

107TH CONGRESS
2D SESSION

H. R. 3969

To enhance United States public diplomacy, to reorganize United States international broadcasting, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 14, 2002

Mr. HYDE introduced the following bill; which was referred to the Committee on International Relations

A BILL

To enhance United States public diplomacy, to reorganize United States international broadcasting, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

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

6 **SEC. 2. TABLE OF CONTENTS.**

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1 **SEC. 3. DEFINITIONS.**

2 In this Act:

3 (1) APPROPRIATE CONGRESSIONAL COMMIT-
 4 TEES.—The term “appropriate congressional com-
 5 mittees” means the Committee on International Re-
 6 lations and the Committee on Appropriations of the
 7 House of Representatives and the Committee on
 8 Foreign Affairs and the Committee on Appropria-
 9 tions of the Senate.

10 (2) DEPARTMENT.—The term “Department”
 11 means the Department of State.

1 (3) SECRETARY.—The term “Secretary” means
2 the Secretary of State.

3 **TITLE I—UNITED STATES**
4 **PUBLIC DIPLOMACY**

5 **SEC. 101. FINDINGS AND PURPOSES.**

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

8 (1) The United States possesses strong and
9 deep connections with the peoples of the world sepa-
10 rate from its relations with their governments.

11 (2) These connections can be a major asset in
12 the promotion of United States interests and foreign
13 policy.

14 (3) Misinformation and hostile propaganda in
15 these countries regarding the United States and its
16 foreign policy endanger the interests of the United
17 States. Existing efforts to counter such misinforma-
18 tion and propaganda are inadequate and must be
19 greatly enhanced in both scope and substance.

20 (4) United States foreign policy has been ham-
21 pered by an insufficient consideration of the impor-
22 tance of public diplomacy in the formulation and im-
23 plementation of that policy and by the underuse of
24 modern communication techniques.

1 (5) The United States lacks an operational
2 strategy and a coordinated effort regarding the utili-
3 zation of its public diplomacy resources.

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

8 (b) PURPOSES.—It is the purpose of this Act to en-
9 hance in scope and substance, redirect, redefine, and reor-
10 ganize United States public diplomacy.

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

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

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

18 “(a) IN GENERAL.—The Secretary of State shall
19 make public diplomacy an integral component in the plan-
20 ning and execution of United States foreign policy. The
21 Department of State shall develop a comprehensive strat-
22 egy for the use of public diplomacy resources and assume
23 a prominent role in coordinating the efforts of all Federal
24 agencies involved in public diplomacy. Public diplomacy ef-
25 forts shall be addressed to developed and developing coun-

1 tries, to select and general audiences, and shall utilize all
2 available media to ensure that the foreign policy of the
3 United States is properly explained and understood not
4 only by the governments of countries but also by their peo-
5 ples, with the objective of enhancing support for United
6 States foreign policy. The Secretary shall ensure that the
7 public diplomacy strategy of the United States is cohesive
8 and coherent and shall aggressively and through the most
9 effective mechanisms counter misinformation and propa-
10 ganda concerning the United States. The Secretary shall
11 endeavor to articulate the importance in American foreign
12 policy of the guiding principles and doctrines of the United
13 States, particularly freedom and democracy. The Sec-
14 retary shall develop and articulate long-term measurable
15 objectives for United States public diplomacy. The Sec-
16 retary is authorized to produce and distribute public diplo-
17 macy programming for distribution abroad in order to
18 achieve public diplomacy objectives, including through sat-
19 ellite communication, the Internet, and other established
20 and emerging communications technologies. In coopera-
21 tion with the Agency for International Development (AID)
22 and other public and private assistance organizations and
23 agencies, the Secretary shall ensure that information con-
24 cerning assistance provided by the United States Govern-
25 ment, by United States nongovernmental organizations

1 and private entities, and by the American people is dis-
2 seminated widely and prominently, particularly within
3 countries and regions that receive such assistance.

4 “(b) ANNUAL REVIEW.—The Secretary of State, an-
5 nually, shall conduct a review and analysis of the impact
6 of public diplomacy efforts on target audiences. The review
7 shall consider and evaluate the content of programming
8 and the effectiveness of the media for distribution of such
9 programming.

10 “(c) AUTHORITY.— Subject to the availability of ap-
11 propriations, the Secretary may contract with and com-
12 pensate government and private agencies or persons for
13 property and services to carry out this section.”.

14 (b) ESTABLISHMENT OF PUBLIC DIPLOMACY RE-
15 SERVE CORPS.—

16 (1) The Secretary of State shall establish a
17 public diplomacy reserve corps to augment the public
18 diplomacy capacity and capabilities of the Depart-
19 ment in emergency and critical circumstances world-
20 wide. The Secretary shall develop a detailed action
21 plan for the temporary deployment and use of the
22 corps to bolster public diplomacy resources and ex-
23 pertise. To the extent considered necessary and ap-
24 propriate, the Secretary may recruit experts in pub-
25 lic diplomacy and related fields from the private sec-

1 tor and utilize the expertise of former employees of
2 the Department in implementing this subsection.

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

9 (c) TECHNOLOGY AND EQUIPMENT UPGRADES.—
10 The Secretary shall establish a fully capable multimedia
11 programming and distribution capacity including satellite,
12 Internet, and other services, and also including the capa-
13 bility to acquire and produce audio and video feeds and
14 Internet streaming to foreign news organizations. The
15 technology and equipment upgrades under the first sen-
16 tence shall be fully implemented within 2 years of the date
17 of the enactment of this Act. To the extent practicable,
18 activities under this subsection shall utilize the facilities
19 of the United States International Broadcasting Agency
20 established by title III.

