

# FREEDOM PROMOTION ACT OF 2002

JUNE 5, 2002.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Mr. HYDE, from the Committee on International Relations,  
submitted the following

## R E P O R T

[To accompany H.R. 3969]

[Including cost estimate of the Congressional Budget Office]

The Committee on International Relations, to whom was referred the bill (H.R. 3969) to enhance United States public diplomacy, to reorganize United States international broadcasting, and for other purposes, having considered the same, reports favorably thereon with an amendment and recommends that the bill as amended do pass.

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## THE AMENDMENT

The amendment is as follows:  
Strike all after the enacting clause and insert the following:

### SECTION 1. SHORT TITLE.

This Act may be cited as the “Freedom Promotion Act of 2002”.

### SEC. 2. TABLE OF CONTENTS.

The table of contents is as follows:

- Sec. 1. Short title.
- Sec. 2. Table of contents.
- Sec. 3. Definitions.

### TITLE I—UNITED STATES PUBLIC DIPLOMACY

- Sec. 101. Findings and purposes.
- Sec. 102. Public diplomacy responsibilities of the Department of State.
- Sec. 103. Annual plan on public diplomacy strategy.
- Sec. 104. Public diplomacy training.
- Sec. 105. United States Advisory Commission on Public Diplomacy.
- Sec. 106. Library program.
- Sec. 107. Sense of Congress concerning public diplomacy efforts in sub-Saharan Africa.
- Sec. 108. Funding and authorization of appropriations.

### TITLE II—UNITED STATES EDUCATIONAL AND CULTURAL PROGRAMS OF THE DEPARTMENT OF STATE

- Sec. 201. Establishment of initiatives for predominantly Muslim countries.
- Sec. 202. Database of alumni of American and foreign participants in exchange programs.
- Sec. 203. Report on inclusion of freedom and democracy advocates in educational and cultural exchange programs.
- Sec. 204. Fulbright-Hays authorities.
- Sec. 205. Supplemental authorization of appropriations.
- Sec. 206. Supplemental authorization of appropriations for the National Endowment for Democracy.

### TITLE III—REORGANIZATION OF UNITED STATES INTERNATIONAL BROADCASTING

- Sec. 301. Establishment of United States International Broadcasting Agency.
- Sec. 302. Authorities and functions of the agency.
- Sec. 303. Role of the secretary of State.
- Sec. 304. Administrative provisions.
- Sec. 305. Broadcasting Board of Governors and International Broadcasting Bureau.
- Sec. 306. Transition.
- Sec. 307. Conforming amendments.
- Sec. 308. References.
- Sec. 309. Broadcasting standards.
- Sec. 310. Authorization of appropriations.
- Sec. 311. Effective date.

### SEC. 3. DEFINITIONS.

In this Act:

- (1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term “appropriate congressional committees” means the Committee on International Relations and the Committee on Appropriations of the House of Representatives and the Committee on Foreign Affairs and the Committee on Appropriations of the Senate.
- (2) DEPARTMENT.—The term “Department” means the Department of State.
- (3) SECRETARY.—The term “Secretary” means the Secretary of State.

## TITLE I—UNITED STATES PUBLIC DIPLOMACY

### SEC. 101. FINDINGS AND PURPOSES.

(a) FINDINGS.—The Congress makes the following findings:

- (1) The United States possesses strong and deep connections with the peoples of the world separate from its relations with their governments. These connections can be a major asset in the promotion of United States interests and foreign policy.
- (2) Misinformation and hostile propaganda in these countries regarding the United States and its foreign policy endanger the interests of the United States. Existing efforts to counter such misinformation and propaganda are inadequate and must be greatly enhanced in both scope and substance.
- (3) United States foreign policy has been hampered by an insufficient consideration of the importance of public diplomacy in the formulation and implementation of that policy and by the underuse of modern communication techniques.

(4) The United States should have an operational strategy and a coordinated effort regarding the utilization of its public diplomacy resources.

(5) The development of an operational strategy and a coordinated effort by United States agencies regarding public diplomacy would greatly enhance United States foreign policy.

(6) The Secretary of State has undertaken efforts to ensure that of the new job positions established at the Department of State after September 30, 2002, a significant proportion of the positions is for public diplomacy.

(b) PURPOSES.—It is the purpose of this Act to enhance in scope and substance, redirect, redefine, and reorganize United States public diplomacy.

**SEC. 102. PUBLIC DIPLOMACY RESPONSIBILITIES OF THE DEPARTMENT OF STATE.**

(a) IN GENERAL.—The State Department Basic Authorities Act of 1956 (22 U.S.C. 265 et seq.) is amended by inserting after section 56 the following new section:

**“SEC. 57. PUBLIC DIPLOMACY RESPONSIBILITIES OF THE DEPARTMENT OF STATE.**

“(a) IN GENERAL.—The Secretary of State shall make public diplomacy an integral component in the planning and execution of United States foreign policy. The Department of State, in coordination with the United States International Broadcasting Agency, shall develop a comprehensive strategy for the use of public diplomacy resources and assume a prominent role in coordinating the efforts of all Federal agencies involved in public diplomacy. Public diplomacy efforts shall be addressed to developed and developing countries, to select and general audiences, and shall utilize all available media to ensure that the foreign policy of the United States is properly explained and understood not only by the governments of countries but also by their peoples, with the objective of enhancing support for United States foreign policy. The Secretary shall ensure that the public diplomacy strategy of the United States is cohesive and coherent and shall aggressively and through the most effective mechanisms counter misinformation and propaganda concerning the United States. The Secretary shall endeavor to articulate the importance in American foreign policy of the guiding principles and doctrines of the United States, particularly freedom and democracy. The Secretary, in coordination with the Board of Governors of the United States International Broadcasting Agency, shall develop and articulate long-term measurable objectives for United States public diplomacy. The Secretary is authorized to produce and distribute public diplomacy programming for distribution abroad in order to achieve public diplomacy objectives, including through satellite communication, the Internet, and other established and emerging communications technologies.

“(b) INFORMATION CONCERNING UNITED STATES ASSISTANCE.—

“(1) IDENTIFICATION OF ASSISTANCE.—In cooperation with the Agency for International Development (AID) and other public and private assistance organizations and agencies, the Secretary shall ensure that information concerning foreign assistance provided by the United States Government, United States nongovernmental organizations and private entities, and the American people is disseminated widely and prominently, particularly, to the extent practicable, within countries and regions that receive such assistance. The Secretary shall ensure that, to the extent practicable, projects funded by the Agency for International Development (AID) that do not involve commodities, including projects implemented by private voluntary organizations, are identified as being supported by the United States of America, as American Aid or provided by the American people.

“(2) REPORT TO CONGRESS.—Not later than 120 days after the end of each fiscal year, the Secretary shall submit a report to the Committee on International Relations of the House of Representatives and the Committee on Foreign Relations of the Senate on efforts to disseminate information concerning assistance described in paragraph (1) during the preceding fiscal year. Each such report shall include specific information concerning all instances in which the Agency for International Development has not identified projects in the manner prescribed in paragraph (1) because such identification was not practicable. Any such report shall be submitted in unclassified form, but may include a classified appendix.

“(c) AUTHORITY.—Subject to the availability of appropriations, the Secretary may contract with and compensate government and private agencies or persons for property and services to carry out this section.”

(b) ESTABLISHMENT OF PUBLIC DIPLOMACY RESERVE CORPS.—

(1) The Secretary of State shall establish a public diplomacy reserve corps to augment the public diplomacy capacity and capabilities of the Department in emergency and critical circumstances worldwide. The Secretary shall develop a detailed action plan for the temporary deployment and use of the corps to bol-

ster public diplomacy resources and expertise. To the extent considered necessary and appropriate, the Secretary may recruit experts in public diplomacy and related fields from the private sector and utilize the expertise of former employees of the Department in implementing this subsection.

(2) While actively serving with the reserve corps, individuals are prohibited from engaging in activities directly or indirectly intended to influence public opinion within the United States to the same degree that employees of the Department engaged in public diplomacy are so prohibited.

(c) TECHNOLOGY AND EQUIPMENT UPGRADES.—

(1) The Secretary shall establish a fully capable multimedia programming and distribution capacity including satellite, Internet, and other services, and also including the capability to acquire and produce audio and video feeds and Internet streaming to foreign news organizations. The technology and equipment upgrades under the first sentence shall be fully implemented within 2 years of the date of the enactment of this Act.

(2) To the extent practicable, activities under this subsection shall utilize the facilities of the United States International Broadcasting Agency established by title III for the purpose of furthering the public diplomacy objectives of the Department of state as enunciated in this section. The Secretary shall reimburse the reasonable expenses of the United States International Broadcasting Agency which are incurred as a result of the Department's use of the Agency's facilities.

(d) FUNCTIONS OF THE UNDER SECRETARY FOR PUBLIC DIPLOMACY.—

(1) Section 1(b)(3) of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2651a(b)(3)) is amended by striking “formation” and all that follows through the period at the end and inserting “formation, supervision, and implementation of United States public diplomacy policies, programs, and activities, including the provision of guidance to Department personnel in the United States and overseas who conduct or implement such policies, programs, and activities. The Under Secretary for Public Diplomacy shall assist the United States Agency for International Broadcasting in presenting the policies of the United States clearly and effectively, shall submit statements of United States policy and editorial material to the Agency for broadcast consideration in addition to material prepared by the Agency, and shall ensure that editorial material created by the Agency for broadcast is reviewed expeditiously by the Department.”.

(2) The Under Secretary for Public Diplomacy, in carrying out the functions under the last sentence of section 1(b)(3) of the State Department Basic Authorities Act of 1956 (as added by paragraph (1)), shall consult public diplomacy officers operating at United States overseas posts and in the regional bureaus of the Department of State.

#### SEC. 103. ANNUAL PLAN ON PUBLIC DIPLOMACY STRATEGY.

The Secretary of State, in coordination with all appropriate Federal agencies, shall prepare an annual review and analysis of the impact of public diplomacy efforts on target audiences. Each review shall assess the United States public diplomacy strategy worldwide and by region, including the allocation of resources and an evaluation and assessment of the progress in, and barriers to, achieving the goals set forth under previous plans submitted under this section. On the basis of such review, the Secretary of State, in coordination with all appropriate Federal agencies shall develop and submit to the appropriate congressional committees an annual plan for the implementation of public diplomacy strategy which specifies goals, agency responsibilities, and necessary resources and mechanisms for achieving such goals during the next fiscal year. The plan may be submitted in classified form.

#### SEC. 104. PUBLIC DIPLOMACY TRAINING.

(a) FINDINGS.—The Congress makes the following findings:

(1) The Foreign Service should recruit individuals with expertise and professional experience in public diplomacy.

(2) Ambassadors should have a prominent role in the formulation of public diplomacy strategies for the countries and regions to which they are assigned and be accountable for the operation and success of public diplomacy efforts at their posts.

(3) Initial and subsequent training of Foreign Service officers should be enhanced to include information and training on public diplomacy and the tools and technology of mass communication.

(b) PERSONNEL.—

(1) In the recruitment, training, and assignment of members of the Foreign Service, the Secretary shall emphasize the importance of public diplomacy and

of applicable skills and techniques. The Secretary shall consider the priority recruitment into the Foreign Service, at middle-level entry, of individuals with expertise and professional experience in public diplomacy or mass communications, especially individuals with language facility and experience in particular countries and regions.

(2) The Secretary of State shall seek to increase the number of Foreign Service officers proficient in languages spoken in predominantly Muslim countries. Such increase shall be accomplished through the recruitment of new officers and incentives for officers in service.

**SEC. 105. UNITED STATES ADVISORY COMMISSION ON PUBLIC DIPLOMACY.**

(a) **STUDY AND REPORT BY UNITED STATES ADVISORY COMMISSION ON PUBLIC DIPLOMACY.**—Section 604(c)(2) of the United States Information and Educational Exchange Act of 1948 (22 U.S.C. 1469(c)) is amended to read as follows:

“(2)(A) Not less often than every two years, the Commission shall undertake an in-depth review of United States public diplomacy programs, policies, and activities. Each study shall assess the effectiveness of the various mechanisms of United States public diplomacy, in light of factors including public and media attitudes around the world toward the United States, Americans, and United States foreign policy, and make appropriate recommendations.

“(B) A comprehensive report of each study under subparagraph (A) shall be submitted to the Secretary of State and the appropriate congressional committees. At the discretion of the Commission, any report under this subsection may be submitted in classified form or with a classified appendix.

(b) **INFORMATION AND SUPPORT FROM OTHER AGENCIES.**—Upon request of the United States Advisory Commission on Public Diplomacy, the Secretary of State, the Director of the United States International Broadcasting Agency, and the head of any other Federal agency that conducts public diplomacy programs and activities shall provide information to the Advisory Commission to assist in carrying out the responsibilities under section 604(c)(5) of the United States Information and Educational Exchange Act of 1948 (as amended by subsection (a)).

(c) **ENHANCING THE EXPERTISE OF UNITED STATES ADVISORY COMMISSION ON PUBLIC DIPLOMACY.**—

(1) **QUALIFICATIONS OF MEMBERS.**—Section 604(a)(2) of the United States Information and Educational Exchange Act of 1948 (22 U.S.C. 1469(a)(2)) is amended by adding at the end the following: “At least 4 members shall have substantial experience in the conduct of public diplomacy or comparable activities in the private sector. No member shall be an officer or employee of the United States.”.

(2) **APPLICATION OF AMENDMENT.**—The amendments made by paragraph (1) shall not apply to individuals who are members of the United States Advisory Commission on Public Diplomacy on the date of the enactment of this Act.

**SEC. 106. LIBRARY PROGRAM.**

The Secretary of State shall develop and implement a demonstration program to assist foreign governments to establish or upgrade their public library systems to improve literacy and support public education. The program should provide training in the library sciences. The purpose of the program shall be to advance American values and society, particularly the importance of freedom and democracy.

**SEC. 107. SENSE OF CONGRESS CONCERNING PUBLIC DIPLOMACY EFFORTS IN SUB-SAHARAN AFRICA.**

(a) **FINDINGS.**—The Congress makes the following findings:

(1) A significant number of sub-Saharan African countries have predominantly Muslim populations, including such key countries as Nigeria, Senegal, Djibouti, Mauritania, and Guinea.

(2) In several of these countries, groups with links to militant religious organizations are active among the youth, primarily young men, promoting a philosophy and practice of intolerance and radical clerics are effectively mobilizing public sentiment against the United States.

(b) **SENSE OF CONGRESS.**—It is the sense of the Congress that the Secretary should include countries in sub-Saharan Africa with predominantly Muslim populations in the public diplomacy activities authorized by this Act and the amendments made by this Act.

**SEC. 108. FUNDING AND AUTHORIZATION OF APPROPRIATIONS.**

(a) **LIMITATION ON USE OF FUNDS.**—Of the amounts authorized to be appropriated for each of the fiscal years 2002 and 2003 for the Diplomatic and Consular Programs of the Department of State, \$297,759,000 for the fiscal year 2002 and \$512,000,000 for the fiscal year 2003 shall be available only for public diplomacy

programs and activities as carried out prior to the Foreign Affairs Reform and Restructuring Act of 1998, other than programs of educational and cultural exchange.

(b) AUTHORIZATION OF APPROPRIATIONS FOR IMPROVEMENTS IN PUBLIC DIPLOMACY PROGRAMS.—

(1) In addition to amounts otherwise authorized to be appropriated, there are authorized to be appropriated \$20,000,000 for each of the fiscal years 2002 and 2003 for Diplomatic and Consular Programs of the Department of State which shall be available only for improvements and modernization of public diplomacy programs and activities of the Department of State as carried out prior to the Foreign Affairs Reform and Restructuring Act of 1998, other than programs of educational and cultural exchange.

(2) LIMITATIONS.—

(A) TRANSLATION SERVICES.—Of the amounts authorized to be appropriated by paragraph (1), \$4,000,000 for each of the fiscal years 2002 and 2003 is authorized to be appropriated only for translation services available to public affairs officers in overseas posts.

(B) BROADCAST SERVICES.—Of the amounts authorized to be appropriated by paragraph (1), \$7,500,000 for each of the fiscal years 2002 and 2003 is authorized to be appropriated only for the Office of Broadcast Services to carry out section 102(c).

