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:

SEC. 12. UNITED STATES AGENCY FOR GLOBAL MEDIA.

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

(b) SENSE OF CONGRESS.—It is the sense of Congress that the Office of Cuba Broadcasting should—

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

(2) continue taking steps to ensure that the Office is fulfilling its core mission of promoting freedom and democracy by providing the people of Cuba with objective news and information programming.

(c) AUTHORITIES OF THE CHIEF EXECUTIVE OFFICER; LIMITATION ON CORPORATE LEADERSHIP OF GRANTEES.—Section 305 of the United States International Broadcasting Act of 1994 (22 U.S.C. 6204) is amended—

(1) in subsection (a)—
(A) in paragraph (20), by inserting “in accordance with subsection (c)” before the period at the end;

(B) in paragraph (21)—

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

(ii) by inserting “in accordance with subsection (c)” before the period at the end;

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

“(23) To—

“(A) require semi-annual content reviews of each language service of each surrogate network, consisting of a review of at least 10 percent of available weekly content, by fluent language speakers and experts without direct affiliation to the language service being reviewed, who are seeking any evidence of inappropriate or unprofessional content, which shall be submitted to the Office of Policy Research, the head and Board of the respective surrogate service, and the Chief Executive Officer; and

“(B) submit to the appropriate congressional committees a list of anomalous reports,
including status updates on anomalous services
during the three-year period commencing on the
date of receipt of the first report of biased, un-
professional, or otherwise problematic content.”; (2) by adding at the end the following new sub-
section:
“(c) LIMITATION ON CORPORATE LEADERSHIP OF
GRANTEES.—
“(1) IN GENERAL.—The Chief Executive Offi-
cer may not award any grant under subsection (a)
to RFE/RL, Inc., Radio Free Asia, the Middle East
Broadcasting Networks, the Open Technology Fund,
or any other grantee authorized under this title (col-
lectively referred to as ‘Agency Grantee Networks’) 
unless the incorporation documents of any such 
grantee require that the corporate leadership and 
Board of Directors of such grantee be selected in ac-
cordance with this Act.
“(2) CONFLICTS OF INTEREST.—
“(A) CHIEF EXECUTIVE OFFICER.—The 
Chief Executive Officer may not serve on any of 
the corporate boards of any grantee under sub-
section (a).
“(B) FEDERAL EMPLOYEES.—A full-time 
employee of a Federal agency may not serve on
a corporate board of any grantee under subsection (a).

“(3) Qualifications of Grantee Board Members.—Individuals appointed under subsection (a) to the Board of Directors of any of the Agency Grantee Networks shall have requisite expertise in journalism, technology, broadcasting, or diplomacy, or appropriate language or cultural understanding relevant to the grantee’s mission.”.

(d) International Broadcasting Advisory Board.—Section 306 of the United States International Broadcasting Act of 1994 (22 U.S.C. 6205) is amended—

(1) by striking subsections (a) through (e) and inserting the following:

“(a) In General.—The International Broadcasting Advisory Board (referred to in this section as the ‘Advisory Board’) shall advise the Chief Executive Officer of the United States Agency for Global Media, as appropriate. The Advisory Board as established shall exist within the executive branch as an entity described in section 104 of title 5, United States Code.

“(b) Composition of the Advisory Board.—

“(1) In General.—The Advisory Board shall consist of seven members, of whom—
“(A) six shall be appointed by the President, by and with the advice and consent of the Senate, in accordance with subsection (c); and

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

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

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

“(4) TERMS OF OFFICE.—

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

“(i) two members who are not affiliated with the same political party, shall be appointed for terms ending on the date that is two years after the date of the enactment of the U.S. Agency for Global Media Reform Act;
“(ii) two members who are not affiliated with the same political party, shall be appointed for terms ending on the date that is four years after the date of the enactment of the U.S. Agency for Global Media Reform Act; and

“(iii) two members who are not affiliated with the same political party, shall be appointed for terms ending on the date that is six years after the date of the enactment of the U.S. Agency for Global Media Reform Act.

“(B) Secretary of State.—The Secretary of State shall serve as a member of the Advisory Board for the duration of his or her tenure as Secretary of State.

“(5) Vacancies.—

“(A) In general.—The President shall appoint, with the advice and consent of the Senate, additional members to fill vacancies on the Advisory Board occurring before the expiration of a term.

“(B) Term.—Any members appointed pursuant to subparagraph (A) shall serve for the remainder of such term.
“(C) Service beyond term.—Any member whose term has expired shall continue to serve as a member of the Advisory Board until a qualified successor has been appointed and confirmed by the Senate.

