

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 by law (5 U.S.C. 5703) for persons in the Government service employed intermittently. The Secretary of State shall not be entitled to any compensation under this chapter, but may be allowed travel expenses as provided under this subsection.

(f) Decisions

Decisions of the Board shall be made by majority vote, a quorum being present. A quorum shall consist of 5 members.

(g) Immunity from civil liability

Notwithstanding any other provision of law, any and all limitations on liability that apply to the members of the Broadcasting Board of Governors also shall apply to such members when acting in their capacities as members of the boards of directors of RFE/RL, Incorporated and Radio Free Asia.

(Pub. L. 103-236, title III, §304, Apr. 30, 1994, 108 Stat. 434; Pub. L. 105-277, div. G, subdiv. A, title XIII, §§1322, 1323(b), (c), Oct. 21, 1998, 112 Stat. 2681-777, 2681-778; Pub. L. 106-113, div. B, §1000(a)(7) [div. A, title V, §§502, 504], Nov. 29, 1999, 113 Stat. 1536, 1501A-451.)

REFERENCES IN TEXT

For the effective date of title XIII of the Foreign Affairs Agencies Consolidation Act of 1998, referred to in subsec. (a)(2), meaning the effective date of title XIII of subdiv. A of div. G of Pub. L. 105-277, see section 1301 of Pub. L. 105-277, set out as a note under section 6531 of this title.

The Inspector General Act of 1978, referred to in subsec. (a)(3)(A), is Pub. L. 95-452, Oct. 12, 1978, 92 Stat. 1101, as amended, which is set out in the Appendix to Title 5, Government Organization and Employees.

This chapter, referred to in subsecs. (a)(3)(B) and (e), 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.

AMENDMENTS

1999—Subsec. (b)(2). Pub. L. 106-113, §1000(a)(7) [div. A, title V, §502(2)], which directed amendment of par. (2) by inserting " , subject to the advice and consent of the Senate" at end, was executed by making the insertion before period at end, to reflect the probable intent of Congress.

Pub. L. 106-113, §1000(a)(7) [div. A, title V, §502(1)], substituted "appoint" for "designate".

Subsec. (g). Pub. L. 106-113, §1000(a)(7) [div. A, title V, §504], added subsec. (g).

1998—Subsec. (a). Pub. L. 105-277, §1322, amended heading and text of subsec. (a) generally. Prior to amendment, text read as follows: "There is hereby established within the United States Information Agency a Broadcasting Board of Governors (hereafter in this chapter referred to as the 'Board')."

Subsec. (b). Pub. L. 105-277, §1323(b), substituted "Secretary of State" for "Director of the United States Information Agency" wherever appearing.

Subsec. (c). Pub. L. 105-277, §1323(b), (c), in first sentence, substituted "Secretary of State" for "Director of the United States Information Agency", and in last sentence, substituted "no Secretary of State" for "no Director of the United States Information Agency" and "Acting Secretary of State" for "acting Director of the agency".

Subsec. (e). Pub. L. 105-277, §1323(b), substituted "Secretary of State" for "Director 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.

§ 6204. Authorities of Board

(a) Authorities

The Board shall have the following authorities:

(1) To supervise all broadcasting activities conducted pursuant to this chapter, the Radio Broadcasting to Cuba Act [22 U.S.C. 1465 et seq.],¹ the Television Broadcasting to Cuba Act [22 U.S.C. 1465aa et seq.], and Worldnet Television, except as provided in section 6205(b) of this title.

(2) To review and evaluate the mission and operation of, and to assess the quality, effectiveness, and professional integrity of, all such activities within the context of the broad foreign policy objectives of the United States.

(3) To ensure that United States international broadcasting is conducted in accordance with the standards and principles contained in section 6202 of this title.

(4) To review, evaluate, and determine, at least annually, after consultation with the Secretary of State, the addition or deletion of language services.

(5) To make and supervise grants for broadcasting and related activities in accordance with sections 6207 and 6208 of this title.