## **TITLE II—UNITED STATES EDUCATIONAL AND CULTURAL PROGRAMS OF THE DEPARTMENT OF STATE**

### **SEC. 201. ESTABLISHMENT OF INITIATIVES FOR PREDOMINANTLY MUSLIM COUNTRIES.**

(a) FINDINGS.—The Congress makes the following findings:

(1) Surveys indicate that, in countries of predominantly Muslim population, opinions of the United States and American foreign policy among the general public and select audiences are significantly distorted by highly negative and hostile beliefs and images and that many of these beliefs and images are the result of misinformation and propaganda by individuals and organizations hostile to the United States.

(2) These negative opinions and images are highly prejudicial to the interests of the United States and to its foreign policy.

(3) As part of a broad and long-term effort to enhance a positive image of the United States in the Muslim world, a key element should be the establishment of programs to promote a greater familiarity with American society and values among the general public and select audiences in countries of predominantly Muslim population.

(b) ESTABLISHMENT OF INITIATIVES.—The Secretary of State shall establish the following programs with countries with predominantly Muslim populations as part of the educational and cultural exchange programs of the Department of State:

(1) JOURNALISM PROGRAM.—A program for foreign journalists, editors, and postsecondary students of journalism which, in cooperation with private sector sponsors to include universities, shall sponsor workshops and professional training in techniques, standards, and practices in the field of journalism to assist the participants to achieve the highest standards of professionalism.

(2) ENGLISH LANGUAGE TEACHING.—The Secretary shall establish a program to provide grants to United States citizens to work in middle and secondary schools as English language teaching assistants for not less than an academic year. If feasible, the host government or local educational agency shall share the salary costs of the assistants.

(3) SISTER CITY PARTNERSHIPS.—The Secretary shall expand and enhance sister-city partnerships between United States and international municipalities in an effort to increase global cooperation at the community level. Such partnerships shall encourage economic development, municipal cooperation, health care initiatives, youth and educational programs, disability advocacy, emergency preparedness, and humanitarian assistance.

(4) YOUTH AMBASSADORS.—The Secretary shall establish a program for visits by middle and secondary school students to the United States during school holidays in their home country for periods not to exceed 4 weeks. Participating students shall reflect the economic and geographic diversity of their countries. Activities shall include cultural and educational activities designed to familiarize participating students with American society and values. To the extent practicable, such visits shall be coordinated with middle and secondary schools in the United States to provide for school-based activities and interactions. The

Secretary shall encourage the establishment of direct school-to-school linkages under the program.

(5) **FULBRIGHT EXCHANGE PROGRAM.**—The Secretary shall seek to substantially increase the number of awards under the J. William Fulbright Educational Exchange Program to graduate students, scholars, professionals, teachers, and administrators from the United States who are applying for such awards to study, teach, conduct research, or pursue scholarship in predominantly Muslim countries. Part of such increase shall include awards for scholars and teachers who plan to teach subjects relating to American studies.

(6) **HUBERT H. HUMPHREY FELLOWSHIPS.**—The Secretary shall seek to substantially increase the number of Hubert H. Humphrey Fellowships awarded to candidates from predominantly Muslim countries.

(7) **LIBRARY TRAINING EXCHANGE PROGRAM.**—The Secretary shall develop an exchange program for postgraduate students seeking additional training in the library sciences and related fields.

(c) **GENERAL PROVISION.**—Programs established under this section shall be carried out under the provisions of the United States Information and Educational Exchange Act of 1948 and the Mutual Educational and Cultural Exchange Act of 1961.

**SEC. 202. DATABASE OF ALUMNI OF AMERICAN AND FOREIGN PARTICIPANTS IN EXCHANGE PROGRAMS.**

To the extent practicable, the Secretary of State, in coordination with the heads of other agencies that conduct international exchange and training programs, shall establish and maintain a database listing all American and foreign alumni of such programs in order to encourage networking, interaction, and communication with alumni.

**SEC. 203. REPORT ON INCLUSION OF FREEDOM AND DEMOCRACY ADVOCATES IN EDUCATIONAL AND CULTURAL EXCHANGE PROGRAMS.**

Not later than 90 days after the date of the enactment of this Act, the Secretary of State shall submit to the Congress a report concerning the implementation of section 102 of the Human Rights, Refugee, and Other Foreign Relations Provisions Act of 1996. The report shall include information concerning the number of grants to conduct exchange programs to countries described in such section that have been submitted for competitive bidding, what measures have been taken to ensure that willingness to include supporters of freedom and democracy in such programs is given appropriate weight in the selection of grantees, and an evaluation of whether United States exchange programs in the countries described in such section are fully open to supporters of freedom and democracy, and, if not, what obstacles remain and what measures are being taken to implement such policy.

**SEC. 204. FULBRIGHT-HAYS AUTHORITIES.**

Section 112(d) of the Mutual Educational and Cultural Exchange Act of 1961 (22 U.S.C. 2460) is amended by striking “operating under the authority of this Act and consistent with” and inserting “which operate under the authority of this Act or promote”.

**SEC. 205. SUPPLEMENTAL AUTHORIZATION OF APPROPRIATIONS.**

In addition to such amounts as are otherwise authorized to be appropriated, for each of the fiscal years 2002 and 2003 there are authorized to be appropriated \$35,000,000 for educational and cultural exchange programs of the Department of State.

**SEC. 206. SUPPLEMENTAL AUTHORIZATION OF APPROPRIATIONS FOR THE NATIONAL ENDOWMENT FOR DEMOCRACY.**

In addition to amounts otherwise authorized to be appropriated for the fiscal years 2002 and 2003, there are authorized to be appropriated \$5,000,000 for the fiscal year 2002 and \$10,000,000 for the fiscal year 2003 for the National Endowment for Democracy to fund programs that promote democracy, good governance, the rule of law, independent media, religious tolerance, the rights of women, and strengthening of civil society in countries of predominantly Muslim population within the jurisdiction of the Bureau of Near Eastern Affairs of the Department of State.

## **TITLE III—REORGANIZATION OF UNITED STATES INTERNATIONAL BROADCASTING**

**SEC. 301. ESTABLISHMENT OF UNITED STATES INTERNATIONAL BROADCASTING AGENCY.**

(a) **IN GENERAL.**—Section 304 of the United States International Broadcasting Act of 1994 (22 U.S.C. 6203) is amended to read as follows:

**“SEC. 304. ESTABLISHMENT OF UNITED STATES INTERNATIONAL BROADCASTING AGENCY.**

“(a) **ESTABLISHMENT.**—There is established as an independent agency in the executive branch the United States International Broadcasting Agency (hereinafter in this Act referred to as the ‘Agency’).

“(b) **BOARD OF GOVERNORS OF THE AGENCY.**—

“(1) **HEAD OF AGENCY.**—The Agency shall be headed by the Board of Governors of the United States International Broadcasting Agency (hereinafter in this Act referred to as the ‘Board of Governors’).

“(2) **AUTHORITIES AND FUNCTIONS.**—The Board of Governors shall—

“(A) carry out the authorities and functions of the Agency under section 305; and

“(B) be responsible for the exercise of all authorities and powers and the discharge of all duties and functions of the Agency.

“(3) **COMPOSITION OF THE BOARD OF GOVERNORS.**—

“(A) The Board of Governors shall consist of 9 members, as follows:

“(i) Eight voting members who shall be appointed by the President, by and with the advice and consent of the Senate.

“(ii) The Secretary of State who shall also be a voting member.

“(B) The President shall appoint one member (other than the Secretary of State) as Chair of the Board of Governors, subject to the advice and consent of the Senate.

“(C) Exclusive of the Secretary of State, not more than 4 of the members of the Board of Governors appointed by the President shall be of the same political party.

“(4) **TERM OF OFFICE.**—The term of office of each member of the Board of Governors shall be three years, except that the Secretary of State shall remain a member of the Board of Governors during the Secretary’s term of service. The President shall appoint, by and with the advice and consent of the Senate, board members to fill vacancies occurring prior to the expiration of a term, in which case the members so appointed shall serve for the remainder of such term. Any member whose term has expired may serve until a successor has been appointed and qualified. When there is no Secretary of State, the Acting Secretary of State shall serve as a member of the board until a Secretary is appointed.

“(5) **SELECTION OF BOARD OF GOVERNORS.**—Members of the Board of Governors appointed by the President shall be citizens of the United States who are not regular full-time employees of the United States Government. Such members shall be selected by the President from among Americans distinguished in the fields of mass communications, print, broadcast media, or foreign affairs.

“(6) **COMPENSATION.**—Members of the Board of Governors, while attending meetings of the board or while engaged in duties relating to such meetings or in other activities of the board pursuant to this section (including travel time) shall be entitled to receive compensation equal to the daily equivalent of the compensation prescribed for level IV of the Executive Schedule under section 5315 of title 5, United States Code. While away from their homes or regular places of business, members of the board may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by law for persons in the Government service employed intermittently. The Secretary of State shall not be entitled to any compensation under this title, but may be allowed travel expenses as provided under this subsection.

“(7) **DECISIONS.**—Decisions of the Board of Governors shall be made by majority vote, a quorum being present. A quorum shall consist of 5 members.

“(8) **IMMUNITY FROM CIVIL LIABILITY.**—Notwithstanding any other provision of law, any and all limitations on liability that apply to the members of the Board of Governors also shall apply to such members when acting in their capacities as members of the boards of directors of RFE/RL, Incorporated and Radio Free Asia.

“(c) **DIRECTOR.**—

“(1) **APPOINTMENT.**—The Board of Governors shall appoint a Director of the Agency. The Director shall receive basic pay at the rate payable for level IV of the Executive Schedule under section 5313 of title 5, United States Code. The Director may be removed through a majority vote of the Board.

“(2) **FUNCTIONS AND DUTIES.**—The Director shall have the following functions and duties:

“(A) To exercise the authorities delegated by the Board of Governors pursuant to section 305(b).

“(B) To carry out all broadcasting activities conducted pursuant to this title, the Radio Broadcasting to Cuba Act, and the Television Broadcasting to Cuba Act.



“(C) To examine and make recommendations to the Board of Governors on long-term strategies for the future of international broadcasting, including the use of new technologies.

“(D) To review engineering activities to ensure that all broadcasting elements receive the highest quality and cost-effective delivery services.

“(E) To procure supplies, services, and other personal property to carry out the functions of the Agency.

“(F) To obligate and expend, for official reception and representation expenses, such amounts as may be made available through appropriations.

“(G) To provide for the use of United States Government transmitter capacity for relay of broadcasting by grantees.

“(H) To procure temporary and intermittent personal services to the same extent as is authorized by section 3109 of title 5, United States Code, at rates not to exceed the daily equivalent of the rate provided for positions classified above grade GS-15 of the General Schedule under section 5108 of title 5, United States Code.

“(I) To procure for the Agency, pursuant to section 1535 of title 31, United States Code goods and services from other departments or agencies.

“(J) To the extent funds are available, to lease space and acquire personal property for the Agency.

“(d) INSPECTOR GENERAL AUTHORITIES.—

“(1) IN GENERAL.—The Inspector General of the Department of State shall exercise the same authorities with respect to the Agency as the Inspector General exercises under the Inspector General Act of 1978 and section 209 of the Foreign Service Act of 1980 with respect to the Department of State.

“(2) RESPECT FOR JOURNALISTIC INTEGRITY OF BROADCASTERS.—The Inspector General of the Department of State and the Foreign Service shall respect the journalistic integrity of all the broadcasters covered by this title and may not evaluate the philosophical or political perspectives reflected in the content of broadcasts.”.

(b) RETENTION OF EXISTING BOARD MEMBERS.—The members of the Broadcasting Board of Governors appointed by the President pursuant to section 304 of the United States International Broadcasting Act of 1994 on the day before the effective date of this title and holding office as of that date may serve the remainder of their terms of office as members of the Board of Governors established under subsection (b) without reappointment, or if their term has expired may serve until a successor is appointed and qualified.

#### SEC. 302. AUTHORITIES AND FUNCTIONS OF THE AGENCY.

Section 305 of the United States International Broadcasting Act of 1994 (22 U.S.C. 6204) is amended to read as follows:

#### “SEC. 305. AUTHORITIES AND FUNCTIONS OF THE AGENCY.

“(a) The Agency shall have the following authorities and functions:

“(1) To supervise all broadcasting activities conducted pursuant to this title, the Radio Broadcasting to Cuba Act, and the Television Broadcasting to Cuba Act.

“(2) To review and evaluate the mission and operation of, and to assess the quality, effectiveness, and professional integrity of, all such activities within the context of the broad foreign policy objectives of the United States and the guiding principles and doctrines of the United States, particularly freedom and democracy.

“(3) To develop strategic goals after reviewing human rights reporting and other reliable assessments to assist in determining programming and resource allocation.

“(4) To ensure that United States international broadcasting is conducted in accordance with the standards and principles contained in section 303.

“(5) To review, evaluate, and determine, at least annually, after consultation with the Secretary of State, the addition or deletion of language services.

“(6) To make and supervise grants for broadcasting and related activities in accordance with sections 308 and 309.

“(7) To allocate funds appropriated for international broadcasting activities among the various elements of the Agency and grantees, subject to the limitations in sections 308 and 309 and subject to reprogramming notification requirements in law for the reallocation of funds.

“(8) To undertake such studies as may be necessary to identify areas in which broadcasting activities under its authority could be made more efficient and economical.

“(9) To submit to the President and the Congress an annual report which summarizes and evaluates activities under this title, the Radio Broadcasting to

Cuba Act, and the Television Broadcasting to Cuba Act, placing special emphasis on the assessment described in paragraph (2).

“(10) To make available in the annual report required by paragraph (9) information on funds expended on administrative and managerial services by the Agency and by grantees and the steps the Agency has taken to reduce unnecessary overhead costs for each of the broadcasting services.

“(11) To utilize the provisions of titles III, IV, V, VII, VIII, IX, and X of the United States Information and Educational Exchange Act of 1948, and section 6 of Reorganization Plan Number 2 of 1977, as in effect on the day before the effective date of title XIII of the Foreign Affairs Agencies Consolidation Act of 1998, to the extent the Director considers necessary in carrying out the provisions and purposes of this title.

“(12) To utilize the authorities of any other statute, reorganization plan, Executive order, regulation, agreement, determination, or other official document or proceeding that had been available to the Director of the United States Information Agency, the Bureau, or the Board before the effective date of title XIII of the Foreign Affairs Consolidation Act of 1998 for carrying out the broadcasting activities covered by this title.

“(b) DELEGATION OF AUTHORITY.—The Board of Governors may delegate to the Director of the Agency, or any other officer or employee of the United States, the authorities provided in this section, except those authorities provided in paragraph (1), (2), (4), (5), (6), (7), or (9) of subsection (a).

“(c) BROADCASTING BUDGETS.—Director and the grantees identified in sections 308 and 309 shall submit proposed budgets to the Board. The Board shall forward its recommendations concerning the proposed budget for the Board and broadcasting activities under this title, the Radio Broadcasting to Cuba Act, and the Television Broadcasting to Cuba Act to the Office of Management and Budget.”.

#### SEC. 303. ROLE OF THE SECRETARY OF STATE.

Section 306 of the United States International Broadcasting Act of 1994 (22 U.S.C. 6205) is amended to read as follows:

#### “SEC. 306. ROLE OF THE SECRETARY OF STATE.

“To assist the Agency in carrying out its functions, the Secretary of State shall provide such information and guidance on foreign policy and public diplomacy issues to the Agency as the Secretary considers appropriate.”.

#### SEC. 304. ADMINISTRATIVE PROVISIONS.

The United States International Broadcasting Act of 1994 is amended by striking section 307 and inserting the following new section:

#### “SEC. 307. ADMINISTRATIVE PROVISIONS.

“(a) OFFICERS AND EMPLOYEES.—The Board of Governors may appoint and fix the compensation of such officers and employees as may be necessary to carry out the functions of the Agency. Except as otherwise provided by law, such officers and employees shall be appointed in accordance with the civil service laws and their compensation shall be fixed in accordance with title 5, United States Code.

