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UNITED STATES INTERNATIONAL COMMUNICATIONS REFORM ACT OF 2014; TO AMEND THE INTERNATIONAL RELIGIOUS FREEDOM ACT OF 1998 TO INCLUDE THE DESECRATION OF CEMETERIES AMONG THE MANY FORMS OF VIOLATIONS OF THE RIGHT TO RELIGIOUS FREEDOM; CALLING FOR AN END TO ATTACKS ON SYRIAN CIVILIANS AND EXPANDED HUMANITARIAN ACCESS; AND IMMEDIATE ESTABLISHMENT OF SYRIAN WAR CRIMES TRIBUNAL RESOLUTION

MARKUP

BEFORE THE

COMMITTEE ON FOREIGN AFFAIRS
HOUSE OF REPRESENTATIVES

ONE HUNDRED THIRTEENTH CONGRESS

SECOND SESSION

ON

H.R. 4490, H.R. 4028, H. Res. 520 and H. Con. Res. 51

APRIL 30, 2014

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UNITED STATES INTERNATIONAL COMMUNICATIONS REFORM ACT OF 2014; TO AMEND THE INTERNATIONAL RELIGIOUS FREEDOM ACT OF 1998 TO INCLUDE THE DESECRATION OF CEMETERIES AMONG THE MANY FORMS OF VIOLATIONS OF THE RIGHT TO RELIGIOUS FREEDOM; CALLING FOR AN END TO ATTACKS ON SYRIAN CIVILIANS AND EXPANDED HUMANITARIAN ACCESS; AND IMMEDIATE ESTABLISHMENT OF SYRIAN WAR CRIMES TRIBUNAL RESOLUTION

WEDNESDAY, APRIL 30, 2014

HOUSE OF REPRESENTATIVES,
COMMITTEE ON FOREIGN AFFAIRS,
Washington, DC.

The committee met, pursuant to notice, at 10:07 a.m., in room 2712, Rayburn House Office Building, Hon. Ed Royce (chairman of the committee) presiding.

Chairman ROYCE. The committee will come to order.

Pursuant to notice, we meet today to mark up four strongly bipartisan measures by the committee here. And because there are four other full committee markups going on at this same time and because these measures enjoy such broad support here on the committee, the ranking member and I intend to proceed according to the expedited procedure e-mailed to your offices yesterday.

So, without objection, all members may have 5 days to submit statements for the record and any extraneous materials on today's items.

And I now call up H.R. 4490.

The clerk will report the bill.

Ms. MARTER. H.R. 4490, a bill to enhance the missions, objectives, and effectiveness of United States international communications, and for other purposes. Be it enacted——

Chairman ROYCE. So, without objection, the bill is considered read.

[H.R. 4490 follows:]

I

113TH CONGRESS
2D SESSION

H. R. 4490

To enhance the missions, objectives, and effectiveness of United States international communications, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

APRIL 28, 2014

Mr. ROYCE (for himself, Mr. ENGEL, Ms. ROS-LEHTINEN, Mr. SHERMAN, Mr. ROHRABACHER, Mr. CONNOLLY, Mr. CHABOT, Mr. KEATING, and Mr. SALMON) introduced the following bill; which was referred to the Committee on Foreign Affairs

---

A BILL

To enhance the missions, objectives, and effectiveness of United States international communications, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the "United States International Communications Reform Act of 2014".

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title; Table of contents.

Sec. 2. Findings and declarations.
Sec. 3. Purposes.
Sec. 4. Definitions.
Sec. 5. Broadcasting standards.
Sec. 6. Eligible broadcast areas.

TITLE I—ESTABLISHMENT, ORGANIZATION, AND MANAGEMENT OF THE UNITED STATES INTERNATIONAL COMMUNICATIONS AGENCY

Subtitle A—Establishment of the United States International Communications Agency

Sec. 101. Existence within the executive branch.
Sec. 102. Establishment of the Board of the United States International Communications Agency.
Sec. 103. Authorities and duties of the Board of the United States International Communications Agency.
Sec. 104. Establishment of the Chief Executive Officer of the United States International Communications Agency.
Sec. 105. Authorities and duties of the Chief Executive Officer of the United States International Communications Agency.
Sec. 106. Role of the Secretary of State.
Sec. 107. Role of the Inspector General.
Sec. 108. Enhanced coordination between United States International Communications Agency and the Freedom News Network; program content sharing; grantee independence.
Sec. 109. Enhanced coordination among the United States International Communications Agency, the Freedom News Network, and the Department of State; Freedom News Network independence.
Sec. 110. Grants to the Freedom News Network.
Sec. 111. Other personnel and compensation limitations.
Sec. 112. Reporting requirements of the United States International Communications Agency.

Subtitle B—The Voice of America

Sec. 121. Sense of Congress.
Sec. 122. Principles of the Voice of America.
Sec. 123. Duties and responsibilities of the Voice of America.
Sec. 124. Limitation on Voice of America news, programming, and content; temporary exception for Sub-Saharan Africa; exception for broadcasting to Cuba.
Sec. 125. Director of Voice of America.

Subtitle C—General Provisions

Sec. 131. Federal agency coordination in support of United States public diplomacy.
Sec. 132. Federal agency assistance and coordination with the United States International Communications Agency and the Freedom News Network during international broadcast surges.
Sec. 133. Freedom News Network right of first refusal in instances of Federal disposal of radio or television broadcast transmission facilities or equipment.
Sec. 134. Repeal of the United States International Broadcasting Act of 1994.
Sec. 135. Effective date.

TITLE II—THE FREEDOM NEWS NETWORK

Sec. 201. Sense of Congress.

Subtitle A—Consolidation of Existing Grantee Organizations

Sec. 211. Formation of the Freedom News Network from existing grantees.
Sec. 212. Mission of the Freedom News Network.
Sec. 213. Standards and principles of the Freedom News Network.

Subtitle B—Organization of the Freedom News Network

Sec. 221. Governance of the Freedom News Network.
Sec. 222. Budget of the Freedom News Network.
Sec. 223. Assistance from other Government agencies.
Sec. 224. Reports by the Office of the Inspector General of the Department of State; audits by GAO.
Sec. 225. Amendments to the United States Information and Educational Exchange Act of 1948.

SEC. 2. FINDINGS AND DECLARATIONS.

Congress finds and declares the following:

(1) United States international broadcasting exists to advance the United States interests and values by presenting accurate, objective, and comprehensive news and information, which is the foundation for democratic governance, to societies that lack a free media.

(2) Article 19 of the Universal Declaration of Human Rights states that "[e]veryone has the right to freedom of opinion and expression", and that "this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers".

(3) Secretary of State Hillary Clinton testified before the Committee on Foreign Affairs of the

House of Representatives on January 23, 2013, that the Broadcasting Board of Governors (BBG) "is practically a defunct agency in terms of its capacity to be able to tell a message around the world. So we're abdicating the ideological arena and need to get back into it.".

(4) The BBG, which was created by Congress to oversee the United States international broadcasting in the wake of the Cold War, has, because of structural and managerial issues, had limited success to date in both coordinating the various components of the international broadcasting framework and managing the day-to-day operations of the Federal components of the international broadcasting framework.

(5) The lack of regular attendance by board members and a periodic inability to form a quorum have plagued the BBG and, as a result, it has been functionally incapable of running the agency.

(6) The board of governors has only achieved the full slate of all nine governors for seven of its 17 years of existence, which highlights the difficulties of confirming and retaining governors under the current structure.

(7) Both the Department of State's Office of Inspector General and the Government Accountability Office have issued reports which outline a severely dysfunctional organizational structure of the Broadcasting Board of Governors.

(8) The Inspector General of the Department of State concluded in its January 2013 report that dysfunction of the BBG stems from "a flawed legislative structure and acute internal dissension".

(9) The Inspector General of the Department of State also found that the BBG's structure of nine part-time members "cannot effectively supervise all United States Government-supported, civilian international broadcasting", and its involvement in day-to-day operations has impeded normal management functions.

(10) The Government Accountability Office report determined that there was significant overlap among the BBG's languages services, and that the BBG did not systematically consider the financial cost of overlap.

(11) According to the Office of the Inspector General, the BBG's Office of Contracts is not in compliance with the Federal Acquisition Regulation, lacks appropriate contract oversight, and violates the

Anti-Deficiency Act. The Office of the Inspector General also determined that the Broadcasting Board of Governors has not adequately performed full and open competitions or price determinations, has entered into hundreds of personal service contracts without statutory authority, and contractors regularly work without valid contracts in place.

(12) The size and make-up of the BBG workforce should be closely examined, given the agency's broader broadcasting and technical mission, as well as changing media technologies.

(13) The BBG should be structured to ensure that more taxpayer dollars are dedicated to the substantive, broadcasting, and information-related elements of the agency's mission.

(14) The lack of a coherent and well defined mission of the Voice of America has led to programming that duplicates the efforts of the Office of Cuba Broadcasting, Radio Free Asia, RFE/RL, Incorporated, and the Middle East Broadcasting Network that results in inefficient use of tax-payer funding.

(15) The annual survey conducted by the "Partnership for Public Service" consistently ranks the Broadcasting Board of Governors at or near the

bottom of all Federal agencies in terms of "overall best places to work" and "the extent to which employees feel their skills and talents are used effectively.". The consistency of these low scores point to structural, cultural, and functional problems at the Broadcasting Board of Governors.

(16) The Federal and non-Federal organizations that comprise the United States international broadcasting framework have different, yet complementary, missions that necessitate coordination at all levels of management.

(17) The Broadcasting Board of Governors has an overabundance of senior civil service positions, defined here as full-time employees encumbering GS–14 and GS–15 positions on the General Schedule pay scale.

(18) United States international broadcasting should seek to leverage public-private partnerships, including the licensing of content and the use of technology owned or operated by non-governmental sources, where possible to expand outreach capacity.

(19) Congressional action is necessary at this time to improve international broadcasting operations, strengthen the United States public diplomacy efforts, enhance the grantee surrogate broad-

casting effort, restore focus to news, programming, and content, and maximize the value of Federal and non-Federal resources that are dedicated to public diplomacy and international broadcasting.

SEC. 3. PURPOSES.

The purposes of this Act are as follows:

(1) To provide objective, accurate, credible, and comprehensive news and information to societies that lack freedom of expression and information.

(2) To improve the efficiency, effectiveness, and flexibility of United States international broadcasting to allow it to adapt to constantly changing political and media environments through clarification of missions, improved coordination, and organizational restructuring.

(3) To coordinate the complementary efforts of the Department of State and United States international broadcasting.

(4) To create a United States international broadcasting framework that more effectively leverages the broadcasting tools available and creates specialization of expertise in mission oriented programming, while minimizing waste and inefficiency.

(5) To improve United States international broadcasting workforce effectiveness, security, and satisfaction.

SEC. 4. DEFINITIONS.

In this Act:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term "appropriate congressional committees" means the Committee on Foreign Affairs of the House of Representatives, the Committee on Foreign Relations of the Senate, the Committee on Appropriations of the House of Representatives, and the Committee on Appropriations of the Senate.

(2) GRANTEE.—The term "grantee" means the non-Federal organization described in section 501(c)(3) of the Internal Revenue Code of 1986 and exempt from tax under section 501(a) of such Code as of day before the date of the enactment of this Act that receives Federal funding from the Broadcasting Board of Governors, and includes Radio Free Asia, RFE/RL, Incorporated, and the Middle East Broadcasting Network.

(3) FREEDOM NEWS NETWORK.—The term "Freedom News Network" refers to the non-Federal organization described in section 501(c)(3) of the Internal Revenue Code of 1986 and exempt from tax

1 under section 501(a) of such Code that would re-
2 ceive Federal funding and be responsible for pro-
3 moting democratic freedoms and free media oper-
4 ations for foreign audiences in societies that lack
5 freedom of expression and information, and con-
6 sisting of the consolidation of the grantee in accord-
7 ance with section 211.

8 (4) PUBLIC DIPLOMACY.—The term "public di-
9 plomacy" means the effort to achieve broad United
10 States foreign policy goals and objectives, advance
11 national interests, and enhance national security by
12 informing and influencing foreign publics and by ex-
13 panding and strengthening the relationship between
14 the people and Government of the United States and
15 citizens of other countries.

16 **SEC. 5. BROADCASTING STANDARDS.**

17 United States international broadcasting shall incor-
18 porate the following standards into all of its broadcasting
19 efforts:

20 (1) Be consistent with the broad foreign policy
21 objectives of the United States.

22 (2) Be consistent with the international tele-
23 communications policies and treaty obligations of the
24 United States.

(3) Not duplicate the activities of private United States broadcasters.

(4) Be conducted in accordance with the highest professional standards of broadcast journalism while remaining consistent with and supportive of the broad foreign policy objectives of the United States.

(5) Be based on reliable, research-based information, both quantitative and qualitative, about its potential audience.

(6) Be designed so as to effectively reach a significant audience.

(7) Promote freedom of expression, religion, and respect for human rights and human equality.

SEC. 6. ELIGIBLE BROADCAST AREAS.

(a) IN GENERAL.—The Board of the United States International Communications Agency and the Board of the Freedom News Network shall ensure that United States international broadcasting is conducted only to countries and regions that—

(1) lack democratic rule, or the indicia of democratic rule, such as demonstrable proof of free and fair elections;

(2) lack the legal and political environment that allows media organizations and journalists to oper-

1 ate free from Government-led or permitted harass-
2 ment, intimidation, retribution, and from economic
3 impediments to the development, production, and
4 dissemination of news and related programming and
5 content;
6 (3) lack established, domestic, and widely acces-
7 sible media that provide accurate, objective, and
8 comprehensive news and related programming and
9 content; and
10 (4) by virtue of the criteria described in this
11 subsection, would benefit the national security and
12 related interests of the United States, and the safety
13 and security of United States citizens at home and
14 abroad.
15 (b) EXCEPTION.—The United States International
16 Communications Agency and the Freedom News Network
17 may broadcast to countries that fall outside of the criteria
18 described in subsection (a) if the Chief Executive Officer
19 of the Agency and the Freedom News Network, in con-
20 sultation with the Secretary of State, determine it is in
21 the national security interest of the United States, or in
22 the interests of preserving the safety and security of
23 United States citizens at home and abroad, to do so.

TITLE I—ESTABLISHMENT, ORGANIZATION, AND MANAGEMENT OF THE UNITED STATES INTERNATIONAL COMMUNICATIONS AGENCY

Subtitle A—Establishment of the United States International Communications Agency

SEC. 101. EXISTENCE WITHIN THE EXECUTIVE BRANCH.

The United States International Communications Agency shall exist within the executive branch of Government as an independent establishment described in section 104 of title 5, United States Code.

SEC. 102. ESTABLISHMENT OF THE BOARD OF THE UNITED STATES INTERNATIONAL COMMUNICATIONS AGENCY.

(a) COMPOSITION OF THE BOARD OF THE UNITED STATES INTERNATIONAL COMMUNICATIONS AGENCY.—

(1) IN GENERAL.—The Board (in this section referred to as the "Board") of the United States International Communications Agency shall consist of nine members, as follows:

(A) Eight voting members who shall be appointed by the President, by and with the advice and consent of the Senate.

1 (B) The Secretary of State, who shall also
2 be a voting member.
3 (2) CHAIR.—The President shall appoint one
4 member (other than the Secretary of State) as Chair
5 of the Board, by and with the advice and consent of
6 the Senate.
7 (3) POLITICAL AFFILIATION.—Exclusive of the
8 Secretary of State, not more than four members of
9 the Board shall be of the same political party.
10 (4) RETENTION OF EXISTING BBG MEMBERS.—
11 The presidentially appointed and Senate-confirmed
12 members of the Broadcasting Board of Governors
13 serving as of the date of the enactment of this Act
14 shall constitute the Board of the United States
15 International Communications Agency and hold of-
16 fice the remainder of their original terms of office
17 without reappointment to the Board.
18 (b) TERM OF OFFICE.—The term of office of each
19 member of the Board shall be three years, except that the
20 Secretary of State shall remain a member of the Board
21 during the Secretary's term of service. Of the other eight
22 voting members, the initial terms of office of two members
23 shall be one year, and the initial terms of office of three
24 other members shall be two years, as determined by the
25 President. The President shall appoint, by and with the

1 advice and consent of the Senate, Board members to fill
2 vacancies occurring prior to the expiration of a term, in
3 which case the members so appointed shall serve for the
4 remainder of such term. Members may not serve beyond
5 their terms. When there is no Secretary of State, the Act-
6 ing Secretary of State shall serve as a member of the
7 Board until a Secretary is appointed.

8 (c) SELECTION OF BOARD.—Members of the Board
9 shall be citizens of the United States who are not regular
10 full-time employees of the United States Government.
11 Such members shall be selected by the President from
12 among citizens distinguished in the fields of public diplo-
13 macy, mass communications, print, broadcast media, or
14 foreign affairs.

15 (d) COMPENSATION.—Members of the Board, while
16 attending meetings of the Board or while engaged in du-
17 ties relating to such meetings or in other activities of the
18 Board pursuant to this section (including travel time)
19 shall be entitled to receive compensation equal to the daily
20 equivalent of the compensation prescribed for level IV of
21 the Executive Schedule under section 5315 of title 5,
22 United States Code. While away from their homes or reg-
23 ular places of business, members of the Board may be al-
24 lowed travel expenses, including per diem in lieu of sub-
25 sistence, in accordance with section 5703 of such title for

1 persons in the Government service employed intermit-
2 tently. The Secretary of State shall not be entitled to any
3 compensation under this chapter.

4 (e) DECISIONS.—Decisions of the Board shall be
5 made by majority vote, a quorum being present. A quorum
6 shall consist of a majority of members then serving at the
7 time a decision of the Board is made.

8 (f) TRANSPARENCY.—The Board of the United
9 States International Communications Agency shall adhere
10 to the provisions specified in the Government in the Sun-
11 shine Act (Public Law 94–409).

