

(Pub. L. 103-236, title III, §306, Apr. 30, 1994, 108 Stat. 436; Pub. L. 105-277, div. G, subdiv. A, title XIII, §1323(j), Oct. 21, 1998, 112 Stat. 2681-780.)

AMENDMENTS

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).

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. International Broadcasting Bureau

(a) Establishment

There is hereby established an International Broadcasting Bureau under the Board (hereafter in this chapter referred to as the “Bureau”), to carry out all nonmilitary international broadcasting activities supported by the United States Government other than those described in sections 6207 and 6208 of this title.

(b) Selection of Director of Bureau

The Director of the Bureau shall be appointed by the President, by and with the advice and consent of the Senate. The Director of the Bureau shall be entitled to receive compensation at the rate prescribed by law for level IV of the Executive Schedule.

(c) Responsibilities of Director

The Director shall organize and chair a coordinating committee to examine and make recommendations to the Board on long-term strategies for the future of international broadcasting, including the use of new technologies, further consolidation of broadcast services, and consolidation of currently existing public affairs and legislative relations functions in the various international broadcasting entities. The coordinating committee shall include representatives of Radio Free Asia, RFE/RL, Incorporated, the Broadcasting Board of Governors, and, as appropriate, the Office of Cuba Broadcasting, the Voice of America, and Worldnet.

(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.)

REFERENCES IN TEXT

This chapter, referred to in subsec. (a), 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.

Level IV of the Executive Schedule, referred to in subsec. (b), is set out in section 5315 of Title 5, Government Organization and Employees.

AMENDMENTS

1998—Subsec. (a). Pub. L. 105-277, §1323(k)(1), substituted “under the Board” for “within the United States Information Agency”.

Subsec. (b). Pub. L. 105-277, §1323(k)(2)–(4), redesignated par. (1) as entire subsec. (b), substituted “President, by and with the advice and consent of the Senate” for “Chairman of the Board, in consultation with the Director of the United States Information Agency and with the concurrence of a majority of the Board”, and struck out par. (2) which amended section 5315 of Title 5, Government Organization and Employees.

Subsec. (c). Pub. L. 105-277, §1323(k)(5), added subsec. (c).

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.

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, provided that:

“(a) IN GENERAL.—The Director of the International Broadcasting Bureau (in this section referred to as the ‘Director’) may establish a pilot program (in this section referred to as the ‘program’) for the purpose of hiring United States citizens or aliens as personal services contractors, without regard to Civil Service and classification laws, for service in the United States as broadcasters and other broadcasting specialists in the International Broadcasting Bureau to respond to new or emerging broadcast needs or to augment broadcast services.

“(b) CONDITIONS.—The Director is authorized to use the authority of subsection (a) subject to the following conditions:

“(1) The Director determines that existing personnel resources are insufficient and the need is not of permanent duration.

“(2) The Director approves each employment of a personal services contractor.

“(3) The contract length, including options, may not exceed 2 years, unless the Director makes a finding that exceptional circumstances justify an extension of up to one additional year.

“(4) Not more than a total of 60 United States citizens or aliens are employed at any one time as personal services contractors under the program.

“(c) TERMINATION OF AUTHORITY.—The authority to award personal services contracts under the pilot program authorized by this section shall terminate on December 31, 2009. A contract entered into prior to the termination date under this subsection may remain in effect for a period not to exceed 6 months after such termination date.”

[Pub. L. 113-235, div. J, title I, Dec. 16, 2014, 128 Stat. 2580, provided in part: “That the authority provided by section 504(c) of the Foreign Relations Authorization Act, Fiscal Year 2003 (Public Law 107-228; 22 U.S.C. 6206 note) shall remain in effect through September 30, 2015.”]

[Pub. L. 113-76, div. K, title I, Jan. 17, 2014, 128 Stat. 471, provided in part: “That the authority provided by section 504(c) of the Foreign Relations Authorization Act, Fiscal Year 2003 (Public Law 107-228; 22 U.S.C. 6206 note) shall remain in effect through September 30, 2014.”]

