

**Suspend the Rules and Pass the Bill, H. R. 4490, With an
Amendment**

**(The amendment strikes all after the enacting clause and inserts a
new text)**

113TH CONGRESS
2D SESSION

H. R. 4490

To enhance the missions, objectives, and effectiveness of United States
international communications, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

APRIL 28, 2014

Mr. ROYCE (for himself, Mr. ENGEL, Ms. ROS-LEHTINEN, Mr. SHERMAN, Mr.
ROHRBACHER, Mr. CONNOLLY, Mr. CHABOT, Mr. KEATING, and Mr.
SALMON) introduced the following bill; which was referred to the Com-
mittee on Foreign Affairs

A BILL

To enhance the missions, objectives, and effectiveness of
United States international communications, 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; TABLE OF CONTENTS.**

4 (a) SHORT TITLE.—This Act may be cited as the
5 “United States International Communications Reform Act
6 of 2014”.

1 (b) TABLE OF CONTENTS.—The table of contents for
2 this Act is as follows:

- Sec. 1. Short title; table of contents.
- Sec. 2. Findings and declarations.
- Sec. 3. Purposes.
- Sec. 4. Definitions.
- Sec. 5. Broadcasting standards.
- Sec. 6. Eligible broadcast areas.

TITLE I—ESTABLISHMENT, ORGANIZATION, AND MANAGEMENT
OF THE UNITED STATES INTERNATIONAL COMMUNICATIONS
AGENCY

Subtitle A—Establishment of the United States International Communications
Agency

- Sec. 101. Existence within the Executive Branch.
- Sec. 102. Establishment of the board of the United States International Communications Agency.
- Sec. 103. Authorities and duties of the board of the United States International Communications Agency.
- Sec. 104. Establishment of the Chief Executive Officer of the United States International Communications Agency.
- Sec. 105. Authorities and duties of the Chief Executive Officer of the United States International Communications Agency.
- Sec. 106. Role of the Secretary of State.
- Sec. 107. Role of the Inspector General.
- Sec. 108. Enhanced coordination between United States International Communications Agency and the Freedom News Network; program content sharing; grantee independence.
- Sec. 109. Enhanced coordination among the United States International Communications Agency, the Freedom News Network, and the Department of State; Freedom News Network independence.
- Sec. 110. Grants to the Freedom News Network.
- Sec. 111. Other personnel and compensation limitations.
- Sec. 112. Reporting requirements of the United States International Communications Agency.

Subtitle B—The Voice of America

- Sec. 121. Sense of Congress.
- Sec. 122. Principles of the Voice of America.
- Sec. 123. Duties and responsibilities of the Voice of America.
- Sec. 124. Limitation on voice of America news, programming, and content; exception for broadcasting to Cuba.
- Sec. 125. Director of Voice of America.

Subtitle C—General Provisions

- Sec. 131. Federal agency coordination in support of United States public diplomacy.
- Sec. 132. Federal agency assistance and coordination with the United States International Communications Agency and the Freedom News Network during international broadcast surges.

- Sec. 133. Freedom News Network right of first refusal in instances of Federal disposal of radio or television broadcast transmission facilities or equipment.
- Sec. 134. Repeal of the United States International Broadcasting Act of 1994.
- Sec. 135. Effective date.

TITLE II—THE FREEDOM NEWS NETWORK

- Sec. 201. Sense of Congress.

Subtitle A—Consolidation of Existing Grantee Organizations

- Sec. 211. Formation of the Freedom News Network from existing grantees.
- Sec. 212. Mission of the Freedom News Network.
- Sec. 213. Standards and principles of the Freedom News Network.

Subtitle B—Organization of the Freedom News Network

- Sec. 221. Governance of the Freedom News Network.
- Sec. 222. Budget of the Freedom News Network.
- Sec. 223. Assistance from other government agencies.
- Sec. 224. Reports by the Office of the Inspector General of the Department of State; audits by GAO.
- Sec. 225. Amendments to the United States Information and Educational Exchange Act of 1948.

TITLE III—MISCELLANEOUS PROVISIONS

- Sec. 301. Preservation of United States National Security objectives.

1 SEC. 2. FINDINGS AND DECLARATIONS.

2 Congress finds and declares the following:

3 (1) United States international broadcasting ex-
4 ists to advance the United States interests and val-
5 ues by presenting accurate, objective, and com-
6 prehensive news and information, which is the foun-
7 dation for democratic governance, to societies that
8 lack a free media.

9 (2) Article 19 of the Universal Declaration of
10 Human Rights states that “[e]veryone has the right
11 to freedom of opinion and expression”, and that
12 “this right includes freedom to hold opinions without
13 interference and to seek, receive and impart infor-

1 mation and ideas through any media and regardless
2 of frontiers”.

3 (3) Secretary of State Hillary Clinton testified
4 before the Committee on Foreign Affairs of the
5 House of Representatives on January 23, 2013, that
6 the Broadcasting Board of Governors (BBG) “is
7 practically a defunct agency in terms of its capacity
8 to be able to tell a message around the world. So
9 we”re abdicating the ideological arena and need to
10 get back into it.”.

11 (4) The BBG, which was created by Congress
12 to oversee the United States international broad-
13 casting in the wake of the Cold War, has, because
14 of structural and managerial issues, had limited suc-
15 cess to date in both coordinating the various compo-
16 nents of the international broadcasting framework
17 and managing the day-to-day operations of the Fed-
18 eral components of the international broadcasting
19 framework.

20 (5) The lack of regular attendance by board
21 members and a periodic inability to form a quorum
22 have plagued the BBG and, as a result, it has been
23 functionally incapable of running the agency.

24 (6) The board of governors has only achieved
25 the full slate of all nine governors for seven of its

1 17 years of existence, which highlights the difficul-
2 ties of confirming and retaining governors under the
3 current structure.

4 (7) Both the Department of State's Office of
5 Inspector General and the Government Account-
6 ability Office have issued reports which outline a se-
7 verely dysfunctional organizational structure of the
8 Broadcasting Board of Governors.

9 (8) The Inspector General of the Department of
10 State concluded in its January 2013 report that dys-
11 function of the BBG stems from "a flawed legisla-
12 tive structure and acute internal dissension".

13 (9) The Inspector General of the Department of
14 State also found that the BBG's structure of nine
15 part-time members "cannot effectively supervise all
16 United States Government-supported, civilian inter-
17 national broadcasting", and its involvement in day-
18 to-day operations has impeded normal management
19 functions.

20 (10) The Government Accountability Office re-
21 port determined that there was significant overlap
22 among the BBG's languages services, and that the
23 BBG did not systematically consider the financial
24 cost of overlap.

1 (11) According to the Office of the Inspector
2 General, the BBG's Office of Contracts is not in
3 compliance with the Federal Acquisition Regulation,
4 lacks appropriate contract oversight, and violates the
5 Anti-Deficiency Act. The Office of the Inspector
6 General also determined that the Broadcasting
7 Board of Governors has not adequately performed
8 full and open competitions or price determinations,
9 has entered into hundreds of personal service con-
10 tracts without statutory authority, and contractors
11 regularly work without valid contracts in place.

12 (12) The size and make-up of the BBG work-
13 force should be closely examined, given the agency's
14 broader broadcasting and technical mission, as well
15 as changing media technologies.

16 (13) The BBG should be structured to ensure
17 that more taxpayer dollars are dedicated to the sub-
18 stantive, broadcasting, and information-related ele-
19 ments of the agency's mission.

20 (14) The lack of a coherent and well defined
21 mission of the Voice of America has led to program-
22 ming that duplicates the efforts of the Office of
23 Cuba Broadcasting, Radio Free Asia, RFE/RL, In-
24 corporated, and the Middle East Broadcasting Net-

1 works, Incorporated that results in inefficient use of
2 tax-payer funding.

3 (15) The annual survey conducted by the
4 “Partnership for Public Service” consistently ranks
5 the Broadcasting Board of Governors at or near the
6 bottom of all Federal agencies in terms of “overall
7 best places to work” and “the extent to which em-
8 ployees feel their skills and talents are used effec-
9 tively”. The consistency of these low scores point to
10 structural, cultural, and functional problems at the
11 Broadcasting Board of Governors.

12 (16) The Federal and non-Federal organiza-
13 tions that comprise the United States international
14 broadcasting framework have different, yet com-
15plementary, missions that necessitate coordination at
16 all levels of management.

17 (17) The Broadcasting Board of Governors has
18 an overabundance of senior civil service positions,
19 defined here as full-time employees encumbering GS-
20 14 and GS-15 positions on the General Schedule pay
21 scale.

22 (18) United States international broadcasting
23 should seek to leverage public-private partnerships,
24 including the licensing of content and the use of

1 technology owned or operated by non-governmental
2 sources, where possible to expand outreach capacity.

3 (19) Shortwave broadcasting has been an im-
4 portant method of communication that should be
5 utilized in regions as a component of United States
6 international broadcasting where a critical need for
7 the platform exists.

8 (20) Congressional action is necessary at this
9 time to improve international broadcasting oper-
10 ations, strengthen the United States public diplo-
11 macy efforts, enhance the grantee surrogate broad-
12 casting effort, restore focus to news, programming,
13 and content, and maximize the value of Federal and
14 non-Federal resources that are dedicated to public
15 diplomacy and international broadcasting.