“(b) EXPERTS AND CONSULTANTS.—The Board of Governors, as may be provided in appropriation Acts, may obtain the services of experts and consultants in accordance with section 3109 of title 5, United States Code, and may compensate such experts and consultants at rates not to exceed the daily rate prescribed for level IV of the Executive Schedule under section 5315 of title 5, United States Code.

“(c) ACCEPTANCE OF VOLUNTARY SERVICES.—

“(1) IN GENERAL.—Notwithstanding section 1342 of title 31, United States Code, the Board of Governors may accept, subject to regulations issued by the Office of Personnel Management, voluntary services if such services—

“(A) are to be uncompensated; and

“(B) are not used to displace any employee.

“(2) TREATMENT.—Any individual who provides voluntary services under this section shall not be considered a Federal employee for any purpose other than for purposes of chapter 81 of title 5, United States Code (relating to compensation for injury) and sections 2671 through 2680 of title 28, United States Code (relating to tort claims).

“(d) DELEGATION.—Except as otherwise provided in this Act, the Board of Governors may delegate any function to the Director and such other officers and employees of the Agency as the Board of Governors may designate, and may authorize such successive redelegations of such functions within the Agency as may be necessary or appropriate.

“(e) CONTRACTS.—

“(1) IN GENERAL.—Subject to the Federal Property and Administrative Services Act of 1949 and other applicable Federal law, the Board of Governors may

make, enter into, and perform such contracts, grants, leases, cooperative agreements, and other similar transactions with Federal or other public agencies (including State and local governments) and private organizations and persons, and to make such payments, by way of advance or reimbursement, as the Board of Governors may determine necessary or appropriate to carry out functions of the Board of Governors or the Agency.

“(2) APPROPRIATION AUTHORITY REQUIRED.—No authority to enter into contracts or to make payments under this title shall be effective except to such extent or in such amounts as are provided in advance under appropriation Acts.

“(f) REGULATIONS.—The Director may prescribe such rules and regulations as the Board of Governors considers necessary or appropriate to administer and manage the functions of the Agency, in accordance with chapter 5 of title 5, United States Code.

“(g) SEAL.—The Director shall cause a seal of office to be made for the Agency of such design as the Board of Governors shall approve. Judicial notice shall be taken of such seal.”.

**SEC. 305. BROADCASTING BOARD OF GOVERNORS AND INTERNATIONAL BROADCASTING BUREAU.**

The Broadcasting Board of Governors and the International Broadcasting Bureau are abolished.

**SEC. 306. TRANSITION.**

(a) TRANSFER OF FUNCTIONS.—Except as otherwise provided in this title or an amendment made by this title, all functions that on the day before the effective date specified in section 311 are authorized to be performed by the Broadcasting Board of Governors and the International Broadcasting Bureau and any officer, employee, or component of such entities, under any statute, reorganization plan, Executive order, or other provision of law, are transferred to the Agency established under this title effective on that date.

(b) DETERMINATION OF CERTAIN FUNCTIONS.—If necessary, the Office of Management and Budget shall make any determination of the functions that are transferred under this title.

(c) TRANSITION PROVISIONS.—

(1) EXERCISE OF AUTHORITIES.—Except as otherwise provided by law, the Board of Governors may, for purposes of performing a function that is transferred to the Agency by this title, exercise all authorities under any other provision of law that were available with respect to the performance of that function to the official responsible for the performance of that function on the day before the effective date specified in section 310.

(2) AUTHORITIES TO WIND UP AFFAIRS.—

(A) The Director of the Office of Management and Budget may take such actions as the Director of the Office of Management and Budget considers necessary to wind up any outstanding affairs of the Broadcasting Board of Governors and the International Broadcasting Bureau associated with the functions that are transferred pursuant to subsection (a).

(B) The Director of the Office of Management and Budget may take such actions as the Director of the Office of Management and Budget considers necessary to wind up any outstanding affairs of the Broadcasting Board of Governors and the International Broadcasting Bureau associated with the functions that are transferred pursuant to subsection (a).

(3) TRANSFER OF ASSETS.—Any property, records, unexpended balances of appropriations, allocations, and other funds employed, used, held, available, or to be made available in connection with a function transferred to the Agency by this Act are transferred on the effective date specified in section 310.

**SEC. 307. CONFORMING AMENDMENTS.**

(a) UNITED STATES INTERNATIONAL BROADCASTING ACT OF 1994.—The United States International Broadcasting Act of 1994 is amended as follows:

(1) Section 308 (22 U.S.C. 6207) is amended—

(A) in subsection (a)—

(i) by striking “The Board” and inserting “The Agency”; and  
(ii) in paragraph (1) by striking “Broadcasting Board of Governors” and inserting “Board Governors of the International Broadcasting Agency”;

(B) in subsection (b)—

(i) by striking paragraph (2);  
(ii) by striking “(1)”;  
(iii) by striking “Board” both places it appears and inserting “Agency”;

(C) in subsections (c), (d), (g), (h), and (i) by striking “Board” each place it appears and inserting “Agency”;

(D) in subsection (g)(4) by striking “International Broadcasting Bureau” and inserting “Agency”; and

(E) in subsections (i) and (j) by striking “and the Foreign Service” each place it appears.

(2) Section 309 (22 U.S.C. 6208) is amended—

(A) in subsection (c)(1) by striking “Board” both places it appears and inserting “Agency”;

(B) by striking subsection (e);

(C) in subsections (f) and (g) by striking “Board” each place it appears and inserting “Agency”; and

(D) in subsection (g) by striking “Chairman of the Board” and inserting “Agency”.

(3) By striking section 311 (22 U.S.C. 6210).

(4) In section 313 (22 U.S.C. 6212) by striking “Board” and inserting “Agency”.

(5) In section 314 (22 U.S.C. 6213) by striking paragraph (2).

(6) By striking section 315.

(b) CUBAN LIBERTY AND DEMOCRATIC SOLIDARITY (LIBERTAD) ACT OF 1996.—Section 107 of the Cuban Liberty and Democratic Solidarity (LIBERTAD) Act of 1996 (22 U.S.C. 6037) is amended in subsections (a) and (b) by striking “International Broadcasting Bureau” each place it appears and inserting “United States International Broadcasting Agency”.

(c) RADIO BROADCASTING TO CUBA ACT.—The Radio Broadcasting to Cuba Act (22 U.S.C. 1465 et seq.) is amended as follows:

(1) In section 3 (22 U.S.C. 1465a) as follows:

(A) In the section heading by striking “BROADCASTING BOARD OF GOVERNORS” and inserting “UNITED STATES INTERNATIONAL BROADCASTING AGENCY”.

(B) In subsection (a) by striking “the ‘Board’” and inserting “the ‘Agency’”.

(C) In subsections (a), (d), and (f) by striking “Broadcasting Board of Governors” and inserting “United States International Broadcasting Agency”.

(3) In section 4 (22 U.S.C. 1465b) as follows:

(A) In the first sentence by striking “The” and all that follows through “Bureau” and inserting: “The Board of Governors of the United States International Broadcasting Agency shall establish within the Agency”.

(B) In the third sentence by striking “Broadcasting Board of Governors” and inserting “Board of Governors of the United States International Broadcasting Agency”.

(C) In the fourth sentence by striking “Board of the International Broadcasting Bureau” and inserting “Board of Governors of the United States International Broadcasting Agency”.

(4) In section 5 (22 U.S.C. 1465c) as follows:

(A) In subsection (b) by striking “Broadcasting Board of Governors” and inserting “Board of Governors of the United States International Broadcasting Agency”.

(B) By striking “Board” each place it appears and inserting “Advisory Board”.

(5) In section 6 (22 U.S.C. 1465d) as follows:

(A) In subsection (a) by striking “Broadcasting Board of Governors” and inserting “United States International Broadcasting Agency” and by striking “Board” and inserting “Board of Directors of the United States International Broadcasting Agency”.

(B) In subsection (b) by striking “Board” and inserting “United States International Broadcasting Agency”.

(6) In section 7 (22 U.S.C. 1465e) by striking “Board” in subsections (b) and (d) and inserting “United States International Broadcasting Agency”.

(7) In section 8(a) (22 U.S.C. 1465f(a)), by striking “Broadcasting Board of Governors” and inserting “United States International Broadcasting Agency”.

(d) TELEVISION BROADCASTING TO CUBA ACT.—The Television Broadcasting to Cuba Act (22 U.S.C. 1465aa note) is amended as follows:

(1) Section 243(a) (22 U.S.C. 1465bb) is amended by striking “Broadcasting Board of Governors” and inserting “United States International Broadcasting Agency”.

(2) Section 244 (22 U.S.C. 1465cc) is amended as follows:

(A) In subsection (a) by amending the third sentence to read as follows: “The Board of Governors of the United States International Broadcasting Agency shall appoint a head of the Service who shall report directly to the Board of Governors.”.

(B) In subsection (b) by striking “Board” and inserting “United States International Broadcasting Agency”.

(C) In subsection (c) by striking “The Board” and inserting “The Agency” and by striking “Board determines” and inserting “Board of Governors of the United States International Broadcasting Agency determines”.

(3) In section 246 (22 U.S.C. 1465dd) by striking “United States Information Agency” and inserting “United States International Broadcasting Agency” and by striking “Board” and inserting “Board of Governors of the United States International Broadcasting Agency”.

(e) UNITED STATES INFORMATION AND EDUCATIONAL EXCHANGE ACT OF 1948.—The United States Information and Educational Exchange Act of 1948 (22 U.S.C. 1431 et seq.) is amended—

(1) in section 505 (22 U.S.C. 1464a), by striking “Broadcasting Board of Governors” each place it appears and inserting “United States International Broadcasting Agency”; and

(2) in section 506(c) (22 U.S.C. 1464b(c))—

(A) by striking “Broadcasting Board of Governors” and inserting “United States International Broadcasting Agency”; and

(B) by striking “Board” and inserting “Agency”.

(e) FOREIGN SERVICE ACT OF 1980.—The Foreign Service Act of 1980 (22 U.S.C. 3901 et seq.) is amended—

(1) in section 202(a)(1) (22 U.S.C. 3922(a)(1)), by striking “Broadcasting Board of Governors” and inserting “United States International Broadcasting Agency”;

(2) in section 210 (22 U.S.C. 3930), by striking “Broadcasting Board of Governors” and inserting “United States International Broadcasting Agency”;

(3) in section 1003(a) (22 U.S.C. 4103(a)), by striking “Broadcasting Board of Governors” and inserting “United States International Broadcasting Agency”; and

(4) in section 1101(c) (22 U.S.C. 4131(c)), by striking “Broadcasting Board of Governors,” and inserting “the United States International Broadcasting Agency,”.

(f) STATE DEPARTMENT BASIC AUTHORITIES ACT OF 1956.—The State Department Basic Authorities Act of 1956 (22 U.S.C. 2651a et seq.) is amended—

(1) in section 23(a) (22 U.S.C. 2695(a)), by striking “Broadcasting Board of Governors,” and inserting “United States International Broadcasting Agency”;

(2) in section 25(f) (22 U.S.C. 2697(f))—

(A) by striking “Broadcasting Board of Governors” and inserting “United States International Broadcasting Agency”; and

(B) by striking “the Board and the Agency” and inserting “their respective agencies”;

(3) in section 26(b) (22 U.S.C. 2698(b))—

(A) by striking “Broadcasting Board of Governors,” and inserting “United States International Broadcasting Agency”; and

(B) by striking “the Board and the Agency” and inserting “their respective agencies”; and

(4) in section 32 (22 U.S.C. 2704), by striking “Broadcasting Board of Governors” and inserting “United States International Broadcasting Agency”.

(g) TITLE 5, UNITED STATES CODE.—Section 5315 of title 5, United States Code, is amended—

(1) by striking “Director of the International Broadcasting Bureau.”.

(2) by adding at the end the following: “Director, United States International Broadcasting Agency.”.

#### SEC. 308. REFERENCES.

Except as otherwise provided in this title or an amendment made by this title, any reference in any statute, reorganization plan, Executive order, regulation, agreement, determination, or other official document or proceeding to the Broadcasting Board of Governors and the International Broadcasting Bureau or any other officer or employee of the Broadcasting Board of Governors or the International Broadcasting Bureau shall be deemed to refer to the United States International Broadcasting Agency or the Board of Governors of the United States International Broadcasting Agency established under this title.

**SEC. 309. BROADCASTING STANDARDS.**

Section 303(a) of the United States International Broadcasting Act of 1994 (22 U.S.C. 6202(a)) is amended—

- (1) in paragraph (6) by striking “and”;
- (2) in paragraph (8) by striking the period and inserting “; and”; and
- (3) by adding after paragraph (8) the following new paragraph:

“(9) seek to ensure that resources are allocated to broadcasts directed at people whose governments deny freedom of expression or who are otherwise in special need of honest and professional broadcasting, commensurate with the need for such broadcasts.”.

**SEC. 310. AUTHORIZATION OF APPROPRIATIONS.**

(a) **AUTHORIZATION OF APPROPRIATIONS.**—In addition to such amounts as are otherwise authorized to be appropriated for the fiscal year 2003, there are authorized to be appropriated \$135,000,000 for the fiscal year 2003 for the Broadcasting Board of Governors to expand television and radio broadcasting to countries with predominantly Muslim populations and to support audience development.

(b) **EFFECTIVE DATE.**—This section shall take effect on the date of the enactment of this Act.

**SEC. 311. EFFECTIVE DATE.**

Except as otherwise provided, this title and the amendments made by this title shall take effect on the last day of the 6-month period beginning on the date of the enactment of this Act.

**PURPOSE AND SUMMARY**

The purpose of this Act is to enhance in scope and substance, re-direct, redefine, and reorganize United States public diplomacy.

“Public diplomacy” is the term that has long been used to describe efforts by our government to communicate with the peoples of other nations directly, rather than addressing such communication solely to the governments of these nations. United States public diplomacy programs include international broadcasting services (Voice of America, Radio Free Europe/Radio Liberty, Radio Free Asia, and Radio Marti), educational and cultural exchanges, and a wide variety of other international information programs.

The September 11, 2001 terrorist attacks on the United States focused our attention on the degree to which the United States image overseas is tarnished. Much of the international press, often including the government-owned media, daily depicts the United States as a force for evil and accuses this country of an unceasing number of malevolent plots against the world. The poisonous image of the United States that is deliberately propagated around the world undermines our foreign policy goals and endangers the safety of Americans at home and abroad.

The sum of our public diplomacy efforts over the years has proved to be insufficient. This legislation is an attempt to reinvigorate efforts and the commitment at the highest levels of our government to a strategically drawn and creatively crafted public diplomacy program. Title I sets forth the need for a comprehensive and coordinated public diplomacy strategy that is developed as an integral part of United States foreign policy. It amends the State Department Basic Authorities Act to require that the Secretary of State make public diplomacy an integral component in the planning and execution of U.S. foreign policy. The Secretary of State is urged to use modern communications technology to achieve greater reach of the United States message. This title also requires the Secretary to establish a public diplomacy reserve corps to augment needs during a crisis, requires an annual plan on public diplomacy strategy, and encourages in depth training in public diplomacy and

the recruitment of people proficient in relevant foreign languages. It also provides an authorization of \$20 million for modernization of communication technology and support of public diplomacy programs.

Title II is a series of initiatives for predominately Muslim countries. It sets out a variety of programs of exchange and training of individuals from predominately Muslim countries and requires a data base for alumni of American and foreign participants in exchange programs.

Title III provides for a reorganization of the current Broadcasting Board of Governors and renames it the United States International Broadcasting Agency. The legislation retains the part time Board as head of agency, and provides for the appointment by the Board of a full time director. The reorganization is designed to ensure accountability by an identified decision maker while causing minimal disruption to broadcasting operations and preserving the authorities and independence of the Board. The Board will retain operational control of grants to entities including Radio Liberty, Radio Free Asia, and Radio Free Europe. This title also authorizes \$135 million to expand television and radio broadcasting to countries with predominately Muslim populations.

INTRODUCED: March 14, 2001

#### BACKGROUND AND NEED FOR THE LEGISLATION

The United States conducts the world's only truly global foreign policy. Embracing a broad range of subjects, from the political and military to the economic and cultural, this effort centers on an elaborate array of official relationships with the nearly 200 sovereign governments and scores of international organizations. This is a complex and important undertaking with many successes to its credit.

