

“the Director of the United States Information Agency” each place it appears, was executed by substituting “Broadcasting Board of Governors” for “Director of the United States Information Agency” in two places, to reflect the probable intent of Congress.

1994—Pub. L. 103-236 substituted “of the Voice of America” for “and the Associate Director for Broadcasting of the 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.

§ 1465c. Advisory Board for Cuba Broadcasting

(a) Establishment; membership; chairperson

There is established within the Office of the President the Advisory Board for Cuba Broadcasting (in this subchapter¹ referred to as the “Advisory Board”). The Advisory Board shall consist of nine members, appointed by the President by and with the advice and consent of the Senate, of whom not more than five shall be members of the same political party. The President shall designate one member of the Advisory Board to serve as chairperson.

(b) Review; recommendations

The Advisory Board shall review the effectiveness of the activities carried out under this subchapter and the Television Broadcasting to Cuba Act [22 U.S.C. 1465aa et seq.] and shall make recommendations to the President and the Broadcasting Advisory² Board of Governors as it may consider necessary.

(c) Terms; vacancies

In appointing the initial voting members of the Advisory Board, the President shall designate three members to serve for a term of three years, three members to serve for a term of two years, and three members to serve for a term of one year. Thereafter, the term of each member of the Advisory Board shall be three years. The President shall appoint, by and with the advice and consent of the Senate, members to fill vacancies occurring prior to the expiration of a term, in which case the members so appointed shall serve for the remainder of such term. Any member whose term has expired may serve until his successor has been appointed and qualified.

(d) Ex officio members

The head of the Cuba Service and the head of the Television Marti Service shall serve, ex officio, as members of the Advisory Board.

(e) Compensation; travel expenses

Members of the Advisory Board appointed by the President shall, while attending meetings of the Advisory Board or while engaged in duties relating to such meetings or in other activities of the Advisory Board pursuant to this section, including traveltime, be entitled to receive compensation equal to the daily equivalent of the compensation prescribed for level V of the Executive Schedule under section 5316 of title 5. While away from their homes or regular places

of business they may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by law (5 U.S.C. 5703) for persons in the Government service employed intermittently. The ex officio members of the Advisory Board shall not be entitled to any compensation under this section, but may be allowed travel expenses as provided in the preceding sentence.

(f) Procurement powers of Advisory Board

The Advisory Board may, to the extent it deems necessary to carry out its functions under this section, procure supplies, services, and other personal property, including specialized electronic equipment.

(g) Indefinite life span of Advisory Board

Notwithstanding any other provision of law, the Advisory Board shall remain in effect indefinitely.

(h) Authorization of appropriations

There are authorized to be appropriated \$130,000 to carry out the provisions of this section.

(Pub. L. 98-111, § 5, Oct. 4, 1983, 97 Stat. 750; Pub. L. 101-246, title II, § 245(a), Feb. 16, 1990, 104 Stat. 61; Pub. L. 103-236, title III, § 305(e)(2), formerly § 305(d)(2), Apr. 30, 1994, 108 Stat. 436; Pub. L. 105-277, div. G, subdiv. A, title XIII, §§ 1323(f)(1), 1324(5), Oct. 21, 1998, 112 Stat. 2681-779, 2681-781.)

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.

REFERENCES IN TEXT

This subchapter, referred to in subsec. (a), was in the original “this division”, and was translated as reading “this Act”, meaning Pub. L. 98-111, which enacted this subchapter, to reflect the probable intent of Congress.

The Television Broadcasting to Cuba Act, referred to in subsec. (b), is part D of title II of Pub. L. 101-246, Feb. 16, 1990, 104 Stat. 58, as amended, which is classified principally to subchapter V-B (§ 1465aa et seq.) of this chapter. For complete classification of this Act to the Code, see Short Title note set out under section 1465aa of this title and Tables.

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.

AMENDMENTS

1998—Subsec. (a). Pub. L. 105-277, § 1324(5), substituted “There is established within the Office of the President the Advisory Board for Cuba Broadcasting (in this division referred to as the ‘Advisory Board’).” for “There is established within the Office of the President the Advisory Board for Cuba Broadcasting (hereafter in this subchapter referred to as the ‘Board’).”, and substituted “Advisory Board” for “Board” in two places.

Subsecs. (b) to (g). Pub. L. 105-277, § 1324(5)(A), substituted “Advisory Board” for “Board” wherever appearing.

1994—Subsec. (b). Pub. L. 103-236 substituted “Broadcasting Board of Governors” for “Director and Associate Director for Broadcasting of the United States Information Agency”.

¹ See References in Text note below.

² So in original. The word “Advisory” probably should not appear.

1990—Pub. L. 101-246, §245(a)(1), substituted “Cuba Broadcasting” for “Radio Broadcasting to Cuba” in section catchline.