“(D) Secretary of state.—When there is a vacancy in the office of Secretary of State, the Acting Secretary of State shall serve as a member of the Advisory Board until a new Secretary of State is appointed.”;

(2) by redesignating subsection (d) as subsection (c);

(3) by amending subsection (c), as redesignated—

(A) in the subsection heading, by inserting “Advisory” before “Board”; and

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

(4) by striking subsections (e) and (f) and inserting the following new subsections:

“(d) Functions of the Advisory Board.—The members of the Advisory Board shall—

“(1) provide the Chief Executive Officer of the United States Agency for Global Media with advice
and recommendations for improving the effectiveness
and efficiency of the Agency and its programming;

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

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

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

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

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

“(A) the Chief Executive Officer fully re-
spects the professional integrity and editorial
independence of United States Agency for Glob-
al Media broadcasters, networks, and grantees;
and

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

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

“(e) APPOINTMENT OF HEADS OF NETWORKS.—

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

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

“(3) QUORUM.—
“(A) IN GENERAL.—A quorum shall consist of four members of the Advisory Board (excluding the Secretary of State).

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

“(C) CLOSED SESSIONS.—The Advisory Board may meet in closed sessions in accordance with section 552b of title 5, United States Code.

“(f) COMPENSATION.—

“(1) IN GENERAL.—Members of the Advisory Board, while attending meetings of the Advisory Board or while engaged in duties relating to such meetings or in other activities of the Advisory Board under this section (including travel time) shall be entitled to receive compensation equal to the daily equivalent of the compensation prescribed for level IV of the Executive Schedule under section 5315 of title 5, United States Code.

“(2) TRAVEL EXPENSES.—While away from their homes or regular places of business, members of the Board may be allowed travel expenses, including per diem in lieu of subsistence, as authorized.
under section 5703 of such title for persons in the
Government service employed intermittently.

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

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

(e) CONFORMING AMENDMENTS.—The United States
et seq.) is amended—

(1) in section 304—

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

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

(C) in subsection (b)(1), by striking
“Broadcasting Board of Governors” and insert-
ing “United States Agency for Global Media”;

and

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

(2) in section 305—

(A) in subsection (a)—

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

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

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

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

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

(3) in section 308—

(A) in subsection (a), in the matter preceding paragraph (1), by striking “Board” and inserting “Agency”; and

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

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

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

(F) in subsection (i), in the first sentence, by striking “Board” and inserting “Agency”;

(4) in section 309—

(A) in subsection (c)(1), by striking “Board” each place such term appears and inserting “Agency”;

(B) in subsection (e), in the matter preceding paragraph (1), by striking “Board” and inserting “Agency”;

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

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

(5) in section 310(d), by striking “Board” and inserting “Agency”;
(6) in section 310A(a), by striking “Broadcasting Board of Governors” and inserting “United States Agency for Global Media”;

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

(8) by striking section 312;

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

(10) in section 314—

(A) by striking “(4) the terms ‘Board and Chief Executive Officer of the Board’ means the Broadcasting Board of Governors” and inserting the following:

“(2) the terms ‘Agency’ and ‘Chief Executive Officer of the Agency’ mean the United States Agency for Global Media and the Chief Executive Officer of the United States Agency for Global Media, respectively,”; and

(B) in paragraph (3)—

(i) by striking “includes—” and inserting “means the corporation having the corporate title described in section 308”; and
(ii) by striking subparagraphs (A) and (B); and

(11) in section 316—

(A) in subsection (a)(1), by striking “Broadcasting Board of Governors” and inserting “United States Agency for Global Media”; and

(B) in subsection (c), by striking “Broadcasting Board of Governors” and inserting “United States Agency for Global Media”.

(f) RULEMAKING.—Notwithstanding any other provision of law, the United States Agency for Global Media may not revise part 531 of title 22, Code of Federal Regulations, which took effect on June 11, 2020, without explicit authorization by an Act of Congress.

(g) SAVINGS PROVISIONS.—Section 310 of the United States International Broadcasting Act of 1994 (22 U.S.C. 6209) is amended by adding at the end the following new subsections:

“(f) MAINTENANCE OF PROPRIETARY INFORMATION.—No consolidation of grantees authorized under subsection (a) involving any grantee shall result in any legal transfer of ownership of any proprietary information or intellectual property to the United States Agency for Global Media or any other Federal entity.
“(g) RULE OF CONSTRUCTION.—No consolidation of grantees authorized under subsection (a) shall result in the consolidation of the Open Technology Fund or any successor entity with any other grantee.”.

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