12 FAM 050 POLICY COORDINATION

12 FAM 051 ESTABLISHING POLICIES, PROCEDURES, AND STANDARDS

(TL:DS-39; 8-15-94)

The Assistant Secretary for Diplomatic Security (DS) establishes all policies, procedures, and standards for the Bureau. DS program directors make policy, procedures, and standards recommendations, after thorough coordination with all affected bureaus and outside agencies, through the appropriate Deputy Assistant Secretary in their chain-of-command.

12 FAM 051.1 Coordinating Review of Other Bureaus' Policies

(TL:DS-39; 8-15-94)

a.   The Office of Policy, Planning, and Budget (DS/EX/PPB) is the clearing house for all policies, procedures, and standards requiring DS clearance from other bureaus within the Department of State.

b.   Any DS office having representation on any multi-bureau or Department-wide committee must coordinate any committee-proposed policy, standards, or agreements with DS/EX/PPB.

c.   DS/EX/PPB will task the appropriate offices in DS for substantive comment on the proposed issues. Subsequent to the receipt of these comments, DS/EX/PPB will coordinate and clear the recommendations with the appropriate deputy assistant secretary and obtain final clearance from the Assistant Secretary.

d.   DS/EX/PPB will coordinate with the action bureau any meetings necessitated due to conflicting issues.

12 FAM 051.2 Coordinating Review of Interagency or National Policies on Security Issues

(TL:DS-39; 8-15-94)

a.   DS/EX/PPB is the coordinator for clearance for the Department of State for all security policies, procedures, and standards originated through interagency committees, agencies, etc. to which the Department is or will be a party.

b.   Any DS office having representation on any interagency committee must coordinate any committee-proposed policy, standards, or agreements with DS/EX/PPB.

c.   DS/EX/PPB will ensure a DS-consolidated position prior to requesting comments from other Department bureaus and constituent agencies.

d.   For these policies, DS/EX/PPB will draft the final response, with appropriate deputy assistant secretary clearance, for the Assistant Secretary's signature.

12 FAM 052 POLICY DEVELOPMENT

12 FAM 052.1 Drafting

(TL:DS-39; 8-15-94)

a.   Program managers complete the first draft of proposed security policies, procedures, and standards.

b.   The Policy Branch within the Policy and Planning Division (DS/PPB/PPD) works with program managers to develop substantive policy issues and provide editorial assistance. The Policy Branch will focus on substantive consistency with other existing or draft policies, procedures, and standards, as well as format and style considerations. They will also take the lead in resolving any policy inconsistencies.

c.   All draft policies, procedures, and standards must be placed in the approved FAM format before they are distributed for clearance.

12 FAM 052.2 Publication

(TL:DS-39; 8-15-94)

All policies, procedures, and standards must be published in the FAM or in a Foreign Affairs Handbook (FAH), in accordance with 2 FAM 400 and 2 FAM 1115.2 . Volume 12 (12 FAM) contains the policies and regulations of the Bureau of Diplomatic Security.

12 FAM 052.3 Application

(TL:DS-39; 8-15-94)

Security policies, procedures, and standards published in 12 FAM are applicable to all agencies under authority of the chief of mission (22 U.S.C. 3927), unless otherwise directed. Direct all questions regarding policy compliance to DS/DSS/OP, with a copy to DS/PPB.

12 FAM 052.4 Signatory Authority

(TL:DS-39; 8-15-94)

The Assistant Secretary for Diplomatic Security and the Director of the Diplomatic Security Service sign all telegrams and memoranda which establish policy for the Bureau or which are sent as Security Officer Collective, Engineering Officer Collective or to all Diplomatic and Consular Posts (ALDAC).

12 FAM 053 MEMORANDA OF UNDERSTANDING

(TL:DS-39; 8-15-94)

Memoranda of Understanding (MOUs) are a means to coordinate diplomatic security programs between DS and other federal agencies domestically and at posts abroad. The Division of Policy and Planning (DS/PPB/PPD) is the office responsible for coordinating the development of MOUs within DS and with other federal agencies.

