

**H.R. __, United States International Communications
Reform Act of 2014
SECTION-BY-SECTION SUMMARY**

Section 1. Short title. This section provides that the short title of this Act is the ‘United States International Communications Reform Act of 2014.’

Section 2. Findings and Declarations. This section outlines the broad purposes and mission of United States international broadcasting as well as the key findings of the relevant recent reports produced by the Government Accountability Office (GAO) and the Office of the Inspector General (OIG).

Section 3. Purposes. This section articulates the justification for this reform Act.

Section 4. Definitions. This section defines some of the key terminology used throughout the Act.

Section 5. Broadcasting Standards. This section restates the broadcasting standards contained in the United States International Broadcasting Act of 1994 (P.L. 103-236).

Section 6. Eligible Broadcast Areas. This section limits the target broadcast areas to states that are deemed “undemocratic” or where a free press is limited. A waiver may allow programming to democratic states if it is in the national security interest of the United States. A report detailing implementation of this restriction is required 180 days after enactment.

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

Subtitle A – Establishment of the United States International Communications Agency

Section 101. Existence within the Executive Branch. This section makes clear that the new United States International Communications Agency will be a federal agency within the Executive branch of government.

Section 102. Establishment of the Board of the United States International Communications Agency. This section states the structure, composition, and compensation of the Advisory Board of the United States International Communications Agency. This section is largely a restatement of the structure, composition, and compensation of the current Board of the Broadcasting Board of Governors as outlined in section 304 of the United States International Broadcasting Act of 1994 (P.L. 103-236).

Section 103. Authorities and duties of the Board of the United States International Communications Agency. This section outlines the authorities of the Advisory Board of the U.S.

International Communications Agency. The authorities of the Advisory Board are a reduction from the authorities of the Board of the Broadcasting Board of Governors and consistent with the reforms contained in previous legislative proposals.

Section 104. Establishment of the Chief Executive Officers of the United States International Communications Agency. This section creates the position of Chief Executive Officer (CEO) within the United States International Communications Agency. It includes a description of the qualifications of the CEO and the mechanism for removal.

Section 105. Authorities and duties of the Chief Executive Officers of the United States International Communications Agency. This section outlines the authorities of the CEO, consistent with the language contained in previous legislative proposals.

Section 106. Role of the Secretary of State. This section restates section 306 of the United States International Broadcasting Act of 1994 (P.L. 103-236) while deleting reference to “Worldnet Programming” which no longer exists.

Section 107. Role of the Inspector General. This section restates section 304(a)(3) of the United States International Broadcasting Act of 1994 (P.L. 103-236) while deleting reference to the “Broadcasting Board of Governors” and replacing with the United States International Communications Agency.

Section 108. Enhanced Coordination Between the United States International Communications Agency and the Freedom News Network; Program Content Sharing; Grantee Independence. This section mandates senior level meetings between the U.S. International Communications Agency and the consolidated grantee organization (“Freedom News Network”) to discuss strategic direction, language services, funding, areas for potential collaboration, and reduction of program overlap. It mandates the sharing of all strategic planning documents, audience surveys, and any documents detailing the monitoring and evaluation of programming. It also makes clear that the United States International Communications Agency will have no involvement or the appearance of involvement in the daily operations, decisions, and management of the Freedom News Network.

Section 109. Enhanced Coordination Among the United States International Communications Agency, the Freedom News Network, and the Department of State; Freedom News Network Independence. This section mandates senior level meetings between the U.S. International Communications Agency, Freedom News Network, and the Department of State including the Undersecretary for Public Affairs and Public Diplomacy to review and evaluate broadcasting activities and determine long-term strategies. The purpose of this coordination is to ensure that the United States International Communications Agency is supporting the public diplomacy mission of the United States as defined in this Act and articulated by the Undersecretary for Public Affairs and Public Diplomacy. It also makes clear that the Department of State will have

no involvement or the appearance of involvement in the daily operations, decisions, and management of the Freedom News Network.