(6) To allocate funds appropriated for international broadcasting activities among the various elements of the International Broadcasting Bureau and grantees, subject to the limitations in sections 6207 and 6208 of this title and subject to reprogramming notification requirements in law for the reallocation of funds.

(7) To review engineering activities to ensure that all broadcasting elements receive the highest quality and cost-effective delivery services.

(8) To undertake such studies as may be necessary to identify areas in which broadcasting activities under its authority could be made more efficient and economical.

(9) To submit to the President and the Congress an annual report which summarizes and evaluates activities under this chapter, the Radio Broadcasting to Cuba Act [22 U.S.C. 1465 et seq.], and the Television Broadcasting to Cuba Act [22 U.S.C. 1465aa et seq.]. Each annual report shall place special emphasis on the assessment described in paragraph (2).

(10) To the extent considered necessary to carry out the functions of the Board, procure supplies, services, and other personal property.

(11) To appoint such staff personnel for the Board as the Board may determine to be necessary, subject to the provisions of title 5 governing appointments in the competitive service, and to fix their compensation in accord-

¹ So in original.

ance with the provisions of chapter 51 and subchapter III of chapter 53 of such title relating to classification and General Schedule pay rates.

(12) To obligate and expend, for official reception and representation expenses, such amount as may be made available through appropriations (which for each of the fiscal years 1998 and 1999 may not exceed the amount made available to the Board and the International Broadcasting Bureau for such purposes for fiscal year 1997).

(13) To make available in the annual report required by paragraph (9) information on funds expended on administrative and managerial services by the Bureau and by grantees and the steps the Board has taken to reduce unnecessary overhead costs for each of the broadcasting services.

(14) The Board may provide for the use of United States Government transmitter capacity for relay of Radio Free Asia.

(15)(A) To procure temporary and intermittent personal services to the same extent as is authorized by section 3109 of title 5, at rates not to exceed the daily equivalent of the rate provided for positions classified above grade GS-15 of the General Schedule under section 5108 of title 5.

(B) To allow those providing such services, while away from their homes or their regular places of business, travel expenses (including per diem in lieu of subsistence) as authorized by section 5703 of title 5 for persons in the Government service employed intermittently, while so employed.

(16) To procure, pursuant to section 1535 of title 31 (commonly known as the "Economy Act"), such goods and services from other departments or agencies for the Board and the International Broadcasting Bureau as the Board determines are appropriate.

(17) To utilize the provisions of titles III, IV, V, VII, VIII, IX, and X of the United States Information and Educational Exchange Act of 1948 [22 U.S.C. 1431 et seq.], and section 6 of Reorganization Plan Number 2 of 1977, as in effect on the day before the effective date of title XIII of the Foreign Affairs Agencies Consolidation Act of 1998, to the extent the Board considers necessary in carrying out the provisions and purposes of this chapter.

(18) To utilize the authorities of any other statute, reorganization plan, Executive order, regulation, agreement, determination, or other official document or proceeding that had been available to the Director of the United States Information Agency, the Bureau, or the Board before the effective date of title XIII of the Foreign Affairs Consolidation Act of 1998 for carrying out the broadcasting activities covered by this chapter.

(19)(A) To provide for the payment of primary and secondary school expenses for dependents of personnel stationed in the Commonwealth of the Northern Mariana Islands (CNMI) at a cost not to exceed expenses authorized by the Department of Defense for such schooling for dependents of members of the Armed Forces stationed in the Commonwealth, if the Board determines that schools

available in the Commonwealth are unable to provide adequately for the education of the dependents of such personnel.

(B) To provide transportation for dependents of such personnel between their places of residence and those schools for which expenses are provided under subparagraph (A), if the Board determines that such schools are not accessible by public means of transportation.

(b) Delegation of authority

The Board may delegate to the Director of the International Broadcasting Bureau, or any other officer or employee of the United States, to the extent the Board determines to be appropriate, the authorities provided in this section, except those authorities provided in paragraph (1), (2), (3), (4), (5), (6), (9), or (11) of subsection (a).