12 FAM 053.1 Signatory Authority for MOUs

(TL:DS-39; 8-15-94)

a.   Although this may vary according to the issue, generally the Assistant Secretary for Diplomatic Security will sign all MOUs for DS that involve multiple security program issues with one or more U.S. Government departments or agencies. DS/PPB/PPD advises on pertinent considerations.

b.   Deputy assistant secretaries in the Bureau will sign all MOUs for DS that involve a single security program issue with one or more government agencies. DS/PPB/PPD advises on pertinent considerations.

12 FAM 053.2 Guidelines for Developing MOUs

(TL:DS-39; 8-15-94)

a.   A Memorandum of Understanding (MOU) is a comprehensive policy agreement between the Department of State and one or more government agencies involving either single or multiple security program issues.

b.   MOUs are not legal documents, per se, but rather management tools which assist in program administration. A formal interagency agreement between the Department and another Government agency must be utilized to transfer or reimburse funds or other resources. MOUs, based on an interagency agreement, may be issued to facilitate administrative actions, including funding.

c. DS managers determine initially what issues are to be specified in an MOU. DS/POL/PPD ensures that MOUs are coordinated through the appropriate Department and interagency channels.

d. PPD has developed a library of all current MOUs to which DS is a signatory and an inventory of pending agreements which are inactive but of potential historical value to the Bureau.

12 FAM 053.3 MOU Drafting and Clearance Procedures

(TL:DS-39; 8-15-94)

a. To ensure that MOUs are coordinated properly within DS, managers will comply with the following procedures when originating or revising such policy agreements.

b. When an issue has been identified which may require the establishment of a formal MOU, contact DS/PPB/PPD for assistance. The Policy Branch will work with managers to determine the appropriate course of action and organize whatever follow-up coordination is required.

c. DS managers will provide DS/PPB/PPD with a first draft of a proposed MOU. PPD will review and edit this material, work with managers to develop subsequent drafts, and coordinate appropriate clearances in DS, the Department, and with other government agencies.

d. When the final version of an MOU is ready for signature, PPD prepares a memorandum to either the Assistant Secretary for Diplomatic Security or a deputy assistant secretary, recommending that the policy agreement be signed on behalf of the Bureau.

e. The following are mandatory DS clearances for all MOUs, involving either single or multiple issues:

(1) Appropriate DAS;

(2) Office director;

(3) Executive Director (DS/EX);

(4) Director of Policy Coordination DS/POL; and

(5) DS Legal (DS/DSS).

12 FAM 054 PLANNING

12 FAM 054.1 Bureau Planning Function

(TL:DS-39;   8-15-94)

The security planning function is composed of two elements: a long-term planning system and an operational planning system for the budget execution year.

12 FAM 054.1-1 DS Long-term Program Planning System (PPS)

(TL:DS-39;   8-15-94)

The DS Program Planning System (PPS) is a centrally managed, Bureau-wide method which provides the framework for:

(1) Outlining all proposed program deliverables to posts worldwide;

(2) Setting in priority all Bureau responsibilities, objectives, and activities; and

(3) Allocating funding levels to all DS programs.

12 FAM 054.1-2 The Operational Planning System (OPS)

(TL:DS-39;   8-15-94)

The Operational Planning System (OPS) is comprised of program deliverables for the next fiscal year which are developed during the long term planning process. These deliverables are arrayed by program in an MBO (management by objectives) format. They are monitored by DS senior management at monthly review meetings during the execution year. A program manager is identified for each plan. Each plan is also reconciled with the allocated resources for that program. The OPS includes all security programs and funds under the control of the Assistant Secretary for Diplomatic Security.

12 FAM 054.1-3 Program Planning System

(TL:DS-39;   8-15-94)

a. The PPS process requires that DS program managers prioritize activities and/or deliverables to posts, over the next four planning years, recording where additional funds and/or positions are required to obtain program objectives. The data base of program plans and post deliverables provides a reference source of all DS activities.

b.   The PPS provides DS management with centralized information to assess, in the aggregate, Bureau activities and funding and/or position levels and ensure coherent policies. It results in the DS 5-year plan (execution year plus four outyears) and feeds directly into the Financial Plan and Budget Submission for the Department of State.

c.   The PPS is a process involving direct input from DS program managers and other agencies' representatives that receive DS funds for security requirements; i.e., USIA, Commerce, and Peace Corps. It includes the concerns of the regional security officer (RSO) at post, the regional bureaus, and the OSPG. The PPS is managed by the Office of Policy Coordination, Planning, and Budget (DS/PPB), and is coordinated with the Financial Management Division (DS/EX/PPB/FMD) and the Office of Overseas Operations (DS/DSS/OP).

d.   DS program standards, defined according to post threat levels, provide the criteria for post specific plans and provide major input into the PPS.