12 **SEC. 103. AUTHORITIES AND DUTIES OF THE BOARD OF**
13 **THE UNITED STATES INTERNATIONAL COM-**
14 **MUNICATIONS AGENCY.**

15 The Board of the United States International Com-
16 munications Agency shall have the following authorities:

17 (1) To review and evaluate the mission and op-
18 eration of, and to assess the quality, effectiveness,
19 and professional integrity of, all programming pro-
20 duced by the United States International Commu-
21 nications Agency to ensure alignment with the broad
22 foreign policy objectives of the United States.

23 (2) To ensure that broadcasting of the United
24 States International Communications Agency is con-

1 ducted in accordance with the standards specified in
2 section 5.
3 (3) To review, evaluate, and recommend to the
4 Chief Executive of the United States International
5 Communications Agency, at least annually, in con-
6 sultation with the Secretary of State, the necessity
7 of adding or deleting of language services of the
8 Agency.
9 (4) To submit to the President and Congress
10 an annual report which summarizes and evaluates
11 activities of the United States International Commu-
12 nications Agency described in this title.

13 **SEC. 104. ESTABLISHMENT OF THE CHIEF EXECUTIVE OFFI-**
14 **CER OF THE UNITED STATES INTER-**
15 **NATIONAL COMMUNICATIONS AGENCY.**

16 (a) IN GENERAL.—There shall be a Chief Executive
17 Officer of the United States International Communica-
18 tions Agency, appointed by the Board of the Agency for
19 a five-year term, renewable at the Board's discretion, and
20 subject to the provisions of title 5, United States Code,
21 governing appointments, classification, and compensation.
22 (b) QUALIFICATIONS.—The Chief Executive Officer
23 shall be selected from among United States citizens with
24 two or more of the following qualifications:

1 (1) A distinguished career in managing a large
2 organization or Federal agency.
3 (2) Experience in the field of mass communica-
4 tions, print, or broadcast media.
5 (3) Experience in foreign affairs or inter-
6 national relations.
7 (4) Experience in directing United States public
8 diplomacy programs.
9 (c) TERMINATION AND TRANSFER.—Immediately
10 upon appointment of the Chief Executive Officer under
11 subsection (a), the Director of the International Broad-
12 casting Bureau shall be terminated, and all of the respon-
13 sibilities and authorities of the Director shall be trans-
14 ferred to and assumed by the Chief Executive Officer.
15 (d) REMOVAL OF CHIEF EXECUTIVE OFFICER.—The
16 Chief Executive Officer under subsection (a) may be re-
17 moved upon a two-thirds majority vote of the members
18 of the Board of the United States International Commu-
19 nications Agency then serving.
20 (e) COMPENSATION OF THE CHIEF EXECUTIVE OF-
21 FICER.—Any Chief Executive Officer of the United States
22 International Communications Agency hired after the date
23 of the enactment of this Act, shall be eligible to receive
24 compensation up to an annual rate of pay equivalent to

level I of the Executive Schedule under section 5315 of title 5, United States Code.

SEC. 105. AUTHORITIES AND DUTIES OF THE CHIEF EXECUTIVE OFFICER OF THE UNITED STATES INTERNATIONAL COMMUNICATIONS AGENCY.

(a) DUTIES.—The Chief Executive Officer under section 104 shall direct operations of the United States International Communications Agency and shall have the following non-delegable authorities, subject to the supervision of the Board of the United States International Communications Agency:

(1) To supervise all Federal broadcasting activities conducted pursuant to title V of the United States Information and Educational Exchange Act of 1948 (22 U.S.C. 1461 et seq.) and the Voice of America as described in subtitle B of title I of this Act.

(2) To make and ensure compliance with the terms and conditions of the grant agreement in accordance with section 110.

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

(4) To undertake such studies as may be necessary to identify areas in which broadcasting activi-

ties under the authority of the United States International Communications Agency could be made more efficient and economical.

(5) To the extent considered necessary to carry out the functions of the Board, procure supplies, services, and other personal property, as well as procurement pursuant to section 1535 of title 31, United States Code (commonly referred to as the "Economy Act"), of such goods and services from other Federal agencies for the Board as the Board determines are appropriate.

(6) To appoint such staff personnel for the Board as the Board may determine to be necessary, subject to the provisions of title 5, United States Code, 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.

(7) To obligate and expend, for official reception and representation expenses, such amounts as may be made available through appropriations Acts.

(8) To make available in the annual reports required under section 103 information on funds expended on administrative and managerial services by

1 the Board of the United States Communications
2 Agency, and the steps the Board has taken to re-
3 duce unnecessary overhead costs for each of the
4 broadcasting services.

5 (9) To provide for the use of United States
6 Government broadcasting capacity to the Freedom
7 News Network.

8 (10)(A) To procure temporary and intermittent
9 personal services to the same extent as is authorized
10 by section 3109 of title 5, United States Code, at
11 rates not to exceed the daily equivalent of the rate
12 provided for positions classified above grade GS–15
13 of the General Schedule under section 5108 of such
14 title.

15 (B) To allow those individuals providing
16 such services, while away from their homes or
17 their regular places of business, travel expenses
18 (including per diem in lieu of subsistence) as
19 authorized by section 5703 of title 5, United
20 States Code, for persons in the Government
21 service employed intermittently, while so em-
22 ployed.

23 (11) To utilize the provisions of titles III, IV,
24 V, VII, VIII, IX, and X of the United States Infor-
25 mation and Educational Exchange Act of 1948 (22

1 U.S.C. 1431 et seq.), and section 6 of Reorganiza-
2 tion Plan Number 2 of 1977, as in effect on the day
3 before the effective date of title XIII of the Foreign
4 Affairs Agencies Consolidation Act of 1998, to the
5 extent the Board considers necessary to carry out
6 the provisions and purposes of this Act.

7 (12) To utilize the authorities of any other stat-
8 ute, reorganization plan, executive order, regulation,
9 agreement, determination, or other official document
10 or proceeding that had been available to the Director
11 of the United States Information Agency, the Inter-
12 national Broadcasting Bureau, or the Board of the
13 Broadcasting Board of Governors before the date of
14 the enactment of this Act.

15 (13)(A) To provide for the payment of primary
16 and secondary school expenses for dependents of
17 personnel stationed in the Commonwealth of the
18 Northern Mariana Islands (CNMI) at a cost not to
19 exceed expenses authorized by the Department of
20 Defense for such schooling for dependents of mem-
21 bers of the Armed Forces stationed in the Common-
22 wealth, if the Board determines that schools avail-
23 able in the Commonwealth are unable to provide
24 adequately for the education of the dependents of
25 such personnel.

1 (B) To provide transportation for depend-
2 ents of such personnel between their places of
3 residence and those schools for which expenses
4 are provided under subparagraph (A), if the
5 Board determines that such schools are not ac-
6 cessible by public means of transportation.
7 (b) CONSULTATIONS.—The Chief Executive Officer
8 of the United States International Communications Agen-
9 cy shall regularly consult with the Chief Executive Officer
10 of the Freedom News Network and the Secretary of State
11 as described in sections 108 and 109.

12 **SEC. 106. ROLE OF THE SECRETARY OF STATE.**

13 To assist the Board of the United States Inter-
14 national Communications Agency in carrying out its func-
15 tions, the Secretary of State shall provide to the Board
16 information in accordance with section 109(b), as well as
17 guidance on United States foreign policy and public diplo-
18 macy priorities, as the Secretary determines appropriate.

19 **SEC. 107. ROLE OF THE INSPECTOR GENERAL.**

20 (a) IN GENERAL.—The Inspector General of the De-
21 partment of State and the Foreign Service shall exercise
22 the same authorities with respect to the United States
23 International Communications Agency and the Freedom
24 News Network as the Inspector General exercises under

1 the Inspector General Act of 1978 with respect to the De-
2 partment and the Foreign Service.

3 (b) JOURNALIST INTEGRITY.—The Inspector General
4 of the Department of State shall respect the journalistic
5 integrity of all the broadcasters covered by this Act and
6 may not evaluate the philosophical or political perspectives
7 reflected in the content of the broadcasts of such broad-
8 casters.

9 **SEC. 108. ENHANCED COORDINATION BETWEEN UNITED**
10 **STATES INTERNATIONAL COMMUNICATIONS**
11 **AGENCY AND THE FREEDOM NEWS NET-**
12 **WORK; PROGRAM CONTENT SHARING;**
13 **GRANTEE INDEPENDENCE.**

14 (a) MEETINGS.—The chair of the Board and Chief
15 Executive Officer of the United States International Com-
16 munications Agency shall meet at least on a quarterly
17 basis with the chair and Chief Executive Officer, as identi-
18 fied in section 221, of the Freedom News Network to dis-
19 cuss mutual issues of concern, including the following:

20 (1) The strategic direction of their respective
21 organizations, including target audiences.

22 (2) Languages of information transmission.

23 (3) Prioritization of funding allocations.

24 (4) Areas for greater collaboration.

25 (5) Elimination of programming overlap.

1 (6) Efficiencies that can be realized through
2 best practices and lessons learned.
3 (7) Sharing of program content.
4 (b) INFORMATION SHARING.—The Chief Executive
5 Officer of the United States International Broadcasting
6 Agency and the Chief Executive Officer of the Freedom
7 News Network shall share all strategic planning docu-
8 ments, including the following:
9 (1) Results monitoring and evaluation.
10 (2) Annual planning documents.
11 (3) Audience surveys conducted.
12 (4) Budget formulation documents.
13 (c) INDEPENDENCE OF FREEDOM NEWS NET-
14 WORK.—The United States International Communications
15 Agency, while conducting management of the grant de-
16 scribed in section 110, shall avoid even the appearance of
17 involvement in daily operations, decisions, and manage-
18 ment of the Freedom News Network, and ensure that the
19 distinctions between the United States International Com-
20 munications Agency and Freedom News Network remain
21 in accordance with this Act.

1 **SEC. 109. ENHANCED COORDINATION AMONG THE UNITED**
2 **STATES INTERNATIONAL COMMUNICATIONS**
3 **AGENCY, THE FREEDOM NEWS NETWORK,**
4 **AND THE DEPARTMENT OF STATE; FREEDOM**
5 **NEWS NETWORK INDEPENDENCE.**

6 (a) COORDINATION MEETINGS.—The Chief Execu-
7 tive Officer of the United States International Commu-
8 nications Agency and the Chief Executive Officer of the
9 Freedom News Network shall meet, at least on a quarterly
10 basis, with the Secretary of State to—

11 (1) review and evaluate broadcast activities;
12 (2) eliminate overlap of programming; and
13 (3) determine long-term strategies for inter-
14 national broadcasting to ensure such strategies are
15 in accordance with the broad foreign policy interests
16 of the United States.

17 (b) STRATEGIC PLANNING DOCUMENTS.—The Chief
18 Executive Officer of the United States International Com-
19 munications Agency, the Chief Executive Officer of the
20 Freedom News Network, and the Secretary of State shall
21 share all relevant unclassified strategic planning docu-
22 ments produced by the Agency, the Freedom News Net-
23 work, and the Department of State.

24 (c) FREEDOM NEWS NETWORK INDEPENDENCE.—
25 The Department of State, while coordinating with the
26 Freedom News Network in accordance with subsection (a),

1 shall avoid even the appearance of involvement in the daily
2 operations, decisions, and management of the Freedom
3 News Network.

4 **SEC. 110. GRANTS TO THE FREEDOM NEWS NETWORK.**

5 (a) IN GENERAL.—The Chief Executive Officer of the
6 United States International Communications Agency shall
7 make grants to RFE/RL, Incorporated, Radio Free Asia,
8 or the Middle East Broadcasting Network only after the
9 Chief Executive Officer of the Agency and the Chief Exec-
10 utive Officer of Freedom News Network certify to the ap-
11 propriate congressional committees that the headquarters
12 of the Freedom News Network and its senior administra-
13 tive and managerial staff are in a location which ensures
14 economy, operational effectiveness, and accountability,
15 and the following conditions has been satisfied:

16 (1) RFE/RL, Incorporated, Radio Free Asia,
17 and the Middle East Broadcasting Network have
18 submitted to the Chief Executive Officer of the
19 United States International Communications Agency
20 a plan for consolidation and reconstitution as de-
21 scribed in section 211 under the new corporate name
22 "Freedom News Network" with a single organiza-
23 tional structure and management framework, as de-
24 scribed in section 221.

1 (2) The necessary steps towards the consolida-
2 tion described in paragraph (1) have been com-
3 pleted, including the selection of a Board, Chair, and
4 Chief Executive Officer for the Freedom News Net-
5 work, the establishment of bylaws to govern the
6 Freedom News Network, and the filing of articles of
7 incorporation.
8 (3) A plan for content sharing has been devel-
9 oped in accordance with section 112(f).
10 (4) A strategic plan for programming imple-
11 mentation has been developed in accordance with
12 section 221(g).
13 (b) REPORT.—Not later than 180 days after the date
14 of the enactment of this Act, the Board of the United
15 States International Communications Agency shall submit
16 to Congress a report on the status of any grants made
17 to the Freedom News Network.
18 (c) LIMITATION ON GRANT AMOUNTS.—The total
19 amount of grants made for the operating costs of the
20 Freedom News Network may not exceed $270,000,000 in
21 fiscal year 2015.
22 (d) ALTERNATIVE GRANTEE.—If the Chief Executive
23 Officer of the United States International Communica-
24 tions Agency, after consultation with the Board of the
25 Agency and the appropriate congressional committees, de-

1 termines at any time that the Freedom News Network is
2 not carrying out the mission described in section 212 and
3 adhering to the standards and principles described in sec-
4 tion 213 in an effective and economical manner for which
5 a grant has been awarded, the Chief Executive Officer of
6 the Agency, upon approval of the Board, may award to
7 another entity the grant at issue to carry out such func-
8 tions after soliciting and considering applications from eli-
9 gible entities in such manner and accompanied by such
10 information as the Board may require.

11 (e) NOT A FEDERAL ENTITY.—Nothing in this Act
12 may be construed to make the Freedom News Network
13 a Federal agency or instrumentality.

14 (f) AUTHORITY.—Grants authorized under this sec-
15 tion for the United States International Communications
16 Agency shall be available to make annual grants to the
17 Freedom News Network for the purpose of carrying out
18 the mission described in section 212 and adhering to the
19 standards and principles described in section 213.

20 (g) GRANT AGREEMENT.—Grants authorized under
21 this section to the Freedom News Network by the Chief
22 Executive Officer of the United States International Com-
23 munications Agency shall only be made in accordance with
24 a grant agreement. Such grant agreement shall include
25 the following provisions:

1 (1) A grant be used only for activities in ac-
2 cordance with carrying out the mission described in
3 section 212 and adhering to the standards and prin-
4 ciples described in section 213.
5 (2) The Freedom News Network shall comply
6 with the requirements of this section.
7 (3) Failure to comply with the requirements of
8 this section may result in suspension or termination
9 of a grant without further obligation by the United
10 States International Communications Agency or the
11 United States.
12 (4) Use of broadcasting technology owned and
13 operated by the United States International Commu-
14 nications Agency be made available through an
15 International Cooperative Administrative Support
16 Service (ICASS) agreement or memorandum of un-
17 derstanding.
18 (5) The Freedom News Network shall, upon re-
19 quest, provide to the Chief Executive Officer of the
20 United States International Communications Agency
21 documentation which details the expenditure of any
22 grant funds.
23 (6) A grant may not be used to require the
24 Freedom News Network to comply with any require-

1 ments other than the requirements specified in this
2 Act.
3 (7) A grant may not be used to allocate re-
4 sources within the Freedom News Network in a
5 manner that is inconsistent with the Freedom News
6 Network strategic plan described in section 222(c).
7 (h) PROHIBITIONS ON THE USE OF GRANTS.—
8 Grants authorized under this section may not be used for
9 the following purposes:
10 (1)(A) Except as provided in subparagraph (B)
11 or (C), to pay any salary or other compensation, or
12 enter into any contract providing for the payment of
13 salary or compensation, in excess of the rates estab-
14 lished for comparable positions under title 5, United
15 States Code, or the foreign relations laws of the
16 United States, except that no employee may be paid
17 a salary or other compensation in excess of the rate
18 of pay payable for level II of the Executive Schedule
19 under section 5315 of such title.
20 (B) Salary and other compensation limitations
21 under subparagraph (A) shall not apply with respect
22 to any employee covered by a union agreement re-
23 quiring a salary or other compensation in excess of
24 such limitations before the date of the enactment of
25 this Act.

1 (C) Notwithstanding the limitations specified in
2 subparagraph (A), grants authorized under this sec-
3 tion may be used by the Freedom News Network to
4 pay up to six employees employed in the Wash-
5 ington, DC, area, salary or other compensation not
6 to exceed the rate of pay payable for level I of the
7 Executive Schedule under section 5314 of title 5,
8 United States Code, except that such shall not apply
9 to the Chief Executive Officer of the Freedom News
10 Network in accordance with section 221(d).
11 (2) For any activity intended to influence the
12 passage or defeat of legislation being considered by
13 Congress.
14 (3) To enter into a contract or obligation to pay
15 severance payments for voluntary separation for em-
16 ployees hired after December 1, 1990, except as may
17 be required by United States law or the laws of the
18 country where such an employee is stationed.
19 (4) For first class travel for any employee of
20 the Freedom News Network, or the relative of any
21 such employee.
22 **SEC. 111. OTHER PERSONNEL AND COMPENSATION LIMITA-**
23 **TIONS.**
24 (a) IN GENERAL.—Subject to the organizational and
25 personnel restrictions described in subsection (c), the

1 Chief Executive Officer of the United States International
2 Communications Agency shall have the discretion to deter-
3 mine the distribution of all personnel within the Agency,
4 subject to the approval of the Board of the Agency.

5 (b) LIMITATION ON COMPENSATION.—

6 (1) IN GENERAL.—No employee of the United
7 States International Communications Agency, other
8 than the Chief Executive Officer or Director of the
9 Voice of America, shall be eligible to receive com-
10 pensation at a rate in excess of step 10 of GS–15
11 of the General Schedule under section 5332 of title
12 5, United States Code.

13 (2) EXCEPTION.—The limitation described in
14 paragraph (1) does not apply in the case of members
15 of the Board in accordance with section 102(d).