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

23 (1) Section 1(b)(3) of the State Department
24 Basic Authorities Act of 1956 (22 U.S.C.
25 2651a(b)(3)) is amended by striking “formation”

1 and all that follows through the period at the end
2 and inserting “formation, supervision, and imple-
3 mentation of United States public diplomacy poli-
4 cies, programs, and activities, including the provision
5 of guidance to Department personnel in the United
6 States and overseas who conduct or implement such
7 policies, programs, and activities. The Under Sec-
8 retary for Public Diplomacy shall assist the United
9 States Agency for International Broadcasting in pre-
10 senting the policies of the United States clearly and
11 effectively, shall submit statements of United States
12 policy and editorial material to the Agency for
13 broadcast consideration in addition to material pre-
14 pared by the Agency, and shall ensure that editorial
15 material created by the Agency for broadcast is re-
16 viewed expeditiously by the Department.”.

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

24 (e) INCREASE IN PUBLIC DIPLOMACY PERSONNEL
25 OF THE DEPARTMENT.—The Secretary of State shall en-

1 sure that of the new job positions established at the De-
2 partment after September 30, 2002, not less than one
3 fourth shall be public diplomacy positions.

4 **SEC. 103. ANNUAL REPORT ON PUBLIC DIPLOMACY AND**
5 **COMMUNICATIONS STRATEGY.**

6 (a) **REPORT TO CONGRESS.**—Not later than 90 days
7 before the beginning of each fiscal year, the Secretary of
8 State, in coordination with the Director of the United
9 States International Broadcasting Agency, shall submit to
10 the appropriate congressional committees an annual re-
11 port on public diplomacy and communications strategy.
12 Each report shall present the Secretary’s public diplomacy
13 and communications strategy worldwide and by region for
14 the subsequent fiscal year, including the allocation of re-
15 sources and an evaluation and assessment of the progress
16 in, and barriers to, achieving the goals set forth under
17 previous reports submitted under this subsection. The re-
18 port may be submitted in classified form.

19 (b) **PLAN FOR IMPLEMENTATION.**—Not later than 60
20 days after the date of the submission of each annual re-
21 port under subsection (a), the Secretary of State, in co-
22 ordination with the Director of the United States Inter-
23 national Broadcasting Agency and all appropriate Federal
24 agencies that conduct public diplomacy programs abroad,
25 shall develop a detailed plan for the implementation of the

1 report which specifies goals, agency responsibilities, and
2 necessary resources and mechanisms for achieving such
3 goals during the next fiscal year.

4 **SEC. 104. PUBLIC DIPLOMACY TRAINING.**

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

7 (1) The Foreign Service should recruit individ-
8 uals with expertise and professional experience in
9 public diplomacy.

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

15 (3) Initial and subsequent training of Foreign
16 Service officers should be enhanced to include infor-
17 mation and training on public diplomacy and the
18 tools and technology of mass communication.

19 (b) PERSONNEL.—

20 (1) In the recruitment, training, and assign-
21 ment of members of the Foreign Service, the Sec-
22 retary shall emphasize the importance of public di-
23 plomacy and of applicable skills and techniques. The
24 Secretary shall require that members of the Foreign
25 Service have a public diplomacy assignment prior to

1 promotion to the senior levels of the Foreign Service.
2 The Secretary shall consider the priority recruitment
3 into the Foreign Service, at middle-level entry, of in-
4 dividuals with expertise and professional experience
5 in public diplomacy or mass communications, espe-
6 cially individuals with language facility and experi-
7 ence in particular countries and regions.

8 (2) The Secretary of State shall seek to in-
9 crease the number of Foreign Service officers pro-
10 ficient in languages spoken in predominantly Muslim
11 countries. Such increase shall be accomplished
12 through the recruitment of new officers and incen-
13 tives for officers in service.

14 (c) ENHANCED PUBLIC DIPLOMACY TRAINING.—Not
15 later than 180 days after the date of the enactment of
16 this Act, the Secretary of State shall submit a report to
17 the appropriate congressional committees concerning en-
18 hancements that the Secretary has determined are appro-
19 priate and are being implemented to ensure adequate
20 training in public diplomacy for ambassadors, Foreign
21 Service officers, and civil service officers.

22 **SEC. 105. STUDY AND REPORT ON UNITED STATES PUBLIC**
23 **DIPLOMACY.**

24 (a) STUDY AND REPORT BY UNITED STATES ADVI-
25 SORY COMMISSION ON PUBLIC DIPLOMACY.—Section

1 604(c)(2) of the United States Information and Edu-
2 cational Exchange Act of 1948 (22 U.S.C. 1469(c)) is
3 amended to read as follows:

4 “(2)(A) Not less often than every two years, the Com-
5 mission, in consultation with the General Accounting Of-
6 fice, shall undertake an indepth study of public and media
7 attitudes around the world toward the United States,
8 Americans, and United States foreign policy. Each study
9 shall assess the effectiveness of the various mechanisms
10 of United States public diplomacy and make appropriate
11 recommendations. The Commission shall give priority at-
12 tention and analysis to regions and countries determined
13 by the Secretary of State to be of particular interest for
14 national security or foreign policy reasons, where such at-
15 titudes are changing, or where such attitudes among the
16 masses of people diverge widely from that of their govern-
17 ments.

