

“(d) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the ‘International Broadcasting Operations’ account of the Broadcasting Board of Governors \$2,000,000 for fiscal year 2008 to carry out the pilot project required under subsection (a).”

§ 6205. Establishment of the International Broadcasting Advisory Board

(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.

(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 4 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 2 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 4 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 6 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.

(c) Selection of the Advisory Board

In identifying individuals for appointment to the Advisory Board under subsection (a), the President shall appoint United States citizens—

(1) who, with the exception of the Secretary of State, are not regular, full-time employees of the United States Government; and

(2) who are distinguished in the fields of public diplomacy, mass communications, print, broadcast or digital media, or foreign affairs, of whom—

(A) one individual should be appointed from among a list of at least three individuals submitted by the Chair of the Committee on Foreign Affairs of the House of Representatives;

(B) one individual should be appointed from among a list of at least three individuals submitted by the Ranking Member of the Committee on Foreign Affairs of the House of Representatives;

(C) one individual should be appointed from among a list of at least three individuals submitted by the Chair of the Committee on Foreign Relations of the Senate; and

(D) one individual should be appointed from among a list of at least three individuals submitted by the Ranking Member of the Committee on Foreign Relations of the Senate.

(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 request of the Chief Executive Officer or the Chair of the Advisory Board;

(3) report periodically, or upon request, to the congressional committees specified in sub-

section (c)(2) regarding its advice and recommendations for improving the effectiveness and efficiency of the United States Agency for Global Media and its programming;

(4) obtain information from the Chief Executive 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 Management and Budget or to Congress;

(6) advise the Chief Executive Officer to ensure that—

(A) the Chief Executive Officer fully respects the professional integrity and editorial independence of United States Agency for Global 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 comprehensive 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 chapter may only be appointed or removed if such action has been approved 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.

(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 compensa-

tion equal to the daily equivalent of the compensation prescribed for level IV of the Executive Schedule under section 5315 of title 5.

(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 chapter, but may be allowed travel expenses in accordance with paragraph (2).

(g) Support staff

The Chief Executive Officer shall, from within existing United States Agency for Global 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).

(Pub. L. 103-236, title III, § 306, Apr. 30, 1994, 108 Stat. 436; Pub. L. 105-277, div. G, subd. A, title XIII, § 1323(j), Oct. 21, 1998, 112 Stat. 2681-780; Pub. L. 114-328, div. A, title XII, § 1288(3), Dec. 23, 2016, 130 Stat. 2551; Pub. L. 116-283, div. A, title XII, § 1299Q(d), Jan. 1, 2021, 134 Stat. 4022.)

Editorial Notes

REFERENCES IN TEXT

The date of the enactment of the U.S. Agency for Global Media Reform Act, referred to in subsec. (b)(4)(A), probably means the date of enactment of section 1299Q of Pub. L. 116-283, which was approved Jan. 1, 2021. A bill with that Short Title, S. 3654, was introduced in the 115th Congress, 2nd Session, but was not enacted. Provisions similar to those in subsec. (b) of this section, as added by section 1299Q of Pub. L. 116-283, were contained in section 3 of the bill.

This chapter, referred to in subsecs. (e)(1) and (f)(3), was in the original “this title”, meaning title III of Pub. L. 103-236, Apr. 30, 1994, 108 Stat. 432, known as the United States International Broadcasting Act of 1994, which is classified principally to this chapter. For complete classification of title III to the Code, see Short Title note set out under section 6201 of this title and Tables.

CODIFICATION

Pub. L. 116-283, div. A, title XII, § 1299Q(d), Jan. 1, 2021, 134 Stat. 4022, which amended this section, was itself amended by Pub. L. 116-260, div. O, title XIII, § 1301, Dec. 27, 2020, 134 Stat. 2158, to make it effective 90 days after Jan. 1, 2021. However, the amendment by Pub. L. 116-260 could not be executed because it was enacted before the provision from Pub. L. 116-283 that it amended.

AMENDMENTS

2021—Subsec. (a). Pub. L. 116-283, § 1299Q(d)(1), added subsec. (a) and struck out former subsec. (a). Prior to amendment, text read as follows: “Except as provided in subsection (b)(2), the International Broadcasting Advisory Board (referred to in this section as the ‘Advisory Board’) shall consist of five members, including the Secretary of State, appointed by the President and in accordance with subsection (d), to advise the Chief Executive Officer of the Broadcasting Board of Governors, as appropriate.”

Subsec. (b). Pub. L. 116-283, § 1299Q(d)(1), added subsec. (b) and struck out former subsec. (b) which related to retention of existing BBG Board Members.

Subsec. (c). Pub. L. 116-283, § 1299Q(d)(1)-(3), redesignated subsec. (d) as (c), inserted "Advisory" before "Board" in subsec. heading and "who are" before "distinguished" in par. (2), and struck out former subsec. (c) which related to terms of office.

Subsec. (d). Pub. L. 116-283, § 1299Q(d)(4), added subsec. (d). Former subsec. (d) redesignated (c).

Subsecs. (e) to (g). Pub. L. 116-283, § 1299Q(d)(4), added subsecs. (e) to (g).