But something is missing. Despite the comprehensive scope of our foreign policy, the necessary focus on relationships with governments and official organizations has led the United States to overlook a set of powerful allies: the peoples of the world.

Uniquely among the world's powers, the United States possesses an extensive network of associations and shared interests with the people of virtually every country in the world. These connections are typically independent of any formal relationship with their governments.

These ties extend across an amalgam of cultural, economic, familiar and other links. But among the most powerful is a bond that derives from the values America represents. At its core is the belief that these values have universal application, that they are inherent in individuals and peoples by right and not by the grace of governments or international organizations.

Public diplomacy—which consists of the systematic effort to communicate not only with governments but also with the people they govern or rule over—has a central role to play in the task of making the world safer for the just interests of the United States, its citizens, and its allies. In order for the potential of United States public diplomacy efforts to be fully realized, however, these efforts must be reshaped to ensure that they speak effectively and directly

to the peoples of the world, bypassing their governments and ruling elites.

There are any number of good ideas on how to go about doing this. In the country that invented Hollywood and Madison Avenue, the most obvious source of innovation is the private sector, which has developed elaborate techniques for understanding populations and crafting compelling messages. Modern communications media, from satellite television to the Internet, provide an expanding array of channels to ever-larger segments of foreign populations. Not to be overlooked is the public diplomacy bureaucracy itself, where valuable expertise lies underutilized and many have labored in frustration for decades.

If we are to be successful in our broader foreign policy goals, America's effort to engage the peoples of the world must assume a more prominent place in the planning and execution of our foreign policy. The task of countering misinformation and propaganda regarding the United States is a never-ending one, but we must go about this task more aggressively and more systematically, rather than simply reacting to crises as they occur. Responsibility for the execution and success of this effort must be shared at all levels, beginning with the President and the Congress.

We have much to do, but we must never forget that, beyond the islands of hatred populated by vocal enemies of America and its values, there is an enormous reservoir of good will and that legions of silent allies await.

#### HEARINGS

The Committee held two hearings. On October 10, 2001 testimony was received from *Charlotte Beers*, Under Secretary for Public Diplomacy and Public Affairs, U.S. Department of State; *Marc Nathanson*, Chairman, Broadcasting Board of Governors; *Ambassador Kenton Keith*, Senior Vice President for Programming, Meridian International Center; and *Norman J. Pattiz*, Founder & Chairman, Westwood One, Inc., member, Broadcasting Board of Governors. The second hearing was held November 14, 2001 with testimony received from *Ambassador Edward S. Walker, Jr.*, President, Middle East Institute, former U.S. Ambassador to Egypt, Israel and the United Arab Emirates and former Assistant Secretary for Near Eastern Affairs, U.S. Department of State; *John W. Leslie, Jr.*, Chairman, Weber Shandwick; *Robert L. Wehling*, Former Chairman, Advertising Council, Retired Global Marketing Officer, Procter & Gamble; *Mouafac Harb*, Washington Bureau Chief, Al Hayat Newspaper; *John Romano*, Producer/Writer.

#### COMMITTEE CONSIDERATION

On April 25, 2002, the Committee on International Relations marked up the bill, H.R. 3969, pursuant to notice in open session. The Committee adopted an amendment in the nature of a substitute and 5 other amendments, and a quorum being present agreed by voice vote to a motion offered by Chairman Hyde to favorably report the bill as amended to the House of Representatives.

#### VOTES OF THE COMMITTEE

There were no recorded votes during the consideration of the bill.



## COMMITTEE OVERSIGHT FINDINGS

In compliance with clause 3(c)(1) of rule XIII of the Rules of the House of Representatives, the Committee reports that the findings and recommendations of the Committee, based on oversight activities under clause 2(b)(1) of rule X of the Rules of the House of Representatives are incorporated in the descriptive portions of this report.

## NEW BUDGET AUTHORITY AND TAX EXPENDITURES

Clause 3(c)(2) of House Rule XIII is inapplicable because this legislation does not provide new budgetary authority or increased tax expenditures.

## CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

U.S. CONGRESS,  
CONGRESSIONAL BUDGET OFFICE,  
*Washington, DC, May 14, 2002.*

Hon. HENRY J. HYDE, *Chairman,*  
*Committee on International Relations,*  
*House of Representatives, Washington, DC.*

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for H.R. 3969, the Freedom Promotion Act of 2002.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Sunita D'Monte, who can be reached at 226-2840.

Sincerely,

DAN L. CRIPPEN, *Director.*

Enclosure

cc: Honorable Tom Lantos  
Ranking Democratic Member

*H.R. 3969—Freedom Promotion Act of 2002.*

## SUMMARY

The bill would enhance international broadcasting, public diplomacy, and educational and cultural exchange programs. The bill would earmark \$512 million in 2003 for public diplomacy and authorize additional appropriations of \$60 million in 2002 and \$200 million in 2003 for international broadcasting, educational and cultural exchange programs, improvements and modernization of public diplomacy programs, and the National Endowment for Democracy. Since there is no existing authorization for 2003, CBO treats the earmark as an authorization of appropriations. The bill also would increase the earmark for public diplomacy in 2002 from \$270 million to \$298 million.

CBO estimates that implementing H.R. 3969 would cost almost \$750 million over the 2002-2007 period, assuming the appropriation of the necessary amounts. By increasing the earmark for public diplomacy programs in 2002, CBO also estimates the bill would require the Department of State to shift resources away from other programs and towards public diplomacy programs. CBO estimates

that as a result of this reallocation, outlays for 2002 would be slightly lower as the department reassesses its spending needs, but that outlays in following years would be slightly higher. Absent a detailed plan from the State Department regarding the higher earmark for 2002, CBO does not have sufficient information to provide a specific estimate of this provision. These effects would be considered direct spending, and thus, pay-as-you-go procedures would apply.

H.R. 3969 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act (UMRA) and would not affect the budgets of state, local, or tribal governments.

#### ESTIMATED COST TO THE FEDERAL GOVERNMENT

The estimated budgetary impact of H.R. 3969 is shown in the following table. This estimate assumes the legislation will be enacted before July 1, 2002. The estimate also assumes that the amounts authorized for 2002 will be provided in a supplemental appropriation, and that amounts authorized for 2003 will be provided in the annual appropriation act by the start of fiscal year 2003. For the purposes of this estimate, CBO estimates that outlays from the amounts authorized for 2003 would follow historical spending patterns, but that amounts authorized for 2002 would be spent slower as a result of the late enactment date. The costs of this legislation fall within budget function 150 (international affairs).

By fiscal year, in millions of dollars						
	2002	2003	2004	2005	2006	2007
SPENDING SUBJECT TO APPROPRIATION <sup>1</sup>						
Spending Under Current Law for Public Diplomacy Programs:						
Budget Authority <sup>2</sup> .....	978	0	0	0	0	0
Estimated Outlays .....	1,012	315	95	38	13	0
Proposed Changes:						
Estimated Authorization Level .....	60	712	3	3	3	3
Estimated Outlays .....	<sup>3</sup>	592	100	42	15	1
Spending For Public Diplomacy Programs Under H.R. 3969:						
Estimated Authorization Level .....	1,038	712	3	3	3	3
Estimated Outlays .....	1,012	907	195	80	28	1

<sup>1</sup> In addition to the bill's impact on discretionary spending, CBO estimates that H.R. 3969 would lower direct spending in 2002 and raise direct spending over the 2003–2006 period, but is unable to provide a precise estimate. We expect that the change in such spending would be less than \$20 million a year, and that there would be no significant net impact over the 2002–2006 period.

<sup>2</sup> The 2002 level is the amount appropriated for that year.

<sup>3</sup> Less than \$500,000.

#### *Spending Subject to Appropriation*

H.R. 3969 would enhance the Department of State's public diplomacy programs, especially those targeted at countries with predominantly Muslim populations. The bill would specifically earmark \$512 million in 2003 for public diplomacy. Since there is no existing authorization for 2003, CBO treats this earmark as an authorization of appropriations.

H.R. 3969 also would authorize additional appropriations of \$60 million in 2002 and \$200 million in 2003 for international broadcasting, cultural and educational exchange programs, improve-

ments and modernization of public diplomacy programs, and the National Endowment for Democracy.

H.R. 3969 also would require the Secretary of State to prepare annual plans and several reports on public diplomacy programs. CBO estimates that implementing these new requirements would increase spending by less than \$500,000 annually. Finally, the bill would abolish the Broadcasting Board of Governors and the International Broadcasting Bureau, establish an independent agency for all international broadcasting programs, and transfer all functions and assets of the Broadcasting Board of Governors and the International Broadcasting Bureau to the new agency. CBO estimates this provision would have no significant costs.

Assuming appropriation of the necessary amounts, CBO estimates that implementing the bill would cost less than \$500,000 in 2002, \$592 million in 2003, and roughly \$750 million over the 2002–2007 period.

#### *Direct Spending*

The bill would earmark \$298 million in 2002 for public diplomacy. Under current law, the earmark for 2002 is \$270 million. Increasing that amount would require the department to alter its spending patterns by shifting resources away from other programs and into public diplomacy. CBO estimates that as a result of this reallocation, outlays for 2002 would be slightly lower as the department reassesses its spending needs, but that outlays in following years would be slightly higher. Absent a specific plan from the State Department regarding the higher earmark for 2002, CBO does not have sufficient information to provide a reliable estimate of this provision. Nonetheless, we expect that changes in annual outlays are likely to be less than \$20 million a year, and that there would be no significant net impact in total spending over the 2002–2006 period.

#### PAY-AS-YOU-GO CONSIDERATIONS

The Balanced Budget and Emergency Deficit Control Act sets up pay-as-you-go procedures for legislation affecting direct spending or receipts. CBO estimates that H.R. 3969 would lower direct spending in 2002 and raise direct spending over the 2003–2006 period, but is unable to provide a precise estimate. On balance, we estimate that there would be no significant net impact on outlays over that period.

#### INTERGOVERNMENTAL AND PRIVATE-SECTOR IMPACT

H.R. 3969 contains no intergovernmental or private-sector mandates as defined in UMRA and would not affect the budgets of state, local, or tribal governments.

#### ESTIMATE PREPARED BY:

Federal Costs: Sunita D'Monte (226–2840)

Impact on State, Local, and Tribal Governments: Elyse Goldman  
(225–3220)

Impact on the Private Sector: Paige Piper/Bach (226–2960)

## ESTIMATE APPROVED BY:

Peter H. Fontaine  
Deputy Assistant Director for Budget Analysis

## PERFORMANCE GOALS AND OBJECTIVES

The purpose of this legislation is to designate the Secretary of State as responsible for public diplomacy activities. It requires strategic planning and establishment of measurable objectives for public diplomacy to improve the scope, content, effectiveness, and purpose of such efforts.

## CONSTITUTIONAL AUTHORITY STATEMENT

Article I, section 8, clause 18.

## SECTION-BY-SECTION ANALYSIS AND DISCUSSION

## TITLE I—UNITES STATES PUBLIC DIPLOMACY

*Section 101—Findings and Purposes.*

This section sets forth the importance of using public diplomacy as a means to reach out to the people of the world. It also recognizes that public diplomacy is a significant tool for United States foreign policy and requires a coordinated strategy for the use of public diplomacy resources.

*Section 102—Public Diplomacy Responsibilities of the Department of State.*

This section amends the State Department's Basic Authorities Act to provide a description of the Secretary of State's public diplomacy responsibilities. It states that the Secretary of State shall develop a comprehensive strategy (in coordination with the U.S. International Broadcasting Agency created by this legislation) with measurable objectives for the use of public diplomacy resources, to assume a prominent role in coordinating the efforts of all Federal agencies involved in public diplomacy, and to ensure that the public diplomacy strategy of the United States is cohesive, and aggressively counters misinformation and propaganda about the United States. The Secretary is also required each year to analyze the impact of public diplomacy efforts.

This section also requires the Secretary of State to establish a Public Diplomacy Reserve Corps that can be called upon in times of emergencies when additional personnel and expertise are required.

This section further requires the Secretary of State to establish the capability for multimedia programming and distribution to take advantage of the various modern communications techniques for reaching mass audiences. To the extent practicable, the State Department shall utilize the facilities of the U.S. International Broadcasting Agency and shall reimburse the Agency for reasonable expenses.

Finally, this section sets forth the duties of the Under Secretary for Public Diplomacy. The Under Secretary is given responsibility for formation, supervision, and implementation of United States public diplomacy policies, programs, and activities and provides

guidance to public diplomacy personnel. The Under Secretary shall also submit statements of United States policy and editorial material to the International Broadcasting Agency for broadcast consideration.

New subsection 57(d)(1) of the State Department Basic Authorities Act, as added by this section, provides that the Under Secretary of State for Public Diplomacy shall provide the U.S. International Broadcasting Agency with statements of official United States policy for broadcast by the Agency at the Agency's discretion, and directs the Department of State to promptly review editorial material prepared for broadcast by the Agency when the Agency requests such a review. It is the intent of the Committee to ensure that the official policies of the United States Government are accurately and persuasively communicated through the Agency. The Committee in no way intends to compromise the editorial independence of the Agency, and therefore leaves all final editorial decisions to the Agency.

Subsection 102(b) requires the Secretary of State in cooperation with the United States Agency for International Development to ensure that information concerning foreign assistance and projects funded by the United States government is disseminated widely within countries and regions that receive such assistance. The Committee recognizes that there may be instances in which such dissemination is not practicable, such as in cases where identification of United States personnel or resources would present a security risk. The Department of State shall report to Congress 120 days after the end of each fiscal year on the efforts made to disseminate information regarding United States assistance during the preceding fiscal year, including specific information concerning all instances in which the United States Agency for International Development has not identified projects as United States assistance because such identification was not practicable.

Although this section is designed to ensure the highest level of attention by our foreign policy agencies to public diplomacy needs and objectives, it does not provide new authority to the Secretary of State over the programs or operations of the U.S. International Broadcasting Agency. The role of the Board as a firewall against political interference in the content of the broadcasts remains unchanged, as is the USIBA's independence as a discrete Federal agency with its own budget authority. The Secretary of State remains a member of the Board of Governors.

*Section 103. Annual Plan on Public Diplomacy Strategy.*

This section requires the Secretary of State, in coordination with all appropriate Federal agencies, to prepare an annual review and analysis of the impact of public diplomacy efforts on target audiences. On the basis of this review, the Secretary, again in coordination with appropriate Federal agencies, shall develop a plan for the implementation of public diplomacy strategy that specifies goals, agency responsibilities, and necessary resources for achieving such goals. As with section 102, it is not the intent of this provision to suggest an expansion of the Secretary of State's authority over the budgets, programs, or other authorities and responsibilities of other Federal agencies. These reports will provide a consolidated picture of the state of United States public diplomacy across the variety of

agencies that conduct such programs. The Committee expects that any plans, reviews, and analyses included in these reports shall reflect the consensus views of all Federal agencies participating in public diplomacy activities.

*Section 104—Public Diplomacy Training.*

The findings in this section emphasize that the Foreign Service should recruit individuals with expertise and professional experience in public diplomacy. It also encourages the Secretary of State to seek to increase the number of Foreign Service officers proficient in languages spoken in predominantly Muslim countries. It is expected that such training will increase the awareness and capacity of more foreign service officers and chiefs of mission. Thus the quality and scope of public diplomacy programs will be enhanced.

*Section 105—Report by the Advisory Commission on Public Diplomacy.*

This section amends current law to require that at least 4 members of the Advisory Commission on Public Diplomacy have substantial experience in the conduct of public diplomacy or comparable private sector experience. It also requires the Commission to report not less than every two years on public diplomacy programs, policies, and activities and the effectiveness of such activities. It is expected that the Commission will take an active and constructive role to assess public diplomacy objectives and provide guidance to increase the success of such programs and activities overseas.

*Section 106—Library Program.*

This section requires the Secretary of State to implement a demonstration program to establish or upgrade foreign libraries to improve literacy and support public education. The purpose of the program is to advance American values and the importance of freedom and democracy.

*Section 107—Sense of Congress Concerning Public Diplomacy Efforts in Sub-Saharan Africa*

This section states that there are a significant number of sub-Saharan African countries that have predominately Muslim populations and it is the sense of Congress that the Secretary should include countries in sub-Saharan Africa with predominately Muslim populations in public diplomacy activities authorized by this Act and the amendments made by this Act.

