

ties 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)¹ of this title.

(d) Changes in frequencies to other AM bands; jamming and interference

Notwithstanding subsection (c), in the event that broadcasts to Cuba on the 1180 AM frequency are subject to jamming or interference greater by 25 per centum or more than the average daily jamming or interference in the twelve months preceding September 1, 1983, the Broadcasting Board of Governors may lease time on commercial or noncommercial educational AM band radio broadcasting stations. The Federal Communications Commission shall determine levels of jamming and interference by conducting regular monitoring of the 1180 AM frequency. In the event that more than two hours a day of time is leased, not less than 30 per centum of the programming broadcast shall be regular Voice of America broadcasts with particular emphasis on news and programs meeting the requirements of section 1463(2)¹ of this title.

(e) Voice of America: Cuba Service; Voice of America: Radio Marti program

Any program of United States Government radio broadcasts to Cuba authorized by this section shall be designated “Voice of America: Cuba Service” or “Voice of America: Radio Marti program”.

(f) Use of other facilities

In the event broadcasting facilities located at Marathon, Florida, are rendered inoperable by natural disaster or by unlawful destruction, the Broadcasting Board of Governors may, for the period in which the facilities are inoperable but not to exceed one hundred and fifty days, use other United States Government-owned transmission facilities for Voice of America broadcasts to Cuba authorized by this subchapter.

(Pub. L. 98–111, §3, Oct. 4, 1983, 97 Stat. 749; Pub. L. 105–277, div. G, subdiv. A, title XIII, §1324(1)–(3), Oct. 21, 1998, 112 Stat. 2681–780, 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.

¹ See References in Text note below.

REFERENCES IN TEXT

Section 1463 of this title, referred to in subsecs. (c) and (d), was repealed by Pub. L. 103–236, title III, §315(a), Apr. 30, 1994, 108 Stat. 445.

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(1), (2), substituted “Broadcasting Board of Governors” for “United States Information Agency” and “Board” for “Agency”.

Subsecs. (d), (f). Pub. L. 105–277, §1324(3), substituted “the Broadcasting Board of Governors” for “the 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.

§ 1465b. Cuba Service

The Broadcasting Board of Governors shall establish within the International Broadcasting Bureau a Cuba Service (hereafter in this section referred to as the “Service”). The Service shall be responsible for all radio broadcasts to Cuba authorized by section 1465a of this title. The Broadcasting Board of Governors shall appoint a head of the Service and shall employ such staff as the head of the Service may need to carry out his duties. The Cuba Service shall be administered separately from other Voice of America functions and the head of the Cuba Service shall report directly to the Board¹ of the International Broadcasting Bureau.

(Pub. L. 98–111, §4, Oct. 4, 1983, 97 Stat. 750; Pub. L. 103–236, title III, §305(e)(1), formerly §305(d)(1), Apr. 30, 1994, 108 Stat. 436; Pub. L. 105–277, div. G, subdiv. A, title XIII, §§1323(f)(1), 1324(3), (4), (6), 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.

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—Pub. L. 105–277, §1324(6), substituted “Board” for “Director” in last sentence.

Pub. L. 105–277, §1324(4), which directed the amendment of this section by substituting “the International Broadcasting Bureau” for “the Voice of America”, was executed by making the substitution for text in two places to reflect the probable intent of Congress.

Pub. L. 105–277, §1324(3), which directed the substitution of “the Broadcasting Board of Governors” for

¹ So in original. There is no Board of the International Broadcasting Bureau.

“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.

PROHIBITIONS

Pub. L. 114-323, title VII, § 703(b), Dec. 16, 2016, 130 Stat. 1941, as amended by Pub. L. 115-94, § 11, Dec. 18, 2017, 131 Stat. 2040, provided that:

“(1) IN GENERAL.—Notwithstanding any other provision of law, any change to the Federal status of—

“(A) the Cuba Service established pursuant to section 4 of the Radio Broadcasting to Cuba Act (22 U.S.C. 1465b; Public Law 98-111) is prohibited unless such section is explicitly repealed and such service is dissolved by an Act of Congress enacted on or after the date of the enactment of this Act [Dec. 16, 2016]; and

“(B) the Television Marti Service established by section 244(a) of Television Broadcasting to Cuba Act (22 U.S.C. 1465cc; Public Law 101-246) is prohibited unless such section is explicitly repealed and such service is dissolved by an Act of Congress enacted on or after the date of the enactment of this Act.

“(2) DEFINITION.—In this subsection, the term ‘change to the Federal status’, with respect to a service referred to in subparagraph (A) or (B) of paragraph (1), includes privatization, subordination to a private or private-public entity, or merger with a private or public-private entity of such service.”

§ 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

¹ See References in Text note below.

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