16 **SEC. 3. PURPOSES.**

17 The purposes of this Act are as follows:

18 (1) To provide objective, accurate, credible, and
19 comprehensive news and information to societies
20 that lack freedom of expression and information.

21 (2) To improve the efficiency, effectiveness, and
22 flexibility of United States international broad-
23 casting to allow it to adapt to constantly changing
24 political and media environments through clarifica-

1 tion of missions, improved coordination, and organi-
2 zational restructuring.

3 (3) To coordinate the complementary efforts of
4 the Department of State and United States inter-
5 national broadcasting.

6 (4) To create a United States international
7 broadcasting framework that more effectively
8 leverages the broadcasting tools available and cre-
9 ates specialization of expertise in mission oriented
10 programming, while minimizing waste and ineffi-
11 ciency.

12 (5) To improve United States international
13 broadcasting workforce effectiveness, security, and
14 satisfaction.

15 **SEC. 4. DEFINITIONS.**

16 In this Act:

17 (1) APPROPRIATE CONGRESSIONAL COMMIT-
18 TEES.—The term “appropriate congressional com-
19 mittees” means the Committee on Foreign Affairs of
20 the House of Representatives, the Committee on
21 Foreign Relations of the Senate, the Committee on
22 Appropriations of the House of Representatives, and
23 the Committee on Appropriations of the Senate.

24 (2) GRANTEE.—The term “grantee” means the
25 non-Federal organization described in section

1 501(c)(3) of the Internal Revenue Code of 1986 and
2 exempt from tax under section 501(a) of such Code
3 as of day before the date of the enactment of this
4 Act that receives Federal funding from the Broad-
5 casting Board of Governors, and includes Radio
6 Free Asia, RFE/RL, Incorporated, and the Middle
7 East Broadcasting Networks, Incorporated.

8 (3) FREEDOM NEWS NETWORK.—The term
9 “Freedom News Network” refers to the non-Federal
10 organization described in section 501(c)(3) of the
11 Internal Revenue Code of 1986 and exempt from tax
12 under section 501(a) of such Code that would re-
13 ceive Federal funding and be responsible for pro-
14 moting democratic freedoms and free media oper-
15 ations for foreign audiences in societies that lack
16 freedom of expression and information, and con-
17 sisting of the consolidation of the grantee in accord-
18 ance with section 211.

19 (4) PUBLIC DIPLOMACY.—The term “public di-
20 plomacy” means the effort to achieve broad United
21 States foreign policy goals and objectives, advance
22 national interests, and enhance national security by
23 informing and influencing foreign publics and by ex-
24 panding and strengthening the relationship between

1 the people and Government of the United States and
2 citizens of other countries.

3 **SEC. 5. BROADCASTING STANDARDS.**

4 United States international broadcasting shall incor-
5 porate the following standards into all of its broadcasting
6 efforts:

7 (1) Be consistent with the broad foreign policy
8 objectives of the United States.

9 (2) Be consistent with the international tele-
10 communications policies and treaty obligations of the
11 United States.

12 (3) Not duplicate the activities of private
13 United States broadcasters.

14 (4) Be conducted in accordance with the high-
15 est professional standards of broadcast journalism
16 while remaining consistent with and supportive of
17 the broad foreign policy objectives of the United
18 States.

19 (5) Be based on reliable, research-based infor-
20 mation, both quantitative and qualitative, about its
21 potential audience.

22 (6) Be designed so as to effectively reach a sig-
23 nificant audience.

24 (7) Promote freedom of expression, religion,
25 and respect for human rights and human equality.

1 **SEC. 6. ELIGIBLE BROADCAST AREAS.**

2 (a) IN GENERAL.—The Board of the United States
3 International Communications Agency and the Board of
4 the Freedom News Network, in consultation with the Sec-
5 retary of State, shall ensure that United States inter-
6 national broadcasting is conducted only to countries and
7 regions that—

8 (1) lack democratic rule, or the indicia of demo-
9 cratic rule, such as demonstrable proof of free and
10 fair elections;

11 (2) lack the legal and political environment that
12 allows media organizations and journalists to oper-
13 ate free from government-led or permitted harass-
14 ment, intimidation, retribution, and from economic
15 impediments to the development, production, and
16 dissemination of news and related programming and
17 content;

18 (3) lack established, domestic, and widely acces-
19 sible media that provide accurate, objective, and
20 comprehensive news and related programming and
21 content; and

22 (4) by virtue of the criteria described in this
23 subsection, would benefit the national security and
24 related interests of the United States, and the safety
25 and security of United States citizens at home and
26 abroad.

1 (b) EXCEPTION.—The United States International
2 Communications Agency and the Freedom News Network
3 may broadcast to countries that fall outside of the criteria
4 described in subsection (a) if the Chief Executive Officer
5 of the Agency and the Freedom News Network, in con-
6 sultation with the Secretary of State, determine it is in
7 the national security interest of the United States, or in
8 the interests of preserving the safety and security of
9 United States citizens at home and abroad, to do so.

10 **TITLE I—ESTABLISHMENT, OR-**
11 **GANIZATION, AND MANAGE-**
12 **MENT OF THE UNITED**
13 **STATES INTERNATIONAL**
14 **COMMUNICATIONS AGENCY**
15 **Subtitle A—Establishment of the**
16 **United States International**
17 **Communications Agency**

18 **SEC. 101. EXISTENCE WITHIN THE EXECUTIVE BRANCH.**

19 There is hereby established a single Federal organiza-
20 tion consisting of the Voice of America and the offices that
21 constitute the International Broadcasting Bureau and re-
22 ferred to hereafter as the “United States International
23 Communications Agency”, which shall exist within the ex-
24 ecutive branch of Government as an independent estab-

1 lishment described in section 104 of title 5, United States
2 Code.

3 **SEC. 102. ESTABLISHMENT OF THE BOARD OF THE UNITED**
4 **STATES INTERNATIONAL COMMUNICATIONS**
5 **AGENCY.**

6 (a) COMPOSITION OF THE BOARD OF THE UNITED
7 STATES INTERNATIONAL COMMUNICATIONS AGENCY.—

8 (1) IN GENERAL.—The Board (in this section
9 referred to as the “Board”) of the United States
10 International Communications Agency shall consist
11 of nine members, as follows:

12 (A) Eight voting members who shall be ap-
13 pointed by the President, by and with the ad-
14 vice and consent of the Senate.

15 (B) The Secretary of State, who shall also
16 be a voting member.

17 (2) CHAIR.—The President shall appoint one
18 member (other than the Secretary of State) as Chair
19 of the Board, by and with the advice and consent of
20 the Senate.

21 (3) POLITICAL AFFILIATION.—Exclusive of the
22 Secretary of State, not more than four members of
23 the Board shall be of the same political party.

24 (4) RETENTION OF EXISTING BBG MEMBERS.—
25 The presidentially-appointed and Senate-confirmed

1 members of the Broadcasting Board of Governors
2 serving as of the date of the enactment of this Act
3 shall constitute the Board of the United States
4 International Communications Agency and hold of-
5 fice the remainder of their original terms of office
6 without reappointment to the Board.

7 (b) TERM OF OFFICE.—The term of office of each
8 member of the Board shall be three years, except that the
9 Secretary of State shall remain a member of the Board
10 during the Secretary's term of service. Of the other eight
11 voting members, the initial terms of office of two members
12 shall be one year, and the initial terms of office of three
13 other members shall be two years, as determined by the
14 President. The President shall appoint, by and with the
15 advice and consent of the Senate, Board members to fill
16 vacancies occurring prior to the expiration of a term, in
17 which case the members so appointed shall serve for the
18 remainder of such term. Members may not serve beyond
19 their terms. When there is no Secretary of State, the Act-
20 ing Secretary of State shall serve as a member of the
21 Board until a Secretary is appointed.

22 (c) SELECTION OF BOARD.—Members of the Board
23 shall be citizens of the United States who are not regular
24 full-time employees of the United States Government.
25 Such members shall be selected by the President from

1 among citizens distinguished in the fields of public diplo-
2 macy, mass communications, print, broadcast media, or
3 foreign affairs.

4 (d) COMPENSATION.—Members of the Board, while
5 attending meetings of the Board or while engaged in du-
6 ties relating to such meetings or in other activities of the
7 Board pursuant to this section (including travel time)
8 shall be entitled to receive compensation equal to the daily
9 equivalent of the compensation prescribed for level IV of
10 the Executive Schedule under section 5315 of title 5,
11 United States Code. While away from their homes or reg-
12 ular places of business, members of the Board may be al-
13 lowed travel expenses, including per diem in lieu of sub-
14 sistence, in accordance with section 5703 of such title for
15 persons in the Government service employed intermit-
16 tently. The Secretary of State shall not be entitled to any
17 compensation under this chapter.

18 (e) DECISIONS.—Decisions of the Board shall be
19 made by majority vote, a quorum being present. A quorum
20 shall consist of a majority of members then serving at the
21 time a decision of the Board is made.

22 (f) TRANSPARENCY.—The Board of the United
23 States International Communications Agency shall adhere
24 to the provisions specified in the Government in the Sun-
25 shine Act (Public Law 94–409).