*Section 108—Authorization of Appropriations.*

This section provides that of funds authorized in the Diplomatic and Consular programs of the Department of State, \$297,759,000 in Fiscal Year 2002 and \$512,000,000 in Fiscal Year 2003 are authorized to be available only for public diplomacy programs. It also authorizes an additional \$20,000,000 for Fiscal Years 2002 and 2003 for improvements and modernization of public diplomacy information programs. Of that amount, \$4,000,000 is available for Fiscal Years 2002 and 2003 for translation services at overseas posts, and \$7,500,000 is available for Fiscal Years 2002 and 2003 for the Office of Broadcast Services (within the State Department)

to modernize communications activities as required by section 102(c). The increased authorizations is expected to result in more creative and expansive communications strategies to improve the U.S. image overseas.

## TITLE II—UNITED STATES EDUCATIONAL AND CULTURAL PROGRAMS

### *Section 201—Establishment of Initiatives for Predominately Muslim Countries.*

This section requires the Secretary to establish an initiative for predominantly Muslim countries around the world. The programs are: journalism training, English language teaching, sister city partnerships, youth ambassadors, Fulbright exchange, Humphrey fellowships, and a library sciences exchange program.

### *Section 202—Database of Alumni of American and Foreign Participants in Exchange Programs.*

This section requires the Secretary of State to establish and maintain a database of all participants, both United States and foreign, in exchange programs. The purpose is to encourage networking and continued communication with the alumni of United States exchange programs.

### *Section 203—Report on Inclusion of Freedom and Democracy Advocates in Education and Cultural Exchange Programs.*

This section requires the Secretary of State to provide a report to Congress on the implementation of section 102 of the Human Rights, Refugee and Other Foreign Relations Provisions Act of 1996. The purpose of the report is to provide information concerning the number of grants to conduct exchange programs with countries whose governments deny freedom and democracy, and on the extent to which supporters of freedom and democracy within these countries are given opportunities to participate in United States funded programs.

### *Section 204—Fulbright-Hays Authorities.*

This section amends the Mutual Educational and Cultural Exchange Act of 1961 (known as the Fulbright-Hays Act) to affirm the Bureau of Educational and Cultural Affairs' long-standing practice of administering programs that promote the purposes of Fulbright-Hays but operate under other statutory authorities.

### *Section 205—Supplemental Authorization of Appropriations.*

This section provides an additional \$35,000,000 for Fiscal Years 2002 and 2003 for educational and cultural exchange programs of the Department of State identified in sections 201 and 202.

### *Section 206—Supplemental Authorization of Appropriations for the National Endowment for Democracy.*

This section provides \$5,000,000 in FY 02 and \$10,000,000 in FY 03 to the National Endowment for Democracy to fund programs that promote democracy, good governance, the rule of law, independent media, religious tolerance, the rights of women, and strengthening of civil society in countries of predominately Muslim populations within the Middle East.

## TITLE III—REORGANIZATION OF U.S. INTERNATIONAL BROADCASTING

*Section 301—Establishment of U.S. International Broadcasting Agency.*

This section amends the United States International Broadcasting Act of 1994 to establish the U.S. International Broadcasting Agency as an independent agency within the executive branch of government. The Agency will be headed by a nine-member, part-time, bipartisan board, renamed the Board of Governors, appointed by the President with the advice and consent of the Senate. The Board shall appoint a Director of the Agency who will have designated day-to-day operational responsibilities for the Agency.

These changes will improve the lines of authority and establish greater accountability in United States international broadcasting operations. The new agency retains the current design of an appointed Board designated as the head of the agency. The main changes clarify day-to-day responsibilities for broadcasting operations, establish a full-time director who is appointed by the Board and has clear lines of authority, and make clear that there is one broadcasting organization that is headed by the Board which exists as an independent agency within the executive branch.

This section is designed to strengthen the Board's ability to adopt strategic goals and objectives for the agency and to work to ensure that these goals and objectives remain priorities for the broadcast entities within the agency as well as corporate grantees. The Committee is aware that the Board has recently adopted a strategic plan designed to maximize the impact of U.S. International Broadcasting in regions vital to United States strategic interests. The plan envisions a worldwide U.S. International Broadcasting System, creating one integrated United States programming stream that would be intended to fulfil the missions both of VOA and of the surrogate broadcasting services. The Committee believes that numerous aspects of this plan have merit, but that conditions in many countries around the world still call for the preservation of the distinct and complementary roles of the Voice of America and of the surrogate broadcasting services.

*Section 302—Authorities and Functions of the Agency.*

This section restates current law with respect to the duties and responsibilities of the Agency.

*Section 303—Role of the Secretary of State.*

This section amends current law (Section 306 of the U.S. International Broadcasting Act) by deleting an out-of-date reference to WorldNet programming and restating that the Secretary of State shall provide such information and guidance on foreign policy and public diplomacy issues to the agency as the Secretary considers appropriate.

*Section 304—Administrative Provisions.*

This section makes certain technical, administrative and personnel changes.



*Section 305—Broadcasting Board of Governors and International Broadcasting Bureau.*

This section abolishes the International Broadcasting Bureau that was established in law. It has been identified as one of the areas that has caused confusion in the management of the Agency.

In 1994, PL 103–236, the Foreign Affairs Authorization Act for fiscal years 1994 and 1995, established the International Broadcasting Bureau within the United States Information Agency (USIA) as part of an overall restructuring of international broadcasting. The director of the International Broadcasting Bureau (IBB) was required to be appointed by the Chairman of the Broadcasting Board of Governors in concurrence with the other Board members and in consultation with the Director of USIA. PL 105–277, the Foreign Affairs Reform and Restructuring Act, Title A of the Foreign Affairs Authorization Act for fiscal years 1998 and 1999, merged USIA into the State Department and made the IBB Director a presidential appointee. However, since enactment of PL 105–277, there has not been a presidentially appointed Director.

Since its creation in 1994, the Broadcasting Board of Governors employed a staff including an executive director in addition to the IBB Director. At times this organizational structure has created confusion about lines of authority and resulted in less than optimal management of the broadcast services and the surrogate operations.

Therefore, this provision eliminates the requirement for the International Broadcasting Bureau—whose authorities are subsumed by the Agency—and the Director position. Section 301 allows the Board of Governors to appoint a Director of the Agency who will also serve as the executive director for the Board. These changes are intended to streamline the organization, eliminate lines of authority and improve the overall daily management of our international broadcasting operations.

*Section 306—Transition.*

This is a technical provision that provides for a seamless transition from the current structure to the new Agency.

*Section 307—Conforming Amendments.*

This section provides technical conforming amendments to current law.

*Section 308—References.*

This technical provision states that any references to the previous Broadcasting Board of Governors will be deemed to mean the U.S. International Broadcasting Agency.

*Section 309—Broadcasting Standards.*

This provision amends current law by adding that the Broadcasting Agency shall seek to ensure that resources are allocated to broadcasts directed at people whose governments deny freedom of expression or where the provision of objective news and information is necessary.

*Section 310—Authorization of Appropriations.*

This section authorizes \$135,000,000 for fiscal year 2003 for the Broadcasting Board of Governors to expand television and radio broadcasting to countries with predominately Muslim populations to support audience development.

This section recognizes the need to increase knowledge of the United States and its policies, as well as access to accurate and objective news and information, in countries with predominantly Muslim populations around the world. The \$135,000,000 authorized by this section for fiscal year 2003 is in addition to amounts otherwise authorized for international broadcasting and will permit the development of a Middle East television capability by the U.S. International Broadcasting Agency, as well as other enhancements in East and South Central Asia.

The Board of Broadcasting Governors has already created a Middle East Radio Network to maximize United States broadcasting impact in the Arab world by targeting young audiences, using new radio formats, and transmitting the program on the AM, FM, and satellite frequencies that are used by listeners in the region. While this is a powerful initiative that the committee expects will build a solid audience for unbiased news and information in the Middle East, the committee also recognizes the untapped television market in the region. Television is increasingly the communications medium of choice in the region, and the United States message must be present on this medium to more effectively counterbalance the anti-American coverage of local and regional stations.

The \$135 million authorized in this section is comprised of \$62 million for establishment of 24 hour Arabic television service, \$43 million for expansion of current service to Indonesia and to establish new service in the Malay, Tagalog, and Visaya languages, \$25 million to expand radio and television in Farsi and Urdu languages, and \$5 million for audience development.

The \$62 million for Arabic television includes \$27 million in one-time start up costs to establish a Washington broadcast center, overseas bureaus, recruit staff and acquire the equipment and transmission capabilities. Also included is \$35 million for annual operating costs of which \$10 million is for salaries and \$25 million is for operating and transmission expenses.

Pakistan, a key player in the war on terrorism, provides an example of how increased television broadcasting can enhance broadcast coverage. VOA currently broadcasts only 3 hours daily in Urdu to that country, all on shortwave. The funding increase authorized by this section would provide television service for Pakistani adults, a majority of whom report having a television at home, and provide more hours, more localized programs and AM transmission for U.S. International Broadcasting Agency-sponsored radio programs to that country.

The Southeast Asian countries of Indonesia, Malaysia, Thailand and the Philippines are also of critical importance to the U.S. Each has a large Muslim population. An enhanced radio and TV regional effort to these target countries, guided by extensive research, would serve U.S. interests. Television in particular can leverage listenership. VOA's weekly audience in Indonesia more than doubled when it added a TV program in 2001. Of the amount authorized in this section \$43 million will be directed to expand current

service to Indonesia, and to establish new service in the Malay, Tagalog, and Visaya languages.

The Committee authorization recommendation also includes \$25 million for expanded radio and television in the Farsi and Urdu languages, with additional programming directed at young audiences. Daily television use in Iran is high. VOA's weekly satellite television program, "Roundtable with You," attracts a high volume of audience phone calls, indicating a receptive market for sound journalistic programming.

Lastly, the purpose of the \$5 million for audience development is to allow the U.S. International Broadcasting Agency to advertise through a variety of media and sources the channels and frequencies in which it broadcasts, and the range of programming to increase awareness of its programs.

*Section 311—Effective Date.*

This title becomes effective 6 months after enactment.

NEW ADVISORY COMMITTEES

H.R. 3969 does not establish or authorize any new advisory committees.

CONGRESSIONAL ACCOUNTABILITY ACT

H.R. 3969 does not apply to the legislative branch.

FEDERAL MANDATES

H.R. 3969 provides no Federal mandates.

CHANGES IN EXISTING LAW MADE BY THE BILL, AS REPORTED

In compliance with clause 3(e) of rule XIII of the Rules of the House of Representatives, 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 italics, existing law in which no change is proposed is shown in roman):

**STATE DEPARTMENT BASIC AUTHORITIES ACT OF 1956**

\* \* \* \* \*

TITLE I—BASIC AUTHORITIES GENERALLY

ORGANIZATION OF THE DEPARTMENT OF STATE

SECTION 1. (a) \* \* \*

(b) UNDER SECRETARIES.—

(1) \* \* \*

\* \* \* \* \*

(3) UNDER SECRETARY FOR PUBLIC DIPLOMACY.—There shall be in the Department of State, among the Under Secretaries authorized by paragraph (1), an Under Secretary for Public Diplomacy, who shall have primary responsibility to assist the Secretary and the Deputy Secretary in the formation and implementation of United States public diplomacy policies

and activities, including international educational and cultural exchange programs, information, and international broadcasting.] *formation, supervision, and implementation of United States public diplomacy policies, programs, and activities, including the provision of guidance to Department personnel in the United States and overseas who conduct or implement such policies, programs, and activities. The Under Secretary for Public Diplomacy shall assist the United States Agency for International Broadcasting in presenting the policies of the United States clearly and effectively, shall submit statements of United States policy and editorial material to the Agency for broadcast consideration in addition to material prepared by the Agency, and shall ensure that editorial material created by the Agency for broadcast is reviewed expeditiously by the Department.*

\* \* \* \* \*

#### ADMINISTRATIVE SERVICES

SEC. 23. (a) AGREEMENTS.—Whenever the head of any Federal agency performing any foreign affairs functions (including, but not limited to, the Department of State, the [Broadcasting Board of Governors,] *United States International Broadcasting Agency*, and the Agency for International Development) determines that administrative services performed in common by the Department of State and one or more other such agencies may be performed more advantageously and more economically on a consolidated basis, the Secretary of State and the heads of the other agencies concerned may, subject to the approval of the Director of the Office of Management and Budget, conclude an agreement which provides for the transfer to and consolidation within the Department or within one of the other agencies concerned of so much of the functions, personnel, property, records, and funds of the Department and of the other agencies concerned as may be necessary to enable the performance of those administrative services on a consolidated basis for the benefit of all agencies concerned. Agreements for consolidation of administrative services under this section shall provide for reimbursement or advances of funds from the agency receiving the service to the agency performing the service in amounts which will approximate the expense of providing administrative services for the serviced agency.

\* \* \* \* \*

SEC. 25. (a) \* \* \*

\* \* \* \* \*

(f) The authorities available to the Secretary of State under this section with respect to the Department of State shall be available to the [Broadcasting Board of Governors] *United States International Broadcasting Agency* and the Administrator of the Agency for International Development with respect to [the Board and the Agency] *their respective agencies*.

\* \* \* \* \*

SEC. 26. (a) \* \* \*

(b) The authority available to the Secretary of State under this section shall be available to the [Broadcasting Board of Gov-

ernors,] *United States International Broadcasting Agency* and the Administrator of the Agency for International Development with respect to [the Board and the Agency] *their respective agencies*.

\* \* \* \* \*

SEC. 32. The Secretary of State may pay, without regard to section 5702 of title 5, United States Code, subsistence expenses of (1) special agents of the Department of State who are on authorized protective missions, and (2) members of the Foreign Service and employees of the Department who are required to spend extraordinary amounts of time in travel status. The authorities available to the Secretary of State under this section with respect to the Department of State shall be available to the [Broadcasting Board of Governors] *United States International Broadcasting Agency* and the Administrator of the Agency for International Development with respect to their respective agencies, except that the authority of clause (2) shall be available with respect to those agencies only in the case of members of the Foreign Service and employees of the agency who are performing security-related functions abroad.

\* \* \* \* \*

**SEC. 57. PUBLIC DIPLOMACY RESPONSIBILITIES OF THE DEPARTMENT OF STATE.**

(a) *IN GENERAL.*—The Secretary of State shall make public diplomacy an integral component in the planning and execution of United States foreign policy. The Department of State, in coordination with the *United States International Broadcasting Agency*, shall develop a comprehensive strategy for the use of public diplomacy resources and assume a prominent role in coordinating the efforts of all Federal agencies involved in public diplomacy. Public diplomacy efforts shall be addressed to developed and developing countries, to select and general audiences, and shall utilize all available media to ensure that the foreign policy of the United States is properly explained and understood not only by the governments of countries but also by their peoples, with the objective of enhancing support for United States foreign policy. The Secretary shall ensure that the public diplomacy strategy of the United States is cohesive and coherent and shall aggressively and through the most effective mechanisms counter misinformation and propaganda concerning the United States. The Secretary shall endeavor to articulate the importance in American foreign policy of the guiding principles and doctrines of the United States, particularly freedom and democracy. The Secretary, in coordination with the Board of Governors of the *United States International Broadcasting Agency*, shall develop and articulate long-term measurable objectives for United States public diplomacy. The Secretary is authorized to produce and distribute public diplomacy programming for distribution abroad in order to achieve public diplomacy objectives, including through satellite communication, the Internet, and other established and emerging communications technologies.

(b) *INFORMATION CONCERNING UNITED STATES ASSISTANCE.*—

(1) *IDENTIFICATION OF ASSISTANCE.*—In cooperation with the Agency for International Development (AID) and other public and private assistance organizations and agencies, the Secretary shall ensure that information concerning foreign assistance provided by the United States Government, United States

*nongovernmental organizations and private entities, and the American people is disseminated widely and prominently, particularly, to the extent practicable, within countries and regions that receive such assistance. The Secretary shall ensure that, to the extent practicable, projects funded by the Agency for International Development (AID) that do not involve commodities, including projects implemented by private voluntary organizations, are identified as being supported by the United States of America, as American Aid or provided by the American people.*

(2) *REPORT TO CONGRESS.*—Not later than 120 days after the end of each fiscal year, the Secretary shall submit a report to the Committee on International Relations of the House of Representatives and the Committee on Foreign Relations of the Senate on efforts to disseminate information concerning assistance described in paragraph (1) during the preceding fiscal year. Each such report shall include specific information concerning all instances in which the Agency for International Development has not identified projects in the manner prescribed in paragraph (1) because such identification was not practicable. Any such report shall be submitted in unclassified form, but may include a classified appendix.

