair shall propose bylaws governing the operation of the Governance Board.

(d) QUORUM, DECISIONS, MEETINGS. – A quorum of the Governance Board shall consist of the presence of the Chair and four voting members. The decisions of the Governance Board shall require a three-fifths majority of the voting membership. Meetings will be convened at least four times each year to carry out its functions. The Chair or any voting member may convene a meeting of the Governance Board.

(e) GOVERNANCE BOARD DUTIES AND AUTHORITIES.--The Governance Board shall have the following duties and authorities with respect to DTS-PO, in addition to any other duties and authorities granted to the Board pursuant to law:

(1) To approve and monitor DTS-PO's plans, services, priorities, policies, and pricing methodology for bandwidth costs and customer-driven projects;

(2) To recommend to the DTS-PO Executive Agent the Governance Board's approval, disapproval, or modification of DTS-PO's annual budget requests;

(3) To review DTS-PO's performance against approved plans, its management activities and internal controls;

(4) To require from DTS-PO any plans, reports, documents and records the Governance Board considers necessary to perform its oversight responsibilities;

- (5) To conduct and evaluate independent audits of DTS-PO;
 - (6) To approve or disapprove the Executive Agent's nomination of the Director of DTS-PO with a three-fifths majority vote of the Governance Board; and
 - (7) To recommend to the Executive Agent the replacement of the Director of DTS-PO with a three-fifths majority vote of the Governance Board.
- (f) NATIONAL SECURITY INTERESTS.— The Governance Board shall 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.”

“Sec. 323 FUNDING OF THE DIPLOMATIC TELECOMMUNICATION SERVICE

- (a) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as may be necessary for the operations, maintenance, development, enhancement, modernization, and investment costs of the DTS Network and DTS-PO. Funds appropriated for allocation to DTS-PO shall be made available to DTS-PO for a period of two fiscal years.
- (b) CUSTOMER FEES. — DTS-PO shall charge customers for only those bandwidth costs attributable to the agency or department and for specific customer-driven projects, as set forth in Section 322(e)(1), for which amounts have not been appropriated for allocation to DTS-PO. DTS-PO is authorized to directly receive customer payments and to invoice customers for the fees under this section either in advance of, or upon or after, providing the bandwidth or performing the specific customer-driven projects. Such funds received from DTS customers shall be made available to DTS-PO for a period of two fiscal years.”

SECTIONAL ANALYSIS:

Section 321 of the Intelligence Authorization Act for FY2001 provided for the reorganization of the Diplomatic Telecommunications Service Program Office (DTS-PO). That reorganization was suspended for one year by the Intelligence Authorization Act for Fiscal Year 2002 (Section 311 of Public Law 107-108) and for an additional year pursuant to the Intelligence Authorization Act for Fiscal Year 2003 (Section 351 of Public Law 107-306). In the Intelligence Authorization Act for Fiscal Year 2004, the last Intelligence Authorization bill that was enacted, Section 371 provided that the reorganization of DTS-PO would be suspended until 60 days after “the congressional committees of jurisdiction...are notified.....that the operational framework for the office has been terminated.”

This provision sets forth the new operational framework under which the DTS-PO shall be governed and funded. It establishes a central governance and oversight mechanism, the Diplomatic Telecommunications Service Governance Board, lays out various Board procedures, and authorizes the promulgation of supplemental written implementing arrangements as needed to facilitate the management and administration of DTS-PO. It also authorizes such appropriations for DTS-PO as may be necessary for the operations, maintenance, development, enhancement, and modernization of the DTS-PO network.

Section 601 is a good government measure that facilitates a number of important public policy objectives. The DTS-PO Governance Board will provide leadership, de-conflict DTS-PO guidance and requirements, and measure earned value on DTS investment decisions. The appropriations authorized by this measure will promote modernization of the DTS-PO network and the expansion of its architecture. With the authority to recover bandwidth costs, the DTS-PO can vastly improve the overall business management and effectiveness of DTS-PO operations. The measure will facilitate the establishment of a financial management system that employs a single system of record, that increases transparency and traceability in customer billing, that promotes responsiveness to customer requirements, that insures timely acquisition of bandwidth and receipt of vendor payments, and that promotes cost-conscious behavior among DTS-PO customers.