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

24 (b) ASSISTANCE OF GAO.—The Comptroller General
25 of the General Accounting Office shall provide such assist-

1 ance in the research and production of the study and re-
2 port under section 604(c)(5) of the United States Infor-
3 mation and Educational Exchange Act of 1948 (as amend-
4 ed by subsection (a)), including the detail of personnel,
5 as the United States Advisory Commission on Public Di-
6 plomacy may require in carrying out its responsibilities
7 under such section.

8 (c) INFORMATION AND SUPPORT FROM OTHER
9 AGENCIES.—Upon request of the United States Advisory
10 Commission on Public Diplomacy, the Secretary of State,
11 the Director of the United States International Broad-
12 casting Agency, and the head of any other Federal agency
13 that conducts public diplomacy programs and activities
14 shall provide information to the Advisory Commission to
15 assist in carrying out the responsibilities under section
16 604(c)(5) of the United States Information and Edu-
17 cational Exchange Act of 1948 (as amended by subsection
18 (a)).

19 (d) ENHANCING THE EXPERTISE OF UNITED STATES
20 ADVISORY COMMISSION ON PUBLIC DIPLOMACY.—

21 (1) QUALIFICATIONS OF MEMBERS.—Section
22 604((a)(2) of the United States Information and
23 Educational Exchange Act of 1948 (22 U.S.C.
24 1469(a)(2)) is amended by adding at the end the
25 following: “At least 4 members shall have substan-

1 tial experience in the conduct of public diplomacy or
2 comparable activities in the private sector. No mem-
3 ber shall be an officer or employee of the United
4 States.”.

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

10 **SEC. 106. FUNDING AND AUTHORIZATION OF APPROPRIA-**
11 **TIONS.**

12 (a) LIMITATION ON USE OF FUNDS.—Of the
13 amounts authorized to be appropriated for each of the fis-
14 cal years 2002 and 2003 for the Diplomatic and Consular
15 Programs of the Department of State, \$497,000,000 for
16 the fiscal year 2002 and \$512,000,000 for the fiscal year
17 2003 shall be available only for public diplomacy programs
18 and activities as carried out prior to the Foreign Affairs
19 Reform and Restructuring Act of 1998, other than pro-
20 grams of educational and cultural exchange.

21 (b) AUTHORIZATION OF APPROPRIATIONS FOR IM-
22 PROVEMENTS IN PUBLIC DIPLOMACY PROGRAMS.—

23 (1) In addition to amounts otherwise authorized
24 to be appropriated, there are authorized to be appro-
25 priated \$20,000,000 for each of the fiscal years

1 2002 and 2003 for Diplomatic and Consular Pro-
2 grams of the Department of State which shall be
3 available only for improvements and modernization
4 of public diplomacy programs and activities of the
5 Department of State as carried out prior to the For-
6 eign Affairs Reform and Restructuring Act of 1998,
7 other than programs of educational and cultural ex-
8 change.

9 (2) LIMITATIONS.—

10 (A) TRANSLATION SERVICES.—Of the
11 amounts authorized to be appropriated by para-
12 graph (1), \$4,000,000 for each of the fiscal
13 years 2002 and 2003 is authorized to be appro-
14 priated only for translation services available to
15 public affairs officers in overseas posts.

16 (B) BROADCAST SERVICES.—Of the
17 amounts authorized to be appropriated by para-
18 graph (1), \$7,500,000 for each of the fiscal
19 years 2002 and 2003 is authorized to be appro-
20 priated only for the Office of Broadcast Serv-
21 ices to carry out section 102(e).

1 **TITLE II—UNITED STATES EDU-**
2 **CATIONAL AND CULTURAL**
3 **PROGRAMS OF THE DEPART-**
4 **MENT OF STATE**

5 **SEC. 201. ESTABLISHMENT OF INITIATIVES FOR PREDOMI-**
6 **NANTLY MUSLIM COUNTRIES.**

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

9 (1) Surveys indicate that, in countries of pre-
10 dominantly Muslim population, opinions of the
11 United States and American foreign policy among
12 the general public and select audiences are signifi-
13 cantly distorted by highly negative and hostile beliefs
14 and images and that many of these beliefs and im-
15 ages are the result of misinformation and propa-
16 ganda by individuals and organizations hostile to the
17 United States.

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

21 (3) As part of a broad and long-term effort to
22 enhance a positive image of the United States in the
23 Muslim world, a key element should be the establish-
24 ment of programs to promote a greater familiarity
25 with American society and values among the general

1 public and select audiences in countries of predomi-
2 nantly Muslim population.

3 (b) ESTABLISHMENT OF INITIATIVES.—The Sec-
4 retary of State shall establish the following programs with
5 countries with predominantly Muslim populations as part
6 of the educational and cultural exchange programs of the
7 Department of State:

8 (1) JOURNALISM PROGRAM.—A program for
9 foreign journalists and postsecondary students of
10 journalism which, in cooperation with private sector
11 sponsors to include universities, shall sponsor work-
12 shops and professional training in techniques, stand-
13 ards, and practices in the field of journalism to as-
14 sist the participants to achieve the highest standards
15 of professionalism.

16 (2) LIBRARIES.—The Secretary of State shall
17 develop and implement a demonstration program to
18 assist foreign governments to establish or upgrade
19 their public library systems to improve literacy, sup-
20 port public education, and provide youth recreation
21 centers. The program shall provide training in the li-
22 brary sciences, including exchange opportunities for
23 postsecondary study in the United States. The pur-
24 pose of the program shall be to advance American

1 values and society, particularly the importance of
2 freedom and democracy.