(c) Broadcasting budgets

The Director of the Bureau and the grantees identified in sections 6207 and 6208 of this title shall submit proposed budgets to the Board. The Board shall forward its recommendations concerning the proposed budget for the Board and broadcasting activities under this chapter, the Radio Broadcasting to Cuba Act [22 U.S.C. 1465 et seq.], and the Television Broadcasting to Cuba Act [22 U.S.C. 1465aa et seq.] to the Office of Management and Budget.

(d) Professional independence of broadcasters

The Secretary of State and the Board, in carrying out their functions, shall respect the professional independence and integrity of the International Broadcasting Bureau, its broadcasting services, and the grantees of the Board.

(Pub. L. 103-236, title III, §305, Apr. 30, 1994, 108 Stat. 435; Pub. L. 103-415, §1(s)(1), Oct. 25, 1994, 108 Stat. 4302; Pub. L. 105-277, div. G, subdiv. A, title XIII, §1323(e)-(i), Oct. 21, 1998, 112 Stat. 2681-778, 2681-779; Pub. L. 107-228, div. A, title V, §507(1), Sept. 30, 2002, 116 Stat. 1394; Pub. L. 109-140, §8, Dec. 22, 2005, 119 Stat. 2652.)

REFERENCES IN TEXT

This chapter, referred to in subsecs. (a)(1), (9), (17), (18) and (c), 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.

The Radio Broadcasting to Cuba Act, referred to in subsecs. (a)(1), (9) and (c), is Pub. L. 98-111, Oct. 4, 1983, 97 Stat. 749, as amended, which is classified generally to subchapter V-A (§1465 et seq.) of chapter 18 of this title. For complete classification of this Act to the Code, see Short Title note set out under section 1465 of this title and Tables.

The Television Broadcasting to Cuba Act, referred to in subsecs. (a)(1), (9) and (b)(1), 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 chapter 18 of this title. For complete classification of this Act to the Code, see Short Title note set out under section 1465aa of this title and Tables.

The United States Information and Educational Exchange Act of 1948, referred to in subsec. (a)(17), is act Jan. 27, 1948, ch. 36, 62 Stat. 6, as amended, which is classified generally to chapter 18 (§1431 et seq.) of this title. For complete classification of this Act to the Code, see Short Title note set out under section 1431 of this title and Tables.

Section 6 of Reorganization Plan Number 2 of 1977, referred to in subsec. (a)(17), which was set out under section 1461 of this title, was repealed by Pub. L. 105-277, div. G, subdiv. A, title XIII, §1336(6), Oct. 21, 1998, 112 Stat. 2681-790.

For the effective date of title XIII of the Foreign Affairs Agencies Consolidation Act of 1998, referred to in subsec. (a)(17), (18), meaning the effective date of title XIII of subdiv. A of div. G of Pub. L. 105-277, see section 1301 of Pub. L. 105-277, set out as a note under section 6531 of this title.

CODIFICATION

Section is comprised of section 305 of Pub. L. 103-236. Subsec. (e) of section 305 of Pub. L. 103-236 amended sections 1465b and 1465c of this title.

AMENDMENTS

2005—Subsec. (a)(19). Pub. L. 109-140 added par. (19).

2002—Subsec. (a)(4). Pub. L. 107-228 substituted “annually,” for “annually.”

1998—Subsec. (a)(1). Pub. L. 105-277, §1323(e)(1), struck out “direct and” after “To” and substituted “, the Television Broadcasting to Cuba Act, and Worldnet Television, except as provided in section 6205(b) of this title” for “and the Television Broadcasting to Cuba Act”.

Subsec. (a)(4). Pub. L. 105-277, §1323(e)(2), inserted “, after consultation with the Secretary of State,” after “annually.”

Subsec. (a)(9). Pub. L. 105-277, §1323(e)(3), struck out “, through the Director of the United States Information Agency,” after “the Congress” and inserted at end “Each annual report shall place special emphasis on the assessment described in paragraph (2).”