Section 110. Grants to the Freedom News Network. This section restates section 308 of the United States International Broadcasting Act of 1994 (P.L. 103-236) while removing reference to “RFE/RL, Incorporated” and replacing with the “Freedom News Network”. This section mandates that the United States International Communications Agency may not make any grants to RFE/RL, Incorporated, Radio Free Asia, or the Middle East Broadcasting Network until said grantees take identified steps towards consolidation; this section also outlines the terms of the grant agreement between the United States International Communications Agency and the Freedom News Network.

Section 111. Other Personnel and Compensation Limitations. This section caps senior level pay at the United States International Communications Agency. This section includes a hiring freeze on all vacancies at the GS-14 and GS-15 level for five years (a waiver is included); intended to reduce the top-heavy nature of the organization.

Section 112. Reporting Requirements of the United States International Communications Agency. This section outlines the reports mandated by the Act including a report on the reorganization of the United States International Communications Agency to conform to terms of this Act; reports on the appropriate alignment of staff to organizational mission, justifying the continuation of positions including senior level staff; a report on the efficacy of programming to international audiences, detailing the distribution capacity, market penetration, and audience reach. This report should make recommendations regarding the most effective mediums of programming and legacy systems to be retired. Other reports are required as well for content sharing, and a comptroller report.

Subtitle B – The Voice of America

Section 121. Sense of Congress. This section expresses continued Congressional support the Voice of America and the role it has historically played around the world as a reliable sources of accurate and comprehensive news and information.

Section 122. Principles of the Voice of America. This section clarifies the principles of the Voice of America as outlined in section 303 of the United States International Broadcasting Act of 1994 (P.L. 103-236), making explicit that the Voice of America shall present the policies of the United States (public diplomacy) and serve as an authoritative source of information and news on the United States, its policies, its people, and the impact on the lives of those in foreign countries.

Section 123. Duties and Responsibilities of the Voice of America. This section further details the activities and tenor of the programming produced by the Voice of America; explaining how the policies and events in the United States impact the lives of those in foreign countries. This

section again mandates that the Voice of America share content with the Freedom News Network and reiterates the importance of official editorials. This section revises the language currently contained in section 303(b) of the United States International Broadcasting Act of 1994 (P.L. 103-236)

Section 124. Limitation on Voice of America News, Programming, and Content; Temporary Exception for Sub-Saharan Africa; Exception for Broadcasting to Cuba. This section mandates that programming of the Voice of America conform to the public diplomacy mission of the United States International Communications Agency except in Sub-Saharan Africa. This exception is temporary and intended only to prevent a lapse in broadcasting to the region following date of enactment and the assumption of broadcasting to the region by the Freedom News Network. There is also an exception for the Office of Cuba Broadcasting which manages Radio Marti and Television Marti. Both Radio and Television Marti will continue to exist within the Voice of America with the mission and purpose described in the Radio Broadcasting to Cuba Act (P.L. 98-111) and the Television Broadcasting to Cuba Act (P.L. 101-246).

Section 125. Director of the Voice of America. This section establishes the position of the Director of the Voice of America as a subordinate of the Chief Executive Officer (CEO) of the United States International Communications Agency. This section also outlines the qualifications and compensation of the Director of the Voice of America.

Subtitle C – General Provisions

Section 131. Federal Agency Coordination in Support of United States Public Diplomacy. This section obligates the United States Federal International Broadcasting Agency to consult with federal national security and aid agencies, on an unclassified level, in order to ensure that the Agency's strategic and language service priorities align with current strategic needs and concerns. This section also requires that the Agency issue its findings in a publicly released report, although it gives the Agency the option to release these findings with its annual report to Congress.

Section 132. Federal Agency Assistance and Coordination with the United States International Communications Agency and Freedom News Network During International Broadcast Surges. This section details all other federal agencies' obligations to assist the Agency and the broader public diplomacy effort at times when expanded, or "surge," broadcast capacity is needed. It specifically details categories of assistance that closely mirror the permissible categories of interaction provided in section 132. This section also bars reimbursement of federal agencies for complying with the surge assistance mandate.