3 (3) ENGLISH LANGUAGE TEACHING.—The Sec-
4 retary shall establish a program to provide grants to
5 United States citizens to work in middle and sec-
6 ondary schools as English language teaching assist-
7 ants for not less than an academic year. If feasible,
8 the host government or local educational agency
9 shall share the salary costs of the assistants.

10 (4) SISTER CITY PARTNERSHIPS.—The Sec-
11 retary shall expand and enhance sister-city partner-
12 ships between United States and international mu-
13 nicipalities in an effort to increase global cooperation
14 at the community level. Such partnerships shall en-
15 courage economic development, municipal coopera-
16 tion, health care initiatives, youth and educational
17 programs, disability advocacy, emergency prepared-
18 ness, and humanitarian assistance.

19 (5) YOUTH AMBASSADORS.—The Secretary
20 shall establish a program for visits by middle and
21 secondary school students to the United States dur-
22 ing school holidays in their home country for periods
23 not to exceed 4 weeks. Participating students shall
24 reflect the economic and geographic diversity of their
25 countries. Activities shall include cultural and edu-

1 cational activities designed to familiarize partici-
2 pating students with American society and values.
3 To the extent practicable, such visits shall be coordi-
4 nated with middle and secondary schools in the
5 United States to provide for school-based activities
6 and interactions. The Secretary shall encourage the
7 establishment of direct school-to-school linkages
8 under the program.

9 (6) FULBRIGHT EXCHANGE PROGRAM.—The
10 Secretary shall seek to substantially increase the
11 number of awards under the J. William Fulbright
12 Educational Exchange Program to graduate stu-
13 dents, scholars, professionals, teachers, and adminis-
14 trators from the United States who are applying for
15 such awards to study, teach, conduct research, or
16 pursue scholarship in predominantly Muslim coun-
17 tries. Part of such increase shall include awards for
18 scholars and teachers who plan to teach subjects re-
19 lating to American studies.

20 (7) HUBERT H. HUMPHREY FELLOWSHIPS.—
21 The Secretary shall seek to substantially increase
22 the number of Hubert H. Humphrey Fellowships
23 awarded to candidates from predominantly Muslim
24 countries.

1 (c) GENERAL PROVISION.—Programs established
2 under this section shall be carried out under the provisions
3 of the United States Information and Educational Ex-
4 change Act of 1948 and the Mutual Educational and Cul-
5 tural Exchange Act of 1961.

6 **SEC. 202. DATABASE OF ALUMNI OF AMERICAN AND FOR-**
7 **EIGN PARTICIPANTS IN EXCHANGE PRO-**
8 **GRAMS.**

9 The Secretary of State, in coordination with the
10 heads of other agencies that conduct international ex-
11 change and training programs, shall establish and main-
12 tain a database listing all American and foreign alumni
13 of such programs in order to encourage networking, inter-
14 action, and communication with alumni.

15 **SEC. 203. REPORT ON INCLUSION OF FREEDOM AND DE-**
16 **MOCRACY ADVOCATES IN EDUCATIONAL AND**
17 **CULTURAL EXCHANGE PROGRAMS.**

18 Not later than 90 days after the date of the enact-
19 ment of this Act, the Secretary of State shall submit to
20 the Congress a report concerning the implementation of
21 section 102 of the Human Rights, Refugee, and Other
22 Foreign Relations Provisions Act of 1996. The report shall
23 include information concerning the number of grants to
24 conduct exchange programs to countries described in such
25 section that have been submitted for competitive bidding,

1 what measures have been taken to ensure that willingness
2 to include supporters of freedom and democracy in such
3 programs is given appropriate weight in the selection of
4 grantees, and an evaluation of whether United States ex-
5 change programs in the countries described in such section
6 are fully open to supporters of freedom and democracy,
7 and, if not, what obstacles remain and what measures are
8 being taken to implement such policy.

9 **SEC. 204. SUPPLEMENTAL AUTHORIZATION OF APPROPRIA-**
10 **TIONS.**

11 In addition to such amounts as are otherwise author-
12 ized to be appropriated, for each of the fiscal years 2002
13 and 2003 there are authorized to be appropriated
14 \$35,000,000 for educational and cultural exchange pro-
15 grams of the Department of State.

16 **TITLE III—REORGANIZATION OF**
17 **UNITED STATES INTER-**
18 **NATIONAL BROADCASTING**

19 **SEC. 301. ESTABLISHMENT OF UNITED STATES INTER-**
20 **NATIONAL BROADCASTING AGENCY.**

21 Section 304 of the United States International
22 Broadcasting Act of 1994 (22 U.S.C. 6203) is amended
23 to read as follows:

1 **“SEC. 304. ESTABLISHMENT OF UNITED STATES INTER-**
2 **NATIONAL BROADCASTING AGENCY.**

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

7 “(b) DIRECTOR.—

8 “(1) The head of the Agency is a Director who
9 shall—

10 “(A) be appointed by the President, by and
11 with the advice and consent of the Senate; and

12 “(B) receive basic pay at the rate payable
13 for level IV of the Executive Schedule under
14 section 5313 of title 5, United States Code.

15 “(2) The term of service of the Director shall
16 be five years. The Director may continue to serve
17 beyond the expiration of the term until a successor
18 is appointed and has qualified. The Director may be
19 removed by the President only for cause.

20 “(3) The Director shall—

21 “(A) carry out the functions and authori-
22 ties of the United States International Broad-
23 casting Agency;

24 “(B) be responsible for the exercise of all
25 authorities and powers and the discharge of all
26 duties and functions of the Agency; and

1 “(C) serve as the Executive Director of the
2 Board for International Broadcasting.