16 (c) PROHIBITION ON CERTAIN NEW EMPLOY-
17 MENT.—

18 (1) IN GENERAL.—Beginning on the date of the
19 enactment of this Act and ending on the date that
20 is five years after such date, the United States
21 International Communications Agency may not fill
22 any currently unfilled full-time or part-time position
23 compensated at an annual rate of basic pay for
24 grade GS–14 or GS–15 of the General Schedule
25 under section 5332 of title 5, United States Code,

1 including any currently filled position in which the
2 incumbent resigns, retires, or otherwise leaves such
3 position during the such five-year period.
4 (2) WAIVER.—The Chief Executive Officer of
5 the United States International Communications
6 Agency may waive the prohibition specified in para-
7 graph (1) if the position is determined essential to
8 the functioning of the Agency and documented as
9 such in the report required under section 112(a), or
10 necessary for the acquisition of skills or knowledge
11 not sufficiently represented in the current workforce
12 of the Agency. The Chief Executive Officer of the
13 Agency shall consult with the appropriate congres-
14 sional committees before issuing a waiver under this
15 paragraph.

16 **SEC. 112. REPORTING REQUIREMENTS OF THE UNITED**
17 **STATES INTERNATIONAL COMMUNICATIONS**
18 **AGENCY.**

19 (a) REORGANIZATION REPORT.—Not later than 180
20 days after the date of the enactment of this Act, the Chief
21 Executive Officer of the United States International Com-
22 munications Agency shall submit to the appropriate Con-
23 gressional committees a report that includes the following:
24 (1) A plan to assess and provide recommenda-
25 tions on the appropriate size and necessity of all

1 current offices and positions (also referred to as a
2 "staffing pattern") within the Agency, including full-
3 time employee positions rated at the Senior Execu-
4 tive Service (SES) level or at GS–14 or GS–15 on
5 the General Schedule under section 5332 of title 5,
6 United States Code. Such plan shall include a de-
7 tailed organizational structure that delineates lines
8 of authority and reporting between junior staff,
9 management, and leadership.
10 (2) Details of how the structure and alignment
11 of resources supports the fulfillment of the Agency's
12 mission and standards and principles as described in
13 sections 5 and 122.
14 (3) A plan for developing a platform to share
15 all programming content between the United States
16 International Communications Agency and the Free-
17 dom News Network, including making available for
18 distribution all programming content licensed or pro-
19 duced by the Agency and the Freedom News Net-
20 work, and expanding the functionality of the plat-
21 forms already in existence, such as the web content
22 management system "Pangea".
23 (b) CONTRACTING REPORT.—The Chief Executive
24 Officer of the United States International Communica-
25 tions Agency shall annually submit to the appropriate con-

1 gressional committees a report on the Agency's compliance
2 with the Federal Acquisition Regulation (the "FAR") and
3 the Anti-Deficiency Act, including a review of contracts
4 awarded on a non-competitive basis, compliance with the
5 FAR requirement for publicizing contract actions, the use
6 of any personal service contracts without explicit statutory
7 authority, and processes for contract oversight in compli-
8 ance with the FAR.

9 (c) LISTENERSHIP REPORT.—The Chief Executive
10 Officer of the United States International Communica-
11 tions Agency shall annually submit to the appropriate con-
12 gressional committees a report that details the trans-
13 mission capacities, market penetration, and audience
14 listenership of all mediums of international communication
15 deployed by the United States International Communica-
16 tions Agency, including a plan for how target audiences
17 can be reached if the first medium of delivery is unavail-
18 able.

19 (d) GAO REPORT.—Every five years after the date
20 of the enactment of this Act, the Comptroller General of
21 the United States shall submit to the appropriate congres-
22 sional committees a report that reviews the effectiveness
23 of content sharing between the United States Inter-
24 national Communications Agency and the Freedom News

1 Network and makes recommendations on how content
2 sharing can be improved.

3 Subtitle B—The Voice of America

4 **SEC. 121. SENSE OF CONGRESS.**

5 It is the sense of Congress that—

6 (1) the Voice of America has been an indispen-
7 sable element of United States foreign policy and
8 public diplomacy efforts since 1942, and should re-
9 main the flagship brand of the United States Inter-
10 national Communications Agency;

11 (2) the Voice of America has been a reliable
12 source of accurate, objective, and comprehensive
13 news and related programming and content for the
14 millions of people around the world who cannot ob-
15 tain such news and related programming and con-
16 tent from indigenous media outlets;

17 (3) the Voice of America's success over more
18 than seven decades has created valuable brand iden-
19 tity and international recognition that justifies the
20 maintenance of the Voice of America;

21 (4) the Voice of America's public diplomacy
22 mission remains essential to broader United States
23 Government efforts to communicate with foreign
24 populations; and

1 (5) despite its tremendous historical success,
2 the Voice of America would benefit substantially
3 from a recalibration of Federal international broad-
4 casting agencies and resources, which would provide
5 the Voice of America with greater mission focus and
6 flexibility in the deployment of news, programming,
7 and content.

8 **SEC. 122. PRINCIPLES OF THE VOICE OF AMERICA.**

9 The Voice of America shall adhere to the following
10 principles in the course of fulfilling its duties and respon-
11 sibilities:

12 (1) Serving as a consistently reliable and au-
13 thoritative source of news on the United States, its
14 policies, its people, and the international develop-
15 ments that affect the United States.

16 (2) Providing accurate, objective, and com-
17 prehensive information, with the understanding that
18 these three values provide credibility among global
19 news audiences.

20 (3) Presenting the official policies of the United
21 States, and related discussions and opinions about
22 those policies, clearly and effectively.

23 (4) Representing the whole of the United
24 States, and shall accordingly work to produce pro-
25 gramming and content that presents a balanced and

1 comprehensive projection of the diversity of thought
2 and institutions of the United States.

3 **SEC. 123. DUTIES AND RESPONSIBILITIES OF THE VOICE OF**
4 **AMERICA.**

5 The Voice of America shall have the following duties
6 and responsibilities:

7 (1) Producing accurate, objective, and com-
8 prehensive news and related programming that is
9 consistent with and promotes the broad foreign poli-
10 cies of the United States.

11 (2) Producing news and related programming
12 and content that accurately represents the diversity
13 of thoughts and institutions of the United States as
14 a whole.

15 (3) Presenting the law and policies of the
16 United States clearly and effectively.

17 (4) Promoting the civil and responsible ex-
18 change of information and differences of opinion re-
19 garding policies, issues, and current events.

20 (5) Making all of its produced news and related
21 programming and content available to the Freedom
22 News Network for use and distribution.

23 (6) Producing or otherwise allowing editorials,
24 commentary, and programming, in consultation with
25 the Department of State, that present the official

1 views of the United States Government and its offi-
2 cials.
3 (7) Maximizing foreign national information ac-
4 cess through both the use of existing broadcasting
5 tools and resources and the development and dis-
6 semination of circumvention technology.
7 (8) Providing training and technical support for
8 independent indigenous media and journalist enter-
9 prises in order to facilitate or enhance independent
10 media environments and outlets abroad.
11 (9) Reaching identified foreign audiences in
12 local languages and dialects when possible.
13 (10) Being capable of providing a broadcasting
14 surge capacity under circumstances where overseas
15 disasters, crises, or other events require increased or
16 heightened international public diplomacy engage-
17 ment.

18 **SEC. 124. LIMITATION ON VOICE OF AMERICA NEWS, PRO-**
19 **GRAMMING, AND CONTENT; TEMPORARY EX-**
20 **CEPTION FOR SUB-SAHARAN AFRICA; EXCEP-**
21 **TION FOR BROADCASTING TO CUBA.**

22 (a) IN GENERAL.—Except as provided in subsections
23 (b) and (c), the Voice of America shall be limited to pro-
24 viding reporting in accordance with its public diplomacy
25 mandate on United States and international news and in-

1 formation, and producing related original programming
2 and content, including coverage of United States foreign
3 policy, international organizations, and international eco-
4 nomic developments.

5 (b) TEMPORARY EXCEPTION FOR SUB-SAHARAN AF-
6 RICA.—The Voice of America may provide original report-
7 ing on regional and local developments in sub-Saharan Af-
8 rica in accordance with the mission of the Freedom News
9 Network specified in section 212 until such time as the
10 Freedom News Network begins broadcasts to sub-Saharan
11 Africa at which time the Voice of America shall revert
12 back to the principles specified in section 122.

13 (c) EXCEPTION FOR BROADCASTING TO CUBA.—
14 Radio Marti and Television Marti, which constitute the
15 Office of Cuba Broadcasting, shall continue programming
16 and content production consistent with the mission and
17 activities as described in the Radio Broadcasting to Cuba
18 Act (Public Law 98–111) and the Television Broadcasting
19 to Cuba Act (Public Law 101–246), and continue existing
20 within the Voice of America of the United States Inter-
21 national Communications Agency.

22 **SEC. 125. DIRECTOR OF VOICE OF AMERICA.**

23 (a) ESTABLISHMENT.—There shall be a Director of
24 the Voice of America, who shall be responsible for exe-

1 cuting the duties and responsibilities of the Voice of Amer-
2 ica described in subsection (b).
3 (b) DUTIES AND RESPONSIBILITIES.—The Director
4 of the Voice of America shall, subject to the final approval
5 of the Chief Executive Officer of the United States Inter-
6 national Communications Agency carry out the following
7 duties and responsibilities:
8 (1) Determine the organizational structure of,
9 and personnel allocation or relocation within, the
10 Voice of America, subject to section 105.
11 (2) Make recommendations to the Chief Execu-
12 tive Officer of the United States International Com-
13 munications Agency regarding the production, devel-
14 opment, and termination of Voice of America news
15 programming and content.
16 (3) Make recommendations to the Chief Execu-
17 tive Officer of the United States International Com-
18 munications Agency about the establishment, termi-
19 nation, prioritization, and adjustments of language
20 services utilized by the Voice of America to reach its
21 international audience.
22 (4) Allocate funding and material resources
23 under the jurisdiction of the Voice of America for
24 the furtherance of the other duties and responsibil-
25 ities established under this subsection.

1 (5) Oversee the daily operations of the Voice of
2 America, including programming content.
3 (c) APPOINTMENT AND QUALIFICATIONS OF DIREC-
4 TOR.—
5 (1) IN GENERAL.—The position of Director of
6 the Voice of America shall be filled by a person who
7 shall serve at the pleasure of the Chief Executive Of-
8 ficer of the United States International Communica-
9 tions Agency.
10 (2) ELIGIBILITY.—To be eligible to be ap-
11 pointed Director of the Voice of America, a person
12 shall have at least two of the following qualifications:
13 (A) Prior, extensive experience managing
14 or operating a private-sector media or journalist
15 enterprise.
16 (B) Prior, extensive experience managing
17 or operating a large organization.
18 (C) Prior, extensive experience engaged in
19 mass media or journalist program development,
20 including the development of circumvention
21 technologies.
22 (D) Prior, extensive experience engaged in
23 international journalism or other related activi-
24 ties, including the training of international jour-

nalists and the promotion of democratic institutional reforms abroad.

(3) COMPENSATION.—Any Director who is hired after the date of the enactment of this Act shall be entitled to receive compensation at a rate equal to the annual rate of basic pay for level III of the Executive Schedule under section 5315 of title 5, United States Code.

Subtitle C—General Provisions

SEC. 131. FEDERAL AGENCY COORDINATION IN SUPPORT OF UNITED STATES PUBLIC DIPLOMACY.

(a) IN GENERAL.—The Board of the United States International Communications Agency and the Freedom News Network shall conduct periodic, unclassified consultations with the Department of State, the United States Agency for International Development, the Department of Defense, and the Office of the Director of National Intelligence, for the purpose of assessing the following:

(1) Progress toward democratization, the development of free and independent media outlets, and the free flow of information in countries that receive programming and content from the United States International Communications Agency and the Freedom News Network.

(2) Foreign languages that have increased or decreased in strategic importance, and the factors supporting such assessments.

(3) Any other international developments, including developments with regional or country-specific significance, that might be of value in assisting the United States International Communications Agency and the Freedom News Network in the development of their programming and content.

(b) GUIDANCE.—The Board of the United States International Communications Agency shall use the unclassified consultations required under subsection (a) as guidance for its distribution and calibration of Federal resources in support of United States public diplomacy.

SEC. 132. FEDERAL AGENCY ASSISTANCE AND COORDINATION WITH THE UNITED STATES INTERNATIONAL COMMUNICATIONS AGENCY AND THE FREEDOM NEWS NETWORK DURING INTERNATIONAL BROADCAST SURGES.

(a) IN GENERAL.—Subject to a formal request from the Chair of the Board of the United States International Communications Agency, Federal agency heads shall assist and coordinate with the Agency to facilitate a temporary broadcasting surge or enhance transmission capac-

1 ity for such a temporary broadcasting surge for the Agen-
2 cy, the Freedom News Network, or both.
3 (b) ACTIONS.—In accordance with subsection (a),
4 Federal agency heads shall assist or coordinate with the
5 United States International Communications Agency by—
6 (1) supplying or facilitating access to, or use
7 of—
8 (A) United States Government-owned
9 transmission capacity, including the use of
10 transmission facilities, equipment, resources,
11 and personnel; and
12 (B) other non-transmission-related United
13 States Government-owned facilities, equipment,
14 resources, and personnel;
15 (2) communicating and coordinating with for-
16 eign host governments on behalf of, or in conjunc-
17 tion with, the Agency or the Freedom News Net-
18 work;
19 (3) providing, or assisting in the obtaining of,
20 in-country security services for the safety and pro-
21 tection of Agency or Freedom News Network per-
22 sonnel; and
23 (4) providing or facilitating access to any other
24 United States Government-owned resources.

1 (c) PROHIBITION.—Notwithstanding any other provi-
2 sion of law, neither Federal agency heads nor their agen-
3 cies shall receive any reimbursement or compensatory ap-
4 propriations for complying with implementing this section.

5 **SEC. 133. FREEDOM NEWS NETWORK RIGHT OF FIRST RE-**
6 **FUSAL IN INSTANCES OF FEDERAL DISPOSAL**
7 **OF RADIO OR TELEVISION BROADCAST**
8 **TRANSMISSION FACILITIES OR EQUIPMENT.**

9 (a) IN GENERAL.—Notwithstanding any other provi-
10 sion of law, it shall be the policy of the United States
11 International Communications Agency to, in the event it
12 intends to dispose of any radio or television broadcast
13 transmission facilities or equipment, provide the Freedom
14 News Network with the right of first refusal with respect
15 to the acquisition of such facilities and equipment.

16 (b) TRANSFER AND DISPOSAL.—Pursuant to sub-
17 section (a)—

18 (1) in the event the Freedom News Network is
19 willing to accept the facilities and equipment re-
20 ferred to in such subsection, the United States
21 International Communications Agency shall transfer
22 to the Freedom News Network such facilities and
23 equipment at no cost to the Freedom News Net-
24 work; or

1 (2) in the event the Freedom News Network
2 opts to not accept such facilities and equipment, the
3 United States International Communications Agency
4 may sell such facilities and equipment at market
5 price, and retain any revenue from such sales.
6 (c) RULES REGARDING CERTAIN FUNDS.—Pursuant
7 to subsections (b) and (c), any revenues that the United
8 States International Communications Agency shall derive
9 from such sales—
10 (1) shall not negatively impact subsequent ap-
11 propriations to the Agency; and
12 (2) shall be used entirely for the purposes or re-
13 search, development, and deployment of innovative
14 broadcasting or circumvention technology.

15 **SEC. 134. REPEAL OF THE UNITED STATES INTERNATIONAL**
16 **BROADCASTING ACT OF 1994.**

17 The United States International Broadcasting Act of
18 1994 (22 U.S.C. 6201 et seq.; title III of Public Law 103–
19 236) is repealed.

20 **SEC. 135. EFFECTIVE DATE.**

21 This title shall take effect on the date that is 180
22 days after the date of the enactment of this Act.

TITLE II—THE FREEDOM NEWS NETWORK

SEC. 201. SENSE OF CONGRESS.

It is the sense of Congress that RFE/RL, Incorporated, Radio Free Asia, and the Middle East Broadcasting Network share a common mission with distinct geographic foci, and should therefore be merged into a single organization, with distinct marketing brands to provide the news and related programming and content in countries where free media are not established.

Subtitle A—Consolidation of Existing Grantee Organizations

SEC. 211. FORMATION OF THE FREEDOM NEWS NETWORK FROM EXISTING GRANTEES.

(a) IN GENERAL.—When the conditions specified in section 110 are satisfied, the Freedom News Network, comprised of the consolidation of RFE/RL Incorporated, Radio Free Asia, and the Middle East Broadcasting Network, shall exist to carry out all international broadcasting activities supported by the United States Government, in accordance with sections 212 and 213.

(b) MAINTENANCE OF THE EXISTING INDIVIDUAL GRANTEE BRANDS.—RFE/RL, Incorporated, Radio Free Asia, and the Middle East Broadcasting Network shall remain brand names under which news and related pro-

1 gramming and content may be disseminated by the Free-
2 dom News Network. Additional brands may be created as
3 necessary.

4 **SEC. 212. MISSION OF THE FREEDOM NEWS NETWORK.**

5 The Freedom News Network established under sec-
6 tion 211 shall—

7 (1) provide uncensored local and regional news
8 and analysis to people in societies where a robust,
9 indigenous, independent, and free media does not
10 exist;

11 (2) strengthen civil societies by projecting
12 democratic values and promoting equality and the
13 rights of the individual;

14 (3) help countries improve their indigenous ca-
15 pacity to enhance media professionalism and inde-
16 pendence, and develop partnerships with local media
17 outlets, as appropriate; and

18 (4) promote access to uncensored sources of in-
19 formation, especially via the internet, and use all ef-
20 fective and efficient mediums of communication to
21 reach target audiences.

22 **SEC. 213. STANDARDS AND PRINCIPLES OF THE FREEDOM**
23 **NEWS NETWORK.**

24 The broadcasting of the Freedom News Network
25 shall—

(1) be consistent with the broad foreign policy objectives of the United States;

(2) be consistent with the international telecommunications policies and treaty obligations of the United States;

(3) be conducted in accordance with the highest professional standards of broadcast journalism;

(4) be based on reliable information about its potential audience;

(5) be designed so as to effectively reach a significant audience; and

(6) prioritize programming to populations in countries without independent indigenous media outlets.