[Pub. L. 112-74, div. I, title I, Dec. 23, 2011, 125 Stat. 1171, provided in part: “That the authority provided by section 504(c) of the Foreign Relations Authorization Act, Fiscal Year 2003 (Public Law 107-228; 22 U.S.C. 6206 note) shall remain in effect through September 30, 2012.”]

[Pub. L. 111-117, div. F, title I, Dec. 16, 2009, 123 Stat. 3318, provided in part: “That the authority provided by section 504(c) of the Foreign Relations Authorization Act, Fiscal Year 2003 (Public Law 107-228; 22 U.S.C. 6206 note) shall remain in effect through September 30, 2010.”]

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

(a) Board of RFE/RL, Incorporated

The Board 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 of the Broadcasting Board of Governors established under section 6203 of this title and of no other members; 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 Board 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 Board.

(2) 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 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 Board determines at any time that RFE/RL, Incorporated, is not carrying out the functions described in section 6208 of this title in an effective and economical manner, the Board may award the grant to carry out such functions to another entity after soliciting and considering applications from eligible entities in such manner and accompanied by such information as the Board may reasonably require.

(e) Not a Federal agency or instrumentality

Nothing in this chapter may be construed to make RFE/RL, Incorporated a Federal agency or instrumentality.

(f) Authority

Grants authorized under section 6204 of this title for RFE/RL, Incorporated, shall be available to make annual grants for the purpose of carrying out similar functions as were carried out by RFE/RL, Incorporated, on the day before April 30, 1994, with respect to Radio Free Europe and Radio Liberty, consistent with section 2 of the Board for International Broadcasting Act of 1973 [22 U.S.C. 2871], as in effect on such date.

(g) Grant agreement

Grants to RFE/RL, Incorporated, by the Board shall only be made in compliance with a grant

agreement. The grant agreement shall establish guidelines for such grants. The grant agreement shall include the following provisions—

(1) that a grant be used only for activities which the Board determines are consistent with the purposes of subsection (f);

(2) that RFE/RL, Incorporated, shall otherwise comply with the requirements of this section;

(3) that failure to comply with the requirements of this section may result in suspension or termination of a grant without further obligation by the Board or the United States;

(4) that duplication of language services and technical operations between RFE/RL, Incorporated and the International Broadcasting Bureau be reduced to the extent appropriate, as determined by the Board; and

(5) that RFE/RL, Incorporated, justify in detail each proposed expenditure of grant funds, and that such funds may not be used for any other purpose unless the Board gives its prior written approval.

(h) Prohibited uses of grant funds

No grant funds provided under this section may be used for the following purposes:

(1)(A) Except as provided in subparagraph (B) or (C), to pay any salary or other compensation, or enter into any contract providing for the payment of salary or compensation in excess of the rates established for comparable positions under title 5 or the foreign relations laws of the United States, except that no employee may be paid a salary or other compensation in excess of the rate of pay payable for level IV of the Executive Schedule under section 5315 of title 5.

(B) Salary and other compensation limitations under subparagraph (A) shall not apply prior to October 1, 1995, with respect to any employee covered by a union agreement requiring a salary or other compensation in excess of such limitations.

(C) Notwithstanding the limitations under subparagraph (A), grant funds provided under this section may be used by RFE/RL, Incorporated, to pay up to three employees employed in Washington, D.C., salary or other compensation not to exceed the rate of pay payable for level III of the Executive Schedule under section 5314 of title 5.

(2) For any activity for the purpose of influencing the passage or defeat of legislation being considered by Congress.

(3) To enter into a contract or obligation to pay severance payments for voluntary separation for employees hired after December 1, 1990, except as may be required by United States law or the laws of the country where the employee is stationed.

(4) For first class travel for any employee of RFE/RL, Incorporated, or the relative of any employee.

(5) To compensate freelance contractors without the approval of the Board.

(i) Report on management practices

(1)¹ Effective not later than March 31 and September 30 of each calendar year, the Inspector

¹ So in original. No par. (2) has been enacted.