3 “(4) The Director shall organize and chair a co-
4 ordinating committee to examine and make rec-
5 ommendations on long-term strategies for the future
6 of international broadcasting, including the use of
7 new technologies.

8 “(c) INSPECTOR GENERAL.—

9 “(1) IN GENERAL.—The Inspector General of
10 the Department of State shall exercise the same au-
11 thorities with respect to the Agency as the Inspector
12 General exercises under the Inspector General Act of
13 1978 and section 209 of the Foreign Service Act of
14 1980 with respect to the Department of State.

15 “(2) RESPECT FOR JOURNALISTIC INTEGRITY
16 OF BROADCASTERS.—The Inspector General shall
17 respect the journalistic integrity of all the broad-
18 casters covered by this title and may not evaluate
19 the philosophical or political perspectives reflected in
20 the content of broadcasts.

21 **SEC. 302. AUTHORITIES AND FUNCTIONS OF THE AGENCY.**

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

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

2 “(a) **AUTHORITIES AND FUNCTIONS.**—The Agency
3 shall have the following authorities and functions:

4 “(1) Except as provided in section 308 and
5 309, to carry out all nonmilitary international broad-
6 casting activities supported by the United States
7 Government.

8 “(2) To supervise all broadcasting activities
9 conducted pursuant to this title, the Radio Broad-
10 casting to Cuba Act, and the Television Broad-
11 casting to Cuba Act.

12 “(3) To review and evaluate the mission and
13 operation of, and to assess the quality, effectiveness,
14 and professional integrity of, all such activities with-
15 in the context of the broad foreign policy objectives
16 of the United States and the guiding principles and
17 doctrines of the United States, particularly freedom
18 and democracy.

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

22 “(5) To review, evaluate, and determine, at
23 least annually, after consultation with the Secretary
24 of State, the addition or deletion of language serv-
25 ices.

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

4 “(7) To undertake such studies as may be nec-
5 essary to identify areas in which broadcasting activi-
6 ties under its authority could be made more efficient
7 and economical.

8 “(8) To submit to the President and the Con-
9 gress an annual report which summarizes and evalu-
10 ates activities under this title, the Radio Broad-
11 casting to Cuba Act, and the Television Broad-
12 casting to Cuba Act, placing special emphasis on the
13 assessment described in paragraph (2).

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

17 “(10) To obligate and expend, for official recep-
18 tion and representation expenses, such amounts as
19 may be made available through appropriations.

20 “(11) To make available in the annual report
21 required by paragraph (8) information on funds ex-
22 pended on administrative and managerial services by
23 the Agency and by grantees and the steps the Agen-
24 cy has taken to reduce unnecessary overhead costs
25 for each of the broadcasting services.

1 “(12) To provide for the use of United States
2 Government transmitter capacity for relay of broad-
3 casting by grantees.

4 “(13)(A) To procure temporary and intermit-
5 tent personal services to the same extent as is au-
6 thorized by section 3109 of title 5, United States
7 Code, at rates not to exceed the daily equivalent of
8 the rate provided for positions classified above grade
9 GS-15 of the General Schedule under section 5108
10 of title 5, United States Code.

11 “(B) To allow those providing such services,
12 while away from their homes or their regular places
13 of business, travel expenses (including per diem in
14 lieu of subsistence) as authorized by section 5703 of
15 title 5, United States Code, for persons in the Gov-
16 ernment service employed intermittently, while so
17 employed.

18 “(14) To procure for the Agency, pursuant to
19 section 1535 of title 31, United States Code (com-
20 monly known as the ‘Economy Act’), goods and serv-
21 ices from other departments or agencies.

22 “(15) To the extent funds are available, to lease
23 space and acquire personal property for the Agency
24 and the Board for International Broadcasting.

1 “(16) To utilize the provisions of titles III, IV,
2 V, VII, VIII, IX, and X of the United States Infor-
3 mation and Educational Exchange Act of 1948, and
4 section 6 of Reorganization Plan Number 2 of 1977,
5 as in effect on the day before the effective date of
6 title XIII of the Foreign Affairs Agencies Consolida-
7 tion Act of 1998, to the extent the Agency considers
8 necessary in carrying out the provisions and pur-
9 poses of this title.

10 “(17) To utilize the authorities of any other
11 statute, reorganization plan, Executive order, regula-
12 tion, agreement, determination, or other official doc-
13 ument or proceeding that had been available to the
14 Director of the United States Information Agency,
15 the Bureau, or the Board before the effective date
16 of title XIII of the Foreign Affairs Consolidation Act
17 of 1998 for carrying out the broadcasting activities
18 covered by this title.

19 “(b) DELEGATION OF AUTHORITY.—The Agency
20 may delegate to any other officer or employee of the
21 United States the authorities provided in this section, ex-
22 cept those authorities provided in paragraph (1), (2), (3),
23 (4), (5), (8), or (9) of subsection (a).

24 “(c) BROADCASTING BUDGETS.—

1 “(1) The grantees identified in sections 308
2 and 309 shall submit proposed budgets to the Agen-
3 cy. The Agency shall forward its recommendations
4 concerning the proposed budget for the Agency and
5 broadcasting activities under this title, the Radio
6 Broadcasting to Cuba Act, and the Television
7 Broadcasting to Cuba Act to the Office of Manage-
8 ment and Budget.