1 **SEC. 103. AUTHORITIES AND DUTIES OF THE BOARD OF**
2 **THE UNITED STATES INTERNATIONAL COM-**
3 **MUNICATIONS AGENCY.**

4 The Board of the United States International Com-
5 munications Agency shall have the following authorities:

6 (1) To review and evaluate the mission and op-
7 eration of, and to assess the quality, effectiveness,
8 and professional integrity of, all programming pro-
9 duced by the United States International Commu-
10 nications Agency to ensure alignment with the broad
11 foreign policy objectives of the United States.

12 (2) To ensure that broadcasting of the United
13 States International Communications Agency is con-
14 ducted in accordance with the standards specified in
15 section 5.

16 (3) To review, evaluate, and recommend to the
17 Chief Executive of the United States International
18 Communications Agency, at least annually, in con-
19 sultation with the Secretary of State, the necessity
20 of adding or deleting of language services of the
21 Agency.

22 (4) To submit to the President and Congress
23 an annual report which summarizes and evaluates
24 activities of the United States International Commu-
25 nications Agency described in this title.

1 **SEC. 104. ESTABLISHMENT OF THE CHIEF EXECUTIVE OFFI-**
2 **CER OF THE UNITED STATES INTER-**
3 **NATIONAL COMMUNICATIONS AGENCY.**

4 (a) IN GENERAL.—There shall be a Chief Executive
5 Officer of the United States International Communica-
6 tions Agency, appointed by the Board of the Agency for
7 a five-year term, renewable at the Board's discretion, and
8 subject to the provisions of title 5, United States Code,
9 governing appointments, classification, and compensation.

10 (b) QUALIFICATIONS.—The Chief Executive Officer
11 shall be selected from among United States citizens with
12 two or more of the following qualifications:

13 (1) A distinguished career in managing a large
14 organization or Federal agency.

15 (2) Experience in the field of mass communica-
16 tions, print, or broadcast media.

17 (3) Experience in foreign affairs or inter-
18 national relations.

19 (4) Experience in directing United States public
20 diplomacy programs.

21 (c) TERMINATION AND TRANSFER.—Immediately
22 upon appointment of the Chief Executive Officer under
23 subsection (a), the Director of the International Broad-
24 casting Bureau shall be terminated, and all of the respon-
25 sibilities and authorities of the Director shall be trans-
26 ferred to and assumed by the Chief Executive Officer.

1 (d) REMOVAL OF CHIEF EXECUTIVE OFFICER.—The
2 Chief Executive Officer under subsection (a) may be re-
3 moved upon a two-thirds majority vote of the members
4 of the Board of the United States International Commu-
5 nications Agency then serving.

6 (e) COMPENSATION OF THE CHIEF EXECUTIVE OF-
7 FICER.—Any Chief Executive Officer of the United States
8 International Communications Agency hired after the date
9 of the enactment of this Act, shall be eligible to receive
10 compensation up to an annual rate of pay equivalent to
11 level I of the Executive Schedule under section 5315 of
12 title 5, United States Code.

13 **SEC. 105. AUTHORITIES AND DUTIES OF THE CHIEF EXECU-**
14 **TIVE OFFICER OF THE UNITED STATES**
15 **INTERNATIONAL COMMUNICATIONS AGENCY.**

16 (a) DUTIES.—The Chief Executive Officer under sec-
17 tion 104 shall direct operations of the United States Inter-
18 national Communications Agency and shall have the fol-
19 lowing non-delegable authorities, subject to the super-
20 vision of the Board of the United States International
21 Communications Agency:

22 (1) To supervise all Federal broadcasting activi-
23 ties conducted pursuant to title V of the United
24 States Information and Educational Exchange Act
25 of 1948 (22 U.S.C. 1461 et seq.) and the Voice of

1 America as described in subtitle B of title I of this
2 Act.

3 (2) To make and ensure compliance with the
4 terms and conditions of the grant agreement in ac-
5 cordance with section 110.

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

9 (4) To undertake such studies as may be nec-
10 essary to identify areas in which broadcasting activi-
11 ties under the authority of the United States Inter-
12 national Communications Agency could be made
13 more efficient and economical.

14 (5) To the extent considered necessary to carry
15 out the functions of the Board, procure supplies,
16 services, and other personal property, as well as pro-
17 curement pursuant to section 1535 of title 31,
18 United States Code (commonly referred to as the
19 “Economy Act”), of such goods and services from
20 other Federal agencies for the Board as the Board
21 determines are appropriate.

22 (6) To appoint such staff personnel for the
23 Board as the Board may determine to be necessary,
24 subject to the provisions of title 5, United States
25 Code, governing appointments in the competitive

1 service, and to fix their compensation in accordance
2 with the provisions of chapter 51 and subchapter III
3 of chapter 53 of such title relating to classification
4 and General Schedule pay rates.

5 (7) To obligate and expend, for official recep-
6 tion and representation expenses, such amounts as
7 may be made available through appropriations Acts.

8 (8) To make available in the annual reports re-
9 quired under section 103 information on funds ex-
10 pended on administrative and managerial services by
11 the Board of the United States Communications
12 Agency, and the steps the Board has taken to re-
13 duce unnecessary overhead costs for each of the
14 broadcasting services.

15 (9) To provide for the use of United States
16 Government broadcasting capacity to the Freedom
17 News Network.

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

1 (B) To allow those individuals providing such
2 services, while away from their homes or their reg-
3 ular places of business, travel expenses (including
4 per diem in lieu of subsistence) as authorized by sec-
5 tion 5703 of title 5, United States Code, for persons
6 in the Government service employed intermittently,
7 while so employed.

8 (11) To utilize the provisions of titles III, IV,
9 V, VII, VIII, IX, and X of the United States Infor-
10 mation and Educational Exchange Act of 1948 (22
11 U.S.C. 1431 et seq.), and section 6 of Reorganiza-
12 tion Plan Number 2 of 1977, as in effect on the day
13 before the effective date of title XIII of the Foreign
14 Affairs Agencies Consolidation Act of 1998, to the
15 extent the Board considers necessary to carry out
16 the provisions and purposes of this Act.

17 (12) To utilize the authorities of any other stat-
18 ute, reorganization plan, executive order, regulation,
19 agreement, determination, or other official document
20 or proceeding that had been available to the Director
21 of the United States Information Agency, the Inter-
22 national Broadcasting Bureau, or the Board of the
23 Broadcasting Board of Governors before the date of
24 the enactment of this Act.

1 (13)(A) To provide for the payment of primary
2 and secondary school expenses for dependents of
3 personnel stationed in the Commonwealth of the
4 Northern Mariana Islands (CNMI) at a cost not to
5 exceed expenses authorized by the Department of
6 Defense for such schooling for dependents of mem-
7 bers of the Armed Forces stationed in the Common-
8 wealth, if the Board determines that schools avail-
9 able in the Commonwealth are unable to provide
10 adequately for the education of the dependents of
11 such personnel.

12 (B) To provide transportation for dependents of
13 such personnel between their places of residence and
14 those schools for which expenses are provided under
15 subparagraph (A), if the Board determines that such
16 schools are not accessible by public means of trans-
17 portation.

18 (b) CONSULTATIONS.—The Chief Executive Officer
19 of the United States International Communications Agen-
20 cy shall regularly consult with the Chief Executive Officer
21 of the Freedom News Network and the Secretary of State
22 as described in sections 108 and 109.

23 **SEC. 106. ROLE OF THE SECRETARY OF STATE.**

24 To assist the Board of the United States Inter-
25 national Communications Agency in carrying out its func-

1 tions, the Secretary of State shall provide to the Board
2 information in accordance with section 109(b), as well as
3 guidance on United States foreign policy and public diplo-
4 macy priorities, as the Secretary determines appropriate.

5 **SEC. 107. ROLE OF THE INSPECTOR GENERAL.**

6 (a) IN GENERAL.—The Inspector General of the De-
7 partment of State shall exercise the same authorities with
8 respect to the United States International Communica-
9 tions Agency and the Freedom News Network as the In-
10 spector General exercises with respect to the Department.

11 (b) JOURNALIST INTEGRITY.—The Inspector General
12 of the Department of State shall respect the journalistic
13 integrity of all the broadcasters covered by this Act and
14 may not evaluate the philosophical or political perspectives
15 reflected in the content of the broadcasts of such broad-
16 casters.

17 **SEC. 108. ENHANCED COORDINATION BETWEEN UNITED**
18 **STATES INTERNATIONAL COMMUNICATIONS**
19 **AGENCY AND THE FREEDOM NEWS NET-**
20 **WORK; PROGRAM CONTENT SHARING;**
21 **GRANTEE INDEPENDENCE.**

22 (a) MEETINGS.—The chair of the Board and Chief
23 Executive Officer of the United States International Com-
24 munications Agency shall meet at least on a quarterly
25 basis with the chair and Chief Executive Officer, as identi-

1 fied in section 221, of the Freedom News Network to dis-
2 cuss mutual issues of concern, including the following:

3 (1) The strategic direction of their respective
4 organizations, including target audiences.

5 (2) Languages of information transmission.

6 (3) Prioritization of funding allocations.

7 (4) Areas for greater collaboration.

