

The Board for International Broadcasting Act, referred to in subsecs. (f) and (j)(3), is Pub. L. 93–129, Oct. 19, 1973, 87 Stat. 456, as amended, which was classified generally to chapter 43 (§2871 et seq.) of this title prior to repeal by Pub. L. 103–236, title III, §310(e), Apr. 30, 1994, 108 Stat. 442. See section 6209(e) of this title.

The Inspector General Act of 1978, referred to in subsec. (j)(3), is Pub. L. 95–452, Oct. 12, 1978, 92 Stat. 1101, as amended, which is set out in the Appendix to Title 5, Government Organization and Employees.

AMENDMENTS

2002—Subsec. (c). Pub. L. 107–228, §501, amended subsec. (c) generally. Prior to amendment, subsec. (c) read as follows: “The total amount of grants made by the Board for the operating costs of Radio Free Europe and Radio Liberty may not exceed \$75,000,000 for any fiscal year after fiscal year 1995.”

Subsec. (h)(1)(A). Pub. L. 107–228, §502(2), substituted “subparagraph (B) or (C),” for “subparagraph (B).”

Subsec. (h)(1)(C). Pub. L. 107–228, §502(1), added subpar. (C).

1998—Subsec. (i)(1). Pub. L. 105–277, §1314(d), substituted “Inspector General of the Department of State and the Foreign Service” for “Inspector General of the United States Information Agency” in two places and struck out “, the Director of the United States Information Agency,” after “shall submit to the Board”.

Subsec. (j)(3). Pub. L. 105–277, §1314(d)(1), substituted “Inspector General of the Department of State and the Foreign Service” for “Inspector General of the United States Information Agency”.

Subsecs. (k), (l). Pub. L. 105–277, §1323(l)(1), struck out subsecs. (k) and (l), which listed conditions placed upon plan for relocation of offices or operations of RFE/RL, Incorporated from Munich, Germany, and required report to Congress on classification of personnel not later than 90 days after confirmation of all members of Board, respectively.

EFFECTIVE DATE OF 1998 AMENDMENT

Amendment by Pub. L. 105–277 effective Oct. 1, 1999, see section 1301 of Pub. L. 105–277, set out as an Effective Date note under section 6531 of this title.

LIAISON WITH RFE/RL, INCORPORATED; REPRESENTATION AT BOARD MEETINGS

Section 305(b) of Pub. L. 99–93 provided that: “The Secretary of State shall—

“(1) establish an office within the United States Consulate in Munich, Federal Republic of Germany, which shall be responsible for the daily liaison operations of the Department of State with RFE/RL, Incorporated; and

“(2) be represented by an observer at each meeting of the Board for International Broadcasting and of the Board of Directors of RFE/RL, Incorporated.”

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 6204, 6206, 6215 of this title.

§ 6208. Radio Free Asia

(a) Authority

(1) Grants authorized under section 6204 of this title shall be available to make annual grants for the purpose of carrying out radio broadcasting to the following countries: The People’s Republic of China, Burma, Cambodia, Laos, North Korea, Tibet, and Vietnam.

(2) Such broadcasting service shall be referred to as “Radio Free Asia”.

(b) Functions

Radio Free Asia shall—

(1) provide accurate and timely information, news, and commentary about events in the respective countries of Asia and elsewhere; and

(2) be a forum for a variety of opinions and voices from within Asian nations whose people do not fully enjoy freedom of expression.

(c) Grant agreement

Any grant agreement or grants under this section shall be subject to the following limitations and restrictions:

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

(2) Any grant agreement under this section shall require that any contract entered into by Radio Free Asia shall specify that all obligations are assumed by Radio Free Asia and not by the United States Government, and shall further specify that funds to carry out the activities of Radio Free Asia may not be available after September 30, 2009.

(3) Any grant agreement shall require that any lease agreements entered into by Radio Free Asia shall be, to the maximum extent possible, assignable to the United States Government.

(4) Grants made for the operating costs of Radio Free Asia may not exceed \$30,000,000 in each of the fiscal years 2000 and 2001.

(5) Grants awarded under this section shall be made pursuant to a grant agreement which requires that grant funds be used only for activities consistent with this section, and that failure to comply with such requirements shall permit the grant to be terminated without fiscal obligation to the United States.

(d) Limitations on administrative and managerial costs

It is the sense of the Congress that administrative and managerial costs for operation of Radio Free Asia should be kept to a minimum and, to the maximum extent feasible, should not exceed the costs that would have been incurred if Radio Free Asia had been operated as a Federal entity rather than as a grantee.

(e) Assessment of effectiveness of Radio Free Asia

Not later than 3 years after the date on which initial funding is provided for the purpose of operating Radio Free Asia, the Board shall submit to the appropriate congressional committees a report on—

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

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

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

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

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

(f) Sunset provision

The Board may not make any grant for the purpose of operating Radio Free Asia after September 30, 2009.

(g) Notification and consultation regarding displacement of Voice of America broadcasting

The Board shall notify the appropriate congressional committees before entering into any agreements for the utilization of Voice of America transmitters, equipment, or other resources that will significantly reduce the broadcasting activities of the Voice of America in Asia or any other region in order to accommodate the broadcasting activities of Radio Free Asia. The Chairman of the Board shall consult with such committees on the impact of any such reduction in Voice of America broadcasting activities.