Subtitle B—Organization of the Freedom News Network

SEC. 221. GOVERNANCE OF THE FREEDOM NEWS NETWORK.

(a) BOARD OF THE FREEDOM NEWS NETWORK.—A board shall oversee the Freedom News Network and consist of nine individuals with a demonstrated background in media or the promotion of democracy and experience in measuring media impact.

(b) COMPOSITION OF FIRST BOARD OF THE FREEDOM NEWS NETWORK.—Not later than 90 days after the

1 date of the enactment of this Act, the Chairs and Ranking
2 Members of the appropriate congressional committees
3 shall identify and appoint candidates for the first board
4 of the Freedom News Network, direct the appointment of
5 board members, and select the first chair of the board of
6 the Freedom News Network as follows:

7 (1) Two individuals shall be appointed by the
8 Chair of the Committee on Foreign Affairs of the
9 House of Representatives.

10 (2) Two individuals shall be appointed by the
11 Ranking Member of the Committee on Foreign Af-
12 fairs of the House of Representatives.

13 (3) Two individuals shall be appointed by the
14 Chair of the Committee on Foreign Relations of the
15 Senate.

16 (4) Two individuals shall be appointed by the
17 Ranking Member of the Committee on Foreign Rela-
18 tions of the Senate.

19 (5) One individual shall be appointed by con-
20 sensus of the Chairs and Ranking Members of the
21 Committee on Foreign Affairs of the House of Rep-
22 resentatives and the Committee on Foreign Rela-
23 tions of the Senate.

24 (c) OPERATIONS OF THE FIRST BOARD OF THE
25 FREEDOM NEWS NETWORK.—

1 (1) IN GENERAL.—The board members of the
2 first board of the Freedom News Network shall de-
3 termine the bylaws, select the Chief Executive Offi-
4 cer of the Freedom News Network, and file articles
5 of incorporation under the corporate name "Free-
6 dom News Network". The first board of the Free-
7 dom News Network may change the organization's
8 name in accordance with such bylaws.
9 (2) TERM LIMITS.—The board members of the
10 first board of the Freedom News Network may not
11 serve more than a three-year term, and shall be re-
12 placed in accordance with the bylaws referred to in
13 paragraph (1) and the succession process described
14 in paragraph (3).
15 (3) SUCCESSION OF BOARD MEMBERS.—The
16 board members of the first board of the Freedom
17 News Network and all subsequent boards shall fill
18 vacancies on the board due to death, resignation, re-
19 moval, or term expiration through an election proc-
20 ess described in the bylaws referred to in paragraph
21 (1) and in accordance with the principle of a "self-
22 replenishing" body.
23 (d) COMPENSATION OF BOARD AND OFFICERS OF
24 THE FREEDOM NEWS NETWORK.—Members of the board
25 of the Freedom News Network may not receive any fee,

1 salary, or remuneration of any kind for their service as
2 members, except that such members may be reimbursed
3 for reasonable expenses, such as board-related travel, in-
4 curred with approval of the board upon presentation of
5 vouchers. No officers of the Freedom News Network, other
6 than the Chief Executive Officer, shall be eligible to re-
7 ceive compensation at a rate in excess of the annual rate
8 of basic pay for level II on the Executive Schedule under
9 section 5315 of title 5, United States Code.

10 (e) ABOLISHMENT OF EXISTING BOARDS.—The
11 boards of directors of RFE/RL, Incorporated, Radio Free
12 Asia, and the Middle East Broadcasting Network in exist-
13 ence on the day before the date of the enactment of this
14 Act shall be abolished on the date of the first official meet-
15 ing of the first board of the Freedom News Network.

16 (f) CHIEF EXECUTIVE OFFICER.—The Chief Execu-
17 tive Officer of the Freedom News Network shall serve at
18 the pleasure of the board of the Freedom News Network,
19 and be responsible for the day-to-day management and op-
20 erations of the Freedom News Network, including the se-
21 lection of individuals for management positions. The board
22 of the Freedom News Network may add to the duties and
23 responsibilities of the Chief Executive Officer as the board
24 determines appropriate, and such additional duties and re-

1 sponsibilities shall be codified in the bylaws of the Free-
2 dom News Network.
3 (g) PLAN FOR CONSOLIDATION OF EXISTING INDI-
4 VIDUAL GRANTEES.—
5 (1) IN GENERAL.—Not later than 180 days
6 after the date of the first official meeting of the first
7 board of the Freedom News Network, the chair of
8 the board of the Freedom News Network shall sub-
9 mit a report to, and consult with, the appropriate
10 congressional committees on the plan to consolidate
11 RFE/RL, Incorporated, Radio Free Asia, and the
12 Middle East Broadcasting Network into a single
13 non-Federal grantee organization.
14 (2) COMPONENTS.—The consolidation plan re-
15 ferred to in paragraph (1) shall include the following
16 components:
17 (A) The location and distribution of em-
18 ployees, including administrative, managerial,
19 and technical staff, of the Freedom News Net-
20 work that will be located within and outside the
21 metropolitan area of Washington, DC.
22 (B) An organizational chart identifying the
23 managerial and supervisory lines of authority
24 among all employees of the Freedom News Net-
25 work.

1 (3) TIME FOR IMPLEMENTATION.—Not later
2 than three years after the date of the enactment of
3 this Act, the chair of the board of the Freedom
4 News Network shall fully implement the consolida-
5 tion plan referred to in paragraph (1) after consulta-
6 tion with the appropriate congressional committees.
7 (4) REPORT.—Not later than five years after
8 the date on which initial funding is provided for the
9 purpose of operating the Freedom News Network,
10 the chair of the board of the Freedom News Net-
11 work shall submit to the appropriate congressional
12 committees a report that details the following:
13 (A) Whether the Freedom News Network
14 is technically sound and cost-effective.
15 (B) Whether the Freedom News Network
16 consistently meets the standards for quality and
17 impact established by this title.
18 (C) Whether the Freedom News Network
19 is receiving a sufficient audience to warrant its
20 continued operation.
21 (D) The extent to which the Freedom
22 News Network's programming and content is
23 already being received by the target audience
24 from other credible indigenous or external
25 sources.

1 (E) The extent to which the foreign policy
2 and national security interests of the United
3 States are being served by maintaining oper-
4 ations of the Freedom News Network.

5 **SEC. 222. BUDGET OF THE FREEDOM NEWS NETWORK.**

6 (a) IN GENERAL.—The annual budget of the Free-
7 dom News Network shall consist of the following:
8 (1) A grant described in section 110, consisting
9 of the total grants to RFE/RL, Incorporated, Radio
10 Free Asia, and the Middle East Broadcasting Net-
11 work before the date of the enactment of this Act.
12 (2) Any grants or transfers from other Federal
13 agencies.
14 (3) Other funds described in subsection (b).
15 (b) OTHER SOURCES OF FUNDING.—The Freedom
16 News Network may, to the extent authorized by its board
17 and in accordance with applicable laws and the mission
18 of the Freedom News Network under section 212 and eli-
19 gible broadcast areas under section 6, collect and utilize
20 non-Federal funds, except that the Freedom News Net-
21 work may not accept funds from the following:
22 (1) Any foreign governments or foreign govern-
23 ment officials.

(2) Any agents, representatives, or surrogates of any foreign government or foreign government official.

(3) Any foreign-owned corporations or any subsidiaries of any foreign-owned corporation, regardless of whether such subsidiary is foreign-owned.

(4) Any foreign national or individual who is not either a citizen or a legal permanent resident of the United States.

(c) ANNUAL STRATEGIC PLAN OF THE FREEDOM NEWS NETWORK.—The Freedom News Network shall submit to the appropriate congressional committees and the United States International Communications Agency an annual strategic plan to satisfy the requirements specified in section 110. Each such strategic plan shall outline the following:

(1) The strategic goals and objectives of the Freedom News Network for the upcoming fiscal year.

(2) The alignment of the Freedom News Network's resources with the strategic goals and objectives referred to in subparagraph (A).

(3) Clear benchmarks that establish the progress made towards achieving the strategic goals and objectives referred to in subparagraph (A).

1 (4) A plan to monitor and evaluate the success
2 of the Freedom News Network's broadcasting ef-
3 forts.
4 (5) A reflective analysis on the activities on the
5 past fiscal year.
6 (6) Any changes to facility leases, contracts, or
7 ownership that would result in the relocation of staff
8 or personnel.
9 (d) SENSE OF CONGRESS.—It is the sense of Con-
10 gress that administrative and managerial costs for oper-
11 ation of the Freedom News Network should be kept to
12 a minimum and, to the maximum extent feasible, should
13 not exceed the costs that would have been incurred if
14 RFE/RL, Incorporated, Radio Free Asia, and the Middle
15 East Broadcasting Network had been operated as inde-
16 pendent grantees or as a Federal entity within the Voice
17 of America.

18 **SEC. 223. ASSISTANCE FROM OTHER GOVERNMENT AGEN-**
19 **CIES.**

20 (a) SURPLUS PROPERTIES.—In order to assist the
21 Freedom News Network in carrying out the provisions of
22 this title, any agency or instrumentality of the United
23 States may sell, loan, lease, or grant property (including
24 interests therein) to the Freedom News Network as nec-
25 essary.

(b) FACILITIES AND BROADCASTING INFRASTRUCTURE.—The United States International Communications Agency and the Freedom News Network shall negotiate an International Cooperative Administrative Support Service (ICASS) agreement or memorandum of understanding permitting the continued use of technological infrastructure for broadcasting and information dissemination, except that the Freedom News Network may choose to procure such services through negotiated contracts with private-sector providers.

SEC. 224. REPORTS BY THE OFFICE OF THE INSPECTOR GENERAL OF THE DEPARTMENT OF STATE; AUDITS BY GAO.

(a) IG REPORTS.—

(1) IN GENERAL.—Not later than September 30 of each year, the Inspector General of the Department of State and the Foreign Service shall submit to the appropriate congressional committees a report on management practices of the Freedom News Network, including a financial report on unobligated balances.

(2) CONTINUATION OF AUTHORITY.—Notwithstanding any other provision of law, the Inspector General of the Department of State and the Foreign Service is authorized to exercise the authorities of

1 the Inspector General Act of 1978 with respect to
2 the Freedom News Network.
3 (b) GAO AUDITS.—
4 (1) IN GENERAL.—Financial transactions of the
5 Freedom News Network, as such relate to functions
6 carried out under this Act, may be audited by the
7 Government Accountability Office in accordance with
8 such principles and procedures and under such rules
9 and regulations as may be prescribed by the Comp-
10 troller General of the United States. Any such audit
11 shall be conducted at the place or places where ac-
12 counts of the Freedom News Network are normally
13 kept.
14 (2) ACCESS.—Representatives of the Govern-
15 ment Accountability Office shall have access to all
16 books, accounts, records, reports, files, papers, and
17 property belonging to or in use by the Freedom
18 News Network pertaining to the financial trans-
19 actions referred to in paragraph (1) and necessary
20 to facilitate an audit in accordance with such para-
21 graph. All such books, accounts, records, reports,
22 files, papers, and property of the Freedom News
23 Network shall remain in the possession and custody
24 of the Freedom News Network.

1 **SEC. 225. AMENDMENTS TO THE UNITED STATES INFORMA-**
2 **TION AND EDUCATIONAL EXCHANGE ACT OF**
3 **1948.**

4 The United States Information and Educational Ex-
5 change Act of 1948 is amended—

6 (1) in title V (22 U.S.C. 1461 et seq.), by strik-
7 ing "Broadcasting Board of Governors" and insert-
8 ing "United States International Communications
9 Agency" each place it appears;

10 (2) by amending paragraph (1) of section
11 501(b) (22 U.S.C. 1461(b)) to read as follows:

12 "(b)(1) Except as provided in paragraph (2), the Sec-
13 retary and the United States International Communica-
14 tions Agency may, upon request and reimbursement of the
15 reasonable costs incurred in fulfilling such a request, make
16 available, in the United States, motion pictures, films,
17 video, audio, and other materials disseminated abroad
18 pursuant to this Act. Any reimbursement pursuant to this
19 paragraph shall be credited to the applicable appropriation
20 account of the Department of State or the United States
21 International Communications Agency, as appropriate.
22 The Secretary and the United States International Com-
23 munications Agency shall issue necessary regulations.";

24 (3) by repealing sections 504 and 505 (22
25 U.S.C. 1464 and 1464a);

(4) by redesignating section 506 (22 U.S.C. 1464b) as section 504;

(5) in section 504, as so redesignated, in subsection (c), in the matter preceding paragraph (1)—

(A) by striking "Broadcasting Board of Governors" and inserting "United States International Communications Agency"; and

(B) by striking "Board" each place it appears and inserting "Agency";

(6) in clause (iii) of section 604(d)(1)(A) (22 U.S.C. 1469(d)(1)(A)), by striking "Broadcasting Board of Governors" and inserting "United States International Communications Agency";

(7) in paragraph (3) of section 801 (22 U.S.C. 1471), by striking "Director of the United States Information Agency" and inserting "Chief Executive Officer of the United States International Communications Agency";

(8) in subsection (b) of section 802 (22 U.S.C. 1472)—

(A) in paragraph (1)(B), by striking "Director of the United States Information Agency" and inserting "Chief Executive Officer of the United States International Communications Agency"; and

(B) in paragraph (4)(A), by striking "Broadcasting Board of Governors" and inserting "United States International Communications Agency";

(9) in paragraph (1) of section 804 (22 U.S.C. 1474), by striking "Director of the United States Information Agency" and inserting "Chief Executive Officer of the United States International Communications Agency";

(10) in section 810(b) (22 U.S.C. 1475e(b))—

(A) in the matter preceding paragraph (1), by striking "United States Information Agency" and inserting "United States International Communications Agency"; and

(B) in paragraph (4), by striking "International Broadcasting Bureau" and inserting "United States International Communications Agency"; and

(11) in subsection (a) of section 1001 (22 U.S.C. 1442), by striking "Director of the United States Information Agency" and inserting "Chief Executive Officer of the United States International Communications Agency".

○

Chairman ROYCE. And I now recognize members for opening remarks on this bill, beginning with myself and beginning with the ranking member.

And so let me begin by thanking Eliot Engel for his work in moving this bipartisan bill forward. The two of us and others on the committee have just returned from Ukraine, and that visit, I think for all of us, underscored the need to reform U.S. international broadcasting. Traveling to eastern Ukraine, our delegation witnessed the Russian propaganda machine, which is now in overdrive, and the attempts by Russia to undermine regional stability. The Russian closure of local Ukrainian radio and television stations, the jamming of uncensored sources of information into the country—all of this demands an effective response. This committee recently worked on legislation, signed into law, to ramp up programming into Ukraine.

But unfortunately, U.S. broadcasters—the Voice of America, Radio Free Europe, Radio Free Asia, and others—are competing with a hand tied behind their back. And that is because the bureaucratic structure over the top of these radios, the Broadcasting Board of Governors, the BBG as it is known, that structure is broken.

So while our enemies are working right now 24/7 on their public information campaigns, the organization at the helm of ours meets once a month—once a month—and often doesn't have a quorum. And that is a recipe for failure. And if we think about some of the witnesses we have heard on this subject, then-Secretary Clinton told this committee last year that the BBG, in her words, is "practically defunct." Reports from the Inspector General and the GAO have agreed, as does nearly everyone with experience in this field, Republicans or Democrats.

This legislation makes dramatic changes to the current organization by clarifying the missions of our U.S. international broadcasters, consolidating six organizations into two.

One organization, the United States International Communications Agency, will remain a Federal entity and will consist of the Voice of America and the associated technical services our broadcasters depend on. And we make clear that the mission of the Voice of America is to "present the policies of the United States clearly and effectively," exactly as was intended.

Radio Free Europe, Radio Free Asia, and the Middle East Broadcasting Network, the so-called surrogates, have, of course, a very different mission: To provide uncensored local news and information to people in closed societies and to be "a megaphone for internal advocates of freedom." So whether it is in Iran or North Korea or elsewhere, that is the intention of these surrogate broadcasts. And these freedom broadcasters, as they are known, will keep their names but consolidate into a private, nonprofit corporation that will become the Freedom News Network.

Both the U.S. International Communications Agency and Freedom News Network will now have empowered CEOs at the helm and purely advisory boards. Ripping away the bureaucracy will reduce administrative overlap and allow both organizations to thrive. This legislation also mandates important reforms to the contracting practices of the BBG and increases public-private partnerships.

Unlike decades past, today's media landscape is highly competitive. Other countries are sprinting forward; we are still standing still. If we are going to adapt, we need a more effective and efficient use of our finite resources, which this legislation lays out through its mission clarification and management reform.

And, again, I want to thank Ranking Member Engel, who I now turn to for his remarks.

Mr. ENGEL. Mr. Chairman, thank you for holding this markup of bipartisan legislation, as you mentioned, that will enhance the ability of the United States to facilitate the free flow of information and share our values with people around the world.

Let me say firstly, Mr. Chairman, it was a pleasure to travel with you on our recent trip to Ukraine. We saw firsthand that the competition of ideas and the battle for hearts and minds are alive and well.

Over the past few months, Moscow has used its state-controlled media to broadcast totally baseless propaganda that has been used as a pretext for Russia's invasion of Crimea and its destabilizing activities in eastern Ukraine.

But Ukraine is far from the only place where objective news is in demand. In Iran, the regime closely controls the free flow of information and has actively jammed U.S. satellite transmissions. And in North Korea, the regime locks radios on certain frequencies to prevent people from listening to the Voice of America and Radio Free Asia.

Unfortunately, our efforts to disseminate objective news to societies that lack a free media are not as effective as they should be. Last year, a report by the State Department Inspector General found that the Broadcasting Board of Governors, the agency that currently oversees all U.S. international broadcasting, was "failing in its mandated duties" due to a flawed structure and strong internal dissension.