Subsec. (a). Pub. L. 101-246, §245(a)(2), amended subsec. (a) generally, substituting “Cuba Broadcasting” for “Radio Broadcasting to Cuba” and “to serve as chairperson” for “to serve as Chairman”.

Subsec. (b). Pub. L. 101-246, §245(a)(2), amended subsec. (b) generally. Prior to amendment, subsec. (b) read as follows: “The Board shall review the effectiveness of the activities carried out under this subchapter and shall make such recommendations to the President, the Director and the Associate Director for Broadcasting of the United States Information Agency as it may deem necessary.”

Subsec. (d). Pub. L. 101-246, §245(a)(3), amended subsec. (d) generally. Prior to amendment, subsec. (d) read as follows: “The head of the Service shall serve, ex officio, as a member of the Board.”

Subsec. (e). Pub. L. 101-246, §245(a)(4), substituted “The ex officio members” for “The ex officio member”.

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.

FORMER REFERENCES TO ADVISORY BOARD FOR RADIO BROADCASTING TO CUBA

Pub. L. 101-246, title II, §245(b), Feb. 16, 1990, 104 Stat. 61, provided that: “A reference in any provision of law to the ‘Advisory Board for Radio Broadcasting to Cuba’ shall be considered to be a reference to the ‘Advisory Board for Cuba Broadcasting’.”

CONTINUED SERVICE OF BOARD MEMBERS

Pub. L. 101-246, title II, §245(c), Feb. 16, 1990, 104 Stat. 61, provided that: “Each member of the Advisory Board for Radio Broadcasting to Cuba as in existence on the day before the effective date of the amendment made by subsection (a) [Feb. 16, 1990] shall continue to serve for the remainder of the term to which such member was appointed as a member of the Advisory Board for Cuba Broadcasting.”

STAFF DIRECTOR

Pub. L. 101-246, title II, §245(d), Feb. 16, 1990, 104 Stat. 62, as amended by Pub. L. 105-277, div. G, subdiv. A, title XIII, §1325(5), Oct. 21, 1998, 112 Stat. 2681-782, provided that: “The Advisory Board shall have a staff director who shall be appointed by the Chairperson of the Advisory Board for Cuba Broadcasting.”

§ 1465d. Assistance from other government agencies

(a) In order to assist the Broadcasting Board of Governors in carrying out the purposes set forth in section 1465 of this title, any agency or instrumentality of the United States may sell, loan, lease, or grant property (including interests therein) and may perform administrative and technical support and services at the request of the Board. Support and services shall be provided on a reimbursable basis. Any reimbursement shall be credited to the appropriation from which the property, support, or services was derived.

(b) The Board may carry out the purposes of section 1465a of this title by means of grants, leases, or contracts (subject to the availability of appropriations), or such other means as the Board determines will be most effective.

(Pub. L. 98-111, §6, Oct. 4, 1983, 97 Stat. 751; Pub. L. 105-277, div. G, subdiv. A, title XIII, §1324(1), (2), Oct. 21, 1998, 112 Stat. 2681-781.)

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.

AMENDMENTS

1998—Subsec. (a). Pub. L. 105-277 substituted “Broadcasting Board of Governors” for “United States Information Agency” and “Board” for “Agency”.

Subsec. (b). Pub. L. 105-277, §1324(2), substituted “Board” for “Agency” in two places.

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.

§ 1465e. Compensation for Cuban interference with broadcasting in United States

(a) Interim assistance to United States broadcasters

It is the intent of the Congress that the Secretary of State should seek prompt and full settlement of United States claims against the Government of Cuba arising from Cuban interference with broadcasting in the United States. Pending the settlement of these claims, it is appropriate to provide some interim assistance to the United States broadcasters who are adversely affected by Cuban radio interference and who seek to assert their right to measures to counteract the effects of such interference.

(b) Money payments pursuant to authority from Federal Communications Commission

Accordingly, the Board may make payments to the United States radio broadcasting station licensees upon their application for expenses which they have incurred before, on, or after October 4, 1983, in mitigating, pursuant to special temporary authority from the Federal Communications Commission, the effects of activities by the Government of Cuba which directly interfere with the transmission or reception of broadcasts by these licensees. Such expenses shall be limited to the costs of equipment replaced (less depreciation) and associated technical and engineering costs.

(c) Regulations and procedures

The Federal Communications Commission shall issue such regulations and establish such procedures for carrying out this section as the Federal Communications Commission finds appropriate. Such regulations shall be issued no later than one hundred and eighty days after October 4, 1983.

(d) Authorization of appropriations

There are authorized to be appropriated to the Board, \$5,000,000 for use in compensating United States radio broadcasting licensees pursuant to this section. Amounts appropriated under this