8 (5) Elimination of programming overlap.

9 (6) Efficiencies that can be realized through
10 best practices and lessons learned.

11 (7) Sharing of program content.

12 (b) INFORMATION SHARING.—The Chief Executive
13 Officer of the United States International Broadcasting
14 Agency and the Chief Executive Officer of the Freedom
15 News Network shall share all strategic planning docu-
16 ments, including the following:

17 (1) Results monitoring and evaluation.

18 (2) Annual planning documents.

19 (3) Audience surveys conducted.

20 (4) Budget formulation documents.

21 (c) PROGRAM CONTENT SHARING.—The United
22 States International Communications Agency and the
23 Freedom News Network shall make all original content
24 available to each other through a shared platform in ac-
25 cordance with section 112(a)(3).

1 (d) INDEPENDENCE OF FREEDOM NEWS NET-
2 WORK.—The United States International Communications
3 Agency, while conducting management of the grant de-
4 scribed in section 110, shall avoid even the appearance of
5 involvement in daily operations, decisions, and manage-
6 ment of the Freedom News Network, and ensure that the
7 distinctions between the United States International Com-
8 munications Agency and Freedom News Network remain
9 in accordance with this Act.

10 **SEC. 109. ENHANCED COORDINATION AMONG THE UNITED**
11 **STATES INTERNATIONAL COMMUNICATIONS**
12 **AGENCY, THE FREEDOM NEWS NETWORK,**
13 **AND THE DEPARTMENT OF STATE; FREEDOM**
14 **NEWS NETWORK INDEPENDENCE.**

15 (a) COORDINATION MEETINGS.—The Chief Execu-
16 tive Officer of the United States International Commu-
17 nications Agency and the Chief Executive Officer of the
18 Freedom News Network shall meet, at least on a quarterly
19 basis, with the Secretary of State to—

- 20 (1) review and evaluate broadcast activities;
21 (2) eliminate overlap of programming; and
22 (3) determine long-term strategies for inter-
23 national broadcasting to ensure such strategies are
24 in accordance with the broad foreign policy interests
25 of the United States.

1 (b) STRATEGIC PLANNING DOCUMENTS.—The Chief
2 Executive Officer of the United States International Com-
3 munications Agency, the Chief Executive Officer of the
4 Freedom News Network, and the Secretary of State shall
5 share all relevant unclassified strategic planning docu-
6 ments produced by the Agency, the Freedom News Net-
7 work, and the Department of State.

8 (c) FREEDOM NEWS NETWORK INDEPENDENCE.—
9 The Department of State, while coordinating with the
10 Freedom News Network in accordance with subsection (a),
11 shall avoid even the appearance of involvement in the daily
12 operations, decisions, and management of the Freedom
13 News Network.

14 **SEC. 110. GRANTS TO THE FREEDOM NEWS NETWORK.**

15 (a) IN GENERAL.—The Chief Executive Officer of the
16 United States International Communications Agency shall
17 make grants to RFE/RL, Incorporated, Radio Free Asia,
18 or the Middle East Broadcasting Networks, Incorporated
19 only after the Chief Executive Officer of the Agency and
20 the Chief Executive Officer of Freedom News Network
21 certify to the appropriate congressional committees that
22 the headquarters of the Freedom News Network and its
23 senior administrative and managerial staff are in a loca-
24 tion which ensures economy, operational effectiveness, and

1 accountability, and the following conditions have been sat-
2 isfied:

3 (1) RFE/RL, Incorporated, Radio Free Asia,
4 and the Middle East Broadcasting Networks, Incor-
5 porated have submitted to the Chief Executive Offi-
6 cer of the United States International Communica-
7 tions Agency a plan for consolidation and reconstitu-
8 tion as described in section 211 under the new cor-
9 porate name “Freedom News Network” with a sin-
10 gle organizational structure and management frame-
11 work, as described in section 221.

12 (2) The necessary steps towards the consolida-
13 tion described in paragraph (1) have been com-
14 pleted, including the selection of a Board, Chair, and
15 Chief Executive Officer for the Freedom News Net-
16 work, the establishment of bylaws to govern the
17 Freedom News Network, and the filing of articles of
18 incorporation.

19 (3) A plan for content sharing has been devel-
20 oped in accordance with section 112(a)(3).

21 (4) A strategic plan for programming imple-
22 mentation has been developed in accordance with
23 section 222(c).

24 (b) REPORT.—Not later than 180 days after the date
25 of the enactment of this Act, the Board of the United

1 States International Communications Agency shall submit
2 to Congress a report on the status of any grants made
3 to the Freedom News Network.

4 (c) ALTERNATIVE GRANTEE.—If the Chief Executive
5 Officer of the United States International Communica-
6 tions Agency, after consultation with the Board of the
7 Agency and the appropriate congressional committees, de-
8 termines at any time that the Freedom News Network is
9 not carrying out the mission described in section 212 and
10 adhering to the standards and principles described in sec-
11 tion 213 in an effective and economical manner for which
12 a grant has been awarded, the Chief Executive Officer of
13 the Agency, upon approval of the Board, may award to
14 another entity the grant at issue to carry out such func-
15 tions after soliciting and considering applications from eli-
16 gible entities in such manner and accompanied by such
17 information as the Board may require.

18 (d) NOT A FEDERAL ENTITY.—Nothing in this Act
19 may be construed to make the Freedom News Network
20 a Federal agency or instrumentality.

21 (e) AUTHORITY.—Grants authorized under this sec-
22 tion for the United States International Communications
23 Agency shall be available to make annual grants to the
24 Freedom News Network for the purpose of carrying out

1 the mission described in section 212 and adhering to the
2 standards and principles described in section 213.

3 (f) GRANT AGREEMENT.—Grants authorized under
4 this section to the Freedom News Network by the Chief
5 Executive Officer of the United States International Com-
6 munications Agency shall only be made in accordance with
7 a grant agreement. Such grant agreement shall include
8 the following provisions:

9 (1) A grant shall be used only for activities in
10 accordance with carrying out the mission described
11 in section 212 and adhering to the standards and
12 principles described in section 213.

13 (2) The Freedom News Network shall comply
14 with the requirements of this section.

15 (3) Failure to comply with the requirements of
16 this section may result in suspension or termination
17 of a grant without further obligation by the United
18 States International Communications Agency or the
19 United States.

20 (4) Use of broadcasting technology owned and
21 operated by the United States International Commu-
22 nications Agency shall be made available through an
23 International Cooperative Administrative Support
24 Service (ICASS) agreement or memorandum of un-
25 derstanding.

1 (5) The Freedom News Network shall, upon re-
2 quest, provide to the Chief Executive Officer of the
3 United States International Communications Agency
4 documentation which details the expenditure of any
5 grant funds.

6 (6) A grant may not be used to require the
7 Freedom News Network to comply with any require-
8 ments other than the requirements specified in this
9 Act.

10 (7) A grant may not be used to allocate re-
11 sources within the Freedom News Network in a
12 manner that is inconsistent with the Freedom News
13 Network strategic plan described in section 222(c).

14 (g) PROHIBITIONS ON THE USE OF GRANTS.—
15 Grants authorized under this section may not be used for
16 the following purposes:

17 (1)(A) Except as provided in subparagraph (B)
18 or (C), to pay any salary or other compensation, or
19 enter into any contract providing for the payment of
20 salary or compensation, in excess of the rates estab-
21 lished for comparable positions under title 5, United
22 States Code, or the foreign relations laws of the
23 United States, except that no employee may be paid
24 a salary or other compensation in excess of the rate

1 of pay payable for level II of the Executive Schedule
2 under section 5315 of such title.

3 (B) Salary and other compensation limitations
4 under subparagraph (A) shall not apply with respect
5 to any employee covered by a union agreement re-
6 quiring a salary or other compensation in excess of
7 such limitations before the date of the enactment of
8 this Act.

9 (C) Notwithstanding the limitations specified in
10 subparagraph (A), grants authorized under this sec-
11 tion may be used by the Freedom News Network to
12 pay up to six employees employed in the Wash-
13 ington, D.C. area, salary or other compensation not
14 to exceed the rate of pay payable for level I of the
15 Executive Schedule under section 5314 of title 5,
16 United States Code, except that such shall not apply
17 to the Chief Executive Officer of the Freedom News
18 Network in accordance with section 221(d).

19 (2) For any activity intended to influence the
20 passage or defeat of legislation being considered by
21 Congress.

22 (3) To enter into a contract or obligation to pay
23 severance payments for voluntary separation for em-
24 ployees hired after December 1, 1990, except as may

1 be required by United States law or the laws of the
2 country where such an employee is stationed.

3 (4) For first class travel for any employee of
4 the Freedom News Network, or the relative of any
5 such employee.

6 **SEC. 111. OTHER PERSONNEL AND COMPENSATION LIMITA-**
7 **TIONS.**

8 (a) IN GENERAL.—Subject to the organizational and
9 personnel restrictions described in subsection (c), the
10 Chief Executive Officer of the United States International
11 Communications Agency shall have the discretion to deter-
12 mine the distribution of all personnel within the Agency,
13 subject to the approval of the Board of the Agency.