9 “(2) The Director of the Agency shall include
10 in the Agency’s submission to the Office of Manage-
11 ment and Budget the comments and recommenda-
12 tions of the Board for International Broadcasting
13 concerning the proposed broadcasting budget.

14 “(d) PROFESSIONAL INDEPENDENCE OF BROAD-
15 CASTERS.—Consistent with standards and principles set
16 forth in section 303, the Secretary of State and the Agen-
17 cy, in carrying out their functions, shall respect the profes-
18 sional independence and integrity of the Agency’s broad-
19 casting services and the grantees identified in sections 308
20 and 309.”.

21 **SEC. 303. ROLE OF THE SECRETARY OF STATE.**

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

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

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

6 **SEC. 304. ESTABLISHMENT OF BOARD FOR INTERNATIONAL**
7 **BROADCASTING.**

8 (a) IN GENERAL.—Section 307 of the United States
9 International Broadcasting Act of 1994 (22 U.S.C. 6206)
10 is amended to read as follows:

11 **“SEC. 307. ESTABLISHMENT OF BOARD FOR INTER-**
12 **NATIONAL BROADCASTING.**

13 “(a) ESTABLISHMENT.—There is hereby established
14 the Board for International Broadcasting. The Board for
15 International Broadcasting shall exist as a permanent en-
16 tity.

17 “(b) FUNCTIONS AND DUTIES.—The Board for
18 International Broadcasting shall have the following func-
19 tions and duties:

20 “(1) To make and supervise grants for broad-
21 casting and related activities in accordance with sec-
22 tions 308 and 309.

23 “(2) To allocate funds appropriated for inter-
24 national broadcasting activities among the various
25 elements of the Agency and grantees, subject to the
26 limitations in sections 308 and 309 and subject to

1 reprogramming notification requirements in law for
2 the reallocation of funds.

3 “(3) To develop strategic goals after reviewing
4 human rights reporting and other reliable assess-
5 ments to assist in determining programming and re-
6 source allocation.

7 “(4) To assist the Agency in carrying out its
8 authorities and functions by providing such insight,
9 expert advice, and ideas as the Board for Inter-
10 national Broadcasting considers appropriate. The
11 Board shall advise the Director regarding the main-
12 tenance of journalistic integrity and objectivity in re-
13 porting within the Agency.

14 “(c) REPORTS.—The Board for International Broad-
15 casting shall submit an annual report on its activities and
16 findings to the Agency and the Congress. The Board for
17 International Broadcasting may submit such other peri-
18 odic or special reports as the Board considers necessary.

19 “(d) COMPOSITION OF THE BOARD.—

20 “(1) The Board for International Broadcasting
21 shall consist of 9 members, as follows:

22 “(A) Eight voting members who shall be
23 appointed by the President, by and with the ad-
24 vice and consent of the Senate.

1 “(B) The Secretary of State who shall also
2 be a voting member.

3 “(2) The President shall appoint one member
4 (other than the Secretary of State) as Chair of the
5 Board for International Broadcasting, subject to the
6 advice and consent of the Senate.

7 “(3) Exclusive of the Secretary of State, not
8 more than 4 of the members of the Board for Inter-
9 national Broadcasting appointed by the President
10 shall be of the same political party.

11 “(e) TERM OF OFFICE.—The term of office of each
12 member of the Board for International Broadcasting shall
13 be three years, except that the Secretary of State shall
14 remain a member of the Board for International Broad-
15 casting during the Secretary’s term of service. Of the
16 other 8 voting members, the initial terms of office of two
17 members shall be one year, and the initial terms of office
18 of 3 other members shall be two years, as determined by
19 the President. The President shall appoint, by and with
20 the advice and consent of the Senate, board members to
21 fill vacancies occurring prior to the expiration of a term,
22 in which case the members so appointed shall serve for
23 the remainder of such term. Any member whose term has
24 expired may serve until a successor has been appointed
25 and qualified. When there is no Secretary of State, the

1 Acting Secretary of State shall serve as a member of the
2 board until a Secretary is appointed.

3 “(f) SELECTION OF BOARD FOR INTERNATIONAL
4 BROADCASTING.—Members of the Board for International
5 Broadcasting appointed by the President shall be citizens
6 of the United States who are not regular full-time employ-
7 ees of the United States Government. Such members shall
8 be selected by the President from among Americans distin-
9 guished in the fields of mass communications, print,
10 broadcast media, or foreign affairs.

11 “(g) COMPENSATION.—Members of the Board for
12 International Broadcasting, while attending meetings of
13 the board or while engaged in duties relating to such meet-
14 ings or in other activities of the board pursuant to this
15 section (including travel time) shall be entitled to receive
16 compensation equal to the daily equivalent of the com-
17 pensation prescribed for level IV of the Executive Schedule
18 under section 5315 of title 5, United States Code. While
19 away from their homes or regular places of business, mem-
20 bers of the board may be allowed travel expenses, includ-
21 ing per diem in lieu of subsistence, as authorized by law
22 (5 U.S.C. 5703) for persons in the Government service
23 employed intermittently. The Secretary of State shall not
24 be entitled to any compensation under this title, but may

1 be allowed travel expenses as provided under this sub-
2 section.

3 “(h) DECISIONS.—Decisions of the Board for Inter-
4 national Broadcasting shall be made by majority vote, a
5 quorum being present. A quorum shall consist of 5 mem-
6 bers.