12 FAM 054.1-4 Program Planning Process

(TL:DS-39;   8-15-94)

a.   A summary PPS flowchart of procedural steps is given as Exhibit 082.1.

b.   In January of each year, DS program managers develop plans on a standardized planning chart format, listing program activities (deliverables) in priority order. At this time, program managers also use the planning charts to document the need, if any, for program funding and/or position increases. Program managers must support requests for increases by appropriate justifications.

c.   The Planning Branch of the Policy and Planning Division (DS/POL/PPD) reviews program planning charts, compiles security activities data, and prepares telegrams to all posts listing future proposed security deliverables.

d.   Regional bureaus comment and clear telegram contents.

e.   Posts review and comment on security deliverables.

f.   Plans are analyzed, line by line, by a working group of representatives from Overseas Operations (DS/DSS/OP), the Financial Management Division (DS/PPB/FMD) and the Planning Branch (DS/PPB/PPD).   The Working Group is chaired by the Office Director for DS/PPB. It recommends adjustments to the program plans to meet the most recent estimate of DS funding availability. It considers post comments within the context of the aggregate DS program plans:

(1) In general, funding is recommended based on the priority of the project, including the threat levels of the post and applicable security standards to the given level of threat. This means that higher-threat posts receive certain security deliverables before lower-threat posts;

(2) The planning process involves a careful review and identification of discretionary funds not absolutely required for ongoing activities. These funds are shifted to the most critical programs.

g.   The Working Group develops final recommendations for funding levels for each DS program and submits the package to DS management.

h.   The Working Group returns the revised plans to DS program managers. An off-site meeting for DS management and all program managers is scheduled to discuss funding levels. At the off-site meeting, program managers have an opportunity to appeal the recommended funding levels and the resulting adjustments to program activities.

i.   The Assistant Secretary decides final funding levels after reviewing all recommendations of the Working Group and the rationale for any adjustments, and hearing all program managers defend their requests.

j.   From the final plans, DS/PPB/FMD prepares the Financial Plan and the Budget for submission to the Bureau of Finance and Management Policy (FMP).

k.   Also based on these final decisions, DS/PPB/PPD initiates the Operational Planning System.

12 FAM 054.2 Operational Planning System (OPS)

(TL:DS-39; 8-15-94)

a.   The OPS was first implemented in FY 1987 to formalize Bureau goals and objectives and to monitor the progress of security programs receiving funds and positions from the supplementary Diplomatic Security budget. The process was originally intended to satisfy the Congressional requirement to track Diplomatic Security supplemental funds. In FY 1988 the system was expanded to include security programs funded from the DS budget base. In addition, the Federal Manager's Financial Integrity Act (FMFIA, 31 U.S.C. sections 3511 and 3512) requires that the Department report on progress being made on implementing corrective action plans for material weaknesses. In FY 1990, such plans were added as milestones for those programs affected by the FMFIA requirements.

b.   At the beginning of each fiscal year, program managers develop a list of planned activities as well as target dates for completion. Program deliverables are listed on a chronological chart, which is updated monthly. OPS charts are discussed at Bureau-wide meetings chaired by the Assistant Secretary.

c.   The purpose of the Operational Planning System is to:

(1) Develop specific goals and objectives for each program and formally monitor and document their progress;

(2) Assist program managers in clearly defining and scheduling their deliverables and any necessary coordination required for their completion;

(3) Provide DS senior management with the means to evaluate the aggregate operations of the Bureau and the general status of each program on a monthly basis;

(4) Enhance coordination of DS programs and to ensure that program plans are in concert with Bureau policy;

(5) Ensure accountability for program delivery;

(6) Identify generic management problems requiring the attention of Bureau management;

(7) Track and reconcile program delivery and funds utilization; and

(8) Provide data for external reporting requirements.

d.   Operational Planning System process:

