

States, not any single segment of American society and will, therefore, present a balanced and comprehensive projection of significant American thought and institutions.

(3) The United States International Television Service will present the policies of the United States clearly and effectively and will also present responsible discussions and opinion on these policies.

**(c) Programs**

The Broadcasting Board of Governors is authorized to produce, acquire, or broadcast television programs, via satellite, only if such programs—

(1) are interactive, consisting of interviews among participants in different locales;

(2) cover news, public affairs, or other current events;

(3) cover official activities of government, Federal or State, including congressional proceedings and news briefings of any agency of the Executive branch; or

(4) are of an artistic or scientific character or are otherwise representative of American culture.

**(d) Costs**

When a comparable program produced by United States public or commercial broadcasters and producers is available at a cost which is equal to or less than the cost of production by the United States International Television Service, the Broadcasting Board of Governors shall use such materials in preference to the United States International Television Service produced materials.

**(e) Allocation of funds**

(1) Of the funds authorized to be appropriated to the Broadcasting Board of Governors not more than \$12,000,000 for the fiscal year 1990 and not more than \$12,480,000 for the fiscal year 1991 may be obligated or expended for the United States International Television Service.

(2) The Broadcasting Board of Governors shall prepare and submit to the Congress quarterly reports which contain a detailed explanation of expenditures for the United States International Television Service during the fiscal years 1990 and 1991. Such reports shall contain specific justification and supporting information pertaining to all programs, particularly those described in subsection (c)(4) of this section, that were produced in-house by the United States International Television Service. Each such report shall include a statement by the Broadcasting Board of Governors that, according to the best information available to the Broadcasting Board of Governors, no comparable United States commercially-produced or public television program is available at a cost which is equal to or less than the cost of production by the United States International Television Service.

(3) Of the funds authorized to be appropriated to the Broadcasting Board of Governors, \$1,500,000 for the fiscal year 1990 and \$1,500,000 for the fiscal year 1991 shall be available only for the purchase or use of programs produced with grants from the Corporation for Public Broadcasting or produced by United States public broadcasters.

(Jan. 27, 1948, ch. 36, title V, §505, as added Pub. L. 101-246, title II, §205(a), Feb. 16, 1990, 104 Stat. 50; amended Pub. L. 105-277, div. G, subdiv. A, title XIII, §1335(a)(1), Oct. 21, 1998, 112 Stat. 2681-786.)

AMENDMENTS

1998—Subsec. (a). Pub. L. 105-277, §1335(a)(1)(A), substituted “Broadcasting Board of Governors” for “Director of the United States Information Agency”.

Subsec. (b). Pub. L. 105-277, §1335(a)(1)(B), (C)(i), in introductory provisions, substituted “Broadcasting Board of Governors” for “United States Information Agency” and “television broadcasts of the United States International Television Service” for “Agency’s television broadcasts (hereinafter in this section referred to as ‘USIA-TV’)”.

Subsec. (b)(1) to (3). Pub. L. 105-277, §1335(a)(1)(C)(ii), substituted “The United States International Television Service” for “USIA-TV”, wherever appearing.

Subsec. (c). Pub. L. 105-277, §1335(a)(1)(A), substituted “Broadcasting Board of Governors” for “Director of the United States Information Agency” in introductory provisions.

Subsec. (d). Pub. L. 105-277, §1335(a)(1)(A), (D), substituted “Broadcasting Board of Governors” for “Director of the United States Information Agency” and substituted “the United States International Television Service” for “USIA-TV” in two places.

Subsec. (e)(1). Pub. L. 105-277, §1335(a)(1)(B), (D), substituted “Broadcasting Board of Governors” for “United States Information Agency” and “the United States International Television Service” for “USIA-TV”.

Subsec. (e)(2). Pub. L. 105-277, §1335(a)(1)(D), substituted “the United States International Television Service” for “USIA-TV”, wherever appearing.

Pub. L. 105-277, §1335(a)(1)(A), (B), in first sentence, substituted “Broadcasting Board of Governors” for “United States Information Agency”, and in last sentence, substituted “Broadcasting Board of Governors” for “Director of the United States Information Agency” after “statement by the” and for “United States Information Agency” after “available to the”.

Subsec. (e)(3). Pub. L. 105-277, §1335(a)(1)(B), substituted “Broadcasting Board of Governors” for “United States Information Agency”.

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.

TELEVISION SERVICE OF USIA

Pub. L. 100-204, title II, §207, Dec. 22, 1987, 101 Stat. 1374, which provided that the television and film service of the United States Information Agency was to operate under same criteria and conditions as specified for Voice of America by section 1463 of this title, was repealed by Pub. L. 105-277, div. G, subdiv. A, title XIII, §1336(7), Oct. 21, 1998, 112 Stat. 2681-790.

**§ 1464b. Voice of America hiring practices**

**(a) Prohibition**

After February 16, 1990, the Voice of America shall not select candidates for employment who must be or are preapproved for employment at the Voice of America by a foreign government or an entity controlled by a foreign government.