The bill that Chairman Royce and I introduced with support from many of our colleagues on both sides of the aisle will help fix this structure by improving management, enhancing coordination among the different broadcasting entities, and empowering journalists and editors to produce high-quality programming that keeps pace with the rapidly changing international media landscape.

Specifically, the legislation creates a chief executive officer to manage the day-to-day operations of the new U.S. International Communications Agency, an umbrella organization for Voice of America and Office of Cuba Broadcasting. And it also creates a CEO to run the Freedom News Network, a new organization comprised of the three existing private grantees, which are Radio Free Europe/Radio Liberty, Radio Free Asia, and the Middle East Broadcasting Networks.

The bill also defines the missions of VOA and the Freedom News Network to reduce the duplication of programming and requires robust coordination between the Federal and private entities, including the sharing of content and strategic plans to maximize efficiency. Under the new organizational structure, Voice of America (VOA), the flagship of U.S. broadcasting for more than 50 years, will remain the primary source of information about the United States and our culture, while the three grantees that form the

Freedom News Network will continue to provide news to audiences about developments in their own countries.

Only by working closely together will these broadcasters be effective in providing comprehensive news and information to those who need it most. When I was recently with Chairman Royce in the eastern part of Ukraine, we met a lot of people who said that they really would welcome more information from the United States, that they really don't get the balanced type of information. And we know Radio Free Europe and others are the ones that helped the Soviet Union collapse. And so this is a really smart thing for us to do.

Lastly, and perhaps most importantly, this bill maintains the requirement that U.S.-funded programming serve as an objective source of news and information and not simply as a mouthpiece for U.S. foreign policy. It is absolutely critical that the news be accurate and seen as credible by the foreign audiences we are trying to reach.

So, Mr. Chairman, I would like to thank you again for holding this important markup and really for your leadership over the course of many years on international broadcasting issues. This is one ball that you have run with for many years, even before you were chairman of this committee, and it is very much noticed and very much appreciated. And I also would like to thank you for working with us on this legislation in a bipartisan manner.

I have some votes in my other committee, so I may be in and out. But this legislation is so important and should be passed with no dissension because I think this is the type of legislation that this committee can be proud of, again, on a bipartisan basis.

Thank you, Mr. Chairman.

Chairman ROYCE. Thank you, Mr. Engel.

I will ask now if any other members seek recognition on the underlying bill.

Hearing none, we will now move to the en bloc amendment package that was sent to members' offices yesterday.

Without objection, the following amendments to H.R. 4490, which all members have before them, are considered read and will be considered en bloc: The Royce Manager's Amendment No. 102; the Keating Amendment circulated yesterday regarding women and minorities; Lowenthal Amendment No. 27, recognizing shortwave broadcasting; Rohrabacher Amendment No. 39, regarding U.S. national security objectives; and Sherman Amendment No. 85, regarding ethnic, cultural, or religious groups within countries of national security interest to the United States.

[The information referred to follows:]

AMENDMENT TO H.R. 4490
OFFERED BY MR. ROYCE OF CALIFORNIA

In paragraph (15) of section 2, strike the first period.

In section 6(a), in the matter preceding paragraph (1), insert ", in consultation with the Secretary of State," after "Freedom News Network".

In section 101, strike "The United States International Communications Agency shall exist" and insert "There is hereby established a single Federal organization consisting of the Voice of America and the offices that constitute the International Broadcasting Bureau and referred to hereafter as the 'United States International Communications Agency', which shall exist".

In subsection (a) of section 107, strike "and the Foreign Service".

In subsection (a) of section 107, strike "under the Inspector General Act of 1978".

In subsection (a) of section 107, strike "and the Service".

In section 108, redesignate subsection (c) as subsection (d).

In section 108, insert after subsection (b) the following:

1 (c) PROGRAM CONTENT SHARING.—The United
2 States International Communications Agency and the
3 Freedom News Network shall make all original content
4 available to each other through a shared platform in ac-
5 cordance with section 112(a)(3).

In section 110(a), in the matter preceding paragraph (1), strike "has" and insert "have".

In paragraph (1) of section 110(g), insert "shall" before "be used".

In paragraph (4) of section 110(g), insert "shall" before "be made".

In paragraph (2) of section 111(b), insert before the period at the end the following: "or affect the rights of employees covered under the Fair Labor Standards Act of 1938".

In section 111, add at the end the following:

6 (d) CONTINUATION OF FEDERAL STATUS.—Nothing
7 in this Act may be interpreted to change the Federal sta-

1 tus or rights of employees of the Voice of America or the
2 International Broadcasting Bureau by the consolidation
3 and establishment of the United States International
4 Communications Agency.

In paragraph (2) of section 112(a), strike "Details of how the structure and alignment of resources supports" and insert "A plan to consolidate the Voice of America and the International Broadcasting Bureau into a single Federal entity identified as the 'United States International Communications Agency' and how the structure and alignment of resources support".

In section 112(a), add at the end the following:

5 (4) A joint plan written with the Chief Execu-
6 tive Officer of the Freedom News Network to coordi-
7 nate the transition of language services between the
8 United States International Communications Agency
9 and the Freedom News Network in accordance with
10 sections 6, 123, 124, 212, and 213.

In subsection (c) of section 112, strike "Agency. including" and insert "Agency, including".

In section 112, add at the end the following:

11 (e) LANGUAGE REPORT.—Not later than one year
12 after the date of the enactment of this Act, the Chief Ex-

1 ecutive Officer of the United States International Commu-
2 nications Agency and the Chief Executive Officer of the
3 Freedom News Network shall submit to the appropriate
4 congressional committees a joint report detailing—
5 (1) information outlining the criteria and anal-
6 ysis used to determine broadcast recipient countries
7 and regions; and
8 (2) an initial list of broadcast countries and re-
9 gions.

In subsection (a) of section 124, strike "its public diplomacy mandate on United States and international news and information, and producing related original programming and content, including coverage of United States foreign policy, international organizations, and international economic developments." and inserting "the principles specified in section 122. Nothing in this section shall preclude the Voice of America from broadcasting programming content produced by the Freedom News Network.".

In section 124, in the heading, strike "**TEMPORARY EXCEPTION FOR SUB-SAHARAN AFRICA;**".

In section 124, strike subsection (b).

In section 124, redesignate subsection (c) as subsection (b).

In section 124, in subsection (b) (as so redesignated), insert before the period at the end the following: ", established in section 101".

In paragraph (1) of section 224(a), strike "Not later than September 30 of each year, the" and insert "The".

In paragraph (1) of section 224(a), strike "and the Foreign Service".

In paragraph (1) of section 224(a), insert ", as appropriate," after "shall".

In paragraph (1) of section 224(a), strike "a report" and insert "reports".

In paragraph (1) of section 224(a), strike "a financial report" and insert "financial reports".

In paragraph (2) of section 224(a), strike "and the Foreign Service".

In paragraph (2) of section 224(a), strike "Act of 1978".

In subsection (a) of section 224, add at the end the following:

1 (c) TRANSFER OF FUNDS.—Notwithstanding any
2 other provision of law, one percent of the funds made
3 available by the United States International Communica-

1 tions Agency shall be transferred to the Inspector General
2 of the Department of State to cover the expenses of car-
3 rying out the activities of the Inspector General under this
4 section.

☒

AMENDMENT TO H.R. 4490
OFFERED BY MR. KEATING OF MASSACHUSETTS

In paragraph (2) of section 212 –

(a) strike ''projecting'' and insert ''promoting''; and

(b) insert before the semicolon at the end the following: '', including for marginalized groups, such as women and minorities''.

AMENDMENT TO H.R. 4490

OFFERED BY MR. LOWENTHAL OF CALIFORNIA

In section 2, redesignate paragraph (19) as paragraph (20).

In section 2, insert after paragraph (18), the following:

1 (19) Shortwave broadcasting has been an im-
2 portant method of communication that should be
3 utilized in regions as a component of United States
4 international broadcasting where a critical need for
5 the platform exists.

☒

AMENDMENT TO H.R. ____

OFFERED BY MR. ROHRABACHER OF CALIFORNIA

At the end of the bill, add the following:

TITLE III—MISCELLANEOUS PROVISIONS

SEC. 301. PRESERVATION OF UNITED STATES NATIONAL SECURITY OBJECTIVES.

The Chief Executive Officer of the United States International Communications Agency and the Chief Executive Officer of the Freedom News Network shall each establish procedures to vet and monitor employees of each such agency for affiliations to terrorist organizations, foreign governments, or agents of foreign governments to protect against espionage, sabotage, foreign propaganda messaging, and other subversive activities that undermine United States national security objectives.

AMENDMENT TO H.R. ____

OFFERED BY MR. SHERMAN OF CALIFORNIA

In paragraph (9) of section 123, insert before the period at the end the following: ", particularly when such audiences form a distinct ethnic, cultural, or religious group within a country critical to United States national security interests".

Chairman ROYCE. And before recognizing other members to speak, I again want to thank the ranking member for working with me on the manager's amendment, which includes a number of post-introduction corrections, technical changes, and other housekeeping matters. And, among other things, it makes it clear that the United States International Communications Agency is a Federal organization and requires a plan to consolidate the Voice of America and the International Broadcasting Bureau into that new entity.

It also reiterates the mandate that the broadcasters share their content with each other and requires the development of a joint plan to determine how language services will be affected by the clarified organizational missions.

Do any members seek recognition to speak on any of the en bloc items?

Mr. Lowenthal?

Mr. LOWENTHAL. Thank you, Mr. Chair. And I want to thank you and the ranking member for bringing this important bill forward and also for leading our congressional delegation to Ukraine. It was an amazing, an amazing trip, where we learned a great, great deal.

That trip to Ukraine only further affirmed to me the importance of international broadcasting programs and what a great impact they can have in regions that are desperately crying out for independent news sources.

My amendment simply adds the following text to the findings of this bill: "Shortwave broadcasting has been an important method of communication that should be utilized in regions as a component of the United States international broadcasting where a critical need for the platform exists."

One of these absolutely critical regions is southeastern Asia and specifically Vietnam, which is a one-party, Communist state that has no freedom of the press. Its people rely upon the trusted news provided by Radio Free Asia, delivered by shortwave broadcasting, a media that reaches millions of people who would otherwise be uninformed of events in their country.

International broadcasting and shortwave in particular are key components in promoting democratic societies and for keeping pressure on totalitarian regimes to respect the fundamental human rights of their own people. This amendment reiterates our support for shortwave broadcasting and allows the United States to continue a diversified portfolio of broadcasting to underserved peoples across the globe.

Thank you, Mr. Chair, and I yield back.

Chairman ROYCE. Thank you, Mr. Lowenthal.

Mr. KEATING. Mr. Chairman?

Chairman ROYCE. Mr. Keating?

Mr. KEATING. Thank you, Mr. Chairman. I would like to strike the last word.

Mr. Chairman, I would like to thank you and Ranking Member Engel for your leadership on this important reform initiative that I have proudly cosponsored with you.

Public diplomacy efforts are critical to our Nation's security, prosperity, and image abroad. Oftentimes, a program on Alhurra TV or a tweet from Radio Free Europe may be the only direct communication an individual overseas may receive from our country.

In fact, yesterday alone, the Prime Minister from Latvia was here speaking to some of our Members, and she mentioned no less than three times about the increase in Russian propaganda on Russian-speaking people in her population.

In a world where so such information exists particularly about U.S. interests in society, it is important that we do not only put our best face forward as a country but demonstrate our commitment to the truth and freedom of expression in media, as well.

I am pleased that my amendment to prioritize the delivery of information and programming to isolated women and minority populations overseas is included in the en bloc package.

Recently, Mr. Chairman, you and I held a hearing on the nexus between promoting education for women and girls and countering violent extremism. This amendment is a byproduct of that hearing and will help close the gap by encouraging more outreach and public-private partnerships to reach women in isolated communities and in some cases assist in increasing their access to education and uncensored information sources.

In this way, we will not only be relaying a vision of democracy to other Nations, but we will actually be helping to build such societies by strengthening the civil society engagement and outreach itself.

Mr. Chairman, I am pleased that the committee has agreed to include the access to education as a primary component to the democratic ideals the Freedom News Network aims to support in its report. And I hope that all of us as colleagues will join together in supporting this commonsense provision in the en bloc amendment.

And I yield back my time.

Chairman ROYCE. Thank you, Mr. Keating.

Any other members seeking recognition?

Hearing none, the question occurs on the en bloc amendment.

All those in favor, say aye.

All those opposed, no.

In the opinion of the Chair, the ayes have it, and the en bloc amendments are agreed to.

Are there any additional amendments to H.R. 4490?

Hearing no further amendments, the question now occurs on agreeing to H.R. 4490 as amended.

All those in favor, say aye.

All opposed, no.

In the opinion of the Chair, the ayes have it. The bill as amended is agreed to.

And, without objection, H.R. 4490 as amended is ordered favorably reported as a single amendment in the nature of a substitute. Staff is directed to make any technical and conforming changes.

And we now move to the remaining three measures, which we will consider en bloc together with the bipartisan amendments provided to your offices yesterday.

Without objection, the following items, which all members have before them, are considered read and will be considered en bloc: H.R. 4028, To amend the International Religious Freedom Act of 1998 to include the desecration of cemeteries . . .; Collins Amendment No. 44 to H.R. 4028; House Resolution 520, Calling for an

end to attacks on Syrian civilians and expanded humanitarian access; Royce Amendment 101 in the nature of a substitute to House Resolution 520; House Concurrent Resolution 51, calling for the establishment of a Syrian war crimes tribunal; and the Smith Amendment No. 51 in the nature of a substitute to House Concurrent Resolution 51.

[The information referred to follows:]

I

113TH CONGRESS
2D SESSION

H. R. 4028

To amend the International Religious Freedom Act of 1998 to include the desecration of cemeteries among the many forms of violations of the right to religious freedom.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 10, 2014

Ms. MENG introduced the following bill; which was referred to the Committee on Foreign Affairs

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A BILL

To amend the International Religious Freedom Act of 1998 to include the desecration of cemeteries among the many forms of violations of the right to religious freedom.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. AMENDMENT TO INTERNATIONAL RELIGIOUS FREEDOM ACT OF 1998.

Section 2(a)(4) of the International Religious Freedom Act of 1998 (22 U.S.C. 6401(a)(4)) is amended in the fourth sentence by inserting "desecration of cemeteries," after "confiscations of property,".

○

AMENDMENT TO H.R. 4028

OFFERED BY MR. COLLINS OF GEORGIA

Redesignate section 1 as section 2.

Insert before section 2 (as so redesignated) the following:

1 **SECTION 1. FINDINGS.**

2 Congress finds the following:

3 (1) Cemeteries are sacred sites that are of great
4 spiritual, cultural, and historical significance to
5 many religious and ethnic groups.

6 (2) Congress is committed to protecting and
7 preserving the heritage and sacred sites of national,
8 religious, and ethnic groups, which includes ceme-
9 teries in the United States and abroad.

10 (3) Cemeteries around the world have and con-
11 tinue to be defaced or destroyed as a direct result
12 of their affiliation with a particular religious or spir-
13 itual group.

14 (4) Such attacks constitute an assault on the
15 fundamental right to freedom of religion, and are es-
16 pecially egregious when sponsored or tolerated by

1 the local or national governments in the countries in

2 which such offenses occur.

IV

113TH CONGRESS
2D SESSION

H. RES. 520

Calling for an end to attacks on Syrian civilians and expanded humanitarian access.

IN THE HOUSE OF REPRESENTATIVES

MARCH 14, 2014

Mr. ROYCE (for himself and Mr. ENGEL) submitted the following resolution; which was referred to the Committee on Foreign Affairs

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RESOLUTION

Calling for an end to attacks on Syrian civilians and expanded humanitarian access.