(h) Not a Federal agency or instrumentality

Nothing in this chapter may be construed to make Radio Free Asia a Federal agency or instrumentality.

(Pub. L. 103-236, title III, § 309, Apr. 30, 1994, 108 Stat. 439; Pub. L. 103-415, § 1(s)(2), Oct. 25, 1994, 108 Stat. 4302; Pub. L. 106-113, div. B, § 1000(a)(7) [div. A, title V, § 501], Nov. 29, 1999, 113 Stat. 1536, 1501A-450.)

AMENDMENTS

1999—Subsec. (c). Pub. L. 106-113, § 1000(a)(7) [div. A, title V, § 501(1), (2)], redesignated subsec. (d) as (c) and struck out heading and text of former subsec. (c), which required the Board, through the Director of the United States Information Agency, to submit to Congress a detailed plan for the establishment and operation of Radio Free Asia prior to the awarding of a grant to carry out this section.

Subsec. (c)(1). Pub. L. 106-113, § 1000(a)(7) [div. A, title V, § 501(3)(A)], struck out “(A)” after “(1)” and struck out subpar. (B) which read as follows: “Not later than 90 days after confirmation of all members of the Board, the Board shall provide a report to Congress on the number of administrative, managerial, and technical staff of Radio Free Asia who will be located within the metropolitan area of Washington, D.C., and the number of employees whose principal place of business will be located outside the metropolitan area of Washington, D.C.”

Subsec. (c)(2). Pub. L. 106-113, § 1000(a)(7) [div. A, title V, § 501(3)(B)], substituted “September 30, 2009” for “September 30, 1999”.

Subsec. (c)(4). Pub. L. 106-113, § 1000(a)(7) [div. A, title V, § 501(3)(C)], substituted “\$30,000,000 in each of the fiscal years 2000 and 2001” for “\$22,000,000 in any fiscal year”.

Subsec. (c)(5), (6). Pub. L. 106-113, § 1000(a)(7) [div. A, title V, § 501(3)(D), (E)], redesignated par. (6) as (5) and struck out former par. (5) which read as follows: “The total amount of grant funds made available for one-time capital costs of Radio Free Asia may not exceed \$8,000,000.”

Subsecs. (d), (e). Pub. L. 106-113, § 1000(a)(7) [div. A, title V, § 501(2)], redesignated subsecs. (e) and (f) as (d) and (e), respectively. Former subsec. (d) redesignated (c).

Subsec. (f). Pub. L. 106-113, § 1000(a)(7) [div. A, title V, § 501(4)], reenacted subsec. heading without change and amended text generally. Prior to amendment, text read as follows: “The Board may not make any grant for the purpose of operating Radio Free Asia after September 30, 1998, unless the President of the United States determines in the President’s fiscal year 1999 budget submission that continuation of funding for Radio Free Asia for 1 additional year is in the interest of the United States.”

Pub. L. 106-113, § 1000(a)(7) [div. A, title V, § 501(2)], redesignated subsec. (g) as (f). Former subsec. (f) redesignated (e).

Subsecs. (g) to (i). Pub. L. 106-113, § 1000(a)(7) [div. A, title V, § 501(2)], redesignated subsecs. (h) and (i) as (g)

and (h), respectively. Former subsec. (g) redesignated (f).

1994—Subsec. (d)(1)(B). Pub. L. 103-415 inserted “of all members” after “confirmation”.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 6204, 6206, 6207 of this title.

§ 6209. Repealed. Pub. L. 105-277, div. G, subdiv. A, title XIII, § 1323(l)(2), Oct. 21, 1998, 112 Stat. 2681-780

Section, Pub. L. 103-236, title III, § 310, Apr. 30, 1994, 108 Stat. 442, related to transition of transfer of functions from Board for International Broadcasting to United States Information Agency, Board, or Bureau.

EFFECTIVE DATE OF REPEAL

Repeal effective Oct. 1, 1999, see section 1301 of Pub. L. 105-277, set out as an Effective Date note under section 6531 of this title.

§ 6210. Preservation of American jobs

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

(Pub. L. 103-236, title III, § 311, Apr. 30, 1994, 108 Stat. 444.)

TRANSFER OF FUNCTIONS

United States Information Agency (other than Broadcasting Board of Governors and International Broadcasting Bureau) abolished and functions transferred to Secretary of State, see sections 6531 and 6532 of this title.

§ 6211. The continuing mission of Radio Free Europe and Radio Liberty broadcasts

It is the sense of Congress that Radio Free Europe and Radio Liberty should continue to broadcast to the peoples of Central Europe, Eurasia, and the Persian Gulf until such time as—

(1) a particular nation has clearly demonstrated the successful establishment and consolidation of democratic rule; and

(2) its domestic media which provide balanced, accurate, and comprehensive news and information, is firmly established and widely accessible to the national audience, thus making redundant broadcasts by Radio Free Europe or Radio Liberty.

At such time as a particular nation meets both of these conditions, RFE/RL should phase out broadcasting to that nation.

(Pub. L. 103-236, title III, § 312, Apr. 30, 1994, 108 Stat. 444; Pub. L. 106-113, § 1000(a)(7) [div. A, title V, § 503], Nov. 29, 1999, 113 Stat. 1536, 1501A-451.)

AMENDMENTS

1999—Pub. L. 106-113 amended section catchline and text generally, substituting present provisions for provisions which set forth sense of Congress that funding of Radio Free Europe and Radio Liberty be privatized