14 (b) LIMITATION ON COMPENSATION.—

15 (1) IN GENERAL.—No employee of the United
16 States International Communications Agency, other
17 than the Chief Executive Officer or Director of the
18 Voice of America, shall be eligible to receive com-
19 pensation at a rate in excess of step 10 of GS-15 of
20 the General Schedule under section 5332 of title 5,
21 United States Code.

22 (2) EXCEPTION.—The limitation described in
23 paragraph (1) does not apply in the case of members
24 of the Board in accordance with section 102(d) or

1 affect the rights of employees covered under the
2 Fair Labor Standards Act of 1938.

3 (c) PROHIBITION ON CERTAIN NEW EMPLOY-
4 MENT.—

5 (1) IN GENERAL.—Beginning on the date of the
6 enactment of this Act and ending on the date that
7 is five years after such date, the United States
8 International Communications Agency may not fill
9 any currently unfilled full-time or part-time position
10 compensated at an annual rate of basic pay for
11 grade GS-14 or GS-15 of the General Schedule
12 under section 5332 of title 5, United States Code,
13 including any currently filled position in which the
14 incumbent resigns, retires, or otherwise leaves such
15 position during the such five year period.

16 (2) WAIVER.—The Chief Executive Officer of
17 the United States International Communications
18 Agency may waive the prohibition specified in para-
19 graph (1) if the position is determined essential to
20 the functioning of the Agency and documented as
21 such in the report required under section 112(a), or
22 necessary for the acquisition of skills or knowledge
23 not sufficiently represented in the current workforce
24 of the Agency. The Chief Executive Officer of the
25 Agency shall consult with the appropriate congres-

1 sional committees before issuing a waiver under this
2 paragraph.

3 (d) CONTINUATION OF FEDERAL STATUS.—Nothing
4 in this Act may be interpreted to change the Federal sta-
5 tus or rights of employees of the Voice of America or the
6 International Broadcasting Bureau by the consolidation
7 and establishment of the United States International
8 Communications Agency.

9 **SEC. 112. REPORTING REQUIREMENTS OF THE UNITED**
10 **STATES INTERNATIONAL COMMUNICATIONS**
11 **AGENCY.**

12 (a) REORGANIZATION REPORT.—Not later than 180
13 days after the date of the enactment of this Act, the Chief
14 Executive Officer of the United States International Com-
15 munications Agency shall submit to the appropriate Con-
16 gressional committees a report that includes the following:

17 (1) A plan to assess and provide recommenda-
18 tions on the appropriate size and necessity of all
19 current offices and positions (also referred to as a
20 “staffing pattern”) within the Agency, including full-
21 time employee positions rated at the Senior Execu-
22 tive Service (SES) level or at GS-14 or GS-15 on
23 the General Schedule under section 5332 of title 5,
24 United States Code. Such plan shall include a de-
25 tailed organizational structure that delineates lines

1 of authority and reporting between junior staff,
2 management, and leadership.

3 (2) A plan to consolidate the Voice of America
4 and the International Broadcasting Bureau into a
5 single Federal entity identified as the “United
6 States International Communications Agency”, and
7 how the structure and alignment of resources sup-
8 port the fulfillment of the Agency’s mission and
9 standards and principles as described in sections 5
10 and 122.

11 (3) A plan for developing a platform to share
12 all programming content between the United States
13 International Communications Agency and the Free-
14 dom News Network, including making available for
15 distribution all programming content licensed or pro-
16 duced by the Agency and the Freedom News Net-
17 work, and expanding the functionality of the plat-
18 forms already in existence, such as the web content
19 management system “Pangea”.

20 (4) A joint plan written with the Chief Execu-
21 tive Officer of the Freedom News Network to coordi-
22 nate the transition of language services between the
23 United States International Communications Agency
24 and the Freedom News Network in accordance with
25 sections 6, 123, 124, 212, and 214.

1 (b) CONTRACTING REPORT.—The Chief Executive
2 Officer of the United States International Communica-
3 tions Agency shall annually submit to the appropriate con-
4 gressional committees a report on the Agency’s compliance
5 with the Federal Acquisition Regulation (the “FAR”) and
6 the Anti-Deficiency Act, including a review of contracts
7 awarded on a non-competitive basis, compliance with the
8 FAR requirement for publicizing contract actions, the use
9 of any personal service contracts without explicit statutory
10 authority, and processes for contract oversight in compli-
11 ance with the FAR.

12 (c) LISTENERSHIP REPORT.—The Chief Executive
13 Officer of the United States International Communica-
14 tions Agency shall annually submit to the appropriate con-
15 gressional committees a report that details the trans-
16 mission capacities, market penetration, and audience
17 listenership of all mediums of international communication
18 deployed by the United States International Communica-
19 tions Agency, including a plan for how target audiences
20 can be reached if the first medium of delivery is unavail-
21 able.

22 (d) GAO REPORT.—Every five years after the date
23 of the enactment of this Act, the Comptroller General of
24 the United States shall submit to the appropriate congres-
25 sional committees a report that reviews the effectiveness

1 of content sharing between the United States Inter-
2 national Communications Agency and the Freedom News
3 Network and makes recommendations on how content
4 sharing can be improved.

5 (e) LANGUAGE REPORT.—Not later than one year
6 after the date of the enactment of this Act, the Chief Ex-
7 ecutive Officer of the United States International Commu-
8 nications Agency and the Chief Executive Officer of the
9 Freedom News Network shall submit to the appropriate
10 congressional committees a joint report detailing—

11 (1) information outlining the criteria and anal-
12 ysis used to determine broadcast recipient countries
13 and regions; and

14 (2) an initial list of broadcast countries and re-
15 gions.

16 **Subtitle B—The Voice of America**

17 **SEC. 121. SENSE OF CONGRESS.**

18 It is the sense of Congress that—

19 (1) the Voice of America has been an indispen-
20 sable element of United States foreign policy and
21 public diplomacy efforts since 1942, and should re-
22 main the flagship brand of the United States Inter-
23 national Communications Agency;

24 (2) the Voice of America has been a reliable
25 source of accurate, objective, and comprehensive

1 news and related programming and content for the
2 millions of people around the world who cannot ob-
3 tain such news and related programming and con-
4 tent from indigenous media outlets;

5 (3) the Voice of America's success over more
6 than seven decades has created valuable brand iden-
7 tity and international recognition that justifies the
8 maintenance of the Voice of America;

9 (4) the Voice of America's public diplomacy
10 mission remains essential to broader United States
11 Government efforts to communicate with foreign
12 populations; and

13 (5) despite its tremendous historical success,
14 the Voice of America would benefit substantially
15 from a recalibration of Federal international broad-
16 casting agencies and resources, which would provide
17 the Voice of America with greater mission focus and
18 flexibility in the deployment of news, programming,
19 and content.

20 **SEC. 122. PRINCIPLES OF THE VOICE OF AMERICA.**

21 The Voice of America shall adhere to the following
22 principles in the course of fulfilling its duties and respon-
23 sibilities:

24 (1) Serving as a consistently reliable and au-
25 thoritative source of news on the United States, its

1 policies, its people, and the international develop-
2 ments that affect the United States.

3 (2) Providing accurate, objective, and com-
4 prehensive information, with the understanding that
5 these three values provide credibility among global
6 news audiences.

7 (3) Presenting the official policies of the United
8 States, and related discussions and opinions about
9 those policies, clearly and effectively.

10 (4) Representing the whole of the United
11 States, and shall accordingly work to produce pro-
12 gramming and content that presents a balanced and
13 comprehensive projection of the diversity of thought
14 and institutions of the United States.

15 **SEC. 123. DUTIES AND RESPONSIBILITIES OF THE VOICE OF**
16 **AMERICA.**

17 The Voice of America shall have the following duties
18 and responsibilities:

19 (1) Producing accurate, objective, and com-
20 prehensive news and related programming that is
21 consistent with and promotes the broad foreign poli-
22 cies of the United States.

23 (2) Producing news and related programming
24 and content that accurately represents the diversity

1 of thoughts and institutions of the United States as
2 a whole.

3 (3) Presenting the law and policies of the
4 United States clearly and effectively.

5 (4) Promoting the civil and responsible ex-
6 change of information and differences of opinion re-
7 garding policies, issues, and current events.

8 (5) Making all of its produced news and related
9 programming and content available to the Freedom
10 News Network for use and distribution.

11 (6) Producing or otherwise allowing editorials,
12 commentary, and programming, in consultation with
13 the Department of State, that present the official
14 views of the United States Government and its offi-
15 cials.

16 (7) Maximizing foreign national information ac-
17 cess through both the use of existing broadcasting
18 tools and resources and the development and dis-
19 semination of circumvention technology.

20 (8) Providing training and technical support for
21 independent indigenous media and journalist enter-
22 prises in order to facilitate or enhance independent
23 media environments and outlets abroad.

24 (9) Reaching identified foreign audiences in
25 local languages and dialects when possible, particu-

1 larly when such audiences form a distinct ethnic,
2 cultural, or religious group within a country critical
3 to United States national security interests.

(10) Being capable of providing a broadcasting surge capacity under circumstances where overseas disasters, crises, or other events require increased or heightened international public diplomacy engagement.

