

AMENDMENT TO RULES COMM. PRINT 116-57
OFFERED BY MR. KEATING OF MASSACHUSETTS

Add at the end of subtitle G of title XII the following:

1 **SEC. 12 ____. UNITED STATES AGENCY FOR GLOBAL MEDIA.**

2 (a) SHORT TITLE.—This section may be cited as the
3 “U.S. Agency for Global Media Reform Act”.

4 (b) SENSE OF CONGRESS.—It is the sense of Con-
5 gress that the Office of Cuba Broadcasting should—

6 (1) remain an independent entity of the United
7 States Agency for Global Media; and

8 (2) continue taking steps to ensure that the Of-
9 fice is fulfilling its core mission of promoting free-
10 dom and democracy by providing the people of Cuba
11 with objective news and information programming.

12 (c) AUTHORITIES OF THE CHIEF EXECUTIVE OFFI-
13 CER; LIMITATION ON CORPORATE LEADERSHIP OF
14 GRANTEES.—Section 305 of the United States Inter-
15 national Broadcasting Act of 1994 (22 U.S.C. 6204) is
16 amended—

17 (1) in subsection (a)—

1 (A) in paragraph (20), by inserting “in ac-
2 cordance with subsection (e)” before the period
3 at the end;

4 (B) in paragraph (21)—

5 (i) by striking “including with Federal
6 officials,”; and

7 (ii) by inserting “in accordance with
8 subsection (e)” before the period at the
9 end;

10 (C) by adding at the end the following new
11 paragraph:

12 “(23) To—

13 “(A) require semi-annual content reviews
14 of each language service of each surrogate net-
15 work, consisting of a review of at least 10 per-
16 cent of available weekly content, by fluent lan-
17 guage speakers and experts without direct affili-
18 ation to the language service being reviewed,
19 who are seeking any evidence of inappropriate
20 or unprofessional content, which shall be sub-
21 mitted to the Office of Policy Research, the
22 head and Board of the respective surrogate
23 service, and the Chief Executive Officer; and

24 “(B) submit to the appropriate congres-
25 sional committees a list of anomalous reports,

1 including status updates on anomalous services
2 during the three-year period commencing on the
3 date of receipt of the first report of biased, un-
4 professional, or otherwise problematic content.”;

5 (2) by adding at the end the following new sub-
6 section:

7 “(c) LIMITATION ON CORPORATE LEADERSHIP OF
8 GRANTEES.—

9 “(1) IN GENERAL.—The Chief Executive Offi-
10 cer may not award any grant under subsection (a)
11 to RFE/RL, Inc., Radio Free Asia, the Middle East
12 Broadcasting Networks, the Open Technology Fund,
13 or any other grantee authorized under this title (col-
14 lectively referred to as ‘Agency Grantee Networks’)
15 unless the incorporation documents of any such
16 grantee require that the corporate leadership and
17 Board of Directors of such grantee be selected in ac-
18 cordance with this Act.

19 “(2) CONFLICTS OF INTEREST.—

20 “(A) CHIEF EXECUTIVE OFFICER.—The
21 Chief Executive Officer may not serve on any of
22 the corporate boards of any grantee under sub-
23 section (a).

24 “(B) FEDERAL EMPLOYEES.—A full-time
25 employee of a Federal agency may not serve on

1 a corporate board of any grantee under sub-
2 section (a).

3 “(3) QUALIFICATIONS OF GRANTEE BOARD
4 MEMBERS.—Individuals appointed under subsection
5 (a) to the Board of Directors of any of the Agency
6 Grantee Networks shall have requisite expertise in
7 journalism, technology, broadcasting, or diplomacy,
8 or appropriate language or cultural understanding
9 relevant to the grantee’s mission.”.

10 (d) INTERNATIONAL BROADCASTING ADVISORY
11 BOARD.—Section 306 of the United States International
12 Broadcasting Act of 1994 (22 U.S.C. 6205) is amended—

13 (1) by striking subsections (a) through (c) and
14 inserting the following:

15 “(a) IN GENERAL.—The International Broadcasting
16 Advisory Board (referred to in this section as the ‘Advi-
17 sory Board’) shall advise the Chief Executive Officer of
18 the United States Agency for Global Media, as appro-
19 priate. The Advisory Board as established shall exist with-
20 in the executive branch as an entity described in section
21 104 of title 5, United States Code.