Whereas March 2014 marks the third year of the crisis in Syria, which has resulted in the world's largest ongoing humanitarian disaster, and the urgent need for a resolution to the conflict;

Whereas Bashar al-Assad and supporting militias, including Hezbollah, continue to carry out sectarian mass atrocities, which have included mass targeted killings, mass graves, the extermination of entire families, including their children, incidents of ethnic cleansing, sexual violence, widespread torture, aerial bombardment of residential areas, and otherwise forced displacement of certain Syrian civilians especially from areas in western Syria

where Assad is attempting to increase the dominance of his own loyalists;

Whereas the United States Government should not continue to officially recognize a regime that is guilty of such vicious abuses of basic human rights on such a vast scale;

Whereas the United States Department of State took appropriate action on March 5, 2014, in restricting the movements of Assad's loyal representative to the United Nations, Bashar al-Jaafari, to within a 25-mile radius of New York City;

Whereas approximately 140,000 people have been killed, including more than 11,000 children, many more have been seriously wounded, and civilian casualties continue to mount as widespread and systematic attacks on schools, hospitals, and other civilian facilities persist in violation of international norms and principles;

Whereas the United Nations has registered more than 2,500,000 Syrian refugees who have fled to neighboring countries, while regional governments and the United Nations estimate that the total number of refugees already has reached more than 3,000,000;

Whereas the United Nations expects the total refugee count to reach over 4,000,000 Syrians by the end of 2014;

Whereas approximately half of Syrian refugees are children, including nearly 500,000 under the age of 5, and thousands have been separated from their parents and are especially vulnerable to abuse and exploitation;

Whereas the United Nations estimates that over 9,000,000 civilians are in need of humanitarian assistance within Syria, more than 40 percent of the country's total population, including 6,500,000 internally displaced persons;

Whereas Bashar al-Assad's forces, supporting militias, and other parties to the conflict are systematically blocking humanitarian aid delivery, including food and medical care, from many civilian areas in violation of international norms and principles;

Whereas the United Nations estimates that 3,000,000 Syrians are trapped in hard-to-reach or besieged areas, with an estimated 250,000 cut off from assistance for over a year;

Whereas the crisis has worsened already difficult conditions for Syrian women and girls, who are especially vulnerable to economic hardship and gender-based violence, including early marriage, forced marriage, trafficking, sexual violence, or the fear of sexual violence;

Whereas over 5,000,000 children affected by the conflict desperately need food, clean water, shelter, and medical care;

Whereas millions of Syrian children have been forced out of school, and an entire generation of young Syrians are being shaped by violence, displacement, and persistent lack of opportunity and are therefore at high risk of exploitation, life-long underdevelopment, and radicalization;

Whereas the World Health Organization estimates that 70 percent of Syria's medical professionals, up to 80,000 people, have fled the country, while remaining professionals are deliberately targeted by parties to the conflict;

Whereas regional states, including Jordan, Lebanon, Turkey, Egypt and Iraq, are hosting well over 2,000,000 refugees;

Whereas despite the attention and resources refugee camps receive, most refugees from Syria, 83 percent regionally, do not live in formal refugee camps but rather among host communities where resources and services, including

health, water and sanitation, electricity, and other systems are strained at the municipal and national level;

Whereas many members of the Syrian-American community, especially medical professionals, have generously donated their time and money, while taking great personal risk, in heroic efforts to reach those in need inside Syria with humanitarian assistance;

Whereas the United Nations launched its largest appeal in its history for a single humanitarian emergency in December 2013, requesting an unprecedented $6,500,000,000 in 2014 for the Syrian response, representing nearly half of the United Nations entire global humanitarian request; and

Whereas the United States has provided $1,700,000,000 in assistance to those suffering inside Syria, as well as refugees and host communities in neighboring countries and has committed to continue to increase its humanitarian contributions for those affected by the conflict: Now, therefore, be it

1 *Resolved,* That the House of Representatives—

2 (1) strongly condemns all parties' attacks on ci-
3 vilians and civilian infrastructure in Syria, including
4 attacks on medical personnel, schools, and health fa-
5 cilities, and the use of explosive weapons, including
6 "barrel bombs" and missiles, in populated areas,
7 and calls on Bashar al-Assad's regime and sup-
8 porting militias, as well as all other parties to the
9 conflict in Syria, to end the violence against civil-
10 ians, respect international norms and principles, and

pursue all appropriate diplomatic options to work toward a negotiated end to the crisis;

(2) demands that Bashar al-Assad's regime and supporting militias, as well as all other parties to the conflict in Syria, immediately cease attacks upon civilians and civilian infrastructure, facilitate unfettered humanitarian access, especially that of domestic and international medical professionals, throughout the country, respect the safety and security of humanitarian workers, and ensure freedom of movement for humanitarian workers and organizations so they may deliver aid to those most in need;

(3) calls for the immediate and full implementation of the provisions of the October 2013 United Nations Security Council Presidential Statement, especially including facilitation of the expansion of humanitarian relief operations in accordance with international humanitarian norms;

(4) calls for the immediate, full and United Nations-monitored implementation of the provisions of the 2014 United Nations Security Council Resolution 2139 to promptly allow unhindered humanitarian access, including across conflict lines (for the United Nations and its partners) to people in need throughout Syria;

(5) urges the Administration and allies of the United States to formally withdraw their recognition of Bashar al-Assad's regime as the rightful Government of Syria, unless and until the Assad regime and its supporting militias discontinue their barbaric slaughter, systematic starvation, and other grave human rights abuses and are granted full and unfettered access for deliveries of humanitarian assistance, even as other negotiations with Assad's regime may continue;

(6) further calls upon the United Nations Security Council, acting under Article 5 of the Charter of the United Nations, to suspend the Government of Syria's rights and privileges of membership by the General Assembly until such time as the Assad regime has ceased attacks upon civilians, and granted free and unfettered access for deliveries of humanitarian assistance throughout the territory of Syria;

(7) urges all donors, regional and otherwise, to meet the 2014 United Nations humanitarian funding appeal;

(8) commends regional governments and communities for continuing to host Syrian refuges and urges them to keep their borders open to civilians fleeing the Syria conflict;

(9) calls upon the Assad regime, the Syrian opposition, and all other parties to the conflict, the Administration, and the United Nations to improve their facilitation and support for the Syrian-American community, especially medical professionals, as they work to aid the Syrian people with all forms of humanitarian assistance;

(10) calls for continued international support of neighboring countries and host communities that are supporting refugees fleeing the Syrian conflict;

(11) calls for international investment in education in host countries to expand learning opportunities for refugee children, and support programs that help them gain access to quality instruction, protect them from violence and abuse, and provide counseling;

(12) calls on the international community to ensure that vulnerable refugee and displaced women and girls have access to services and programs, implement steps to mitigate risks and prevent gender-based violence, and assure the protection of women and girls against sexual exploitation, early marriage, human trafficking, and rape;

(13) calls for the meaningful participation of Syrian civil society, including women representatives,

in the overall humanitarian response, political processes, and peace negotiations;

(14) urges international donors and aid agencies to integrate humanitarian relief and longer-term development programs through a comprehensive strategy to address the protracted Syrian crisis; and

(15) calls on the President of the United States to develop and submit to Congress within 60 days from adoption of this resolution a strategy for United States engagement on the Syria crisis, with a specific focus on humanitarian assistance and development, and protecting human rights inside Syria and in the region.

○

AMENDMENT IN THE NATURE OF A SUBSTITUTE TO H. RES. 520 OFFERED BY MR. ROYCE OF CALIFORNIA

Strike the preamble and insert the following:

Whereas March 2014 marked the third year of the crisis in Syria, which has resulted in the world's largest ongoing humanitarian disaster, and the urgent need for a resolution to the conflict, which cannot be achieved so long as Bashar al-Assad continues his despotic rule;

Whereas the regime of Bashar al-Assad and supporting militias, including Hezbollah, continue to carry out sectarian mass atrocities, which have included mass targeted killings, mass graves, the extermination of entire families, including their children, incidents of ethnic cleansing, sexual violence, widespread torture, aerial bombardment of residential areas, and otherwise forced displacement of certain Syrian civilians especially from areas in western Syria where Assad is attempting to increase the dominance of his own loyalists;

Whereas Assad's forces have carried out chemical weapons attacks against Syrian civilians including the August 21, 2013, sarin attack on a suburb of Damascus, which killed an estimated 1,400 Syrians, hundreds of whom were children;

Whereas press reports indicate that the Assad regime has used chlorine gas in attacks against the village of Kfar Zeita, an opposition-held area, as recently as April 2014;

Whereas the Governments of Russia and Iran continue to provide robust military, financial, and diplomatic support to Assad and supporting groups including Hezbollah, enabling their continued mass atrocities against Syrian civilians;

Whereas the United States Government should not continue to officially recognize a regime that is guilty of such vicious abuses of basic human rights on such a vast scale and should seek to support a resolution to the conflict that enables the Syria people to form a peaceful, democratic government that respects human rights and the rule of law, and does not include Bashar al-Assad;

Whereas the United States Department of State took appropriate action on March 5, 2014, in restricting the movements of Assad's loyal representative to the United Nations, Bashar al-Jaafari, to within a 25-mile radius of New York City;

Whereas the United States Department of State also suspended the diplomatic operations of the Assad regime in the United States and expelled Syrian diplomats from Washington, Michigan, and Texas on March 18, 2014;

Whereas over 150,000 people have been killed, including more than 11,000 children, many more have been seriously wounded, and civilian casualties continue to mount as widespread and systematic attacks on schools, hospitals, and other civilian facilities persist in violation of international norms and principles;

Whereas the United Nations has registered more than 2,600,000 Syrian refugees who have fled to neighboring countries, while regional governments and the United Na-

tions estimate that the total number of refugees already has reached more than 3,000,000;

Whereas the United Nations expects the total number of Syrian refugees to reach over 4,000,000 by the end of 2014;

Whereas approximately half of Syrian refugees are children, including nearly 500,000 under the age of 5, and thousands have been separated from their parents and are especially vulnerable to abuse and exploitation;

Whereas the United Nations estimates that over 9,300,000 civilians are in need of humanitarian assistance within Syria, more than 40 percent of the country's total population, including 6,500,000 internally displaced persons;

Whereas Bashar al-Assad's forces, supporting militias, and other parties to the conflict are systematically blocking the delivery of humanitarian aid to many civilian areas, including food and medical care funded by the United States and the international community, in violation of international norms and principles;

Whereas Assad's regime often uses humanitarian assistance, and the withholding of it, as a weapon against his opposition;

Whereas the United Nations estimates that 3,000,000 Syrians are trapped in hard-to-reach or besieged areas, with an estimated 250,000 cut-off from assistance for over a year;

Whereas the crisis has worsened already difficult conditions for Syrian women and girls, who are especially vulnerable to economic hardship and gender-based violence, including early marriage, forced marriage, trafficking, sexual violence, or the fear of sexual violence;

Whereas over 5,000,000 children affected by the conflict desperately need food, clean water, shelter, and medical care;

Whereas millions of Syrian children have been forced out of school, and an entire generation of young Syrians are being shaped by violence, displacement, and persistent lack of opportunity and are therefore at high risk of exploitation, life-long underdevelopment, and radicalization;

Whereas the World Health Organization estimates that 70 percent of Syria's medical professionals, up to 80,000 people, have fled the country, while remaining professionals are deliberately targeted by parties to the conflict;

Whereas regional countries, including Jordan, Lebanon, Turkey, Egypt and Iraq, are hosting well over 2,000,000 refugees;

Whereas despite the attention and resources refugee camps receive, approximately 83 percent of Syrian refugees in the region, do not live in formal refugee camps but rather among host communities where resources and services, including health, water and sanitation, electricity, and other systems are strained at the municipal and national level;

Whereas many members of the Syrian-American community, especially medical professionals, have generously donated their time and money, while taking great personal risk, in heroic efforts to reach those in need inside Syria with humanitarian assistance;

Whereas after decades of conflict between Israel and Syria, Israeli medical professionals have treated wounded Syrian civilians;

Whereas the United Nations launched the largest appeal in its history for a single humanitarian emergency, request-

ing an unprecedented $6,500,000,000 in 2014 for the Syrian response, representing nearly half of the United Nation's entire global humanitarian request;

Whereas as of April 2014, the heads of United Nations humanitarian agencies have reported that the appeal "has gone largely unanswered"; and

Whereas the United States has provided over $1,700,000,000 in assistance to those suffering inside Syria, as well as refugees and host communities in neighboring countries and has committed to continue to increase its humanitarian contributions for those affected by the conflict: Now, therefore, be it

Strike all after the resolving clause and insert the following:

That the House of Representatives—

1 (1) strongly condemns all parties' attacks on ci-
2 vilians and civilian infrastructure in Syria, including
3 attacks on medical personnel, schools, and health fa-
4 cilities, and the use of weapons, including "barrel
5 bombs" and missiles, in populated areas, and calls
6 on Bashar al-Assad's regime and supporting mili-
7 tias, as well as all other parties to the conflict in
8 Syria, to end the violence against civilians, respect
9 international norms and principles, and pursue all
10 appropriate options to work toward an end to the
11 crisis;

(2) demands that Bashar al-Assad's regime and supporting militias, as well as all other parties to the conflict in Syria, immediately cease attacks upon civilians and civilian infrastructure, facilitate unfettered humanitarian access, especially that of domestic and international medical professionals, throughout the country, respect the safety and security of humanitarian workers, and ensure freedom of movement for humanitarian workers and organizations so they may deliver aid to those most in need;

(3) urges the United Nations to redirect humanitarian aid to Syria to private humanitarian organizations with demonstrated reach and capacity to manage and deliver aid inside Syria unless and until the Assad regime grants and facilitates unfettered humanitarian access throughout all of Syria, across conflict lines and without regard for political affiliation;

(4) calls for the immediate and full implementation of the provisions of the October 2013 United Nations Security Council Presidential Statement, especially including facilitation of the expansion of humanitarian relief operations in accordance with international humanitarian norms;

(5) calls for the immediate, full, and United Nations-monitored implementation of the provisions of the 2014 United Nations Security Council Resolution 2139 to promptly allow unhindered humanitarian access, including across conflict lines (for the United Nations and its partners) to people in need throughout Syria;

(6) urges the Administration and allies of the United States to formally withdraw their recognition of Bashar al-Assad's regime as the rightful Government of Syria, in response to the Assad regime and its supporting militias' barbaric slaughter, systematic starvation, and other grave human rights abuses, even as other negotiations with Assad's regime may continue;

(7) urges all donors, regional and otherwise, to meet the 2014 United Nations humanitarian funding appeal;

(8) commends regional governments and communities for continuing to host Syrian refugees and urges host governments to keep their borders open to civilians fleeing the Syria conflict, while mindful of the continued need to monitor, disrupt, and deter the flow of weapons, illicit goods, and designated terrorist organizations across their borders;

(9) calls upon the Assad regime, the Syrian opposition, and all other parties to the conflict, the Administration, and the United Nations to improve their facilitation and support for the Syrian-American community, especially medical professionals, as they work to aid the Syrian people with all forms of humanitarian assistance;

(10) calls for continued international support of neighboring countries and host communities that are supporting refugees fleeing the Syrian conflict;

(11) calls for international investment in education in host countries to expand learning opportunities for refugee children, and support programs that help them gain access to quality instruction, protect them from violence and abuse, and provide counseling;

(12) calls on the international community to implement steps to mitigate risks and prevent gender-based violence, and help ensure the protection of refugee and displaced women and girls against sexual exploitation, early marriage, human trafficking, and rape;

(13) calls for the meaningful participation of Syrian civil society, including women representatives,

in the overall humanitarian response, political processes, and peace negotiations;

(14) urges international donors and aid agencies to integrate humanitarian relief and longer-term development programs through a comprehensive strategy to address the protracted Syrian crisis; and

(15) calls on the President of the United States to develop and submit to Congress within 60 days of the adoption of this resolution a strategy for United States engagement on the Syria crisis, to include a plan that addresses the crisis' national security, regional stability, and humanitarian dimensions.

☒

113TH CONGRESS
1ST SESSION

H. CON. RES. 51

Expressing the sense of Congress regarding the need for investigation and prosecution of war crimes, crimes against humanity, and genocide, whether committed by officials of the Government of Syria, or members of other groups involved in civil war in Syria, and calling on the President to direct the United States representative to the United Nations to use the voice and vote of the United States to immediately promote the establishment of a Syrian war crimes tribunal, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 9, 2013

Mr. SMITH of New Jersey (for himself, Mr. WOLF, Mr. DEFAZIO, Mr. MARINO, Mr. HIGGINS, Mr. WEBER of Texas, Mr. HUFFMAN, Mr. CULBERSON, Mr. PITTS, Mr. ROHRABACHER, Mr. FRANKS of Arizona, and Mr. FORTENBERRY) submitted the following concurrent resolution; which was referred to the Committee on Foreign Affairs

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CONCURRENT RESOLUTION

Expressing the sense of Congress regarding the need for investigation and prosecution of war crimes, crimes against humanity, and genocide, whether committed by officials of the Government of Syria, or members of other groups involved in civil war in Syria, and calling on the President to direct the United States representative to the United Nations to use the voice and vote of the United States to immediately promote the establishment of a Syrian war crimes tribunal, and for other purposes.

Whereas the Government of Syria is reported to have engaged in widespread torture, rape, and massacre of civilians, including by means of chemical weapons, most recently on or about August 21, 2013;

Whereas other groups involved in civil war in Syria, including the al-Nusra Front, are reported to have engaged in torture, rape, summary execution of government soldiers, kidnapping for ransom, and violence against civilians, including Christians and others who are not Sunni Muslims;

Whereas these and other actions perpetrated by the Government of Syria and other groups involved in civil war in Syria may constitute war crimes, crimes against humanity, and genocide;

Whereas Syria is not a state-party to the Rome Statute and is not a member of the International Criminal Court;

Whereas the international community has previously established ad hoc tribunals through the United Nations to bring justice in specific countries where there have been war crimes, crimes against humanity, and genocide;

Whereas ad hoc tribunals, including the International Criminal Tribunal for the former Yugoslavia, the International Criminal Tribunal for Rwanda, and the Special Court for Sierra Leone, have successfully investigated and prosecuted war crimes, crimes against humanity, and genocide, and there are many positive lessons to be learned from these three ad hoc tribunals; and

Whereas any lasting, peaceful solution to civil war in Syria must be based upon justice for all, including members of all factions, political parties, ethnicities, and religions: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring),

SECTION 1. SHORT TITLE.

This concurrent resolution may be cited as the "Immediate Establishment of Syrian War Crimes Tribunal Resolution".

SEC. 2. SENSE OF CONGRESS.

It is the sense of Congress that—

(1) the United States should urge the Government of Syria and other groups involved in civil war in Syria to implement an immediate cease fire and engage in negotiations to end the bloodshed;

(2) the United States should publicly declare that it is a requirement of basic justice that war crimes, crimes against humanity, and genocide, whether committed by officials of the Government of Syria, or members of other groups involved in civil war in Syria, should be investigated and prosecuted;

(3) the President should direct the United States representative to the United Nations to use the voice and vote of the United States to immediately promote the establishment of a Syrian war crimes tribunal, an ad hoc court to prosecute the perpetrators of such serious crimes committed during the civil war in Syria;

(4) in working with other countries to establish a Syrian war crimes tribunal, the United States should promote judicial procedures that enable the prosecution of the most culpable persons guilty of directing such serious crimes;

(5) the United States should make collection of information that can be supplied to a Syrian war crimes tribunal for use as evidence to support the indictment and trial of any person involved in civil war in Syria and responsible for war crimes, crimes against humanity, or genocide in Syria an immediate priority; and

(6) the United States should urge other interested states to apprehend and deliver into the custody of a Syrian war crimes tribunal persons indicted for war crimes, crimes against humanity, or genocide in Syria and urge such states to provide information pertaining to such crimes to the tribunal.

