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PERMANENT AUTHORIZATION OF RADIO FREE ASIA ACT OF 2010

JUNE 22, 2010.—Ordered to be printed

Mr. KERRY, from the Committee on Foreign Relations, submitted the following

REPORT

[To accompany S. 3104]

The Committee on Foreign Relations, having had under consideration the bill (S. 3104) to permanently authorize Radio Free Asia, and for other purposes, reports favorably thereon, with an amendment in the nature of a substitute, and recommends that the bill as amended do pass.

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I. PURPOSE

The purpose of S. 3104 is to amend Section 309 of the United States International Broadcasting Act of 1994 (22 U.S.C. 6208) to permanently authorize funding for Radio Free Asia.

II. COMMITTEE ACTION

S. 3104 was introduced by Senators Lugar, Franken, Inouye, Kaufman, Risch, and Webb on March 11, 2010. On May 25, 2010, the committee ordered the bill, with an amendment in the nature of a substitute, reported favorably by voice vote.

III. DISCUSSION

Radio Free Asia provides daily broadcasting of news, commentary, analysis, and cultural programming to Asian countries in several languages, including: Mandarin, three Tibetan dialects, Korean, Burmese, Cantonese, Vietnamese, Laotian, Khmer, Uyghur, and Wu. These programs, broadcast in shortwave frequencies and on the Internet, serve as substitutes for indigenous free media in

regions lacking free media outlets and enable informed decision-making by the people within Asia.

S. 3104 reaffirms that it is the policy of the United States to support free press in Asia and to promote governmental accountability and the protection of human rights. It authorizes the permanent funding of Radio Free Asia and calls for more congressional funding for cyber security initiatives and Internet censorship circumvention.

IV. COST ESTIMATE

In accordance with Rule XXVI, paragraph 11(a) of the Standing Rules of the Senate, the committee provides this estimate of the costs of this legislation prepared by the Congressional Budget Office.

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, June 2, 2010.

Hon. JOHN F. KERRY, JR.,
Chairman, Committee on Foreign Relations,
U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for S. 3104, a bill to permanently authorize Radio Free Asia, and for other purposes. If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Sunita D'Monte.

Sincerely,

DOUGLAS W. ELMENDORF,
Director.

Enclosure.

S. 3104—A bill to permanently authorize Radio Free Asia, and for other purposes

AS ORDERED REPORTED BY THE SENATE COMMITTEE ON FOREIGN RELATIONS ON MAY 25, 2010

S. 3104 would permanently extend the authorization for Radio Free Asia (RFA). RFA is a private, nonprofit corporation that broadcasts news, cultural programming, and other information in several languages to countries in Asia. Under current law, the authorization for RFA expires at the end of fiscal year 2010. Based on the 2010 appropriated level of $37 million, CBO estimates that RFA would require an appropriation of $38 million for 2011 (that amount is identical to the President's request for 2011). After adjusting for inflation, CBO estimates that implementing the bill would cost $188 million over the 2011–2015 period, assuming appropriation of the necessary amounts. Enacting this legislation would not affect direct spending or revenues; therefore, pay-as-you-go procedures would not apply.

S. 3104 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act and would not affect the budgets of state, local, or tribal governments.

The estimated budgetary impact of S. 3104 is shown in the following table. The costs of this legislation fall within budget function 150 (international affairs).

	By fiscal year, in millions of dollars					
	2011	2012	2013	2014	2015	2011-2015
CHANGES IN SPENDING SUBJECT TO APPROPRIATION						
Estimated Authorization Level	38	38	39	40	41	196
Estimated Outlays	32	38	39	39	40	188

The CBO staff contact for this estimate is Sunita D'Monte. The estimate was approved by Theresa Gullo, Deputy Assistant Director for Budget Analysis.

V. Evaluation of Regulatory Impact

Pursuant to Rule XXVI, paragraph 11(b) of the Standing Rules of the Senate, the committee has determined that there is no regulatory impact as a result of this legislation.

VI. Changes in Existing Law

In compliance with Rule XXVI, paragraph 12 of the Standing Rules of the Senate, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italic, existing law in which no change is proposed is shown in roman).

United States International Broadcasting Act of 1994

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SEC. 309. RADIO FREE ASIA.

(a) AUTHORITY.—

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(c) GRANT AGREEMENT.—Any grant agreement or grants under this section shall be subject to the following limitations and restrictions:

(1) The Board may not make any grant to Radio Free Asia unless the headquarters of Radio Free Asia and its senior administrative and managerial staff are in a location which ensures economy, operational effectiveness, and accountability to the Board.

(2) Any grant agreement under this section shall require that any contract entered into by Radio Free Asia shall specify that all obligations are assumed by Radio Free Asia and not by the United States Government **[**, and shall further specify that funds to carry out the activities of Radio Free Asia may not be available after September 30, 2010**]**.

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[(f) SUNSET PROVISION.—The Board may not make any grant for the purpose of operating Radio Free Asia after September 30, 2009.**]**

[(g)**]** *(f)* NOTIFICATION AND CONSULTATION REGARDING DISPLACEMENT OF VOICE OF AMERICA BROADCASTING.—**[**THE BOARD**]** *(1) NOTIFICATION.— The Board* shall notify the appropriate congressional committees **[**before entering**]** *before*—

(A) entering into any agreements for the utilization of Voice of America transmitters, equipment, or other resources that will significantly reduce the broadcasting activities of the Voice

of America in Asia or any other region in order to accommodate the broadcasting activities of [Radio Free Asia.] *Radio Free Asia; or*

(B) entering into any agreements in regard to the utilization of Radio Free Asia transmitters, equipment, or other resources that will significantly reduce the broadcasting activities of Radio Free Asia.

(2) CONSULTATION.—The Chairman of the Board shall consult with such committees on the impact of any such reduction in Voice of America broadcasting activities *or Radio Free Asia broadcasting activities*.

[(h)] *(g)* NOT A FEDERAL AGENCY OR INSTRUMENTALITY.—Nothing in this title may be construed to make Radio Free Asia a Federal agency or instrumentality.

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