**(b) Exception**

The prohibition referred to in this section shall not apply to—

(1) participants in the Voice of America’s exchange programs; or

(2) clerical, technical, or maintenance staff at Voice of America offices in foreign countries.

**(c) Report**

If the Broadcasting Board of Governors determines that the prohibition under subsection (a) of this section would require the termination of a specific Voice of America foreign language service, then, not less than 90 days before the Board begins to recruit such candidates, the Board shall submit to the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives a report concerning—

(1) the number and location of speakers of the applicable foreign language who could be recruited by the Voice of America without violating this section; and

(2) the efforts made by the Voice of America to recruit such individuals for employment.

(Jan. 27, 1948, ch. 36, title V, § 506, as added Pub. L. 101-246, title II, § 232, Feb. 16, 1990, 104 Stat. 57; amended Pub. L. 105-277, div. G, subdiv. A, title XIII, § 1335(a)(2), Oct. 21, 1998, 112 Stat. 2681-787.)

## AMENDMENTS

1998—Subsec. (c). Pub. L. 105-277, in introductory provisions, substituted “Broadcasting Board of Governors” for “Director of the United States Information Agency”, “Board begins” for “Agency begins”, and “Board shall” for “Director shall”.

## 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.

## SUBCHAPTER V—A—RADIO BROADCASTING TO CUBA

## REPEAL OF SUBCHAPTER

*Subchapter repealed upon transmittal of determination by President under section 6063(c)(3) of this title that democratically elected government in Cuba is in power, see section 6037(c) of this title.*

**§ 1465. Congressional findings and declaration of purposes**

The Congress finds and declares—

(1) that it is the policy of the United States to support the right of the people of Cuba to seek, receive, and impart information and ideas through any media and regardless of frontiers, in accordance with article 19 of Universal Declaration of Human Rights;

(2) that, consonant with this policy, radio broadcasting to Cuba may be effective in furthering the open communication of accurate information and ideas to the people of Cuba, in particular information about Cuba;

(3) that such broadcasting to Cuba, operated in a manner not inconsistent with the broad foreign policy of the United States and in accordance with high professional standards, would be in the national interest; and

(4) that the Voice of America already broadcasts to Cuba information that represents America, not any single segment of American society, and includes a balanced and comprehensive projection of significant American thought and institutions but that there is a need for broadcasts to Cuba which provide news, commentary and other information

about events in Cuba and elsewhere to promote the cause of freedom in Cuba.

(Pub. L. 98-111, § 2, Oct. 4, 1983, 97 Stat. 749.)

## REPEAL OF SECTION

*Section repealed upon transmittal of determination by President under section 6063(c)(3) of this title that democratically elected government in Cuba is in power, see section 6037(c) of this title.*

## CODIFICATION

Section was enacted as part of the Radio Broadcasting to Cuba Act which comprises this subchapter, and not as part of the United States Information and Educational Exchange Act of 1948 which comprises this chapter.

## SHORT TITLE

Section 1 of Pub. L. 98-111 provided: “That this Act [enacting this subchapter] may be cited as the ‘Radio Broadcasting to Cuba Act.’”

**§ 1465a. Additional functions of Broadcasting Board of Governors****(a) Radio broadcasting to Cuba**

In order to carry out the objectives set forth in section 1465 of this title, the Broadcasting Board of Governors (hereafter in this subchapter referred to as the “Board”) shall provide for the open communication of information and ideas through the use of radio broadcasting to Cuba. Radio broadcasting to Cuba shall serve as a consistently reliable and authoritative source of accurate, objective, and comprehensive news.

**(b) Broadcasting as part of Voice of America**

Radio broadcasting in accordance with subsection (a) of this section shall be part of the Voice of America radio broadcasting to Cuba and shall be in accordance with all Voice of America standards to ensure the broadcast of programs which are objective, accurate, balanced, and which present a variety of views.

**(c) Location of broadcast facilities; frequency; leased time from nongovernmental short-wave stations**

Radio broadcasting to Cuba authorized by this subchapter shall utilize the broadcasting facilities located at Marathon, Florida, and the 1180 AM frequency that were used by the Voice of America prior to October 4, 1983. Other frequencies, not on the commercial Amplitude Modulation (AM) Band (535 kHz to 1605 kHz), may also be simultaneously utilized: *Provided*, That no frequency shall be used for radio broadcasts to Cuba in accordance with this subchapter which is not also used for all other Voice of America broadcasts to Cuba. Time leased from nongovernmental shortwave radio stations may be used to carry all or part of the Service programs and to rebroadcast Service programs: *Provided*, That not less than 30 per centum of the programs broadcast or rebroadcast shall be regular Voice of America broadcasts with particular emphasis on news and programs meeting the requirements of section 1463(2)<sup>1</sup> of this title.

<sup>1</sup> See References in Text note below.