(c) *AUTHORITY.*—Subject to the availability of appropriations, the Secretary may contract with and compensate government and private agencies or persons for property and services to carry out this section.

\* \* \* \* \*

## UNITED STATES INFORMATION AND EDUCATIONAL EXCHANGE ACT OF 1948

\* \* \* \* \*

### TITLE V—DISSEMINATING INFORMATION ABOUT THE UNITED STATES ABROAD

\* \* \* \* \*

#### USIA SATELLITE AND TELEVISION

SEC. 505. (a) *IN GENERAL.*—The [Broadcasting Board of Governors] *United States International Broadcasting Agency* is authorized to lease or otherwise acquire time on commercial or United States Government satellites for the purpose of transmitting materials and programs to posts and other users abroad.

(b) *BROADCAST PRINCIPLES.*—The Congress finds that the long-term interests of the United States are served by communicating directly with the peoples of the world by television. To be effective, the [Broadcasting Board of Governors] *United States International Broadcasting Agency* must win the attention and respect of viewers. These principles will therefore govern the television broadcasts of the United States International Television Service:

(1) \* \* \*

\* \* \* \* \*

(c) *PROGRAMS.*—The [Broadcasting Board of Governors] *United States International Broadcasting Agency* is authorized to

produce, acquire, or broadcast television programs, via satellite, only if such programs—

(1) \* \* \*

\* \* \* \* \*

(d) COSTS.—When a comparable program produced by United States public or commercial broadcasters and producers is available at a cost which is equal to or less than the cost of production by the United States International Television Service, the [Broadcasting Board of Governors] *United States International Broadcasting Agency* shall use such materials in preference to the United States International Television Service produced materials.

(e) ALLOCATION OF FUNDS.—(1) Of the funds authorized to be appropriated to the [Broadcasting Board of Governors] *United States International Broadcasting Agency* not more than \$12,000,000 for the fiscal year 1990 and not more than \$12,480,000 for the fiscal year 1991 may be obligated or expended for the United States International Television Service.

(2) The [Broadcasting Board of Governors] *United States International Broadcasting Agency* shall prepare and submit to the Congress quarterly reports which contain a detailed explanation of expenditures for USIA-TV during the fiscal years 1990 and 1991. Such reports shall contain specific justification and supporting information pertaining to all programs, particularly those described in subsection (c)(4), that were produced in-house by USIA-TV. Each such report shall include a statement by the [Broadcasting Board of Governors] *United States International Broadcasting Agency* that, according to the best information available to the [Broadcasting Board of Governors] *United States International Broadcasting Agency*, no comparable United States commercially-produced or public television program is available at a cost which is equal to or less than the cost of production by USIA-TV.

(3) Of the funds authorized to be appropriated to the [Broadcasting Board of Governors] *United States International Broadcasting Agency*, \$1,500,000 for the fiscal year 1990 and \$1,500,000 for the fiscal year 1991 shall be available only for the purchase or use of programs produced with grants from the Corporation for Public Broadcasting or produced by United States public broadcasters.

#### VOICE OF AMERICA HIRING PRACTICES

SEC. 506. (a) \* \* \*

\* \* \* \* \*

(c) REPORT.—If the [Broadcasting Board of Governors] *United States International Broadcasting Agency* determines that the prohibition under subsection (a) would require the termination of a specific Voice of America foreign language service, then, not less than 90 days before the [Board] *Agency* begins to recruit such candidates, the Board shall submit to the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives a report concerning—

(1) \* \* \*

\* \* \* \* \*

## TITLE VI—ADVISORY COMMISSIONS TO FORMULATE POLICIES

\* \* \* \* \*

### SEC. 604. UNITED STATES ADVISORY COMMISSION ON PUBLIC DIPLOMACY.

(a) ESTABLISHMENT.—(1) \* \* \*

(2) The Commission shall consist of seven members appointed by the President, by and with the advice and consent of the Senate. The members of the Commission shall represent the public interest and shall be selected from a cross section of educational, communications, cultural, scientific, technical, public service, labor, business, and professional backgrounds. Not more than four members shall be from any one political party. *At least 4 members shall have substantial experience in the conduct of public diplomacy or comparable activities in the private sector. No member shall be an officer or employee of the United States.*

\* \* \* \* \*

(c) DUTIES AND RESPONSIBILITIES.—(1) \* \* \*

[(2) The Commission shall submit to the Congress, the President, the Secretary of State, and the Director of the United States Information Agency annual reports on programs and activities carried out by the Agency, including appraisals, where feasible, as to the effectiveness of the several programs. The Commission shall also include in such reports such recommendations as shall have been made by the Commission to the Director for effectuating the purposes of the Agency, and the action taken to carry out such recommendations.]

*(2)(A) Not less often than every two years, the Commission shall undertake an indepth review of United Sttes public diplomacy programs, policies, and activities. Each study shall assess the effectiveness of the various mechanisms of United States public diplomacy, in light of factors including public and media attitudes around the world toward the United States, Americans, and United States foreign policy, and make appropriate recommendations.*

*(B) A comprehensive report of each study under subparagraph (A) shall be submitted to the Secretary of State and the appropriate congressional committees. At the discretion of the Commission, any report under this subsection may be submitted in classified form or with a classified appendix.*

\* \* \* \* \*

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## SECTION 112 OF THE MUTUAL EDUCATIONAL AND CULTURAL EXCHANGE ACT OF 1961

SEC. 112. (a) \* \* \*

\* \* \* \* \*

(d) The Bureau shall administer no programs except those [operating under the authority of this Act and consistent with] *which operate under the authority of this Act or promote its purposes.*

\* \* \* \* \*



**UNITED STATES INTERNATIONAL BROADCASTING ACT  
OF 1994**

\* \* \* \* \*

**TITLE III—UNITED STATES INTERNATIONAL  
BROADCASTING ACT**

\* \* \* \* \*

**SEC. 303. STANDARDS AND PRINCIPLES.**

(a) BROADCASTING STANDARDS.—United States international broadcasting shall—

(1) \* \* \*

\* \* \* \* \*

(6) be based on reliable information about its potential audience; **[and]**

\* \* \* \* \*

(8) promote respect for human rights, including freedom of religion**[.]**; *and*

(9) *seek to ensure that resources are allocated to broadcasts directed at people whose governments deny freedom of expression or who are otherwise in special need of honest and professional broadcasting, commensurate with the need for such broadcasts.*

\* \* \* \* \*

**[SEC. 304. ESTABLISHMENT OF BROADCASTING BOARD OF GOVERNORS.**

**[(a) CONTINUED EXISTENCE WITHIN EXECUTIVE BRANCH.—**

**[(1) IN GENERAL.—**The Broadcasting Board of Governors shall continue to exist within the Executive branch of Government as an entity described in section 104 of title 5, United States Code.

**[(2) RETENTION OF EXISTING BOARD MEMBERS.—**The members of the Broadcasting Board of Governors appointed by the President pursuant to subsection (b)(1)(A) before the effective date of title XIII of the Foreign Affairs Agencies Consolidation Act of 1998 and holding office as of that date may serve the remainder of their terms of office without reappointment.

**[(3) INSPECTOR GENERAL AUTHORITIES.—**

**[(A) IN GENERAL.—**The Inspector General of the Department of State and the Foreign Service shall exercise the same authorities with respect to the Broadcasting Board of Governors and the International Broadcasting Bureau as the Inspector General exercises under the Inspector General Act of 1978 and section 209 of the Foreign Service Act of 1980 with respect to the Department of State.

**[(B) RESPECT FOR JOURNALISTIC INTEGRITY OF BROADCASTERS.—**The Inspector General shall respect the journalistic integrity of all the broadcasters covered by this title and may not evaluate the philosophical or political perspectives reflected in the content of broadcasts.

**[(b) COMPOSITION OF THE BOARD.—**

**[(1) The Board shall consist of 9 members, as follows:**

【(A) 8 voting members who shall be appointed by the President, by and with the advice and consent of the Senate.

【(B) The Secretary of State who shall also be a voting member.

【(2) The President shall appoint one member (other than the Secretary of State) as Chairman of the Board, subject to the advice and consent of the Senate.

【(3) Exclusive of the Secretary of State, not more than 4 of the members of the Board appointed by the President shall be of the same political party.

【(c) TERM OF OFFICE.—The term of office of each member of the Board shall be three years, except that the Secretary of State shall remain a member of the Board during the Director's term of service. Of the other 8 voting members, the initial terms of office of two members shall be one year, and the initial terms of office of 3 other members shall be two years, as determined by the President. The President shall appoint, by and with the advice and consent of the Senate, Board members to fill vacancies occurring prior to the expiration of a term, in which case the members so appointed shall serve for the remainder of such term. Any member whose term has expired may serve until a successor has been appointed and qualified. When there is no Secretary of State, the Acting Secretary of State shall serve as a member of the Board until a Director is appointed.

【(d) SELECTION OF BOARD.—Members of the Board appointed by the President shall be citizens of the United States who are not regular full-time employees of the United States Government. Such members shall be selected by the President from among Americans distinguished in the fields of mass communications, print, broadcast media, or foreign affairs.

【(e) COMPENSATION.—Members of the Board, while attending meetings of the Board or while engaged in duties relating to such meetings or in other activities of the Board pursuant to this section (including travel time) shall be entitled to receive compensation equal to the daily equivalent of the compensation prescribed for level IV of the Executive Schedule under section 5315 of title 5, United States Code. While away from their homes or regular places of business, members of the Board may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by law (5 U.S.C. 5703) for persons in the Government service employed intermittently. The Secretary of State shall not be entitled to any compensation under this title, but may be allowed travel expenses as provided under this subsection.

【(f) DECISIONS.—Decisions of the Board shall be made by majority vote, a quorum being present. A quorum shall consist of 5 members.

【(g) IMMUNITY FROM CIVIL LIABILITY.—Notwithstanding any other provision of law, any and all limitations on liability that apply to the members of the Broadcasting Board of Governors also shall apply to such members when acting in their capacities as members of the boards of directors of RFE/RL, Incorporated and Radio Free Asia.

**[SEC. 305. AUTHORITIES OF THE BOARD.**

**[(a) AUTHORITIES.—**The Board shall have the following authorities:

**[(1)** To supervise all broadcasting activities conducted pursuant to this title, the Radio Broadcasting to Cuba Act,, the Television Broadcasting to Cuba Act, and Worldnet Television, except as provided in section 306(b).

**[(2)** To review and evaluate the mission and operation of, and to assess the quality, effectiveness, and professional integrity of, all such activities within the context of the broad foreign policy objectives of the United States.

**[(3)** To ensure that United States international broadcasting is conducted in accordance with the standards and principles contained in section 303.

**[(4)** To review, evaluate, and determine, at least annually,, after consultation with the Secretary of State, the addition or deletion of language services.

**[(5)** To make and supervise grants for broadcasting and related activities in accordance with sections 308 and 309.

**[(6)** To allocate funds appropriated for international broadcasting activities among the various elements of the International Broadcasting Bureau and grantees, subject to the limitations in sections 308 and 309 and subject to reprogramming notification requirements in law for the reallocation of funds.

**[(7)** To review engineering activities to ensure that all broadcasting elements receive the highest quality and cost-effective delivery services.

**[(8)** To undertake such studies as may be necessary to identify areas in which broadcasting activities under its authority could be made more efficient and economical.

**[(9)** To submit to the President and the Congress an annual report which summarizes and evaluates activities under this title, the Radio Broadcasting to Cuba Act, and the Television Broadcasting to Cuba Act. Each annual report shall place special emphasis on the assessment described in paragraph (2).

**[(10)** To the extent considered necessary to carry out the functions of the Board, procure supplies, services, and other personal property.

**[(11)** To appoint such staff personnel for the Board as the Board may determine to be necessary, subject to the provisions of title 5, United States Code, governing appointments in the competitive service, and to fix their compensation in accordance with the provisions of chapter 51 and subchapter III of chapter 53 of such title relating to classification and General Schedule pay rates.

**[(12)** To obligate and expend, for official reception and representation expenses, such amount as may be made available through appropriations (which for each of the fiscal years 1998 and 1999 may not exceed the amount made available to the Board and the International Broadcasting Bureau for such purposes for fiscal year 1997).

**[(13)** To make available in the annual report required by paragraph (9) information on funds expended on administrative and managerial services by the Bureau and by grantees

and the steps the Board has taken to reduce unnecessary overhead costs for each of the broadcasting services.

[(14) The Board may provide for the use of United States Government transmitter capacity for relay of Radio Free Asia.

[(15)(A) To procure temporary and intermittent personal services to the same extent as is authorized by section 3109 of title 5, United States Code, at rates not to exceed the daily equivalent of the rate provided for positions classified above grade GS-15 of the General Schedule under section 5108 of title 5, United States Code.

[(B) To allow those providing such services, while away from their homes or their regular places of business, travel expenses (including per diem in lieu of subsistence) as authorized by section 5703 of title 5, United States Code, for persons in the Government service employed intermittently, while so employed.

[(16) To procure, pursuant to section 1535 of title 31, United States Code (commonly known as the 'Economy Act'), such goods and services from other departments or agencies for the Board and the International Broadcasting Bureau as the Board determines are appropriate.

[(17) To utilize the provisions of titles III, IV, V, VII, VIII, IX, and X of the United States Information and Educational Exchange Act of 1948, and section 6 of Reorganization Plan Number 2 of 1977, as in effect on the day before the effective date of title XIII of the Foreign Affairs Agencies Consolidation Act of 1998, to the extent the Board considers necessary in carrying out the provisions and purposes of this title.

[(18) To utilize the authorities of any other statute, reorganization plan, Executive order, regulation, agreement, determination, or other official document or proceeding that had been available to the Director of the United States Information Agency, the Bureau, or the Board before the effective date of title XIII of the Foreign Affairs Consolidation Act of 1998 for carrying out the broadcasting activities covered by this title.

[(b) DELEGATION OF AUTHORITY.—The Board may delegate to the Director of the International Broadcasting Bureau, or any other officer or employee of the United States, to the extent the Board determines to be appropriate, the authorities provided in this section, except those authorities provided in paragraph (1), (2), (3), (4), (5), (6), (9), or (11) of subsection (a).

[(c) BROADCASTING BUDGETS.—The Director of the Bureau and the grantees identified in sections 308 and 309 shall submit proposed budgets to the Board. The Board shall forward its recommendations concerning the proposed budget for the Board and broadcasting activities under this title, the Radio Broadcasting to Cuba Act, and the Television Broadcasting to Cuba Act to the Office of Management and Budget.

[(d) PROFESSIONAL INDEPENDENCE OF BROADCASTERS.—The Secretary of State and the Board, in carrying out their functions, shall respect the professional independence and integrity of the International Broadcasting Bureau, its broadcasting services, and the grantees of the Board.

[(e) TECHNICAL AMENDMENT.—

[(1) Section 4 of the Radio Broadcasting to Cuba Act (22 U.S.C. 1465b) is amended by striking “and the Associate Director for Broadcasting of the United States Information Agency” and inserting “of the Voice of America”.

[(2) Section 5(b) of the Radio Broadcasting to Cuba Act (22 U.S.C. 1465c(b)) is amended by striking “Director and Associate Director for Broadcasting of the United States Information Agency” and inserting “Broadcasting Board of Governors”.

**[SEC. 306. ROLE OF THE SECRETARY OF STATE.**

[(a) FOREIGN POLICY GUIDANCE.—To assist the Board in carrying out its functions, the Secretary of State shall provide information and guidance on foreign policy issues to the Board, as the Secretary may deem appropriate.

[(b) CERTAIN WORLDNET PROGRAMMING.—The Secretary of State is authorized to use Worldnet broadcasts for the purposes of continuing interactive dialogues with foreign media and other similar overseas public diplomacy programs sponsored by the Department of State. The Chairman of the Broadcasting Board of Governors shall provide access to Worldnet for this purpose on a non-reimbursable basis.