9 SEC. 124. LIMITATION ON VOICE OF AMERICA NEWS, PRO-
10 GRAMMING, AND CONTENT; EXCEPTION FOR
11 BROADCASTING TO CUBA.

(a) IN GENERAL.—Except as provided in subsection (b), the Voice of America shall be limited to providing reporting in accordance with the principles specified in section 122. Nothing in this section may preclude the Voice of America from broadcasting programming content produced by the Freedom News Network.

(b) EXCEPTION FOR BROADCASTING TO CUBA.—

Radio Marti and Television Marti, which constitute the Office of Cuba Broadcasting, shall continue programming and content production consistent with the mission and activities as described in the Radio Broadcasting to Cuba Act (Public Law 98–111) and the Television Broadcasting to Cuba Act (Public Law 101–246), and continue existing within the Voice of America of the United States Inter-

1 national Communications Agency, established in section
2 101.

3 **SEC. 125. DIRECTOR OF VOICE OF AMERICA.**

4 (a) ESTABLISHMENT.—There shall be a Director of
5 the Voice of America, who shall be responsible for exe-
6 cuting the duties and responsibilities of the Voice of Amer-
7 ica described in subsection (b).

8 (b) DUTIES AND RESPONSIBILITIES.—The Director
9 of the Voice of America shall, subject to the final approval
10 of the Chief Executive Officer of the United States Inter-
11 national Communications Agency carry out the following
12 duties and responsibilities:

13 (1) Determine the organizational structure of,
14 and personnel allocation or relocation within, the
15 Voice of America, subject to section 105.

16 (2) Make recommendations to the Chief Execu-
17 tive Officer of the United States International Com-
18 munications Agency regarding the production, devel-
19 opment, and termination of Voice of America news
20 programming and content.

21 (3) Make recommendations to the Chief Execu-
22 tive Officer of the United States International Com-
23 munications Agency about the establishment, termi-
24 nation, prioritization, and adjustments of language

1 services utilized by the Voice of America to reach its
2 international audience.

3 (4) Allocate funding and material resources
4 under the jurisdiction of the Voice of America for
5 the furtherance of the other duties and responsibil-
6 ities established under this subsection.

7 (5) Oversee the daily operations of the Voice of
8 America, including programming content.

9 (c) APPOINTMENT AND QUALIFICATIONS OF DIREC-
10 TOR.—

11 (1) IN GENERAL.—The position of Director of
12 the Voice of America shall be filled by a person who
13 shall serve at the pleasure of the Chief Executive Of-
14 ficer of the United States International Communica-
15 tions Agency.

16 (2) ELIGIBILITY.—To be eligible to be ap-
17 pointed Director of the Voice of America, a person
18 shall have at least two of the following qualifications:

19 (A) Prior, extensive experience managing
20 or operating a private-sector media or journalist
21 enterprise.

22 (B) Prior, extensive experience managing
23 or operating a large organization.

24 (C) Prior, extensive experience engaged in
25 mass media or journalist program development,

1 including the development of circumvention
2 technologies.

3 (D) Prior, extensive experience engaged in
4 international journalism or other related activi-
5 ties, including the training of international jour-
6 nalists and the promotion of democratic institu-
7 tional reforms abroad.

8 (3) COMPENSATION.—Any Director who is
9 hired after the date of the enactment of this Act
10 shall be entitled to receive compensation at a rate
11 equal to the annual rate of basic pay for level III of
12 the Executive Schedule under section 5315 of title
13 5, United States Code.

14 **Subtitle C—General Provisions**

15 **SEC. 131. FEDERAL AGENCY COORDINATION IN SUPPORT** 16 **OF UNITED STATES PUBLIC DIPLOMACY.**

17 (a) IN GENERAL.—The Board of the United States
18 International Communications Agency and the Freedom
19 News Network shall conduct periodic, unclassified con-
20 sultations with the Department of State, the United
21 States Agency for International Development, the Depart-
22 ment of Defense, and the Office of the Director of Na-
23 tional Intelligence, for the purpose of assessing the fol-
24 lowing:

1 (1) Progress toward democratization, the devel-
2 opment of free and independent media outlets, and
3 the free flow of information in countries that receive
4 programming and content from the United States
5 International Communications Agency and the Free-
6 dom News Network.

7 (2) Foreign languages that have increased or
8 decreased in strategic importance, and the factors
9 supporting such assessments.

10 (3) Any other international developments, in-
11 cluding developments with regional or country-spe-
12 cific significance, that might be of value in assisting
13 the United States International Communications
14 Agency and the Freedom News Network in the de-
15 velopment of their programming and content.

16 (b) GUIDANCE.—The Board of the United States
17 International Communications Agency shall use the un-
18 classified consultations required under subsection (a) as
19 guidance for its distribution and calibration of Federal re-
20 sources in support of United States public diplomacy.

1 **SEC. 132. FEDERAL AGENCY ASSISTANCE AND COORDINA-**
2 **TION WITH THE UNITED STATES INTER-**
3 **NATIONAL COMMUNICATIONS AGENCY AND**
4 **THE FREEDOM NEWS NETWORK DURING**
5 **INTERNATIONAL BROADCAST SURGES.**

6 (a) IN GENERAL.—Subject to a formal request from
7 the Chair of the Board of the United States International
8 Communications Agency, Federal agency heads shall as-
9 sist and coordinate with the Agency to facilitate a tem-
10 porary broadcasting surge or enhance transmission capac-
11 ity for such a temporary broadcasting surge for the Agen-
12 cy, the Freedom News Network, or both.

13 (b) ACTIONS.—In accordance with subsection (a),
14 Federal agency heads shall assist or coordinate with the
15 United States International Communications Agency by—

16 (1) supplying or facilitating access to, or use
17 of—

18 (A) United States Government-owned
19 transmission capacity, including the use of
20 transmission facilities, equipment, resources,
21 and personnel; and

22 (B) other non-transmission-related United
23 States Government-owned facilities, equipment,
24 resources, and personnel;

25 (2) communicating and coordinating with for-
26 eign host governments on behalf of, or in conjunc-

1 tion with, the Agency or the Freedom News Net-
2 work;

3 (3) providing, or assisting in the obtaining of,
4 in-country security services for the safety and pro-
5 tection of Agency or Freedom News Network per-
6 sonnel; and

7 (4) providing or facilitating access to any other
8 United States Government-owned resources.

9 (c) PROHIBITION.—Notwithstanding any other provi-
10 sion of law, neither Federal agency heads nor their agen-
11 cies shall receive any reimbursement or compensatory ap-
12 propriations for complying with implementing this section.

13 **SEC. 133. FREEDOM NEWS NETWORK RIGHT OF FIRST RE-**
14 **FUSAL IN INSTANCES OF FEDERAL DISPOSAL**
15 **OF RADIO OR TELEVISION BROADCAST**
16 **TRANSMISSION FACILITIES OR EQUIPMENT.**

17 (a) IN GENERAL.—Notwithstanding any other provi-
18 sion of law, it shall be the policy of the United States
19 International Communications Agency to, in the event it
20 intends to dispose of any radio or television broadcast
21 transmission facilities or equipment, provide the Freedom
22 News Network with the right of first refusal with respect
23 to the acquisition of such facilities and equipment.

24 (b) TRANSFER AND DISPOSAL.—Pursuant to sub-
25 section (a)—

1 (1) in the event the Freedom News Network is
2 willing to accept the facilities and equipment re-
3 ferred to in such subsection, the United States
4 International Communications Agency shall transfer
5 to the Freedom News Network such facilities and
6 equipment at no cost to the Freedom News Net-
7 work; or

8 (2) in the event the Freedom News Network
9 opts to not accept such facilities and equipment, the
10 United States International Communications Agency
11 may sell such facilities and equipment at market
12 price, and retain any revenue from such sales.

13 (c) RULES REGARDING CERTAIN FUNDS.—Pursuant
14 to subsections (b) and (c), any revenues that the United
15 States International Communications Agency shall derive
16 from such sales shall be used entirely for the purposes or
17 research, development, and deployment of innovative
18 broadcasting or circumvention technology.

19 **SEC. 134. REPEAL OF THE UNITED STATES INTERNATIONAL**
20 **BROADCASTING ACT OF 1994.**

21 The United States International Broadcasting Act of
22 1994 (22 U.S.C. 6201 et seq.; title III of Public Law 103–
23 236) is repealed (and the items relating to title III in the
24 table of contents of such Public Law are struck).

1 **SEC. 135. EFFECTIVE DATE.**

2 This title shall take effect on the date that is 180
3 days after the date of the enactment of this Act.

4 **TITLE II—THE FREEDOM NEWS**
5 **NETWORK**

6 **SEC. 201. SENSE OF CONGRESS.**

7 It is the sense of Congress that RFE/RL, Incor-
8 porated, Radio Free Asia, and the Middle East Broad-
9 casting Networks, Incorporated share a common mission
10 with distinct geographic foci, and should therefore be
11 merged into a single organization, with distinct marketing
12 brands to provide the news and related programming and
13 content in countries where free media are not established.

14 **Subtitle A—Consolidation of**
15 **Existing Grantee Organizations**

16 **SEC. 211. FORMATION OF THE FREEDOM NEWS NETWORK**
17 **FROM EXISTING GRANTEES.**

18 (a) IN GENERAL.—When the conditions specified in
19 section 110 are satisfied, the Freedom News Network,
20 comprised of the consolidation of RFE/RL Incorporated,
21 Radio Free Asia, and the Middle East Broadcasting Net-
22 works, Incorporated, shall exist to carry out all inter-
23 national broadcasting activities supported by the United
24 States Government, in accordance with sections 212 and
25 213.