Subsec. (a)(12). Pub. L. 105-277, §1323(e)(4), substituted “1998 and 1999” for “1994 and 1995” and “to the Board and the International Broadcasting Bureau for such purposes for fiscal year 1997” for “to the Board for International Broadcasting for such purposes for fiscal year 1993”.

Subsec. (a)(15) to (18). Pub. L. 105-277, §1323(e)(5), added pars. (15) to (18).

Subsec. (b). Pub. L. 105-277, §1323(f), added subsec. (b). Former subsec. (b) redesignated (c).

Subsec. (c). Pub. L. 105-277, §1323(g), (h), struck out “(1)” before “The Director”, struck out “the Director of the United States Information Agency for the consideration of the Director as a part of the Agency’s budget submission to” before “the Office of Management and Budget”, and struck out par. (2) which read as follows: “The Director of the United States Information Agency shall include in the Agency’s submission to the Office of Management and Budget the comments and recommendations of the Board concerning the proposed broadcasting budget.”

Pub. L. 105-277, §1323(f)(1), redesignated subsec. (b) as (c). Former subsec. (c) redesignated (d).

Subsec. (d). Pub. L. 105-277, §1323(i), amended heading and text of subsec. (d) generally. Prior to amendment, text read as follows: “The Director of the United States Information Agency and the Board, in carrying out their functions, shall respect the professional independence and integrity of the International Broadcasting Bureau, its broadcasting services, and grantees.”

Pub. L. 105-277, §1323(f)(1), redesignated subsec. (c) as (d).

Pub. L. 105-277, §1323(f)(1), redesignated subsec. (d) as (e). See Codification note above.

1994—Subsec. (a)(14). Pub. L. 103-415 substituted “relay of Radio” for “relay to Radio”.

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.

EXPANSION OF FARSI LANGUAGE PROGRAMMING

Pub. L. 111-84, div. A, title XII, §1262, Oct. 28, 2009, 123 Stat. 2553, provided that:

“(a) INTERNATIONAL BROADCASTING OPERATIONS FUND.—In addition to amounts otherwise authorized for the Broadcasting Board of Governors’ International Broadcasting Operations Fund, there is authorized to be appropriated \$15,000,000 to expand Farsi language programming and to provide for the dissemination of accurate and independent information to the Iranian people through radio, television, Internet, cellular telephone, short message service, and other communications.

“(b) BROADCASTING CAPITAL IMPROVEMENTS FUND.—In addition to amounts otherwise authorized for the Broadcasting Board of Governors’ Broadcasting Capital Improvements Fund, there is authorized to be appropriated \$15,000,000 to expand transmissions of Farsi language programs to Iran.

“(c) USE OF AMOUNTS.—In pursuit of the objectives described in subsections (a) and (b), amounts in the International Broadcasting Operations Fund and the Capital Improvements Fund may be used to—

“(1) develop additional transmission capability for Radio Farda and the Persian News Network to counter ongoing efforts to jam transmissions, including through additional shortwave and medium wave transmissions, satellite, and Internet mechanisms;

“(2) develop additional proxy server capability and anti-censorship software to counter efforts to block Radio Farda and Persian News Network Web sites;

“(3) develop technologies to counter efforts to block SMS text message exchange over cellular phone networks;

“(4) expand program coverage and analysis by Radio Farda and the Persian News Network, including the development of broadcast platforms and programs, on the television, radio and Internet, for enhanced interactivity with and among the people of Iran;

“(5) hire, on a permanent or short-term basis, additional staff for Radio Farda and the Persian News Network; and

“(6) develop additional Internet-based, Farsi-language television programming, including a Farsi-language, Internet-based news channel.”

IRANIAN ELECTRONIC EDUCATION, EXCHANGE, AND MEDIA FUND

Pub. L. 111-84, div. A, title XII, §1263, Oct. 28, 2009, 123 Stat. 2553, provided that:

“(a) ESTABLISHMENT.—There is established in the Treasury of the United States the Iranian Electronic Education, Exchange, and Media Fund (referred to in this section as the ‘Fund’), consisting of amounts appropriated to the Fund pursuant to subsection (f).