2016—Pub. L. 114-328 amended section generally. Prior to amendment, section related to the role of the Secretary of State in international broadcasting.

1998—Pub. L. 105-277, § 1323(j)(1), substituted "Role of Secretary of State" for "Foreign policy guidance" in section catchline.

Subsec. (a). Pub. L. 105-277, § 1323(j)(2)-(4), designated existing provisions as subsec. (a), inserted heading, substituted "State" for "State, acting through the Director of the United States Information Agency," and inserted before period at end ", as the Secretary may deem appropriate".

Subsec. (b). Pub. L. 105-277, § 1323(j)(5), added subsec. (b).

Statutory Notes and Related Subsidiaries

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.

§ 6206. Grantee corporate boards of directors

(a) In general

The corporate board of directors of each grantee under this chapter—

(1) shall be bipartisan;

(2) shall, except as otherwise provided in this Act, have the sole responsibility to operate their respective grantees within the jurisdiction of their respective States of incorporation;

(3) shall be composed of not fewer than 5 members, who shall be qualified individuals who are not employed in the public sector; and

(4) shall appoint successors in the event of vacancies on their respective boards, in accordance with applicable bylaws.

(b) Not Federal employees

No employee of any grantee under this chapter may be a Federal employee.

(Pub. L. 103-236, title III, § 307, as added Pub. L. 117-263, div. I, title XCVII, § 9704, Dec. 23, 2022, 136 Stat. 3914.)

Editorial Notes

REFERENCES IN TEXT

This chapter, referred to in text, was in the original "this title", meaning title III of Pub. L. 103-236, Apr. 30, 1994, 108 Stat. 432, known as the United States International Broadcasting Act of 1994, which is classified principally to this chapter. For complete classification of title III to the Code, see Short Title note set out under section 6201 of this title and Tables.

This Act, referred to in subsec. (a)(2), is Pub. L. 103-236, Apr. 30, 1994, 108 Stat. 382, known as the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995. For complete classification of this Act to the Code, see Short Title of 1994 Amendment note set out under section 2651 of this title and Tables.

PRIOR PROVISIONS

A prior section 6206, Pub. L. 103-236, title III, § 307, Apr. 30, 1994, 108 Stat. 436; Pub. L. 105-277, div. G,

subdiv. A, title XIII, § 1323(k), Oct. 21, 1998, 112 Stat. 2681-780, related to the International Broadcasting Bureau, prior to repeal by Pub. L. 114-328, div. A, title XII, § 1288(4), Dec. 23, 2016, 130 Stat. 2552.

Statutory Notes and Related Subsidiaries

PERSONAL SERVICES CONTRACTING PILOT PROGRAM

Pub. L. 107-228, div. A, title V, § 504, Sept. 30, 2002, 116 Stat. 1393, as amended by Pub. L. 109-140, § 6, Dec. 22, 2005, 119 Stat. 2652; Pub. L. 109-472, § 9, Jan. 11, 2007, 120 Stat. 3556; Pub. L. 110-161, div. J, title VI, § 634(r), Dec. 26, 2007, 121 Stat. 2330; Pub. L. 110-321, § 5, Sept. 19, 2008, 122 Stat. 3536, authorized the Director of the International Broadcasting Bureau to establish a pilot program for the purpose of hiring United States citizens or aliens as personal services contractors for service in the United States as broadcasters and other broadcasting specialists in the International Broadcasting Bureau, and provided that such authority would terminate on Dec. 31, 2009. Subsequent laws incrementally extended the authority until Sept. 30, 2016.

§ 6207. Limits on grants for Radio Free Europe and Radio Liberty

(a) Board of RFE/RL, Incorporated

The Agency may not make any grant to RFE/RL, Incorporated, unless the certificate of incorporation of RFE/RL, Incorporated, has been amended to provide that—

(1) the Board of Directors of RFE/RL, Incorporated, shall consist of the members authorized under section 6204(a)(20)¹ of this title; and

(2) such Board of Directors shall make all major policy determinations governing the operation of RFE/RL, Incorporated, and shall appoint and fix the compensation of such managerial officers and employees of RFE/RL, Incorporated, as it considers necessary to carry out the purposes of the grant provided under this chapter.

(b) Location of principal place of business

(1) The Agency may not make any grant to RFE/RL, Incorporated unless the headquarters of RFE/RL, Incorporated and its senior administrative and managerial staff are in a location which ensures economy, operational effectiveness, and accountability to the Agency.

(2) Not later than 90 days after confirmation of all members of the Agency, the Agency shall provide a report to Congress on the number of administrative, managerial, and technical staff of RFE/RL, Incorporated 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.

(c) Limitation on grant amounts

The total amount of grants made for the operating costs of RFE/RL, Incorporated, may not exceed \$85,000,000 in fiscal year 2003.

(d) Alternative grantee

If the Chief Executive Officer determines at any time that RFE/RL, Incorporated is not carrying out the functions described in this section in an effective and economical manner, the Agency may award the grant to carry out such functions to another entity.

¹ See References in Text note below.