1 (b) MAINTENANCE OF THE EXISTING INDIVIDUAL
2 GRANTEE BRANDS.—RFE/RL, Incorporated, Radio Free
3 Asia, and the Middle East Broadcasting Networks, Incorporated shall remain brand names under which news and
4 related programming and content may be disseminated by
5 the Freedom News Network. Additional brands may be
6 created as necessary.

8 **SEC. 212. MISSION OF THE FREEDOM NEWS NETWORK.**

9 The Freedom News Network established under section
10 211 shall—

11 (1) provide uncensored local and regional news
12 and analysis to people in societies where a robust,
13 indigenous, independent, and free media does not
14 exist;

15 (2) strengthen civil societies by promoting
16 democratic values and promoting equality and the
17 rights of the individual, including for marginalized
18 groups, such as women and minorities;

19 (3) help countries improve their indigenous capacity to enhance media professionalism and independence, and develop partnerships with local media outlets, as appropriate; and

23 (4) promote access to uncensored sources of information, especially via the internet, and use all ef-
24

1 fective and efficient mediums of communication to
2 reach target audiences.

3 **SEC. 213. STANDARDS AND PRINCIPLES OF THE FREEDOM**
4 **NEWS NETWORK.**

5 The broadcasting of the Freedom News Network
6 shall—

7 (1) be consistent with the broad foreign policy
8 objectives of the United States;

9 (2) be consistent with the international tele-
10 communications policies and treaty obligations of the
11 United States;

12 (3) be conducted in accordance with the highest
13 professional standards of broadcast journalism;

14 (4) be based on reliable information about its
15 potential audience;

16 (5) be designed so as to effectively reach a sig-
17 nificant audience; and

18 (6) prioritize programming to populations in
19 countries without independent indigenous media out-
20 lets.

1 **Subtitle B—Organization of the**
2 **Freedom News Network**

3 **SEC. 221. GOVERNANCE OF THE FREEDOM NEWS NET-**
4 **WORK.**

5 (a) BOARD OF THE FREEDOM NEWS NETWORK.—
6 A board shall oversee the Freedom News Network and
7 consist of nine individuals with a demonstrated back-
8 ground in media or the promotion of democracy and expe-
9 rience in measuring media impact.

10 (b) COMPOSITION OF FIRST BOARD OF THE FREE-
11 DOM NEWS NETWORK.—Not later than 90 days after the
12 date of the enactment of this Act, the Presidents of RFE/
13 RL Incorporated, Radio Free Asia, and the Middle East
14 Broadcasting Networks shall—

15 (1) identify, in consultation with the appro-
16 priate congressional committees, candidates for the
17 first board of the Freedom News Network;

18 (2) direct the appointment of board members;
19 and

20 (3) select the first chair of the board of the
21 Freedom News Network.

22 (c) CONGRESSIONAL CONSULTATION REGARDING
23 THE FIRST BOARD OF THE FREEDOM NEWS NET-
24 WORK.—The individuals appointed pursuant to subsection
25 (b) shall serve as members of the first board of the Free-

1 dom News Network unless a joint resolution of disapproval
2 is enacted.

3 (d) OPERATIONS OF THE FIRST BOARD OF THE
4 FREEDOM NEWS NETWORK.—

5 (1) IN GENERAL.—The board of the Freedom
6 News Network shall have nine members charged
7 with the sole responsibility to operate the Freedom
8 News Network within the legal jurisdiction of its
9 state of incorporation. The board of the Freedom
10 New Network shall exercise due diligence, and exe-
11 cute its fiduciary duties to the corporation without
12 conflict of interests and consistent with section 212.
13 At no time may the United States International
14 Communications Agency add requirements to a
15 grant agreement with the Freedom News Network
16 that could be construed as inappropriate supervision,
17 oversight, or management under chapter 63 of title
18 31, United States Code. Nothing in this title may be
19 construed to make the Freedom News Network an
20 agency, establishment, or instrumentality of the
21 United States Government, or to make the members
22 of the board of Freedom News Network, or the offi-
23 cers or employees of Freedom News Network, offi-
24 cers of employees of the United States Government.

1 (2) BYLAWS.—The first board of the Freedom
2 News Network shall write the bylaws of the organi-
3 zation.

4 (3) OVERSIGHT.—The Freedom News Network
5 shall be subject to the appropriate oversight proce-
6 dures of Congress.

7 (4) TERM LIMITS.—The board members of the
8 first board of the Freedom News Network may not
9 serve more than a three-year term, and shall be re-
10 placed in accordance with the bylaws referred to in
11 paragraph (2) and the succession process described
12 in paragraph (5).

13 (5) SUCCESSION OF BOARD MEMBERS.—The
14 board members of the first board of the Freedom
15 News Network and all subsequent boards shall fill
16 vacancies on the board due to death, resignation, re-
17 moval, or term expiration through an election proc-
18 ess described in the bylaws referred to in paragraph
19 (2) and in accordance with the principle of a “self-
20 replenishing” body.

21 (6) SELECTION OF BOARD MEMBERS.—The
22 board members of the Freedom News Network may
23 not be current employees or officers of RFE/RL In-
24 corporated, Radio Free Asia, the Middle East

1 Broadcasting Networks, or the United States Inter-
2 national Communications Agency.

3 (e) COMPENSATION OF BOARD AND OFFICERS OF
4 THE FREEDOM NEWS NETWORK.—Members of the board
5 of the Freedom News Network may not receive any fee,
6 salary, or remuneration of any kind for their service as
7 members, except that such members may be reimbursed
8 for reasonable expenses, such as board-related travel, in-
9 curred with approval of the board upon presentation of
10 vouchers. No officers of the Freedom News Network, other
11 than the Chief Executive Officer, shall be eligible to re-
12 ceive compensation at a rate in excess of the annual rate
13 of basic pay for level II on the Executive Schedule under
14 section 5315 of title 5, United States Code.

15 (f) ABOLISHMENT OF EXISTING BOARDS.—The
16 boards of directors of RFE/RL, Incorporated, Radio Free
17 Asia, and the Middle East Broadcasting Networks, Incor-
18 porated in existence on the day before the date of the en-
19 actment of this Act shall be abolished on the date of the
20 first official meeting of the first board of the Freedom
21 News Network.

22 (g) CHIEF EXECUTIVE OFFICER.—The Chief Execu-
23 tive Officer of the Freedom News Network shall serve at
24 the pleasure of the board of the Freedom News Network,
25 and be responsible for the day-to-day management and op-

1 erations of the Freedom News Network, including the se-
2 lection of individuals for management positions, ensuring
3 compliance with all applicable rules, regulations, laws, and
4 circulars, providing strategic vision for the execution of its
5 mission as specified in section 212, and carrying out such
6 other responsibilities as set forth in the laws of the State
7 of its incorporation.

8 (h) PLAN FOR CONSOLIDATION OF EXISTING INDIVIDUAL GRANTEES.—
9

10 (1) IN GENERAL.—Not later than 180 days
11 after the date of the first official meeting of the first
12 board of the Freedom News Network, the chair of
13 the board of the Freedom News Network shall submit a report to, and consult with, the appropriate
14 congressional committees on the plan to consolidate
15 RFE/RL, Incorporated, Radio Free Asia, and the
16 Middle East Broadcasting Networks, Incorporated
17 into a single non-Federal grantee organization.

18 (2) COMPONENTS.—The consolidation plan referred to in paragraph (1) shall include the following
19 components:
20

21 (A) The location and distribution of employees, including administrative, managerial,
22 and technical staff, of the Freedom News Net-
23
24

1 work that will be located within and outside the
2 metropolitan area of Washington, D.C.

3 (B) An organizational chart identifying the
4 managerial and supervisory lines of authority
5 among all employees of the Freedom News Net-
6 work, including the members of the board and
7 chair.

8 (3) TIME FOR IMPLEMENTATION.—Not later
9 than three years after the date of the enactment of
10 this Act, the chair of the board of the Freedom
11 News Network shall fully implement the consolida-
12 tion plan referred to in paragraph (1) after consulta-
13 tion with the appropriate congressional committees.

14 (4) REPORT.—Not later than five years after
15 the date on which initial funding is provided for the
16 purpose of operating the Freedom News Network,
17 the chair of the board of the Freedom News Net-
18 work shall submit to the appropriate congressional
19 committees a report that details the following:

20 (A) Whether the Freedom News Network
21 is technically sound and cost-effective.

22 (B) Whether the Freedom News Network
23 consistently meets the standards for quality and
24 impact established by this title.

1 (C) Whether the Freedom News Network
2 is receiving a sufficient audience to warrant its
3 continued operation.

4 (D) The extent to which the Freedom
5 News Network's programming and content is
6 already being received by the target audience
7 from other credible indigenous or external
8 sources.

9 (E) The extent to which the broad foreign
10 policy and national security interests of the
11 United States are being served by maintaining
12 operations of the Freedom News Network.

