

this subchapter shall be treated as a government station, but the Federal Communications Commission shall exercise the authority of the President under such section to assign a frequency to such station.

(e) Interference with domestic broadcasting

(1) Broadcasting by the Television Marti Service shall be conducted in accordance with such parameters as shall be prescribed by the Federal Communications Commission to preclude objectionable interference with the broadcasts of any domestic licensee. The Television Marti Service shall be governed by the same standards regarding objectionable interference as any domestic licensee. The Federal Communications Commission shall monitor the operations of television broadcasting to Cuba pursuant to subsection (f). If, on the basis of such monitoring or a complaint from any person, the Federal Communications Commission determines, in its discretion, that broadcasting by the Television Marti Service is causing objectionable interference with the transmission or reception of the broadcasts of a domestic licensee, the Federal Communications Commission shall direct the Television Marti Service to cease broadcasting and to eliminate the objectionable interference. Broadcasts by the Service shall not be resumed until the Federal Communications Commission finds that the objectionable interference has been eliminated and should not recur.

(2) The Federal Communications Commission shall take such actions as are necessary and appropriate to assist domestic licensees in overcoming the adverse effects of objectionable interference caused by broadcasting by the Television Marti Service. Such assistance may include the authorization of nondirectional increases in the effective radiated power of a domestic television station so that its coverage is equivalent to the maximum allowable for such facilities, to avoid any adverse effect on such stations of the broadcasts of the Television Marti Service.

(3) If the Federal Communications Commission directs the Television Marti Service to cease broadcasting pursuant to paragraph (1), the Commission shall, as soon as practicable, notify the appropriate committees of Congress of such action and the reasons therefor. The Federal Communications Commission shall continue to notify the appropriate committees of Congress of progress in eliminating the objectionable interference and shall assure that Congress is fully informed about the operation of the Television Marti Service.

(f) Monitoring of interference

The Federal Communications Commission shall continually monitor and periodically report to the appropriate committees of the Congress interference to domestic broadcast licensees—

(1) from the operation of Cuban television and radio stations; and

(2) from the operations of the television broadcasting to Cuba.

(g) Task force

It is the sense of the Congress that the President should establish a task force to analyze the

level of interference from the operation of Cuban television and radio stations experienced by broadcasters in the United States and to seek a practical political and technical solution to this problem.

(Pub. L. 101-246, title II, §243, Feb. 16, 1990, 104 Stat. 59; Pub. L. 105-277, div. G, subdiv. A, title XIII, §1325(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.

REFERENCES IN TEXT

The Communications Act of 1934, referred to in subsec. (d)(1), is act June 19, 1934, ch. 652, 48 Stat. 1064, as amended, which is classified principally to chapter 5 (§151 et seq.) of Title 47, Telecommunications. For complete classification of this Act to the Code, see section 609 of Title 47 and Tables.

CODIFICATION

Section was enacted as part of the Television 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, §1325(1), substituted “Broadcasting Board of Governors” for “United States Information Agency”.

Subsec. (c). Pub. L. 105-277, §1325(2), in heading struck out “USIA” before “Television” and in text substituted “the ‘Television’” for “‘USIA Television’”.

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.

TERMINATION OF REPORTING REQUIREMENTS

For termination, effective May 15, 2000, of provisions of law requiring submittal to Congress of any annual, semiannual, or other regular periodic report listed in House Document No. 103-7 (in which a report required under subsec. (f) of this section is listed on page 167), see section 3003 of Pub. L. 104-66, as amended, set out as a note under section 1113 of Title 31, Money and Finance.

§ 1465cc. Television Marti Service

(a) Television Marti Service

There is within the Voice of America a Television Marti Service. The Service shall be responsible for all television broadcasts to Cuba authorized by this subchapter. The Broadcasting Board of Governors shall appoint a head of the Service who shall report directly to the International Broadcasting Bureau. The head of the Service shall employ such staff as the head of the Service may need to carry out the duties of the Service.

(b) Use of existing facilities of Board

To assure consistency of presentation and efficiency of operations in conducting the activities authorized under this subchapter, the Television Marti Service shall make maximum feasible utilization of Board facilities and management sup-

port, including Voice of America: Cuba Service, Voice of America, and the United States International Television Service.

(c) Authority

The Board may carry out the purposes of this subchapter 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. 101-246, title II, §244, Feb. 16, 1990, 104 Stat. 61; Pub. L. 105-277, div. G, subdiv. A, title XIII, §1325(3), (4), 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 Television 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—Pub. L. 105-277, §1325(4)(A), struck out “of the United States Information Agency” after “Service” in section catchline.

Subsec. (a). Pub. L. 105-277, §1325(4)(B)(ii), which directed amendment of subsec. (a) in second sentence by substituting “Broadcasting Board of Governors” for “Director of the United States Information Agency” and “the International Broadcasting Bureau” for “the Director of the Voice of America”, was executed by making the substitutions in third sentence, to reflect the probable intent of Congress.

Pub. L. 105-277, §1325(4)(B)(i), substituted “There is” for “The Director of the United States Information Agency shall establish” in first sentence.

Subsec. (b). Pub. L. 105-277, §1325(4)(C), substituted “Board facilities” for “Agency facilities” and “International” for “Information Agency”.

Subsec. (c). Pub. L. 105-277, §1325(3), (4)(D), in heading struck out “USIA” before “Authority”, and in text 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.

§ 1465dd. Assistance from other Government agencies

In order to assist the Broadcasting Board of Governors in carrying out the provisions of this subchapter, 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.

(Pub. L. 101-246, title II, §246, Feb. 16, 1990, 104 Stat. 62; Pub. L. 105-277, div. G, subdiv. A, title XIII, §1325(1), (3), 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 Television 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—Pub. L. 105-277 substituted “Broadcasting Board of Governors” for “United States Information Agency” and “the Board” for “the 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.

§ 1465ee. Authorization of appropriations

(a) Authorization of appropriations

In addition to amounts otherwise made available under section 201 for such purposes, there are authorized to be appropriated to the United States Information Agency, \$16,000,000 for the fiscal year 1990 and \$16,000,000 for the fiscal year 1991 for television broadcasting to Cuba in accordance with the provisions of this subchapter.

(b) Limitation

(1) Subject to paragraph (2), no funds authorized to be appropriated under subsection (a) may be obligated or expended unless the President determines and notifies the appropriate committees of Congress that the test of television broadcasting to Cuba (as authorized by title V of the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 1989 (Public Law 100-459)) has demonstrated television broadcasting to Cuba is feasible and will not cause objectionable interference with the broadcasts of incumbent domestic licensees. The Federal Communications Commission shall furnish to the appropriate committees of Congress all interim and final reports and other appropriate documentation concerning objectionable interference from television broadcasting to Cuba to incumbent domestic licensees.

(2) Not less than 30 days before the President makes the determination under paragraph (1), the President shall submit a report to the appropriate committees of the Congress which includes the findings of the test of television broadcasting to Cuba. The period for the test of television broadcasting may be extended until—

- (A) the date of the determination and notification by the President under paragraph (1), or
- (B) 30 days,

whichever comes first.

(c) Availability of funds

Amounts appropriated to carry out the purposes of this subchapter are authorized to be available until expended.

(Pub. L. 101-246, title II, §247, Feb. 16, 1990, 104 Stat. 62; Pub. L. 102-138, title II, §232, Oct. 28, 1991, 105 Stat. 703.)

REPEAL OF SECTION

Section repealed upon transmittal of determination by President under section 6063(c)(3) of this title that democratically elected govern-