(1) The Planning Branch meets with each security program manager before the start of the new fiscal year to confirm or develop a narrative objective for the overall program. The Planning Branch officer and the program manager agree on a list of milestones to accomplish the stated program objective. They set specific target dates for program deliverables. Funding levels and priorities, approved earlier in the program planning process, are linked directly to all operational activities;

(2) At the end of each month, program managers report the status of the month's milestones to the Planning Branch;

(3) The Planning Branch updates all program charts and advises the Assistant Secretary of significant patterns, achievements, or unmet milestones. Funding commitments and obligations, as recorded at the time of the report, are addressed if a program's spending pattern reflects any unusual circumstances;

(4) The Assistant Secretary meets monthly with an assigned group of security program managers to review the programs' activities and funding levels. The security program managers rotate meeting with the Assistant Secretary on a quarterly basis. The Planning Branch follows up with tasking lists, as they arise in the course of formal OPS meetings.

12 FAM 055 OSPG MEMBERSHIP

(TL:DS-39; 8-15-94)

The Overseas Security Policy Group (OSPG) is chaired by the Director of the Diplomatic Security Service and includes the security directors of other foreign affairs agencies: AID, USIA, CIA, DIA, NSA, and the Departments of Commerce, Justice, and the Treasury, the Federal Aviation Administration, Foreign Agricultural Service, and the Peace Corps. Other agencies may be invited by the Chairperson to participate when issues that directly affect their operations are under consideration.

12 FAM 055.1 Subgroups

(TL:DS-39; 8-15-94)

The Chairperson approves the establishment of specialized subgroups comprised of member agencies to work on specific security issues. Subgroup chairpersons are appointed by the Chairperson of the OSPG.

12 FAM 055.2 Meetings

(TL:DS-39;   8-15-94)

OSPG meetings are held monthly at the Department of State. Subgroups meet on an ad hoc basis.

12 FAM 055.3 Overseas Security Policy Group Clearances

(TL:DS-39; 8-15-94)

a.   Draft security policy proposals are sent to members of the OSPG prior to monthly meetings. Final clearance is obtained in writing from all members.

b.   The OSPG will strive to reach consensus whenever possible and establish a consistent position for the security community on overseas security policy issues. The Bureau of Diplomatic Security will guide the activities of the OSPG pursuant to the authority of the Secretary of State as set forth in the Omnibus Diplomatic Security and Antiterrorism Act of 1986 (Pub.L. 99-399).

c.   When major disagreements arise, the issue is presented for discussion at an OSPG meeting. Where possible, the Group develops compromise language and obtains written clearances. If the disagreement cannot be resolved at the OSPG meeting, a subgroup is formed which includes representatives of all interested parties. The subgroup presents its compromise proposal to a full meeting of the OSPG, which then seeks written clearances.

d.   If a consensus is not reached, decisions will be made by majority rule, and will be binding on all members of the OSPG.

e.   Since the Secretary of State has the responsibility for the security of U.S. Government missions abroad under the authority of the Omnibus Diplomatic Security and Antiterrorism Act of 1986, the Department has final decision-making authority.

f.   DS, taking into consideration the requirements of the other agencies, may, when required to protect the interests of the Secretary of State, establish a policy, procedure, or standard on behalf of the Secretary under the authority of 22 U.S.C. 4803 and 22 U.S.C. 4804.

g.   On policy issues, the OSPG will attempt to reach consensus and establish a consistent position for the security community. The Bureau of Diplomatic Security, as chair, will guide the OSPG and exercise the authority of the Secretary of State under the Omnibus Diplomatic Security and Antiterrorism Act of 1986.

12 FAM 056 CLEARANCE PROCEDURES

12 FAM 056.1 General DS Clearance Requirements

(TL:DS-39;   8-15-94)

a.   All security policies, procedures, and standards must be thoroughly cleared within DS and within the Department of State. Those security policies, procedures, and standards having a potential impact on other foreign affairs agencies must also be cleared with the members of the OSPG. Security policies having an impact upon or requiring the cooperation of an agency not represented on the OSPG will be cleared directly with the appropriate agency.

b.   DS program managers will clear the initial draft of all policies through their appropriate deputy assistant secretary (DAS).

c.   DS/POL/PPD will obtain any additional clearances within DS and those outside the Bureau, e.g., the OSPG and the Department.

d.   DS/PPB and DS/PPB/PPD must clear all DS policies.

e.   The Legal Advisor to the Bureau of Diplomatic Security (DSS/L) will clear those policies with identifiable legal issues.

f.   DS/DSS/OP clears all policy issues affecting Foreign Service posts.

g.   Other clearance points will depend upon the subject matter.

h.   Any office in the Bureau or the Department that is mentioned in the text must be given the opportunity to clear.

i.   As a general rule, security policies, procedures, and standards will not be sent for clearance outside of DS until full DS clearance is obtained.