22 “(b) COMPOSITION OF THE ADVISORY BOARD.—

23 “(1) IN GENERAL.—The Advisory Board shall
24 consist of seven members, of whom—

1 “(A) six shall be appointed by the Presi-
2 dent, by and with the advice and consent of the
3 Senate, in accordance with subsection (c); and

4 “(B) one shall be the Secretary of State.

5 “(2) CHAIR.—The President shall designate,
6 with the advice and consent of the Senate, one of the
7 members appointed under paragraph (1)(A) as
8 Chair of the Advisory Board.

9 “(3) PARTY LIMITATION.—Not more than three
10 members of the Advisory Board appointed under
11 paragraph (1)(A) may be affiliated with the same
12 political party.

13 “(4) TERMS OF OFFICE.—

14 “(A) IN GENERAL.—Except as provided in
15 subparagraph (B), members of the Advisory
16 Board shall serve for a single term of four
17 years, except that, of the first group of mem-
18 bers appointed under paragraph (1)(A)—

19 “(i) two members who are not affili-
20 ated with the same political party, shall be
21 appointed for terms ending on the date
22 that is two years after the date of the en-
23 actment of the U.S. Agency for Global
24 Media Reform Act;

1 “(ii) two members who are not affili-
2 ated with the same political party, shall be
3 appointed for terms ending on the date
4 that is four years after the date of the en-
5 actment of the U.S. Agency for Global
6 Media Reform Act; and

7 “(iii) two members who are not affili-
8 ated with the same political party, shall be
9 appointed for terms ending on the date
10 that is six years after the date of the en-
11 actment of the U.S. Agency for Global
12 Media Reform Act.

13 “(B) SECRETARY OF STATE.—The Sec-
14 retary of State shall serve as a member of the
15 Advisory Board for the duration of his or her
16 tenure as Secretary of State.

17 “(5) VACANCIES.—

18 “(A) IN GENERAL.—The President shall
19 appoint, with the advice and consent of the
20 Senate, additional members to fill vacancies on
21 the Advisory Board occurring before the expira-
22 tion of a term.

23 “(B) TERM.—Any members appointed pur-
24 suant to subparagraph (A) shall serve for the
25 remainder of such term.

1 “(C) SERVICE BEYOND TERM.—Any mem-
2 ber whose term has expired shall continue to
3 serve as a member of the Advisory Board until
4 a qualified successor has been appointed and
5 confirmed by the Senate.

6 “(D) SECRETARY OF STATE.—When there
7 is a vacancy in the office of Secretary of State,
8 the Acting Secretary of State shall serve as a
9 member of the Advisory Board until a new Sec-
10 retary of State is appointed.”;

11 (2) by redesignating subsection (d) as sub-
12 section (c);

13 (3) by amending subsection (c), as redesign-
14 ated—

15 (A) in the subsection heading, by inserting
16 “ADVISORY” before “BOARD”; and

17 (B) in paragraph (2), by inserting “who
18 are” before “distinguished”; and

19 (4) by striking subsections (e) and (f) and in-
20 serting the following new subsections:

21 “(d) FUNCTIONS OF THE ADVISORY BOARD.—The
22 members of the Advisory Board shall—

23 “(1) provide the Chief Executive Officer of the
24 United States Agency for Global Media with advice

1 and recommendations for improving the effectiveness
2 and efficiency of the Agency and its programming;

3 “(2) meet with the Chief Executive Officer at
4 least four times annually, including twice in person
5 as practicable, and at additional meetings at the re-
6 quest of the Chief Executive Officer or the Chair of
7 the Advisory Board;

8 “(3) report periodically, or upon request, to the
9 congressional committees specified in subsection
10 (c)(2) regarding its advice and recommendations for
11 improving the effectiveness and efficiency of the
12 United States Agency for Global Media and its pro-
13 gramming;

14 “(4) obtain information from the Chief Execu-
15 tive Officer, as needed, for the purposes of fulfilling
16 the functions described in this subsection;