○

AMENDMENT IN THE NATURE OF A SUBSTITUTE TO H. CON. RES. 51 OFFERED BY MR. SMITH OF NEW JERSEY

Amend the preamble to read as follows:

Whereas the Government of Syria is reported to have engaged in widespread torture, rape, employment of starvation as a weapon of war, and massacre of civilians, including by means of chemical weapons;

Whereas other parties to the civil war in Syria, including the al-Nusra Front and the Islamic State of Iraq and the Levant, are reported to have engaged in torture, rape, summary execution of government soldiers, kidnapping for ransom, and violence against civilians, including Christians and others who are not Sunni Muslims;

Whereas these and other actions perpetrated by the Government of Syria and other parties to the civil war in Syria may constitute war crimes, crimes against humanity, and genocide;

Whereas Syria is not a state-party to the Rome Statute and is not a member of the International Criminal Court;

Whereas the international community has previously established ad hoc tribunals through the United Nations to bring justice in specific countries where there have been war crimes, crimes against humanity, and genocide;

Whereas ad hoc tribunals, including the International Criminal Tribunal for the former Yugoslavia, the International Criminal Tribunal for Rwanda, and the Special Court for

Sierra Leone, have successfully investigated and prosecuted war crimes, crimes against humanity, and genocide, and there are many positive lessons to be learned from these three ad hoc tribunals; and

Whereas the United States supports the collection and analysis of documentation related to the ongoing violations of human rights, the coordination of Syrian and international actors working on documentation and transitional justice efforts, and education and outreach on transitional justice concepts and processes, including efforts of the Syria Justice and Accountability Center sponsored by the United States and various other states and multilateral institutions: Now, therefore, be it

Strike all after the resolving clause and insert the following:

1 **SECTION 1. SHORT TITLE.**

2 This concurrent resolution may be cited as the "Im-
3 mediate Establishment of Syrian War Crimes Tribunal
4 Resolution".

5 **SEC. 2. SENSE OF CONGRESS.**

6 It is the sense of Congress that—

7 (1) the United States should urge the Govern-
8 ment of Syria and other parties to the civil war in
9 Syria to implement an immediate cease fire and en-
10 gage in negotiations to end the bloodshed;

11 (2) the United States should publicly declare
12 that it is a requirement of basic justice that war

1 crimes, crimes against humanity, and genocide,
2 whether committed by officials of the Government of
3 Syria, or other parties to the civil war in Syria,
4 should be investigated and prosecuted;
5 (3) the President should direct the United
6 States representative to the United Nations to use
7 the voice and vote of the United States to imme-
8 diately promote the establishment of a Syrian war
9 crimes tribunal, an ad hoc court to prosecute the
10 perpetrators of such serious crimes committed dur-
11 ing the civil war in Syria;
12 (4) in working with other countries to establish
13 a Syrian war crimes tribunal, the United States
14 should promote judicial procedures that enable the
15 prosecution of the most culpable persons guilty of di-
16 recting such serious crimes;
17 (5) the United States should continue its efforts
18 to collect and analyze documentation related to on-
19 going violations of human rights and make collection
20 of information that can be supplied to a Syrian war
21 crimes tribunal for use as evidence to support the in-
22 dictment and trial of any person involved in the civil
23 war in Syria and responsible for war crimes, crimes
24 against humanity, or genocide in Syria an immediate
25 priority; and

1 (6) the United States should urge other inter-
2 ested states to apprehend and deliver into the cus-
3 tody of a Syrian war crimes tribunal persons in-
4 dicted for war crimes, crimes against humanity, or
5 genocide in Syria and urge such states to provide in-
6 formation pertaining to such crimes to the tribunal.

Amend the title so as to read: "A concurrent resolution expressing the sense of Congress regarding the need for investigation and prosecution of war crimes, crimes against humanity, and genocide, whether committed by officials of the Government of Syria or other parties to the civil war in Syria, and calling on the President to direct the United States representative to the United Nations to use the voice and vote of the United States to immediately promote the establishment of a Syrian war crimes tribunal, and for other purposes.".

☒

Chairman ROYCE. I will now recognize members who want to speak on the en bloc items. And I will begin with myself, because today we are considering two resolutions regarding the crisis in Syria.

The first is House Resolution 520, which Ranking Member Engel and I introduced last month in response to the dire humanitarian situation there. Mr. Engel has led on this critical issue for years now, which I greatly appreciate.

It has been over 3 years since Syrian protesters peacefully gathered to call for democratic reforms. Many of you remember the protest with the demonstrators asking, "Peaceful, peaceful," as they walked through the street before they were fired upon by forces loyal to Syria's brutal dictator, Bashar al-Assad. Since then, the conflict has claimed the lives of at least 150,000 people. It has displaced millions, while fueling the expansion of terrorist groups throughout the region.

This crisis is a humanitarian nightmare. Backed by Russia, Iran, and Hezbollah, Assad continues to commit mass atrocities, including the extermination of entire families, incidents of ethnic cleansing, aerial bombardment of residential areas with barrel bombs,

and even the use of chemical weapons, such as last summer's sarin attack on a Damascus suburb.

The U.N. has estimated that over 9 million Syrians trapped inside the country are in need right now of humanitarian assistance. Yet Assad continues to use international aid as a weapon of war. He has instigated kneel-or-starve campaigns in which civilians are denied food and other basic supplies until they bow to the regime.

This resolution demands that all parties to the conflict in Syria immediately cease attacks on civilians and provide aid workers with access throughout the country. This would include the many Syrian-Americans, including medical professionals, who are so bravely trying to provide assistance to those in need inside Syria.

It also urges the administration to formally withdraw its official diplomatic recognition of the Assad regime. Shortly after this resolution's introduction, the administration expelled Syrian diplomats from the United States. Given Assad's barbaric slaughter of his own people and other grave abuses, ending our official recognition of his regime is more than justified.

And, lastly, this resolution calls upon the President to develop and submit to Congress a strategy for U.S. engagement on the Syria crisis.

Now the other House Concurrent Resolution 51, that I was going to comment on was introduced by Subcommittee Chairman Smith. We appreciate what strong leadership Mr. Smith has shown on so many humanitarian issues, and the crisis in Syria is no exception.

I have already touched on the growing list of horrendous atrocities being committed inside Syria. Assad and his supporting forces, which include Hezbollah, are guilty of widespread human rights violations, summary executions, ethnic cleansing, chemical attacks. And, meanwhile, extremist groups, especially associated with al-Qaeda, have also been guilty of grave abuses as they strive to violently impose their own radical ideology on Syrian civilians.

House Concurrent Resolution 51 calls for the creation of an international tribunal to hold accountable those responsible for these heinous crimes. The resolution envisions a flexible, ad hoc court, like those established following brutal conflicts in Yugoslavia, Rwanda, and Sierra Leone.

To be clear, this court would be entirely distinct from the International Criminal Court and would focus solely on the Syria crisis. Congressional approval of this resolution will send a strong signal of support to the Syrian people, and I urge members to support its passage here today.

And I now turn to H.R. 4028, introduced by Ms. Meng of New York.

The freedom to practice the religion of one's choosing is a core principle of good democratic governance. This freedom includes the ability to gather and pay respects to loved ones in accordance with religious or spiritual rights of passage. Unfortunately, in some places around the world, local or national governments have permitted the destruction of cemeteries with certain religious affiliations or have tolerated their desecration by hateful groups.

H.R. 4028 modifies the International Religious Freedom Act to include the desecration of cemeteries among the listed violations of the right to religious freedom. This bill emphasizes that Congress

views the desecration of cemeteries as constituting a violation of this fundamental right.

And I want to thank the bill's author, Ms. Meng, for her leadership on this important issue.

And I also want to thank Mr. Collins for his amendment today, which puts the preservation of burial grounds in its proper context. As members know, Mr. Collins has served as a pastor, and we very much appreciate his insight.

So do any members seek recognition to speak on any of the en bloc items?

We will start with Ms. Meng.

Ms. MENG. I would like to thank Chairman Royce and Ranking Member Engel for including H.R. 4028 in the en bloc package of bills before the committee today for consideration.

I also want to thank Congressman Doug Collins for his partnership here and valuable contributions to the bill.

Thank you to both Republican and Democratic committee staff for recognizing the value of this bill and working so hard to bring it before the committee today.

The bill is short but, I believe, significant. It adds the words "desecration of cemeteries" to the violations of the rights to religious freedom listed in the International Religious Freedom Act of 1998.

There are two related problems we seek to address through this legislation. One is the religiously motivated vandalism of cemeteries that occurs with alarming regularity. The second is the building and development over cemeteries in places where there are no communities remaining to protect and look out for the cemeteries. The bill will give our diplomats a new tool they can use to protect our interests.

H.R. 4028 also empowers the Commission for the Preservation of America's Heritage Abroad. This commission was established in the 1980s through legislation introduced by the late Congressman Stephen Solarz. The Commission works to identify and preserve cemeteries, memorials, and buildings in foreign countries that are associated with the cultural heritage of Americans.

The Commission has done much work in areas of the former Soviet Union where Jewish communities were destroyed by the Holocaust and where power subsequently passed to atheistic communist regimes. It is essential that we act to protect religious freedom in these areas where, as we know, political instability and anti-Semitism are widespread.

It is fitting that we consider this bill during Holocaust Remembrance Week because the bill is largely devoted to the millions who perished in genocides in the 20th century. These genocides destroyed communities and left their burial grounds uncared for and unpreserved.

The preservation of cemeteries often reflects the religious tolerance and freedom of the countries in which they are located. It is my hope that this legislation will help promote such preservation and greater tolerance, respect, and empathy around the world.

I thank the committee again for its consideration and yield back the balance of my time.

Chairman ROYCE. Ms. Meng, we thank you again for this amendment. Thank you.

Let's see. I think we need to go to Mr. Smith next and then to this side.

Mr. SMITH. Thank you very much, Mr. Chairman. And thank you for scheduling this important markup and for including H. Con. Res. 51 among the bills and resolutions considered.

I, as no doubt all of you, have been shocked by images of horrific human rights violations, including summary executions, torture, rape, and chemical weapon attacks in Syria. Since the Syrian Civil War began, perhaps as many as 150,000 people have been killed and more than 9 million people have been forced to leave their homes, 6.5 million of them internally displaced. By the end of last year, it is estimated that neighboring countries such as Turkey, Jordan, Lebanon, and Iraq were holding nearly 3 million Syrian refugees.

Who is culpable for these heinous acts, and how can they be held accountable, be they members of the Assad regime or Islamist radicals from neighboring countries? Those who have perpetrated human rights violations among the Syrian Government, the rebels and the foreign fighters on both sides of this conflict, must be shown that their actions will have serious, predictable, and certain consequences. They need to learn the lesson that Charles Taylor learned, who got a 50-year sentence when he was brought to trial and convicted by the Special Court for Sierra Leone.

H. Con. Res. 51, introduced on September 9th, calls for the creation of an international tribunal that would be more flexible and more efficient than the International Criminal Court to ensure accountability for human rights violations committed by all sides. Such a tribunal would draw upon past experience, creating a justice mechanism robust enough to hold perpetrators accountable for the most egregious wrongs yet nimble enough not to derail chances for peace due to rigidity.

Beginning with the Nuremberg and Tokyo tribunals, a body of law has developed concerning war crimes, crimes against humanity, and genocide. Since the end of the Cold War, we have seen examples of ad hoc tribunals in the former Yugoslavia, Rwanda, and hybrid mechanisms such as the Special Court for Sierra Leone.

As chair of the subcommittee that deals with human rights, especially during the 1990s, as well as Helsinki Commission chairman, I held a series of hearings on the Yugoslav tribunal, the courts that were in Sierra Leone and Rwanda, the two in Africa, and often had the chief prosecutors testify at those, including Carla Del Ponte from the Yugoslav court and the chief prosecutor from Sierra Leone, David Crane. Well, we brought David Crane back last October 30th to ask him what his view would be on such a court, and he gave riveting testimony, as did other experts, as to the absolute need for the immediate establishment of this kind of flexible court.

I would note parenthetically that each of these tribunals, the three of them, have achieved a level of success that has escaped the International Criminal Court. The Yugoslavian tribunal has won 67 convictions; the Rwanda tribunal, 47; and Sierra Leone has won 16 convictions. Meanwhile, the ICC, costing about $140 million annually, has thus far seen only one conviction—all of the indict-

ments have been in Africa, and only one conviction of somebody, a lower-level person from the DR Congo.

One thing we do not want to do is go down the ICC route. The ICC process is distant and has no local ownership of its justice process. It is far less flexible than an ad hoc tribunal that can be designed to fit the situation. The ICC requires a referral. In the case of the current President and Deputy President of Kenya, it was Kenya itself that facilitated the referral. That is highly unlikely in the case of Syria.

Since Syria is a Russian client state, this U.N. Security Council member would oppose any referral of the Syria matter to the ICC but might be convinced to support an ad hoc proceeding that focuses on war crimes by the government as well as the rebels, one that allows for plea-bargaining for witnesses and other legal negotiations to enable such a court to successfully punish at least some of the direct perpetrators of these increasingly horrific crimes.

And Syria, like the United States, never ratified the Rome Statute that created the ICC, which raises legitimate concerns about sovereignty, with implications for our country, which this panel also addresses.

There are issues that must be addressed for any Syrian war crimes tribunal to be created and to operate successfully. There must be sustained international will for it to happen in a meaningful way. An agreed-upon system of law must be the basis for the proceedings. An agreed-upon structure, funding mechanism, and location for the proceedings must be found. There must be a determination on how many targets of justice will be pursued. A timetable and time span of such a tribunal must be devised. There are even more issues that must be settled before such an ad hoc tribunal can exist.

Those who are even now perpetrating crimes against humanity must be shown that their crimes will not continue with impunity. Syria has been called the world's worst humanitarian crisis. One might reasonably also consider it the worst human rights crisis in the world, as well. Therefore, the international community owes it to the people of Syria and their neighbors to do all that we can do right now to bring to a halt the actions of those creating this crisis for Syria and the region. Now we have the opportunity to give hope to the terrorized people of Syria.

The subcommittee that I chair had a hearing last October 30th where we heard from some of the most experienced voices concerning international justice mechanisms, as we have met several times with the State Department and have worked diligently with the committee, especially Ranking Member Eliot Engel and Chairman Ed Royce, in shaping a lean, muscular resolution that could be adapted to address this situation in Syria as it currently exists, providing broad latitude for the administration to conduct foreign policy.

The suffering of the people of Syria must end, and today we have our opportunity to help achieve that. This is a means to that end. And, again, those who are committing these horrific crimes need to know that they face certain punishment.

I yield back, and I thank you very much.

Chairman ROYCE. Thank you, Mr. Smith.

Mr. Gerry Connolly of Virginia.

Mr. CONNOLLY. Mr. Chairman, because of scheduling, if you don't mind, I would yield to my friend, Mr. Deutch.

Mr. DEUTCH. Thank you, Mr. Connolly. Thank you, Mr. Chairman.

Thank you, Chairman Royce, for holding today's markup and for your leadership in addressing the Syria crisis.

I would like to offer my full support for H. Res. 520, which seeks to refocus U.S. policy toward Syria and provide greater access to humanitarian relief to those who are suffering.

As my colleagues have noted, there are now 9.3 million people in need of humanitarian assistance, 6½ million internally displaced people in Syria, with potentially 3 million of those in besieged areas, and 2.7 million refugees in neighboring countries. Our regional allies are struggling to absorb this massive influx.

And while the United States has provided over $1.7 billion in relief, funding appeals from the United Nations have been grossly ignored by the international community, with only $1.5 billion of the U.N.'s $6.5-billion appeal having been fulfilled.

The conversation surrounding Syria can no longer be just about how we put an end to the conflict. It must be about what we can do to mitigate the immediate effects of this tragic situation on so many innocent civilians.

We saw a glimmer of hope when the United Nations Security Council passed a nonbinding resolution calling on all sides to respect humanitarian access. But the terms of this resolution have been largely ignored, as millions are still cut off from food deliveries and basic medical treatment.

All of this continues in the midst of new reports that chemical attacks using chlorine gas may have happened this past month.

The United States alone will not solve the Syrian crisis, but we must continue to press our allies to act on humanitarian needs. Ending this type of unimaginable human suffering should be a priority for the entire world, but the United States and our reputation throughout the world is strengthened when human rights holds a prominent place in our foreign policy.

I would again like to thank the chair and the ranking member for their commitment to continuing to advance our Syria policy. And I thank my good friend, Mr. Connolly, for yielding.

Mr. CONNOLLY. Thank you.

Mr. Chairman, I want to lend my support, my very enthusiastic support, to both H. Res. 520 and H. Con. Res. 51, companion pieces with respect to Syria.

The humanitarian crisis in Syria is almost unprecedented in the region. We had testimony just a few weeks ago before this committee by Rajiv Shah, the USAID Administrator, that the number of internal displaced persons in Syria and the number of external refugees generated by the crisis has quadrupled in the year since he testified previously—quadrupled.

We now have 25 to 30 percent of the equivalent population as refugees in Lebanon and Jordan. These are clearly potential sources of destabilization in that part of the world that we can least afford. So addressing the humanitarian crisis, it seems to me, must be a priority for the United States Government.

And I applaud Mr. Smith for his remarks, and for your leadership as well, Mr. Chairman, and for that of Mr. Engel, on the war crimes resolution. We do know that that is efficacious. We do know that that makes a difference. And holding out that hope to the victims of this violence, that sooner or later they will be brought to justice, we will see to it, that is what this resolution says. And I think it is a very important cornerstone of our evolving foreign policy with respect to the crisis in Syria.

I thank the chair, and I thank my colleagues for their leadership. And I yield back.

Chairman ROYCE. Thank you, Mr. Connolly.

Mr. Dana Rohrabacher of California.

Mr. ROHRABACHER. Thank you very much, Mr. Chairman, and I appreciate you recognizing me for this semi-colloquy.

And I appreciate your leadership on the issue that was brought before us in H.R. 4490, the communications amendment and legislation that we just passed through this committee. That really is desperately needed reform that has been needed for a long time.

And it is my understanding that you are seriously considering including report language that indicates that broadcasting entities should not hire an individual who has worked within the previous 6 years for the foreign ministry, state-sponsored media, or security services of any country that does not provide objective, accurate, and credible news.

This policy is vital to protect our honest and hardworking journalists and broadcasters from foreign agents acting at the behest of hostile powers. This will also add other improvements to the security that this committee has already put in place by passing that legislation.

Three years ago, when I chaired the Oversight and Investigation Subcommittee, the very first hearing I called looked into the BBG. A major problem that we uncovered at that hearing was the lack of effective counterintelligence protection for our international broadcasters.

