

“(3) discussions with State officials with respect to the matters described in paragraphs (1) and (2).

“(b) REPORT.—Not later than one year after the date of enactment of this Act [Oct. 21, 1998], the Broadcasting Board of Governors of the United States Information Agency shall submit a report to Congress detailing the actions that have been taken to carry out subsection (a).

“(c) STATE DEFINED.—In this section, the term ‘State’ means any of the several States of the United States, the District of Columbia, or any commonwealth or territory of the United States.”

**§ 6203. Establishment of the Chief Executive Officer of the United States Agency for Global Media**

**(a) Continued existence within Executive branch**

The United States Agency for Global Media shall continue to exist within the Executive branch of Government as an entity described in section 104 of title 5.

**(b) Chief Executive Officer**

**(1) In general**

The head of the United States Agency for Global Media shall be a Chief Executive Officer, who shall be appointed by the President, by and with the advice and consent of the Senate. Notwithstanding any other provision of law, until such time as a Chief Executive Officer is appointed and has qualified, the current or acting Chief Executive Officer appointed by the Board may continue to serve and exercise the authorities and powers under this chapter.

**(2) Term**

The first Chief Executive Officer appointed pursuant to paragraph (1) shall serve for an initial term of three years.

**(3) Compensation**

A Chief Executive Officer appointed pursuant to paragraph (1) shall be compensated at the annual rate of basic pay for level III of the Executive Schedule under section 5314 of title 5.

**(c) Termination of Director of International Broadcasting Bureau**

Effective on December 23, 2016, the position of the Director of the International Broadcasting Bureau shall be terminated, and all of the responsibilities, offices, authorities, and immunities of the Director or the Agency under this chapter or any other Act or authority before such date shall be transferred or available to, assumed by, or overseen by the Chief Executive Officer, as head of the Agency.

**(d) Immunity from civil liability**

Notwithstanding any other provision of law, all limitations on liability that apply to the Chief Executive Officer shall also apply to members of the boards of directors of RFE/RL, Inc., Radio Free Asia, the Open Technology Fund, the Middle East Broadcasting Networks, or any organization that consolidates such entities when such members are acting in their official capacities.

(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; Pub. L. 114-328, div. A, title XII, §1288(1), Dec. 23, 2016, 130 Stat. 2548; Pub. L. 116-283, div. A, title XII, §§1299P(c)(1), 1299Q(e)(1), Jan. 1, 2021, 134 Stat. 4020, 4024.)

**Editorial Notes**

**REFERENCES IN TEXT**

This chapter, referred to in subsecs. (b)(1) and (c), was in the original a reference to this Act, and was translated as referring to 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, to reflect the probable intent of Congress. For complete classification of title III to the Code, see Short Title note set out under section 6201 of this title and Tables.

December 23, 2016, and such date, referred to in subsec. (c), were in the original “the date of the enactment of this section” and “such date of enactment”, respectively, and were translated as meaning the date of enactment of Pub. L. 114-328, which amended this section generally, to reflect the probable intent of Congress.

**CODIFICATION**

Pub. L. 116-283, div. A, title XII, §1299Q(e)(1), Jan. 1, 2021, 134 Stat. 4024, which amended this section, was itself amended by Pub. L. 116-260, div. O, title XIII, §1301, Dec. 27, 2020, 134 Stat. 2158, to make it effective 90 days after Jan. 1, 2021. However, the amendment by Pub. L. 116-260 could not be executed because it was enacted before the provision from Pub. L. 116-283 that it amended.

**AMENDMENTS**

2021—Pub. L. 116-283, §1299Q(e)(1)(A), substituted “United States Agency for Global Media” for “Broadcasting Board of Governors” in section catchline.

Subsec. (a). Pub. L. 116-283, §1299Q(e)(1)(B), substituted “United States Agency for Global Media” for “Broadcasting Board of Governors”.

Subsec. (b)(1). Pub. L. 116-283, §1299Q(e)(1)(C), substituted “United States Agency for Global Media” for “Broadcasting Board of Governors”.

Subsec. (c). Pub. L. 116-283, §1299Q(e)(1)(D), substituted “Agency” for “Board” in two places.

Subsec. (d). Pub. L. 116-283, §1299P(c)(1), inserted “the Open Technology Fund,” before “the Middle East Broadcasting Networks”.

2016—Pub. L. 114-328 amended section generally. Prior to amendment, section related to the continued existence within the Executive branch, retention of existing Board members, Inspector General authorities, composition, term, selection, compensation, decisions, and immunity from civil liability of the Broadcasting Board of Governors.

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”.

#### Statutory Notes and Related Subsidiaries

##### EFFECTIVE DATE OF 2021 AMENDMENT

Pub. L. 116-283, div. A, title XII, §1299P(e), Jan. 1, 2021, 134 Stat. 4020, provided that: “Section 309A of the United States International Broadcasting Act of 1994 [22 U.S.C. 6208a] (as added by subsection (b) of this section) and subsections (c) [amending this section and sections 6204 and 6209 of this title] and (d) [not classified to the Code] of this section shall take effect and apply beginning on July 1, 2021.”

##### 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.

##### REFERENCES TO BROADCASTING BOARD OF GOVERNORS

Pub. L. 116-94, div. G, title I, Dec. 20, 2019, 133 Stat. 2822, provided in part: “That any reference to the ‘Broadcasting Board of Governors’ or ‘BBG’, including in any account providing amounts to the Broadcasting Board of Governors, in any Act making appropriations for the Department of State, foreign operations, and related programs enacted before, on, or after the date of the enactment of this Act [Dec. 20, 2019] shall for this fiscal year, and any fiscal year thereafter, be construed to mean the ‘United States Agency for Global Media’ or ‘USAGM’, respectively.”

### § 6204. Authorities of Chief Executive Officer

#### (a) Authorities

The Chief Executive Officer shall have the following authorities:

(1) To direct and supervise all broadcasting activities conducted pursuant to this chapter, the Radio Broadcasting to Cuba Act [22 U.S.C. 1465 et seq.],<sup>1</sup> 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 and cooperative agreements for broadcasting and related activities in furtherance of the purposes of this chapter and on behalf of other agencies, accordingly.

(6) To allocate funds appropriated for international broadcasting activities among the various elements of the Agency and grantees, subject to reprogramming notification re-

quirements 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 Chief Executive Officer, procure, rent, or lease supplies, services, and other property for journalism, media, production, and broadcasting, and related support services, notwithstanding any other provision of law relating to such acquisition, rental, or lease, and under the same terms and conditions as authorized under section 501(b) of the United States Information and Educational Exchange Act of 1948 (22 U.S.C. 1461(b)), and for multiyear contracts and leases for periods of up to 20 years subject to the requirements of subsections (b) through (f) of section 3903 of title 41.

(11) To appoint such personnel for the Chief Executive Officer as the Chief Executive Officer may determine to be necessary, which shall not be subject to the provisions of title 5 governing appointments in the competitive service, and to fix their compensation in accordance 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 Chief Executive Officer 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 Agency and by grantees and the steps the Chief Executive Officer has taken to reduce unnecessary overhead costs for each of the broadcasting services.

(14) The Chief Executive Officer may provide for the use of United States Government transmitter capacity for transmission or relay of Radio Free Asia or any other grantee authorized under this chapter.

(15)(A) To procure personal services 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

<sup>1</sup> So in original.