17 “(5) consult with the Chief Executive Officer
18 regarding budget submissions and strategic plans
19 before they are submitted to the Office of Manage-
20 ment and Budget or to Congress;

21 “(6) advise the Chief Executive Officer to en-
22 sure that—

23 “(A) the Chief Executive Officer fully re-
24 spects the professional integrity and editorial
25 independence of United States Agency for Glob-

1 al Media broadcasters, networks, and grantees;
2 and

3 “(B) agency networks, broadcasters, and
4 grantees adhere to the highest professional
5 standards and ethics of journalism, including
6 taking necessary actions to uphold professional
7 standards to produce consistently reliable and
8 authoritative, accurate, objective, and com-
9 prehensive news and information; and

10 “(7) provide other strategic input to the Chief
11 Executive Officer.

12 “(e) APPOINTMENT OF HEADS OF NETWORKS.—

13 “(1) IN GENERAL.—The heads of Voice of
14 America, the Office of Cuba Broadcasting, RFE/RL,
15 Inc., Radio Free Asia, the Middle East Broadcasting
16 Networks, the Open Technology Fund, or of any
17 other grantee authorized under this title may only be
18 appointed or removed if such action has been ap-
19 proved by a majority vote of the Advisory Board.

20 “(2) REMOVAL.—After consulting with the
21 Chief Executive Officer, five or more members of the
22 Advisory Board may unilaterally remove any such
23 head of network or grantee network described in
24 paragraph (1).

25 “(3) QUORUM.—

1 “(A) IN GENERAL.—A quorum shall con-
2 sist of four members of the Advisory Board (ex-
3 cluding the Secretary of State).

4 “(B) DECISIONS.—Except as provided in
5 paragraph (2), decisions of the Advisory Board
6 shall be made by majority vote, a quorum being
7 present.

8 “(C) CLOSED SESSIONS.—The Advisory
9 Board may meet in closed sessions in accord-
10 ance with section 552b of title 5, United States
11 Code.

12 “(f) COMPENSATION.—

13 “(1) IN GENERAL.—Members of the Advisory
14 Board, while attending meetings of the Advisory
15 Board or while engaged in duties relating to such
16 meetings or in other activities of the Advisory Board
17 under this section (including travel time) shall be en-
18 titled to receive compensation equal to the daily
19 equivalent of the compensation prescribed for level
20 IV of the Executive Schedule under section 5315 of
21 title 5, United States Code.

22 “(2) TRAVEL EXPENSES.—While away from
23 their homes or regular places of business, members
24 of the Board may be allowed travel expenses, includ-
25 ing per diem in lieu of subsistence, as authorized

1 under section 5703 of such title for persons in the
2 Government service employed intermittently.

3 “(3) SECRETARY OF STATE.—The Secretary of
4 State is not entitled to any compensation under this
5 title, but may be allowed travel expenses in accord-
6 ance with paragraph (2).

7 “(g) SUPPORT STAFF.—The Chief Executive Officer
8 shall, from within existing United States Agency for Glob-
9 al Media personnel, provide the Advisory Board with an
10 Executive Secretary and such administrative staff and
11 support as may be necessary to enable the Advisory Board
12 to carry out subsections (d) and (e).”.

13 (e) CONFORMING AMENDMENTS.—The United States
14 International Broadcasting Act of 1994 (22 U.S.C. 6201
15 et seq.) is amended—

16 (1) in section 304—

17 (A) in the section heading, by striking
18 “**BROADCASTING BOARD OF GOVERNORS**”
19 and inserting “**UNITED STATES AGENCY FOR**
20 **GLOBAL MEDIA**”;

21 (B) in subsection (a), by striking “Broad-
22 casting Board of Governors” and inserting
23 “United States Agency for Global Media”;

24 (C) in subsection (b)(1), by striking
25 “Broadcasting Board of Governors” and insert-

1 ing “United States Agency for Global Media”;
2 and

3 (D) in subsection (c), by striking “Board”
4 each place such term appears and inserting
5 “Agency”;

6 (2) in section 305—

7 (A) in subsection (a)—

8 (i) in paragraph (6), by striking
9 “Board” and inserting “Agency”;

10 (ii) in paragraph (13), by striking
11 “Board” and inserting “Agency”;