**[SEC. 307. INTERNATIONAL BROADCASTING BUREAU.**

[(a) ESTABLISHMENT.—There is hereby established an International Broadcasting Bureau under the Board (hereafter in this title referred to as the “Bureau”), to carry out all nonmilitary international broadcasting activities supported by the United States Government other than those described in sections 308 and 309.

[(b) SELECTION OF THE DIRECTOR OF THE BUREAU.—The Director of the Bureau shall be appointed by the President, by and with the advice and consent of the Senate. The Director of the Bureau shall be entitled to receive compensation at the rate prescribed by law for level IV of the Executive Schedule.

[(c) RESPONSIBILITIES OF THE DIRECTOR.—The Director shall organize and chair a coordinating committee to examine and make recommendations to the Board on long-term strategies for the future of international broadcasting, including the use of new technologies, further consolidation of broadcast services, and consolidation of currently existing public affairs and legislative relations functions in the various international broadcasting entities. The coordinating committee shall include representatives of Radio Free Asia, RFE/RL, Incorporated, the Broadcasting Board of Governors, and, as appropriate, the Office of Cuba Broadcasting, the Voice of America, and Worldnet.]

**SEC. 304. ESTABLISHMENT OF UNITED STATES INTERNATIONAL BROADCASTING AGENCY.**

(a) *ESTABLISHMENT.*—*There is established as an independent agency in the executive branch the United States International Broadcasting Agency (hereinafter in this Act referred to as the “Agency”).*

(b) *BOARD OF GOVERNORS OF THE AGENCY.*—

(1) *HEAD OF AGENCY.*—*The Agency shall be headed by the Board of Governors of the United States International Broadcasting Agency (hereinafter in this Act referred to as the “Board of Governors”).*

(2) *AUTHORITIES AND FUNCTIONS.*—*The Board of Governors shall—*

(A) *carry out the authorities and functions of the Agency under section 305; and*

(B) *be responsible for the exercise of all authorities and powers and the discharge of all duties and functions of the Agency.*

(3) *COMPOSITION OF THE BOARD OF GOVERNORS.*—

(A) *The Board of Governors shall consist of 9 members, as follows:*

(i) *Eight voting members who shall be appointed by the President, by and with the advice and consent of the Senate.*

(ii) *The Secretary of State who shall also be a voting member.*

(B) *The President shall appoint one member (other than the Secretary of State) as Chair of the Board of Governors, subject to the advice and consent of the Senate.*

(C) *Exclusive of the Secretary of State, not more than 4 of the members of the Board of Governors appointed by the President shall be of the same political party.*

(4) *TERM OF OFFICE.*—*The term of office of each member of the Board of Governors shall be three years, except that the Secretary of State shall remain a member of the Board of Governors during the Secretary's term of service. The President shall appoint, by and with the advice and consent of the Senate, board members to fill vacancies occurring prior to the expiration of a term, in which case the members so appointed shall serve for the remainder of such term. Any member whose term has expired may serve until a successor has been appointed and qualified. When there is no Secretary of State, the Acting Secretary of State shall serve as a member of the board until a Secretary is appointed.*

(5) *SELECTION OF BOARD OF GOVERNORS.*—*Members of the Board of Governors appointed by the President shall be citizens of the United States who are not regular full-time employees of the United States Government. Such members shall be selected by the President from among Americans distinguished in the fields of mass communications, print, broadcast media, or foreign affairs.*

(6) *COMPENSATION.*—*Members of the Board of Governors, while attending meetings of the board or while engaged in duties relating to such meetings or in other activities of the board pursuant to this section (including travel time) shall be entitled to receive compensation equal to the daily equivalent of the compensation prescribed for level IV of the Executive Schedule under section 5315 of title 5, United States Code. While away from their homes or regular places of business, members of the board may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by law for persons in the Government service employed intermittently. The Secretary of State shall not be entitled to any compensation under this title, but may be allowed travel expenses as provided under this subsection.*

(7) *DECISIONS.*—*Decisions of the Board of Governors shall be made by majority vote, a quorum being present. A quorum shall consist of 5 members.*

(8) *IMMUNITY FROM CIVIL LIABILITY.*—*Notwithstanding any other provision of law, any and all limitations on liability that apply to the members of the Board of Governors also shall apply to such members when acting in their capacities as members of the boards of directors of RFE/RL, Incorporated and Radio Free Asia.*

(c) *DIRECTOR.*—

(1) *APPOINTMENT.*—*The Board of Governors shall appoint a Director of the Agency. The Director shall receive basic pay at the rate payable for level IV of the Executive Schedule under section 5313 of title 5, United States Code. The Director may be removed through a majority vote of the Board.*

(2) *FUNCTIONS AND DUTIES.*—*The Director shall have the following functions and duties:*

(A) *To exercise the authorities delegated by the Board of Governors pursuant to section 305(b).*

(B) *To carry out all broadcasting activities conducted pursuant to this title, the Radio Broadcasting to Cuba Act, and the Television Broadcasting to Cuba Act.*

(C) *To examine and make recommendations to the Board of Governors on long-term strategies for the future of international broadcasting, including the use of new technologies.*

(D) *To review engineering activities to ensure that all broadcasting elements receive the highest quality and cost-effective delivery services.*

(E) *To procure supplies, services, and other personal property to carry out the functions of the Agency.*

(F) *To obligate and expend, for official reception and representation expenses, such amounts as may be made available through appropriations.*

(G) *To provide for the use of United States Government transmitter capacity for relay of broadcasting by grantees.*

(H) *To procure temporary and intermittent personal services to the same extent as is authorized by section 3109 of title 5, United States Code, at rates not to exceed the daily equivalent of the rate provided for positions classified above grade GS-15 of the General Schedule under section 5108 of title 5, United States Code.*

(I) *To procure for the Agency, pursuant to section 1535 of title 31, United States Code goods and services from other departments or agencies.*

(J) *To the extent funds are available, to lease space and acquire personal property for the Agency.*

(d) *INSPECTOR GENERAL AUTHORITIES.*—

(1) *IN GENERAL.*—*The Inspector General of the Department of State shall exercise the same authorities with respect to the Agency as the Inspector General exercises under the Inspector General Act of 1978 and section 209 of the Foreign Service Act of 1980 with respect to the Department of State.*

(2) *RESPECT FOR JOURNALISTIC INTEGRITY OF BROADCASTERS.*—*The Inspector General of the Department of State*

*and the Foreign Service shall respect the journalistic integrity of all the broadcasters covered by this title and may not evaluate the philosophical or political perspectives reflected in the content of broadcasts.*

**SEC. 305. AUTHORITIES AND FUNCTIONS OF THE AGENCY.**

*(a) The Agency shall have the following authorities and functions:*

*(1) To supervise all broadcasting activities conducted pursuant to this title, the Radio Broadcasting to Cuba Act, and the Television Broadcasting to Cuba Act.*

*(2) To review and evaluate the mission and operation of, and to assess the quality, effectiveness, and professional integrity of, all such activities within the context of the broad foreign policy objectives of the United States and the guiding principles and doctrines of the United States, particularly freedom and democracy.*

*(3) To develop strategic goals after reviewing human rights reporting and other reliable assessments to assist in determining programming and resource allocation.*

*(4) To ensure that United States international broadcasting is conducted in accordance with the standards and principles contained in section 303.*

*(5) To review, evaluate, and determine, at least annually, after consultation with the Secretary of State, the addition or deletion of language services.*

*(6) To make and supervise grants for broadcasting and related activities in accordance with sections 308 and 309.*

*(7) To allocate funds appropriated for international broadcasting activities among the various elements of the Agency and grantees, subject to the limitations in sections 308 and 309 and subject to reprogramming notification requirements in law for the reallocation of funds.*

*(8) To undertake such studies as may be necessary to identify areas in which broadcasting activities under its authority could be made more efficient and economical.*

*(9) To submit to the President and the Congress an annual report which summarizes and evaluates activities under this title, the Radio Broadcasting to Cuba Act, and the Television Broadcasting to Cuba Act, placing special emphasis on the assessment described in paragraph (2).*

*(10) To make available in the annual report required by paragraph (9) information on funds expended on administrative and managerial services by the Agency and by grantees and the steps the Agency has taken to reduce unnecessary overhead costs for each of the broadcasting services.*

*(11) To utilize the provisions of titles III, IV, V, VII, VIII, IX, and X of the United States Information and Educational Exchange Act of 1948, and section 6 of Reorganization Plan Number 2 of 1977, as in effect on the day before the effective date of title XIII of the Foreign Affairs Agencies Consolidation Act of 1998, to the extent the Director considers necessary in carrying out the provisions and purposes of this title.*

*(12) To utilize the authorities of any other statute, reorganization plan, Executive order, regulation, agreement, determination, or other official document or proceeding that had*



been available to the Director of the United States Information Agency, the Bureau, or the Board before the effective date of title XIII of the Foreign Affairs Consolidation Act of 1998 for carrying out the broadcasting activities covered by this title.

(b) **DELEGATION OF AUTHORITY.**—The Board of Governors may delegate to the Director of the Agency, or any other officer or employee of the United States, the authorities provided in this section, except those authorities provided in paragraph (1), (2), (4), (5), (6), (7), or (9) of subsection (a).

(c) **BROADCASTING BUDGETS.**—Director and the grantees identified in sections 308 and 309 shall submit proposed budgets to the Board. The Board shall forward its recommendations concerning the proposed budget for the Board and broadcasting activities under this title, the Radio Broadcasting to Cuba Act, and the Television Broadcasting to Cuba Act to the Office of Management and Budget.

**SEC. 306. ROLE OF THE SECRETARY OF STATE.**

To assist the Agency in carrying out its functions, the Secretary of State shall provide such information and guidance on foreign policy and public diplomacy issues to the Agency as the Secretary considers appropriate.

**SEC. 307. ADMINISTRATIVE PROVISIONS.**

(a) **OFFICERS AND EMPLOYEES.**—The Board of Governors may appoint and fix the compensation of such officers and employees as may be necessary to carry out the functions of the Agency. Except as otherwise provided by law, such officers and employees shall be appointed in accordance with the civil service laws and their compensation shall be fixed in accordance with title 5, United States Code.

(b) **EXPERTS AND CONSULTANTS.**—The Board of Governors, as may be provided in appropriation Acts, may obtain the services of experts and consultants in accordance with section 3109 of title 5, United States Code, and may compensate such experts and consultants at rates not to exceed the daily rate prescribed for level IV of the Executive Schedule under section 5315 of title 5, United States Code.

(c) **ACCEPTANCE OF VOLUNTARY SERVICES.**—

(1) **IN GENERAL.**—Notwithstanding section 1342 of title 31, United States Code, the Board of Governors may accept, subject to regulations issued by the Office of Personnel Management, voluntary services if such services—

(A) are to be uncompensated; and

(B) are not used to displace any employee.

(2) **TREATMENT.**—Any individual who provides voluntary services under this section shall not be considered a Federal employee for any purpose other than for purposes of chapter 81 of title 5, United States Code (relating to compensation for injury) and sections 2671 through 2680 of title 28, United States Code (relating to tort claims).

(d) **DELEGATION.**—Except as otherwise provided in this Act, the Board of Governors may delegate any function to the Director and such other officers and employees of the Agency as the Board of Governors may designate, and may authorize such successive redelegations of such functions within the Agency as may be necessary or appropriate.

(e) **CONTRACTS.**—

(1) **IN GENERAL.**—*Subject to the Federal Property and Administrative Services Act of 1949 and other applicable Federal law, the Board of Governors may make, enter into, and perform such contracts, grants, leases, cooperative agreements, and other similar transactions with Federal or other public agencies (including State and local governments) and private organizations and persons, and to make such payments, by way of advance or reimbursement, as the Board of Governors may determine necessary or appropriate to carry out functions of the Board of Governors or the Agency.*

(2) **APPROPRIATION AUTHORITY REQUIRED.**—*No authority to enter into contracts or to make payments under this title shall be effective except to such extent or in such amounts as are provided in advance under appropriation Acts.*

(f) **REGULATIONS.**—*The Director may prescribe such rules and regulations as the Board of Governors considers necessary or appropriate to administer and manage the functions of the Agency, in accordance with chapter 5 of title 5, United States Code.*

(g) **SEAL.**—*The Director shall cause a seal of office to be made for the Agency of such design as the Board of Governors shall approve. Judicial notice shall be taken of such seal.*

**SEC. 308. LIMITS ON GRANTS FOR RADIO FREE EUROPE AND RADIO LIBERTY.**

(a) **BOARD OF RFE/RL, INCORPORATED.**—**[The Board]** *The Agency may not make any grant to RFE/RL, Incorporated, unless the certificate of incorporation of RFE/RL, Incorporated, has been amended to provide that—*

(1) *the Board of Directors of RFE/RL, Incorporated, shall consist of the members of the [Broadcasting Board of Governors] Board Governors of the International Broadcasting Agency established under section 304 and of no other members; and*

\* \* \* \* \*

(b) **LOCATION OF PRINCIPAL PLACE OF BUSINESS.**—

**[(1)]** *The [Board] Agency may not make any grant to RFE/RL, Incorporated unless the headquarters of RFE/RL, Incorporated and its senior administrative and managerial staff are in a location which ensures economy, operational effectiveness, and accountability to the [Board] Agency.*

**[(2)]** *Not later than 90 days after confirmation of all members of the Board, the Board shall provide a report to Congress on the number of administrative, managerial, and technical staff of RFE/RL, Incorporated who will be located within the metropolitan area of Washington, D.C., and the number of employees whose principal place of business will be located outside the metropolitan area of Washington, D.C.]*

(c) **LIMITATION ON GRANT AMOUNTS.**—*The total amount of grants made by the [Board] Agency for the operating costs of Radio Free Europe and Radio Liberty may not exceed \$75,000,000 for any fiscal year after fiscal year 1995.*

(d) **ALTERNATIVE GRANTEE.**—*If the [Board] Agency determines at any time that RFE/RL, Incorporated, is not carrying out the functions described in section 309 in an effective and economical*

manner, the [Board] Agency may award the grant to carry out such functions to another entity after soliciting and considering applications from eligible entities in such manner and accompanied by such information as the [Board] Agency may reasonably require.

\* \* \* \* \*

(g) GRANT AGREEMENT.—Grants to RFE/RL, Incorporated, by the [Board] Agency shall only be made in compliance with a grant agreement. The grant agreement shall establish guidelines for such grants. The grant agreement shall include the following provisions—

(1) that a grant be used only for activities which the [Board] Agency determines are consistent with the purposes of subsection (f);

\* \* \* \* \*

(3) that failure to comply with the requirements of this section may result in suspension or termination of a grant without further obligation by the [Board] Agency or the United States;

(4) that duplication of language services and technical operations between RFE/RL, Incorporated and the [International Broadcasting Bureau] Agency be reduced to the extent appropriate, as determined by the [Board] Agency; and

(5) that RFE/RL, Incorporated, justify in detail each proposed expenditure of grant funds, and that such funds may not be used for any other purpose unless the [Board] Agency gives its prior written approval.

(h) PROHIBITED USES OF GRANT FUNDS.—No grant funds provided under this section may be used for the following purposes:

(1) \* \* \*

\* \* \* \* \*

(5) To compensate freelance contractors without the approval of the [Board] Agency.

(i) REPORT ON MANAGEMENT PRACTICES.—(1) Effective not later than March 31 and September 30 of each calendar year, the Inspector General of the Department of State [and the Foreign Service] shall submit to the [Board] Agency and the Congress a report on management practices of RFE/RL, Incorporated, under this section. The Inspector General of the Department of State [and the Foreign Service] shall establish a special unit within the Inspector General's office to monitor and audit the activities of RFE/RL, Incorporated, and shall provide for on-site monitoring of such activities.

(j) AUDIT AUTHORITY.—

(1) \* \* \*

\* \* \* \* \*

(3) Notwithstanding any other provision of law and upon repeal of the Board for International Broadcasting Act, the Inspector General of the Department of State [and the Foreign Service] is authorized to exercise the authorities of the Inspector General Act of 1978 with respect to RFE/RL, Incorporated.