7 “(i) IMMUNITY FROM CIVIL LIABILITY.—Notwith-
8 standing any other provision of law, any and all limitations
9 on liability that apply to the members of the Board for
10 International Broadcasting also shall apply to such mem-
11 bers when acting in their capacities as members of the
12 boards of directors of RFE/RL, Incorporated and Radio
13 Free Asia.

14 “(j) STAFF.—The Board for International Broad-
15 casting may employ such staff as is necessary to perform
16 functions that cannot be performed appropriately by em-
17 ployees of the Agency. Staff employed by the board shall
18 be subject to the provisions of title 5, United States Code,
19 governing appointments in the competitive service, and
20 their compensation shall be fixed in accordance with the
21 provisions of chapter 51 and subchapter III of chapter 53
22 of such title relating to classification and General Schedule
23 pay rates.

24 “(k) SUPPORT FROM OTHER AGENCIES.—Upon re-
25 quest of the Board for International Broadcasting, the

1 head of a Federal agency may detail any of the personnel
2 of that agency to the board to assist the board in carrying
3 out its duties under this title.

4 “(l) TEMPORARY AND INTERMITTENT SERVICES.—
5 The Board for International Broadcasting may procure by
6 contract, to the extent funds are available, the temporary
7 or intermittent services of experts or consultants pursuant
8 to section 3109 of title 5, United States Code.”.

9 (b) RETENTION OF EXISTING BOARD MEMBERS.—
10 The members of the Broadcasting Board of Governors ap-
11 pointed by the President pursuant to section 304 of the
12 United States International Broadcasting Act of 1994 be-
13 fore the effective date of this title and holding office as
14 of that date may serve the remainder of their terms of
15 office as members of the Board for International Broad-
16 casting established under subsection (a) without re-
17 appointment.

18 **SEC. 305. ADMINISTRATIVE PROVISIONS.**

19 The United States International Broadcasting Act of
20 1994 is amended by adding after section 305 the following
21 new section:

22 **“SEC. 305A. ADMINISTRATIVE PROVISIONS.**

23 “(a) OFFICERS AND EMPLOYEES.—The Director
24 may appoint and fix the compensation of such officers and
25 employees as may be necessary to carry out the functions

1 of the Agency. Except as otherwise provided by law, such
2 officers and employees shall be appointed in accordance
3 with the civil service laws and their compensation shall
4 be fixed in accordance with title 5, United States Code.

5 “(b) EXPERTS AND CONSULTANTS.—The Director,
6 as may be provided in appropriation Acts, may obtain the
7 services of experts and consultants in accordance with sec-
8 tion 3109 of title 5, United States Code, and may com-
9 pensate such experts and consultants at rates not to ex-
10 ceed the daily rate prescribed for level IV of the Executive
11 Schedule under section 5315 of title 5, United States
12 Code.

13 “(c) ACCEPTANCE OF VOLUNTARY SERVICES.—

14 “(1) IN GENERAL.—Notwithstanding section
15 1342 of title 31, United States Code, the Director
16 may accept, subject to regulations issued by the Of-
17 fice of Personnel Management, voluntary services if
18 such services—

19 “(A) are to be uncompensated; and

20 “(B) are not used to displace any em-
21 ployee.

22 “(2) TREATMENT.—Any individual who pro-
23 vides voluntary services under this section shall not
24 be considered a Federal employee for any purpose
25 other than for purposes of chapter 81 of title 5,

1 United States Code (relating to compensation for in-
2 jury) and sections 2671 through 2680 of title 28,
3 United States Code (relating to tort claims).

4 “(d) DELEGATION.—Except as otherwise provided in
5 this Act, the Director may delegate any function to such
6 officers and employees of the Agency as the Director may
7 designate, and may authorize such successive redelega-
8 tions of such functions within the Agency as may be nec-
9 essary or appropriate. No delegation of functions by the
10 Director under this section or under any other provision
11 of this Act shall relieve the Director of responsibility for
12 the administration of such functions.

13 “(e) CONTRACTS.—

14 “(1) IN GENERAL.—Subject to the Federal
15 Property and Administrative Services Act of 1949
16 and other applicable Federal law, the Director may
17 make, enter into, and perform such contracts,
18 grants, leases, cooperative agreements, and other
19 similar transactions with Federal or other public
20 agencies (including State and local governments)
21 and private organizations and persons, and to make
22 such payments, by way of advance or reimburse-
23 ment, as the Director may determine necessary or
24 appropriate to carry out functions of the Director or
25 the Agency.

1 plan, Executive order, or other provision of law, are trans-
2 ferred to the Agency established under this title effective
3 on that date.

4 (b) DETERMINATION OF CERTAIN FUNCTIONS.—If
5 necessary, the Office of Management and Budget shall
6 make any determination of the functions that are trans-
7 ferred under this title.

8 (c) TRANSITION PROVISIONS.—

9 (1) EXERCISE OF AUTHORITIES.—Except as
10 otherwise provided by law, the Director may, for
11 purposes of performing a function that is trans-
12 ferred to the Director by this title, exercise all au-
13 thorities under any other provision of law that were
14 available with respect to the performance of that
15 function to the official responsible for the perform-
16 ance of that function on the day before the effective
17 date specified in section 311.

18 (2) AUTHORITIES TO WIND UP AFFAIRS.—

19 (A) The Director of the Office of Manage-
20 ment and Budget may take such actions as the
21 Director of the Office of Management and
22 Budget considers necessary to wind up any out-
23 standing affairs of the Broadcasting Board of
24 Governors and the International Broadcasting

1 Bureau associated with the functions that are
2 transferred pursuant to subsection (a).

3 (B) The Director may take such actions as
4 the Director considers necessary to wind up any
5 outstanding affairs of the Broadcasting Board
6 of Governors and the International Broad-
7 casting Bureau associated with the functions
8 that are transferred pursuant to subsection (a).