12 (iii) in paragraph (20), by striking
13 “Board” and inserting “Agency”; and

14 (iv) in paragraph (22), by striking
15 “Board” and inserting “Agency”;

16 (B) in subsection (b), by striking “Board”
17 each place such term appears and inserting
18 “Agency”;

19 (3) in section 308—

20 (A) in subsection (a), in the matter pre-
21 ceding paragraph (1), by striking “Board” and
22 inserting “Agency”;

23 (B) in subsection (b), by striking “Board”
24 each place such term appears and inserting
25 “Agency”;

1 (C) in subsection (d), by striking “Board”
2 and inserting “Agency”;

3 (D) in subsection (g), by striking “Board”
4 each place such term appears and inserting
5 “Agency”;

6 (E) in subsection (h)(5), by striking
7 “Board” and inserting “Agency”; and

8 (F) in subsection (i), in the first sentence,
9 by striking “Board” and inserting “Agency”;
10 (4) in section 309—

11 (A) in subsection (c)(1), by striking
12 “Board” each place such term appears and in-
13 serting “Agency”;

14 (B) in subsection (e), in the matter pre-
15 ceding paragraph (1), by striking “Board” and
16 inserting “Agency”;

17 (C) in subsection (f), by striking “Board”
18 each place such term appears and inserting
19 “Agency”; and

20 (D) in subsection (g), by striking “Board”
21 and inserting “Agency”;

22 (5) in section 310(d), by striking “Board” and
23 inserting “Agency”;

1 (6) in section 310A(a), by striking “Broad-
2 casting Board of Governors” and inserting “United
3 States Agency for Global Media”;

4 (7) in section 310B, by striking “Board” and
5 inserting “Agency”;

6 (8) by striking section 312;

7 (9) in section 313(a), in the matter preceding
8 paragraph (1), by striking “Board” and inserting
9 “Agency”;

10 (10) in section 314—

11 (A) by striking “(4) the terms ‘Board and
12 Chief Executive Officer of the Board’ means
13 the Broadcasting Board of Governors” and in-
14 serting the following:

15 “(2) the terms ‘Agency’ and ‘Chief Executive
16 Officer of the Agency’ mean the United States Agen-
17 cy for Global Media and the Chief Executive Officer
18 of the United States Agency for Global Media, re-
19 spectively,”; and

20 (B) in paragraph (3)—

21 (i) by striking “includes—” and in-
22 serting “means the corporation having the
23 corporate title described in section 308”;
24 and

1 (ii) by striking subparagraphs (A) and
2 (B); and

3 (11) in section 316—

4 (A) in subsection (a)(1), by striking
5 “Broadcasting Board of Governors” and insert-
6 ing “United States Agency for Global Media”;
7 and

8 (B) in subsection (c), by striking “Broad-
9 casting Board of Governors” and inserting
10 “United States Agency for Global Media”.

11 (f) RULEMAKING.—Notwithstanding any other provi-
12 sion of law, the United States Agency for Global Media
13 may not revise part 531 of title 22, Code of Federal Regu-
14 lations, which took effect on June 11, 2020, without ex-
15 plicit authorization by an Act of Congress.

16 (g) SAVINGS PROVISIONS.—Section 310 of the
17 United States International Broadcasting Act of 1994 (22
18 U.S.C. 6209) is amended by adding at the end the fol-
19 lowing new subsections:

20 “(f) MAINTENANCE OF PROPRIETARY INFORMA-
21 TION.—No consolidation of grantees authorized under
22 subsection (a) involving any grantee shall result in any
23 legal transfer of ownership of any proprietary information
24 or intellectual property to the United State Agency for
25 Global Media or any other Federal entity.

1 “(g) RULE OF CONSTRUCTION.—No consolidation of
2 grantees authorized under subsection (a) shall result in
3 the consolidation of the Open Technology Fund or any
4 successor entity with any other grantee.”.

5 (h) RULE OF CONSTRUCTION.—Nothing in the
6 United States International Broadcasting Act of 1994 or
7 any other provision of law may be construed to make the
8 Open Technology Fund an entity authorized under such
9 Act until the effective date of legislation authorizing the
10 establishment of the Open Technology Fund.