13 **SEC. 222. BUDGET OF THE FREEDOM NEWS NETWORK.**

14 (a) IN GENERAL.—The annual budget of the Free-
15 dom News Network shall consist of the following:

16 (1) A grant described in section 110, consisting
17 of the total grants to RFE/RL, Incorporated, Radio
18 Free Asia, and the Middle East Broadcasting Net-
19 works, Incorporated before the date of the enact-
20 ment of this Act.

21 (2) Any grants or transfers from other Federal
22 agencies.

23 (3) Other funds described in subsection (b).

24 (b) OTHER SOURCES OF FUNDING.—The Freedom
25 News Network may, to the extent authorized by its board

1 and in accordance with applicable laws and the mission
2 of the Freedom News Network under section 212 and eli-
3 gible broadcast areas under section 6, collect and utilize
4 non-Federal funds, except that the Freedom News Net-
5 work may not accept funds from the following:

6 (1) Any foreign governments or foreign govern-
7 ment officials.

8 (2) Any agents, representatives, or surrogates
9 of any foreign government or foreign government of-
10 ficial.

11 (3) Any foreign-owned corporations or any sub-
12 sidiaries of any foreign-owned corporation, regard-
13 less of whether such subsidiary is United States-
14 owned.

15 (4) Any foreign national or individual who is
16 not either a citizen or a legal permanent resident of
17 the United States.

18 (c) ANNUAL STRATEGIC PLAN OF THE FREEDOM
19 NEWS NETWORK.—The Freedom News Network shall
20 submit to the appropriate congressional committees and
21 the United States International Communications Agency
22 an annual strategic plan to satisfy the requirements speci-
23 fied in section 110. Each such strategic plan shall outline
24 the following:

1 (1) The strategic goals and objectives of the
2 Freedom News Network for the upcoming fiscal
3 year.

4 (2) The alignment of the Freedom News Net-
5 work's resources with the strategic goals and objec-
6 tives referred to in paragraph (1).

7 (3) Clear benchmarks that establish the
8 progress made towards achieving the strategic goals
9 and objectives referred to in paragraph (1).

10 (4) A plan to monitor and evaluate the success
11 of the Freedom News Network's broadcasting ef-
12 forts.

13 (5) A reflective analysis on the activities on the
14 past fiscal year.

15 (6) Any changes to facility leases, contracts, or
16 ownership that would result in the relocation of staff
17 or personnel.

18 (d) SENSE OF CONGRESS.—It is the sense of Con-
19 gress that administrative and managerial costs for oper-
20 ation of the Freedom News Network should be kept to
21 a minimum and, to the maximum extent feasible, should
22 not exceed the costs that would have been incurred if
23 RFE/RL, Incorporated, Radio Free Asia, and the Middle
24 East Broadcasting Networks, Incorporated had been oper-

1 ated as independent grantees or as a Federal entity within
2 the Voice of America.

3 **SEC. 223. ASSISTANCE FROM OTHER GOVERNMENT AGEN-**
4 **CIES.**

5 (a) SURPLUS PROPERTIES.—In order to assist the
6 Freedom News Network in carrying out the provisions of
7 this title, any agency or instrumentality of the United
8 States may sell, loan, lease, or grant property (including
9 interests therein) to the Freedom News Network as nec-
10 essary.

11 (b) FACILITIES AND BROADCASTING INFRASTRUC-
12 TURE.—The United States International Communications
13 Agency and the Freedom News Network shall negotiate
14 an International Cooperative Administrative Support
15 Service (ICASS) agreement or memorandum of under-
16 standing permitting the continued use of technological in-
17 frastructure for broadcasting and information dissemina-
18 tion, except that the Freedom News Network may choose
19 to procure such services through negotiated contracts with
20 private-sector providers.

21 **SEC. 224. REPORTS BY THE OFFICE OF THE INSPECTOR**
22 **GENERAL OF THE DEPARTMENT OF STATE;**
23 **AUDITS BY GAO.**

24 (a) IG REPORTS.—The Inspector General of the De-
25 partment of State shall, as appropriate, submit to the ap-

1 appropriate congressional committees reports on manage-
2 ment practices of the Freedom News Network, including
3 financial reports on unobligated balances.

4 (b) GAO AUDITS.—

5 (1) IN GENERAL.—Financial transactions of the
6 Freedom News Network, as such relate to functions
7 carried out under this Act, may be audited by the
8 Government Accountability Office in accordance with
9 such principles and procedures and under such rules
10 and regulations as may be prescribed by the Comp-
11 troller General of the United States. Any such audit
12 shall be conducted at the place or places where ac-
13 counts of the Freedom News Network are normally
14 kept.

15 (2) ACCESS.—Representatives of the Govern-
16 ment Accountability Office shall have access to all
17 books, accounts, records, reports, files, papers, and
18 property belonging to or in use by the Freedom
19 News Network pertaining to the financial trans-
20 actions referred to in paragraph (1) and necessary
21 to facilitate an audit in accordance with such para-
22 graph. All such books, accounts, records, reports,
23 files, papers, and property of the Freedom News
24 Network shall remain in the possession and custody
25 of the Freedom News Network.

1 (c) TRANSFER OF FUNDS.—Notwithstanding any
2 other provision of law, one percent of the funds made
3 available by the United States International Communica-
4 tions Agency shall be transferred to the Inspector General
5 of the Department of State to cover the expenses of car-
6 rying out the activities of the Inspector General under this
7 section.

8 **SEC. 225. AMENDMENTS TO THE UNITED STATES INFORMA-**
9 **TION AND EDUCATIONAL EXCHANGE ACT OF**
10 **1948.**

11 The United States Information and Educational Ex-
12 change Act of 1948 is amended—

13 (1) in title V (22 U.S.C. 1461 et seq.), by strik-
14 ing “Broadcasting Board of Governors” and insert-
15 ing “United States International Communications
16 Agency” each place it appears;

17 (2) by amending paragraph (1) of section
18 501(b) (22 U.S.C. 1461(b)) to read as follows:

19 “(1) Except as provided in paragraph (2), the
20 Secretary and the United States International Com-
21 munications Agency may, upon request and reim-
22 bursement of the reasonable costs incurred in ful-
23 filling such a request, make available, in the United
24 States, motion pictures, films, video, audio, and
25 other materials disseminated abroad pursuant to

1 this Act. Any reimbursement pursuant to this para-
2 graph shall be credited to the applicable appropria-
3 tion account of the Department of State or the
4 United States International Communications Agen-
5 cy, as appropriate. The Secretary and the United
6 States International Communications Agency shall
7 issue necessary regulations.”;

8 (3) by repealing sections 504 and 505 (22
9 U.S.C. 1464 and 1464a);

10 (4) by redesignating section 506 (22 U.S.C.
11 1464b) as section 504;

12 (5) in section 504, as so redesignated, in sub-
13 section (c), in the matter preceding paragraph (1),
14 by striking “Board” each place it appears and in-
15 serting “Agency”;

16 (6) in clause (iii) of section 604(d)(1)(A) (22
17 U.S.C. 1469(d)(1)(A)), by striking “Broadcasting
18 Board of Governors” and inserting “United States
19 International Communications Agency”;

20 (7) in paragraph (3) of section 801 (22 U.S.C.
21 1471), by striking “Director of the United States
22 Information Agency” and inserting “Chief Executive
23 Officer of the United States International Commu-
24 nications Agency”;

1 (8) in subsection (b) of section 802 (22 U.S.C.
2 1472)—

3 (A) in paragraph (1)(B), by striking “Di-
4 rector of the United States Information Agen-
5 cy” and inserting “Chief Executive Officer of
6 the United States International Communica-
7 tions Agency”; and

8 (B) in paragraph (4)(A), by striking
9 “Broadcasting Board of Governors” and insert-
10 ing “United States International Communica-
11 tions Agency”; and

12 (9) in paragraph (1) of section 804 (22 U.S.C.
13 1474), by striking “Director of the United States
14 Information Agency” and inserting “Chief Executive
15 Officer of the United States International Commu-
16 nications Agency”;

17 (10) in section 810(b) (22 U.S.C. 1475e(b))—

18 (A) in the matter preceding paragraph (1),
19 by striking “United States Information Agen-
20 cy” and inserting “United States International
21 Communications Agency”; and

22 (B) in paragraph (4), by striking “Inter-
23 national Broadcasting Bureau” and inserting
24 “United States International Communications
25 Agency”; and

1 (11) in subsection (a) of section 1011 (22
2 U.S.C. 1442), by striking “Director of the United
3 States Information Agency” and inserting “Chief
4 Executive Officer of the United States International
5 Communications Agency”.

6 **TITLE III—MISCELLANEOUS**
7 **PROVISIONS**

8 **SEC. 301. PRESERVATION OF UNITED STATES NATIONAL**
9 **SECURITY OBJECTIVES.**

10 The Chief Executive Officer of the United States
11 International Communications Agency and the Chief Ex-
12 ecutive Officer of the Freedom News Network shall each
13 establish procedures to vet and monitor employees of each
14 such agency for affiliations to terrorist organizations, for-
15 eign governments, or agents of foreign governments to
16 protect against espionage, sabotage, foreign propaganda
17 messaging, and other subversive activities that undermine
18 United States national security objectives.