**SEC. 309. RADIO FREE ASIA.**

(a) \* \* \*

\* \* \* \* \*

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

(1) The [Board] Agency 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] Agency.

\* \* \* \* \*

[(e) ASSESSMENT OF THE EFFECTIVENESS OF RADIO FREE ASIA.—Not later than 3 years after the date on which initial funding is provided for the purpose of operating Radio Free Asia, the Board shall submit to the appropriate congressional committees a report on—

[(1) whether Radio Free Asia is technically sound and cost-effective,

[(2) whether Radio Free Asia consistently meets the standards for quality and objectivity established by this title,

[(3) whether Radio Free Asia is received by a sufficient audience to warrant its continuation,

[(4) the extent to which such broadcasting is already being received by the target audience from other credible sources; and

[(5) the extent to which the interests of the United States are being served by maintaining broadcasting of Radio Free Asia.]

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

(g) NOTIFICATION AND CONSULTATION REGARDING DISPLACEMENT OF VOICE OF AMERICA BROADCASTING.—The [Board] Agency shall notify the appropriate congressional committees before 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. The [Chairman of the Board] Agency shall consult with such committees on the impact of any such reduction in Voice of America broadcasting activities.

\* \* \* \* \*

**[SEC. 311. PRESERVATION OF AMERICAN JOBS.**

[It is the sense of the Congress that the Director of the United States Information Agency and the Chairman of the Board for International Broadcasting should, in developing the plan for consolidation and reorganization of overseas international broadcasting services, limit, to the maximum extent feasible, consistent with the purposes of the consolidation, elimination of any United States-based positions and should affirmatively seek to transfer as many positions as possible to the United States.]

\* \* \* \* \*

**SEC. 313. REQUIREMENT FOR AUTHORIZATION OF APPROPRIATIONS.**

(a) LIMITATION ON OBLIGATION AND EXPENDITURE OF FUNDS.—Notwithstanding any other provision of law, for the fiscal year 1994 and for each subsequent fiscal year, any funds appropriated for the purposes of broadcasting subject to the direction and supervision of the [Board] Agency shall not be available for obligation or expenditure—

(1) \* \* \*

\* \* \* \* \*

**SEC. 314. DEFINITIONS.**

For the purposes of this title—

(1) \* \* \*

[(2) the term “RFE/RL, Incorporated” includes—

[(A) the corporation having the corporate title described in section 307(b)(3); and

[(B) any alternative grantee described in section 307(e); and]

\* \* \* \* \*

**[SEC. 315. TECHNICAL AND CONFORMING AMENDMENTS.**

[(a) VOICE OF AMERICA BROADCASTS.—Section 503 of the United States Information and Educational Exchange Act of 1948 (22 U.S.C. 1463) is repealed.

[(b) ISRAEL RELAY STATION.—Section 301(c) of the Foreign Relations Authorization Act, Fiscal Years 1990 and 1991, is repealed.

[(c) BOARD FOR INTERNATIONAL BROADCASTING ACT.—Section 4(a)(1) of the Board for International Broadcasting Act of 1973 is amended to read as follows:

[(“(1) to make grants to RFE/RL, Incorporated and, until September 30, 1995, to make grants to entities established in the privatization of certain functions of RFE/RL, Incorporated in order to carry out the purposes set forth in section 2 of this Act;”.

[(d) RELOCATION COSTS.—Notwithstanding any other provision of law, funds derived from the sale of real property assets of RFE/RL in Munich, Germany, may be retained, obligated, and expended to meet one-time costs associated with the consolidation of United States Government broadcasting activities in accordance with this title, including the costs of relocating RFE/RL offices and operations.]

\* \* \* \* \*

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**SECTION 107 OF THE CUBAN LIBERTY AND  
DEMOCRATIC SOLIDARITY (LIBERTAD) ACT OF 1996**

**SEC. 107. TELEVISION BROADCASTING TO CUBA.**

(a) CONVERSION TO UHF.—The Director of the [International Broadcasting Bureau] *United States International Broadcasting Agency* shall implement a conversion of television broadcasting to Cuba under the Television Marti Service to ultra high frequency (UHF) broadcasting.

(b) PERIODIC REPORTS.—Not later than 45 days after the date of the enactment of this Act, and every three months thereafter until the conversion described in subsection (a) is fully implemented, the Director of the [International Broadcasting Bureau] *United States International Broadcasting Agency* shall submit a report to the appropriate congressional committees on the progress made in carrying out subsection (a).

\* \* \* \* \*

### RADIO BROADCASTING TO CUBA ACT

\* \* \* \* \*

ADDITIONAL FUNCTIONS OF THE [BROADCASTING BOARD OF GOVERNORS] *UNITED STATES INTERNATIONAL BROADCASTING AGENCY*

SEC. 3. (a) In order to carry out the objectives set forth in section 2, the [Broadcasting Board of Governors] *United States International Broadcasting Agency* (hereafter in this Act referred to as [the “Board”]) *the “Agency”*) shall provide for the open communication of information and ideas through the use of radio broadcasting to Cuba. Radio broadcasting to Cuba shall serve as a consistently reliable and authoritative source of accurate, objective, and comprehensive news.

\* \* \* \* \*

(d) Notwithstanding subsection (c), in the event that broadcasts to Cuba on the 1180 AM frequency are subject to jamming or interference greater by 25 per centum or more than the average daily jamming or interference in the twelve months preceding September 1, 1983, the [Broadcasting Board of Governors] *United States International Broadcasting Agency* may lease time on commercial or noncommercial educational AM band radio broadcasting stations. The Federal Communications Commission shall determine levels of jamming and interference by conducting regular monitoring of the 1180 AM frequency. In the event that more than two hours a day of time is leased, not less than 30 per centum of the programing broadcast shall be regular Voice of America broadcasts with particular emphasis on news and programs meeting the requirements of section 503(2) of Public Law 80–402.

\* \* \* \* \*

(f) In the event broadcasting facilities located at Marathon, Florida, are rendered inoperable by natural disaster or by unlawful destruction, the [Broadcasting Board of Governors] *United States International Broadcasting Agency* may, for the period in which the facilities are inoperable but not to exceed one hundred and fifty days, use other United States Government-owned transmission facilities for Voice of America broadcasts to Cuba authorized by this Act.

### CUBA SERVICE OF THE VOICE OF AMERICA

SEC. 4. [The Broadcasting Board of Governors shall establish within the International Broadcasting Bureau] *The Board of Governors of the United States International Broadcasting Agency shall establish within the Agency* a Cuba Service (hereafter in this sec-

tion referred to as the "Service"). The Service shall be responsible for all radio broadcasts to Cuba authorized by section 3. The **[Broadcasting Board of Governors]** *Board of Governors of the United States International Broadcasting Agency* shall appoint a head of the Service and shall employ such staff as the head of the Service may need to carry out his duties. The Cuba Service shall be administered separately from other Voice of America functions and the head of the Cuba Service shall report directly to the **[Board of the International Broadcasting Bureau]** *Board of Governors of the United States International Broadcasting Agency*.

#### ADVISORY BOARD FOR CUBA BROADCASTING

SEC. 5. (a) There is established within the Office of the President the Advisory Board for Cuba Broadcasting (in this division referred to as the "Advisory Board"). The Advisory Board shall consist of nine members, appointed by the President by and with the advice and consent of the Senate, of whom not more than five shall be members of the same political party. The President shall designate one member of the **[Board]** *Advisory Board* to serve as chairperson.

(b) The **[Board]** *Advisory Board* shall review the effectiveness of the activities carried out under this Act and the Television Broadcasting to Cuba Act shall make such recommendations to the President and the **[Broadcasting Board of Governors]** *Board of Governors of the United States International Broadcasting Agency* as it may consider necessary.

(c) In appointing the initial voting members of the **[Board]** *Advisory Board*, the President shall designate three members to serve for a term of three years, three members to serve for a term of two years, and three members to serve for a term of one year. Thereafter, the term of each member of the **[Board]** *Advisory Board* shall be three years. The President shall appoint, by and with the advice and consent of the Senate, members to fill vacancies occurring prior to the expiration of a term, in which case the members so appointed shall serve for the remainder of such term. Any member whose term has expired may serve until his successor has been appointed and qualified.

(d) The head of the Cuba Service and the head of the Television Marti Service shall serve, ex officio, as members of the **[Board]** *Advisory Board*.

(e) Members of the **[Board]** *Advisory Board* appointed by the President shall, while attending meetings of the **[Board]** *Advisory Board* or while engaged in duties relating to such meetings or in other activities of the **[Board]** *Advisory Board* pursuant to this section, including traveltime, be entitled to receive compensation equal to the daily equivalent of the compensation prescribed for level V of the Executive Schedule under section 5316 of title 5, United States Code. While away from their homes or regular places of business they may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by law (5 U.S.C. 5703) for persons in the Government service employed intermittently. The ex officio members of the **[Board]** *Advisory Board* shall not be entitled to any compensation under this section, but may be allowed travel expenses as provided in the preceding sentence.

(f) The **[Board]** *Advisory Board* may, to the extent it deems necessary to carry out its functions under this section, procure supplies, services, and other personal property, including specialized electronic equipment.

(g) Notwithstanding any other provision of law, the **[Board]** *Advisory Board* shall remain in effect indefinitely.

\* \* \* \* \*

#### ASSISTANCE FROM OTHER GOVERNMENT AGENCIES

SEC. 6. (a) In order to assist the **[Broadcasting Board of Governors]** *United States International Broadcasting Agency* in carrying out the purposes set forth in section 2, any agency or instrumentality of the United States may sell, loan, lease, or grant property (including interests therein) and may perform administrative and technical support and services at the request of the **[Board]** *Board of Directors of the United States International Broadcasting Agency*. Support and services shall be provided on a reimbursable basis. Any reimbursement shall be credited to the appropriation from which the property, support, or services was derived.

(b) The **[Board]** *United States International Broadcasting Agency* may carry out the purposes of section 3 by means of grants, leases, or contracts (subject to the availability of appropriations), or such other means as the Board determines will be most effective.

#### FACILITY COMPENSATION

SEC. 7. (a) \* \* \*

(b) Accordingly, the **[Board]** *United States International Broadcasting Agency* may make payments to the United States radio broadcasting station licensees upon their application for expenses which they have incurred before, on or after the date of this Act in mitigating, pursuant to special temporary authority from the Federal Communications Commission, the effects of activities by the Government of Cuba which directly interfere with the transmission or reception of broadcasts by these licensees. Such expenses shall be limited to the costs of equipment replaced (less depreciation) and associated technical and engineering costs.

\* \* \* \* \*

(d) There are authorized to be appropriated to the **[Board]** *United States International Broadcasting Agency*, \$5,000,000 for use in compensating United States radio broadcasting licensees pursuant to this section. Amounts appropriated under this section are authorized to be available until expended.

\* \* \* \* \*

#### AUTHORIZATION OF APPROPRIATIONS

SEC. 8. (a) There are authorized to be appropriated for the Broadcasting Board of Governors \$14,000,000 for fiscal year 1984, and \$11,000,000 for fiscal year 1985 to carry out sections 3 and 4 of this Act. The amount obligated by the **[Broadcasting Board of Governors]** *United States International Broadcasting Agency* in en-



suing fiscal years shall be sufficient to maintain broadcasts to Cuba under this Act at rates no less than the fiscal year 1985 level.

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## TELEVISION BROADCASTING TO CUBA ACT

\* \* \* \* \*

### SEC. 243. TELEVISION BROADCASTING TO CUBA.

(a) TELEVISION BROADCASTING TO CUBA.—In order to carry out the purposes set forth in section 242 and notwithstanding the limitation of section 501 of the United States Information and Educational Exchange Act of 1948 (22 U.S.C. 1461) with respect to the dissemination in the United States of information prepared for dissemination abroad to the extent such dissemination is inadvertent, the [Broadcasting Board of Governors] *United States International Broadcasting Agency* (hereafter in this part referred to as the “Agency”) shall provide for the open communication of information and ideas through the use of television broadcasting to Cuba. Television broadcasting to Cuba shall serve as a consistently reliable and authoritative source of accurate, objective, and comprehensive news.

\* \* \* \* \*

### SEC. 244. TELEVISION MARTI SERVICE.

(a) TELEVISION MARTI SERVICE.—There is within the Voice of America a Television Marti Service. The Service shall be responsible for all television broadcasts to Cuba authorized by this part. [The Broadcasting Board of Governors shall appoint a head of the Service who shall report directly to the International Broadcasting Bureau.] *The Board of Governors of the United States International Broadcasting Agency shall appoint a head of the Service who shall report directly to the Board of Governors.* The head of the Service shall employ such staff as the head of the Service may need to carry out the duties of the Service.

(b) USE OF EXISTING FACILITIES OF THE USIA.—To assure consistency of presentation and efficiency of operations in conducting the activities authorized under this part, the Television Marti Service shall make maximum feasible utilization of [Board] *United States International Broadcasting Agency* facilities and management support, including Voice of America: Cuba Service, Voice of America, and the United States International Television Service.

(c) AUTHORITY.—[The Board] *The Agency* may carry out the purposes of this part by means of grants, leases, or contracts (subject to the availability of appropriations), or such other means as the [Board determines] *Board of Governors of the United States International Broadcasting Agency determines* will be most effective.

\* \* \* \* \*

### SEC. 246. ASSISTANCE FROM OTHER GOVERNMENT AGENCIES.

In order to assist the [United States Information Agency] *United States International Broadcasting Agency* in carrying out the provisions of this part, any agency or instrumentality of the United States may sell, loan, lease, or grant property (including in-

terests therein) and may perform administrative and technical support and services at the request of the [Board] *Board of Governors of the United States International Broadcasting Agency.*

\* \* \* \* \*

## FOREIGN SERVICE ACT OF 1980

\* \* \* \* \*

### TITLE I—THE FOREIGN SERVICE OF THE UNITED STATES

\* \* \* \* \*

#### CHAPTER 2—MANAGEMENT OF THE SERVICE

\* \* \* \* \*

SEC. 202. OTHER AGENCIES UTILIZING THE FOREIGN SERVICE PERSONNEL SYSTEM.—(a)(1) The [Broadcasting Board of Governors] *United States International Broadcasting Agency* and the Administrator of the Agency for International Development may utilize the Foreign Service personnel system with respect to their respective agencies in accordance with this Act.

\* \* \* \* \*

SEC. 210. BOARD OF THE FOREIGN SERVICE.—The President shall establish a Board of the Foreign Service to advise the Secretary of State on matters relating to the Service, including furtherance of the objectives of maximum compatibility among agencies authorized by law to utilize the Foreign Service personnel system and compatibility between the Foreign Service personnel system and the other personnel systems of the Government. The Board of the Foreign Service shall be chaired by an individual appointed by the President and shall include one or more representatives of the Department of State, the [Broadcasting Board of Governors] *United States International Broadcasting Agency*, the Agency for International Development, the Department of Agriculture, the Department of Commerce, the Department of Labor, the Office of Personnel Management, the Office of Management and Budget, the Equal Employment Opportunity Commission, and such other agencies as the President may designate.

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#### CHAPTER 10—LABOR-MANAGEMENT RELATIONS

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SEC. 1003. APPLICATION.—(a) This chapter applies only with respect to the Department of State, the [Broadcasting Board of Governors] *United States International Broadcasting Agency*, the Agency for International Development, the Department of Agriculture, and the Department of Commerce.

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#### CHAPTER 11—GRIEVANCES

SEC. 1101. DEFINITION OF GRIEVANCE.—(a) \* \* \*

\* \* \* \* \*

(c) This chapter applies only with respect to the Department of State, **[Broadcasting Board of Governors,]** *the United States International Broadcasting Agency*, the Agency for International Development, the Department of Agriculture, and the Department of Commerce.

\* \* \* \* \*

## SECTION 5315 OF TITLE 5, UNITED STATES CODE

### § 5315. Positions at level IV

Level IV of the Executive Schedule applies to the following positions, for which the annual rate of basic pay shall be the rate determined with respect to such level under chapter 11 of title 2, as adjusted by section 5318 of this title:

Deputy Administrator of General Services.

\* \* \* \* \*

**[Director of the International Broadcasting Bureau.]**

\* \* \* \* \*

*Director, United States International Broadcasting Agency.*

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