“(b) ADMINISTRATION.—The Fund shall be administered by the Secretary of State.

“(c) OBJECTIVE.—The objective of the Fund shall be to support the development of technologies, including Internet Web sites, that will aid the ability of the Iranian people to—

“(1) gain access to and share information;

“(2) exercise freedom of speech, freedom of expression, and freedom of assembly through the Internet and other electronic media;

“(3) engage in Internet-based education programs and other exchanges between Americans and Iranians; and

“(4) counter efforts—

“(A) to block, censor, and monitor the Internet; and

“(B) to disrupt or monitor cellular phone networks or SMS text exchanges.

“(d) USE OF AMOUNTS.—In pursuit of the objective described in subsection (c), amounts in the Fund may be used for grants to United States or foreign universities, nonprofit organizations, or companies for targeted projects that advance the purpose of the Fund, including projects that—

“(1) develop Farsi-language versions of existing social-networking Web sites;

“(2) develop technologies, including Internet-based applications, to counter efforts—

“(A) to block, censor, and monitor the Internet; and

“(B) to disrupt or monitor cellular phone networks or SMS text message exchanges;

“(3) develop Internet-based, distance learning programs for Iranian students at United States universities; and

“(4) promote Internet-based, people-to-people educational, professional, religious, or cultural exchanges and dialogues between United States citizens and Iranians.

“(e) TRANSFERS.—Amounts in the Fund may be transferred to the United States Agency for International Development, the Broadcasting Board of Governors, or any other agency of the Federal Government to the extent that such amounts are used to carry out activities that will further the objective described in subsection (c).

“(f) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated \$20,000,000 to the Fund.”

BUYING POWER MAINTENANCE ACCOUNT

Pub. L. 110-252, title I, §1408(c), June 30, 2008, 122 Stat. 2342, provided that: “The Broadcasting Board of Governors may transfer funds into its Buying Power Maintenance Account, notwithstanding the requirement that such funds be provided in advance in appropriations Acts. The authority in this subsection may be exercised only with respect to funds appropriated or otherwise made available after fiscal year 2008.”

PILOT PROJECT FOR TRANSCRIPTION OF CERTAIN PROGRAMMING INTO ENGLISH

Pub. L. 110-53, title XX, §2032, Aug. 3, 2007, 121 Stat. 516, provided that:

“(a) TRANSCRIPTION OF PERSIAN AND ARABIC LANGUAGE BROADCASTS.—Not later than 90 days after the date of the enactment of this Act [Aug. 3, 2007], the Broadcasting Board of Governors shall initiate a pilot project to transcribe into the English language news and information programming broadcast by Radio Farda, Radio Sawa, the Persian Service of the Voice of America, and Alhurra.

“(b) RANDOM SAMPLING; PUBLIC AVAILABILITY.—The transcription required under subsection (a) shall consist of a random sampling of such programming. The transcripts shall be available to Congress and the public on the Internet site of the Board.

“(c) REPORT.—Not later than May 1, 2008, the Chairman of the Broadcasting Board of Governors shall submit to the Committee on Foreign Affairs of the House of Representatives and Committee on Foreign Relations of the Senate a report on the feasibility and utility of continuing the pilot project required under subsection (a).

“(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. Role of Secretary of State

(a) Foreign policy guidance

To assist the Board in carrying out its functions, the Secretary of State shall provide information and guidance on foreign policy issues to the Board, as the Secretary may deem appropriate.

(b) Certain Worldnet programming

The Secretary of State is authorized to use Worldnet broadcasts for the purposes of continuing interactive dialogues with foreign media and other similar overseas public diplomacy programs sponsored by the Department of State. The Chairman of the Broadcasting Board of Governors shall provide access to Worldnet for this purpose on a nonreimbursable basis.

(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”.