

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”.

§ 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.

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

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 to DTS-PO such sums as may be necessary to carry out the management, oversight, and security requirements of this chapter.

(Pub. L. 106–567, title III, §324, Dec. 27, 2000, 114 Stat. 2846.)

CHAPTER 81—INTERNATIONAL CRIMINAL COURT

SUBCHAPTER I—GENERAL PROVISIONS

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| Sec. | |
| 7401. | Restriction relating to United States accession to the International Criminal Court. <ul style="list-style-type: none"> (a) Prohibition. (b) Prohibition on use of funds. (c) International Criminal Court defined. |
| 7402. | Prohibition on extradition or transfer of United States citizens to the International Criminal Court. |

- | | |
|------|---|
| Sec. | |
| | <ul style="list-style-type: none"> (a) Prohibition on extradition. (b) Prohibition on consent to extradition by third countries. (c) Definition. |

SUBCHAPTER II—AMERICAN SERVICEMEMBERS’ PROTECTION

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|-------|---|
| 7421. | Findings. |
| 7422. | Waiver and termination of prohibitions of this subchapter. <ul style="list-style-type: none"> (a) Authority to initially waive sections 7424 and 7426. (b) Authority to extend waiver of sections 7424 and 7426. (c) Authority to waive sections 7423 and 7425 with respect to an investigation or prosecution of a named individual. (d) Termination of waiver pursuant to subsection (c). (e) Termination of prohibitions of this subchapter. |
| 7423. | Prohibition on cooperation with the International Criminal Court. <ul style="list-style-type: none"> (a) Application. (b) Prohibition on responding to requests for cooperation. (c) Prohibition on transmittal of letters rogatory from the International Criminal Court. (d) Prohibition on extradition to the International Criminal Court. (e) Prohibition on provision of support to the International Criminal Court. (f) Prohibition on use of appropriated funds to assist the International Criminal Court. (g) Restriction on assistance pursuant to mutual legal assistance treaties. (h) Prohibition on investigative activities of agents. |
| 7424. | Restriction on United States participation in certain United Nations peacekeeping operations. <ul style="list-style-type: none"> (a) Policy. (b) Restriction. (c) Certification. |
| 7425. | Prohibition on direct or indirect transfer of classified national security information and law enforcement information to the International Criminal Court. <ul style="list-style-type: none"> (a) In general. (b) Indirect transfer. (c) Construction. |
| 7426. | Prohibition of United States military assistance to parties to the International Criminal Court. <ul style="list-style-type: none"> (a) Prohibition of military assistance. (b) National interest waiver. (c) Article 98 waiver. (d) Exemption. |
| 7427. | Authority to free members of the Armed Forces of the United States and certain other persons detained or imprisoned by or on behalf of the International Criminal Court. <ul style="list-style-type: none"> (a) Authority. (b) Persons authorized to be freed. (c) Authorization of legal assistance. (d) Bribes and other inducements not authorized. |
| 7428. | Alliance command arrangements. <ul style="list-style-type: none"> (a) Report on alliance command arrangements. (b) Description of measures to achieve enhanced protection for members of the Armed Forces of the United States. (c) Submission in classified form. |