12 FAM 056.2 DS Clearance and Approval Procedures for Outgoing Telegrams

(TL:DS-39;   8-15-94)

a.   Approval requirements for DS outgoing telegrams: The minimum approval requirement for all outgoing telegram traffic from DS is at the level of division chief. No direct-hire employee below this management level, or contractor, is authorized to approve outgoing DS telegrams, except if an employee is officially acting for a division chief or office director. The subject matter of a telegram will usually determine other required clearances, both in a division's chain-of-command and from other DS and Department offices with substantive interest.

b.   Clearance requirements for outgoing telegrams pertaining to policy or standards: Due to the degree of interagency coordination involved in the development of security policy through the OSPG, all outgoing telegram traffic from DS pertaining to security policy or standards originating in DS program offices must have the approval or clearance of the responsible deputy assistant secretary and the clearances of DS/DSS and DS/POL.

12 FAM 056.3 Department Clearances

(TL:DS-39;   8-15-94)

a.   The Office of Management Policy (FMP/MP) must clear on all policies, procedures, and standards. The OIG will be asked to review and comment on all policies, procedures, and standards. A/FBO, at the Deputy Assistant Secretary level, must clear on additions and revisions to policies, procedures, and standards applicable to facilities abroad.

b.   In most cases, the executive offices of the regional bureaus will be asked to clear, depending on whether the proposed policy will have an effect on bureau operations.

c.   The Department's Office of the Legal Advisor (L) may be asked to clear, depending upon the recommendation of the DS legal assistant (DS/DSS).

d.   All other clearances are determined by the content of subject matter.

12 FAM 056.4 Overseas Security Policy Group Clearances

(TL:DS-39;   8-15-94)

The Chief of the Division of Policy and Planning serves as the Executive Secretary for the OSPG.

12 FAM 057 IMPLEMENTATION OF STANDARDS

(TL:DS-39;   8-15-94)

a.   Projects are funded and equipment furnished, installed, and maintained in accordance with existing agreements and procedures. These agreements and procedures are catalogued by program throughout 12 FAM and its related Foreign Affairs Handbooks.

b.   Agencies allowed to exceed DS standards based on heightened threat/risk may be required to:

(1) Fund all or a portion of the additional costs that result therefrom;

(2)   Furnish equipment including spares; and/or

(3)   Provide for installation and maintenance.

12 FAM 057.1 Noncompliance Procedures

(TL:DS-39;   8-15-94)

a.   Whenever security policies and procedures cannot be complied with or standards cannot be met, the post must provide a full explanation to DS and to the parent agency security office. The post must include recommended actions that might compensate to some extent for the reduced security that may result. Where such policy non-compliance involves agencies other than the Department of State, DS, in consultation with the security office of the parent agency, will determine what remedial action will be required.

b.   In those instances where the standards cannot be met due to a lack of resources, chiefs of mission and principal officers must ensure that all agencies are treated equally and that equal protection is provided whenever and wherever the threat level is the same.

12 FAM 057.2 Exceeding Standards

(TL:DS-39;   8-15-94)

a.   Whenever an agency head at a post believes that it is necessary to exceed the requirements of a security policy, procedure, or standard, the agency head must make a proposal to the emergency action committee (EAC) or the counterintelligence working group (CIWG), as appropriate, which will make a determination on behalf of the chief of mission or principal officer. If the EAC supports the agency head's proposal; the post, through the chief of mission, must seek Department (DS) clearance/concurrence, as appropriate.

b.   The agency head may appeal the EAC decision to the parent agency, which will attempt to resolve the issue with the Department of State.

12 FAM 058 AND 059 UNASSIGNED