Section 133. Freedom News Network Right of First Refusal in Instances of Federal Disposal of Radio or Television Broadcast Transmission Facilities or Equipment. This section addresses Agency broadcast facility transfers and sales, providing that the Agency must provide the Freedom News Network with a right of first refusal for all such facilities and related assets

before attempting sale. This section would require such transfers be made free of charge to the Freedom News Network. This section also authorizes the Agency to sell or otherwise dispose of assets via free market sale in the event the Freedom News Network opts not to take on the transfer of these assets. This section also authorizes the Agency to sell current mobile (i.e., vehicular) broadcasting assets, such as vehicles and related equipment, that the Agency is currently prevented from selling.

Section 134. Repeal of United States International Broadcasting Act of 1994. The United States International Broadcasting Act of 1994, Title III of P.L. 103-236 (U.S.C. 6201) is repealed.

Section 135. Effective Date. The changes described in Title II of this Act take effect within 90 days of enactment.

TITLE II— THE FREEDOM NEWS NETWORK

Section 201. Sense of Congress. This section expresses the sense of Congress that Radio Free Europe-Radio Freedom, Radio Free Asia, and the Middle East Broadcasting Network share a common mission with distinct geographic foci and therefore should be consolidated into a single organization with a global mandate.

Subtitle A – Consolidation of Existing Grantee Organizations

Section 211. Formation of the Freedom News Network from Existing Grantees. This section articulates Congressional intent to consolidate Radio Free Europe-Radio Freedom, Radio Free Asia, and the Middle East Broadcasting Network into a single, non-federal, non-profit organization based on their shared mission and objectives. The brand names of the existing grantee organizations should continue to be used by the Freedom News Network to the extent deemed appropriate or necessary.

Section 212. Mission of the Freedom News Network. This section defines the mission of the Freedom News Network; noting the difference in mission from the United States International Communications Agency as described in Title I of this Act.

Section 213. Standards and Principles of the Freedom News Network. This section restates the principles in section 303 of the United States International Broadcasting Act of 1994 (P.L. 103-236).

Subtitle B – Organization of the Freedom News Network

Section 221. Governance of the Freedom News Network. This section establishes a Board for the Freedom News Network with criteria for Board membership and compensation. The Board of the Freedom News Network is charged with selecting the Board's chairperson, the organization's Chief Executive Officer (CEO), and filing the articles of incorporation. It abolishes

the existing boards for each of the federal grantee organizations (RFE/RL, RFA, and MBN) and mandates the creation of a consolidation plan to be presented to the appropriate congressional committees. The Board of the Freedom News Network is intended to be a private board (not Presidentially appointed and Senate confirmed) and be “self-replenishing” in the filling of Board vacancies; the Board, management structure, and function of the National Endowment for Democracy is the model intended for the Freedom News Network. The first Board of the Freedom News Network should also consider changing the organization’s name.

Section 222. Budget of the Freedom News Network. This section allows the Freedom News Network to privately fundraise or get grants and transfers from other U.S. federal agencies but excludes the acceptance of funds from foreign governments, agents of foreign governments, or for commercial purposes. It also outlines the process by which federal funds will be passed to the Freedom News Network from the United States International Communications Agency, requiring the creation of an approved strategic plan before funds are transferred.

Section 223. Assistance from other government agencies. This section permits the United States International Communications Agency to sell, loan, lease, or grant property or infrastructure to the Freedom News Network. It also provides for the use of International Cooperative Administrative Support Service (ICASS) agreements between the United States International Communications Agency and the Freedom News Network.

Section 224. Reports by the Office of the Inspector General of the Department of State; Audits and the office of the Inspector General. This section mandates one annual audits of the Freedom News Network to be conducted by the Office of the Inspector General and submit these audits to the appropriate congressional committees. OIG audits will include but are not limited to financial expenditures and unobligated balances.

Section 225. Amendments to the United States Information and Educational Exchange Act of 1948. This section amends language related to the operations of Radio Free Europe-Radio Freedom and Radio Free Asia that is outdated.