Mr. Chairman, you know what a powerful tool the Voice of America and the Freedom Broadcasters are for our country. Preventing such people from working for our broadcasters will increase the credibility of our broadcasters and add additional security against efforts by foreign powers to disrupt their work. I appreciate your willingness to consider including language in that legislation, report language, that will deal with this issue.

Chairman ROYCE. And I want to thank Mr. Rohrabacher for the seriousness that he has brought to this debate over how we go forward with the Broadcasting Board of Governors.

One of the specific concerns you have is, of course, the vetting of employees who would be tied to foreign governments. We accepted your first amendment, which directly says that foreign agents—that employees will be vetted to catch foreign agents of foreign regimes or those tied to advocating terrorism, et cetera. That may have caught most of what you want to go after.

If there is additional language, we are happy to try to work with you to work something out as we go forward. This is just the first step in the process. But we did accept your first amendment——

Mr. ROHRABACHER. Thank you very much.

Chairman ROYCE [continuing]. Going directly to the point.

Mr. ROHRABACHER. And I appreciate your willingness to perfect it.

Chairman ROYCE. Very good. Well, we will try to perfect it. Thank you, Mr. Rohrabacher.

We go now to this side. Any other members seeking recognition at this time?

If not, I think Mr. Collins had the amendment.

Mr. COLLINS. Yes. Mr. Chairman, thank you.

And I would want to thank Congresswoman Meng for bringing this issue of desecration of cemeteries to light. It is good when we can come together, and especially on issues such as, not only religious expression, but also doing so in a very tangible way I think is very good. And it is always good to reach across and show that we can find common ground, and I appreciate that.

My amendment only adds finding language to the H.R. 4028 to highlight the necessity for Congress to add cemetery desecration as a violation of religious expression. The desecration of the Kaposvar Jewish Cemetery in Hungary is a sobering reminder of the lack of religious freedom abroad. Something that we have here is not universal. Those grounds are final resting places for the deceased and deserve the respect of all, regardless of personal beliefs.

These acts and others like them around the world show the continued prejudice toward ethnic and religious groups. These attacks affect the fundamental right to freedom of religion, especially when tolerated or encouraged by local or national governments.

As an Air Force Reserve chaplain, I believe expressing your personal religious beliefs shouldn't be just a privilege, but it should be a right given to everyone. That is why I am cosponsoring Representative Meng's bill and encourage Congress to put its weight behind such a cause.

This body is committed to protecting the freedom of religion, including the preservation of heritage of cemeteries across the United States and abroad. That is what brings us to this amendment and also to this fine bill and the work that has been done by Congresswoman Meng, which I commend, and also the chairman and ranking member.

And, with that, Mr. Chairman, I yield back.

Chairman ROYCE. Thank you, Pastor Collins.

Now, hearing no further requests for recognition, the question now occurs on the items considered en bloc. This would be the legislation by Ms. Meng on International Religious Freedom Act, as it regards desecration of cemeteries, expanding that. It would include Mr. Smith's bill, the Syrian war crimes tribunal legislation, and the Royce-Engel legislation on Syrian humanitarian access. So we will consider that en bloc.

All those in favor, say aye.

All those opposed, no.

In the opinion of the Chair, the ayes have it. The measures are considered en bloc. H.R. 4028, House Resolution 520, and House Concurrent Resolution 51 are agreed to as amended.

And, without objection, each of the measures as amended is ordered favorably reported as a single amendment in the nature of a substitute.

Staff is directed to make any technical and conforming changes.

And that concludes our business of today. I want to thank Ranking Member Engel and all of our committee members here for their contributions and assistance to this legislation.

The committee is adjourned.

[Whereupon, at 10:48 a.m., the committee was adjourned.]

APPENDIX

Material Submitted for the Record

FULL COMMITTEE MARKUP NOTICE
COMMITTEE ON FOREIGN AFFAIRS
U.S. HOUSE OF REPRESENTATIVES
WASHINGTON, DC 20515-6128

Edward R. Royce (R-CA), Chairman

April 30, 2014

TO: MEMBERS OF THE COMMITTEE ON FOREIGN AFFAIRS

You are respectfully requested to attend an OPEN meeting of the Committee on Foreign Affairs, to be held in Room 2172 of the Rayburn House Office Building (and available live on the Committee website at http://www.ForeignAffairs.house.gov):

DATE: Wednesday, April 30, 2014

TIME: 10:00 a.m.

MARKUP OF: H.R. 4490, United States International Communications Reform Act of 2014;

H.R. 4028, To amend the International Religious Freedom Act of 1998 to include the desecration of cemeteries among the many forms of violations of the right to religious freedom;

H. Res. 520, Calling for an end to attacks on Syrian civilians and expanded humanitarian access; and

H. Con. Res. 51, Immediate Establishment of Syrian War Crimes Tribunal Resolution.

By Direction of the Chairman

The Committee on Foreign Affairs seeks to make its facilities accessible to persons with disabilities. If you are in need of special accommodations, please call 202/225-5021 at least four business days in advance of the event, whenever practicable. Questions with regard to special accommodations in general (including availability of Committee materials in alternative formats and assistive listening devices) may be directed to the Committee.

COMMITTEE ON FOREIGN AFFAIRS

MINUTES OF FULL COMMITTEE MARKUP

Day *Wednesday* **Date** *04/30/14* **Room** *2172*

Starting Time *10:07 a.m.* **Ending Time** *10:48 a.m.*

Recesses *0* (____to ____) (____to ____) (____to ____) (____to ____) (____to ____) (____to ____)

Presiding Member(s)

Edward R. Royce, Chairman

Check all of the following that apply:

Open Session [✓]
Executive (closed) Session [ ]
Televised [✓]
Electronically Recorded (taped) [✓]
Stenographic Record [✓]

BILLS FOR MARKUP: *(Include bill number(s) and title(s) of legislation.)*

H.R. 4490
H.R. 4028
H. Res. 520
H.Con. Res. 51

COMMITTEE MEMBERS PRESENT:

See Attendance Sheet.

NON-COMMITTEE MEMBERS PRESENT:

None.

STATEMENTS FOR THE RECORD: *(List any statements submitted for the record.)*

Engel, Sherman, Conolly

ACTIONS TAKEN DURING THE MARKUP: *(Attach copies of legislation and amendments.)*

See Markup Summary.

RECORDED VOTES TAKEN (FOR MARKUP): *(Attach final vote tally sheet listing each member.)*

Subject	Yeas	Nays	Present	Not Voting

TIME SCHEDULED TO RECONVENE _____
or
TIME ADJOURNED *10:48 a.m.*

Doug Anderson, General Counsel

HOUSE COMMITTEE ON FOREIGN AFFAIRS

FULL COMMITTEE MARKUP

PRESENT	*MEMBER*
X	Edward R. Royce, CA
X	Christopher H. Smith, NJ
X	Ileana Ros-Lehtinen, FL
X	Dana Rohrabacher, CA
X	Steve Chabot, OH
	Joe Wilson, SC
	Michael T. McCaul, TX
	Ted Poe, TX
X	Matt Salmon, AZ
	Tom Marino, PA
	Jeff Duncan, SC
	Adam Kinzinger, IL
X	Mo Brooks, AL
X	Tom Cotton, AR
X	Paul Cook, CA
	George Holding, NC
X	Randy K. Weber, Sr., TX
	Scott Perry, PA
	Steve Stockman, TX
	Ron DeSantis, FL
X	Doug Collins, GA
	Mark Meadows, NC
	Ted S. Yoho, FL
X	Luke Messer, IN

PRESENT	*MEMBER*
X	Eliot L. Engel, NY
	Eni F.H. Faleomavaega, AS
X	Brad Sherman, CA
	Gregory W. Meeks, NY
X	Albio Sires, NJ
X	Gerald E. Connolly, VA
X	Theodore E. Deutch, FL
	Brian Higgins, NY
	Karen Bass, CA
X	William Keating, MA
	David Cicilline, RI
X	Alan Grayson, FL
X	Juan Vargas, CA
X	Bradley S. Schneider, IL
	Joseph P. Kennedy III, MA
X	Ami Bera, CA
X	Alan S. Lowenthal, CA
X	Grace Meng, NY
	Lois Frankel, FL
X	Tulsi Gabbard, HI
	Joaquin Castro, TX

04/30/14 Foreign Affairs Committee Markup Summary

The Chair called up the following measures for consideration by the Committee:

1. H.R. 4490 (Royce), "United States International Communications Reform Act of 2014"

    a. By unanimous consent, the following amendments to H.R. 4490 were considered read and considered *en bloc*:

        1) Royce manager's amendment 102;

        2) Keating 1;

        3) Lowenthal 27;

        4) Rohrabacher 39; and

        5) Sherman 85.

    The amendments considered *en bloc* were agreed to by voice vote.

    H.R. 4490, as amended, was agreed to by voice vote, and ordered favorably reported to the House by unanimous consent.

2. By unanimous consent, the following measures and amendments were considered *en bloc*

    a. H.R. 4028 (Meng), "To amend the International Religious Freedom Act of 1998 to include the desecration of cemeteries among the many forms of violations of the right to religious freedom."

        1) Collins 44, amending H.R. 4028;

    b. H. Res. 520 (Royce), "Calling for an end to attacks on Syrian civilians and expanded humanitarian access."

        1) Royce 10, an amendment in the nature of a substitute to H. Res. 520; and

    c. H. Con. Res. 51 (Smith), "Immediate Establishment of Syrian War Crimes Tribunal Resolution"

        1) Smith 51, an amendment in the nature of a substitute to H. Con. Res. 51.

    The *en bloc* items were agreed to by voice vote, and the measures, as amended, were ordered favorably reported to the House by unanimous consent.

The Committee adjourned.

Statement for the Record
Submitted by the Honorable Eliot L. Engel

Mr. Chairman, thank you again for holding this important markup today. As always, it's been a pleasure working with you and your staff to ensure that the legislation we consider in this Committee enjoys bipartisan support.

First, I would like to express my strong support for H. Res. 520, a resolution you and I introduced to mark the third anniversary of the horrendous civil war in Syria. The conflict has killed more than 150,000 people, left Syria in chaos, and attracted the world's most vicious and violent extremists, including al Qaeda. The massive refugee exodus has severely burdened Syria's neighbors and created more instability in an already volatile region.

This resolution will not end the conflict, but it is a step in the right direction. It demands that the Assad regime provide humanitarian access for those who are most in need inside Syria. It's absolutely unacceptable that the regime has ignored the international community's repeated calls for safe passage of food, water and medicine. The resolution also calls on the UN to work more closely with NGOs that have networks inside Syria so we can provide urgent humanitarian assistance right away without having to wait on the regime.

In addition, the resolution calls on the Administration to withdraw legal recognition of the Assad regime. Our continued recognition of Assad only empowers his patrons in Iran and Russia. I commend the Administration for closing the Syrian diplomatic mission in the United States and for recognizing the Syrian opposition as the legitimate political representative of the Syrian people. It's now time to take the next step.

Lastly, H. Res. 520 calls on the Administration to develop a new strategy to help address the dire humanitarian catastrophe and to end the conflict. We need a new way forward, and I'm glad that we're taking a bipartisan approach to this critical matter. Thank you, Chairman Royce, for your leadership and your partnership.

I also support H. Con Res. 51, and I'd like to thank Congressman Chris Smith for his leadership on this important issue. This resolution recognizes that there must be accountability for the violence and human tragedy in Syria, and it calls for the immediate establishment of a war crimes tribunal, modeled after the tribunals created for Yugoslavia, Rwanda and Sierra Leone. The resolution also builds on current US efforts to document atrocities committed by parties to the conflict and urges the US to collect evidence of these war crimes. I urge its adoption by the Committee.

Finally, I strongly support H.R. 4028, a bill to amend the International Religious Freedom Act of 1998 to include the desecration of cemeteries as a violation of the right to religious freedom. Many religions consider cemeteries sacred, and the frequency of cemetery desecration around the world is truly shocking. I believe that respecting one's dead is both an important and meaningful right, and I think it's essential that we try to help ensure the integrity of religious communities around the world by protecting their burial sites. I'd like to thank my friend and colleague from New York, Congresswoman Meng, for introducing this legislation and for her leadership on this important issue.

Mr. Chairman, thank you again for holding this markup. I look forward to working with you to move these three important measures through the House.

Statement for the Record

Submitted by the Honorable Brad Sherman

I joined in introducing the *US International Communications Reform Act of 2014*, and I commend the Chairman and Ranking Member for developing legislation that would reform and restructure the Broadcasting Board of Governors (BBG), which is funded at about three-quarters of a billion dollars a year.

In Section 123 of the bill, where it states the "Duties and Responsibilities" of the Voice of America, my amendment adds the following language at the end of paragraph 9: *(9) Reaching identified foreign audiences in local languages and dialects when possible, [INSERT]:* ***particularly when such audiences form a distinct ethnic, cultural, or religious group within a country critical to U.S. national security interests.***

In countries that are critical to U.S. national security, it is imperative for the Voice of America to reach populations in their local language wherever possible, including where there are native, primary languages in addition to a secondary or national language understood by an ethnic group. This is an important element of the reform of our public diplomacy, because people in these countries are most receptive to the U.S.-generated message in their native, primary tongue.

For example, while most of Iran is Farsi speaking, we also broadcast in several of the other languages of Iran – including Kurdish, Azeri, and Arabic.

We currently broadcast to Pakistan in Urdu and Pashto (the latter also to Afghanistan).

There is estimated to be at least 23 million Sindhi speakers in Pakistan today. Of those Sindhis that speak Urdu, many in the rural areas and medium and smaller size towns are not sufficiently fluent to follow Urdu broadcasts. According to the CIA World Factbook, 12% of the population speaks Sindhi (making it the second most spoken language in the country), while only 8% natively speaks the official language of Urdu.

Statement for the Record
Submitted by the Honorable Gerald E. Connolly

Mr. Chairman,

I want to congratulate you and the Ranking Member on the bipartisan legislation before us today to reform the Broadcasting Board of Governors. I am pleased to join you in cosponsoring these common-sense reforms that will result in a more clearly defined mission for the BBG and its components and a more efficient operation on behalf of taxpayers. Like many of my colleagues, I was troubled to hear former Secretary of State Clinton tell this Committee that the BBG had become "practically a defunct agency in terms of its capacity to be able to tell a message around the world."

As my colleagues know, this bill responds to critical reports issued early last year by the Government Accountability Office and the State Department Office of Inspector General, which were the subject of a hearing we held last June. Those reports highlighted structural deficiencies and overlapping functions within the BBG's federally operated programs, Voice of America and the Office of Cuba Broadcasting (Radio and TV Marti), and the private but federally-funded broadcasters Radio Free Europe/Radio Liberty, the Middle East Broadcasting Networks, and Radio Free Asia. This legislation clarifies the mission statements of the federal and non-federal broadcasters. VOA, for example, will now confine itself to its public diplomacy mission to foster positive relationships between the U.S. and the rest of the world. There were concerns about mission creep within VOA blurring the lines between it and the mission of the international broadcasters to provide uncensored and objective news and analysis on a local and regional level in those places lacking a free press .The bill also includes necessary structural reforms, including a new International Communications Agency with a CEO to manage the day-to-day operations of VOA and other federally-run operations. As we learned during last year's hearing, there was growing concern of micro-management by the BBG and the challenge of achieving a quorum at Board meetings to make operational decisions. This will put the Board of Governors in a more advisory role. Further, the bill will consolidate the non-federal broadcasters under the same umbrella, known as The Freedom News Network, achieving economies of scale and allowing for closer collaboration on more global efforts.

Although our counterparts in the Senate continue to work on their companion bill, this has been a collaborative effort that included outreach and input from key stakeholders, including the Board itself, the broadcasters, and agency staff. This is the kind of bipartisan oversight on which we should be focusing. I wish more committees would follow this example.

I also want to commend the Chairman and Ranking Member for their efforts to once again elevate the urgency of the situation in Syria with a pair of resolutions on today's agenda. I am pleased to join you in cosponsoring H. Res. 520, which calls for an end to the attacks on Syrian civilians and expanded access for humanitarian relief efforts. The crisis in Syria is now entering its fourth year and the mass atrocities perpetrated on its civilian population -- including sectarian violence, mass killings, torture, and bombings -- show no signs of subsiding. The United Nations estimates that the number of internally-displaced civilians tops 6 million, and the number of refugees spilling into neighboring countries stands at more than 3 million. USAID Administrator Shah recently noted those totals are four times larger than they were at this time last year, calling it "unprecedented." With

40% of Syria's population now in need of humanitarian assistance, the U.S. and its international partners are increasingly frustrated with efforts by the Bashar al-Assad regime to deny access for UN relief efforts. Basic food and medical supplies have been blocked, relief workers and vehicles have been attacked, and some UN staff members are still being detained by Syrian forces. A recent UN report assessing compliance with a Security Council resolution ordering the free flow of assistance to civilians cites the Assad regime and its supporters for clear violations of international humanitarian law. Accordingly, this resolution calls on the Administration to report back to Congress within 60 days on a new strategy to address this humanitarian disaster.

I also am pleased to cosponsor H. Con. Res. 51, expressing the sense of Congress regarding the need to investigate and prosecute war crimes in Syria and calling on the President to direct our ambassador to the UN to promote the creation of a war crimes tribunal. In addition to its ongoing disregard for international humanitarian laws, there are new reports that the Assad regime may have found a way to skirt last fall's chemical weapons disarmament agreement by using chlorine laced bombs the past few months. The U.S. and other nations are now investigating whether this constitutes yet another violation of the Chemical Weapons Convention, no doubt constituting a war crime. As we have seen in the former Yugoslavia, Rwanda, and Sierra Leone, international criminal courts have proven successful in investigating and prosecuting serious war crimes, genocide, and crimes against humanity.

And finally, Mr. Chairman, I am happy to support Ms. Meng's common-sense addition of protecting cemeteries from desecration under the International Religious Freedom Act. Cemeteries reflect the cultural heritage of our communities and deserve the same protections from hate crimes and other acts of intolerance. I urge my colleagues to support these bipartisan measures, and I yield back.

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