9 (3) TRANSFER OF ASSETS.—Any property,
10 records, unexpended balances of appropriations, allo-
11 cations, and other funds employed, used, held, avail-
12 able, or to be made available in connection with a
13 function transferred to the Agency by this Act are
14 transferred on the effective date specified in section
15 311.

16 **SEC. 308. CONFORMING AMENDMENTS.**

17 (a) UNITED STATES INTERNATIONAL BROAD-
18 CASTING ACT OF 1994.—The United States International
19 Broadcasting Act of 1994 is amended as follows:

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

21 (A) in subsection (a)—

22 (i) by striking “The Board” and in-
23 sserting “The Agency”; and

24 (ii) in paragraph (1) by striking
25 “Broadcasting Board of Governors” and

1 inserting “Board for International Broad-
2 casting”;

3 (B) in subsection (b)—

4 (i) by striking paragraph (2);

5 (ii) by striking “(1)”; and

6 (iii) by striking “Board” both places
7 it appears and inserting “Agency”;

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

11 (D) in subsections (i) and (j) by striking
12 “and the Foreign Service” each place it ap-
13 pears.

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

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

18 (B) by striking subsection (e);

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

22 (D) in subsection (g) by striking “Chair-
23 man of the Board” and inserting “Agency”.

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

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

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

5 (6) By striking section 315.

6 (b) CUBAN LIBERTY AND DEMOCRATIC SOLIDARITY
7 (LIBERTAD) ACT OF 1996.—Section 107 of the Cuban
8 Liberty and Democratic Solidarity (LIBERTAD) Act of
9 1996 (22 U.S.C. 6037) is amended in subsections (a) and
10 (b) by striking “International Broadcasting Bureau” each
11 place it appears and inserting “United States Inter-
12 national Broadcasting Agency”.

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

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

17 (A) In the section heading by striking
18 “BROADCASTING BOARD OF GOV-
19 ERNORS” and inserting “UNITED STATES
20 INTERNATIONAL BROADCASTING
21 AGENCY”.

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

24 (C) In subsections (a), (d), and (f) by
25 striking “Broadcasting Board of Governors”

1 and inserting “United States International
2 Broadcasting Agency”.

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

4 (A) In the first sentence by striking “The”
5 and all that follows through “Bureau” and in-
6 serting: “The Director of the United States
7 International Broadcasting Agency shall estab-
8 lish within the Agency”.

9 (B) In the third sentence by striking
10 “Broadcasting Board of Governors” and insert-
11 ing “Director of the United States Inter-
12 national Broadcasting Agency”.

13 (C) In the fourth sentence by striking
14 “Board of the International Broadcasting Bu-
15 reau” and inserting “Director of the United
16 States International Broadcasting Agency”.

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

18 (A) In subsection (b) by striking “Broad-
19 casting Board of Governors” and inserting “Di-
20 rector of the United States International
21 Broadcasting Agency”.

22 (B) By striking “Board” each place it ap-
23 pears and inserting “Advisory Board”.

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

1 (A) In subsection (a) by striking “Broad-
2 casting Board of Governors” and inserting
3 “United States International Broadcasting
4 Agency” and by striking “Board” and inserting
5 “Director of the United States International
6 Broadcasting Agency”.

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

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

13 (7) In section 8(a) (22 U.S.C. 1465f(a)), by
14 striking “Broadcasting Board of Governors” and in-
15 serting “United States International Broadcasting
16 Agency”.

17 (d) TELEVISION BROADCASTING TO CUBA ACT.—
18 The Television Broadcasting to Cuba Act (22 U.S.C.
19 1465aa note) is amended as follows:

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

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

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

6 (B) In subsection (b) by striking “Board”
7 and inserting “Agency”.

8 (C) In subsection (c) by striking “The
9 Board” and inserting “The Agency” and by
10 striking “Board determines” and inserting “Di-
11 rector of the United States International
12 Broadcasting Agency determines”.

13 (3) In section 246 (22 U.S.C. 1465dd) by strik-
14 ing “United States Information Agency” and insert-
15 ing “United States International Broadcasting
16 Agency” and by striking “Board” and inserting “Di-
17 rector of the United States International Broad-
18 casting Agency”.

19 **SEC. 309. REFERENCES.**

20 Except as otherwise provided in this title or an
21 amendment made by this title, any reference in any stat-
22 ute, reorganization plan, Executive order, regulation,
23 agreement, determination, or other official document or
24 proceeding to the Broadcasting Board of Governors and
25 the International Broadcasting Bureau or any other offi-

1 cer or employee of the Board of Governors or the Inter-
2 national Broadcasting Bureau shall be deemed to refer to
3 the United States International Broadcasting Agency es-
4 tablished under this title.

5 **SEC. 310. BROADCASTING STANDARDS.**

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

9 (1) in paragraph (6) by striking “and”;

10 (2) in paragraph (7) by inserting “and” after
11 the semicolon;

12 (3) in paragraph (8) by striking the period and
13 inserting “; and”; and

14 (4) by adding after paragraph (8) the following
15 new paragraph:

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

21 **SEC. 311. EFFECTIVE DATE.**

22 Except as otherwise provided, this title and the
23 amendments made by this title shall take effect on the

- 1 last day of the 6-month period beginning on the date of
- 2 the enactment of this Act.

○