

RADIO FREE ASIA ACT OF 1997

OCTOBER 6, 1997.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Mr. GILMAN, from the Committee on International Relations,
submitted the following

R E P O R T

[To accompany H.R. 2232]

[Including cost estimate of the Congressional Budget Office]

The Committee on International Relations, to whom was referred the bill (H.R. 2232) to provide for increased international broadcasting activities to China, having considered the same, report favorably thereon with an amendment and recommend that the bill as amended do pass.

The amendment is as follows:

Strike out all after the enacting clause and insert in lieu thereof the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the “Radio Free Asia Act of 1997”.

SEC. 2. FINDINGS.

The Congress makes the following findings:

(1) The Government of the People’s Republic of China systematically controls the flow of information to the Chinese people.

(2) The Government of the People’s Republic of China demonstrated that maintaining its monopoly on political power is a higher priority than economic development by announcing in January 1996 that its official news agency Xinhua, will supervise wire services selling economic information, including Dow Jones-Telerate, Bloomberg, and Reuters Business, and in announcing in February of 1996 the “Interim Internet Management Rules”, which have the effect of censoring computer networks.

(3) Under the May 30, 1997, order of Premier Li Peng, all organizations that engage in business activities related to international computer networking must now apply for a license, increasing still further government control over access to the internet.

(4) Both Radio Free Asia and the Voice of America, as a surrogate for a free press in the People’s Republic of China, provide an invaluable source of uncen-

sored information to the Chinese people, including objective and authoritative news of in-country and regional events, as well as accurate news about the United States and its policies.

(5) Radio Free Asia currently broadcasts only 5 hours a day in the Mandarin dialect and 2 hours a day in Tibetan.

(6) Voice of America currently broadcasts only 10 hours a day in Mandarin and 3½ hours a day in Tibetan.

(7) Radio Free Asia and Voice of America should develop 24-hour-a-day service in Mandarin, Cantonese, and Tibetan, as well as further broadcasting capability in the dialects spoken in the People's Republic of China.

(8) Radio Free Asia and Voice of America, in working toward continuously broadcasting to the People's Republic of China in multiple languages, have the capability to immediately establish 24-hour-a-day Mandarin broadcasting to that nation by staggering the hours of Radio Free Asia and Voice of America.

(9) Simultaneous broadcasting on Voice of America radio and Worldnet television 7 days a week in Mandarin are also important and needed capabilities.

SEC. 3. AUTHORIZATION OF APPROPRIATIONS FOR INCREASED FUNDING FOR RADIO FREE ASIA AND VOICE OF AMERICA BROADCASTING TO CHINA.

(a) **AUTHORIZATION OF APPROPRIATIONS FOR RADIO FREE ASIA.—**

(1) **AUTHORIZATION OF APPROPRIATIONS.—**There are authorized to be appropriated for "Radio Free Asia" \$30,000,000 for fiscal year 1998 and \$22,000,000 for fiscal year 1999.

(2) **LIMITATIONS.—**

(A) Of the funds under paragraph (1) authorized to be appropriated for fiscal year 1998, \$8,000,000 is authorized to be appropriated for one-time capital costs.

(B) Of the funds under paragraph (1), \$700,000 is authorized to be appropriated for each such fiscal year for additional personnel to staff Cantonese language broadcasting.

(b) **AUTHORIZATION OF APPROPRIATIONS FOR INTERNATIONAL BROADCASTING TO CHINA AND NORTH KOREA.—**In addition to such sums as are otherwise authorized to be appropriated for "International Broadcasting Activities" for fiscal years 1998 and 1999, there are authorized to be appropriated for "International Broadcasting Activities" \$10,000,000 for fiscal year 1998 and \$7,000,000 for fiscal year 1999, which shall be available only for enhanced Voice of America broadcasting to China and North Korea.

(c) **AUTHORIZATION OF APPROPRIATIONS FOR RADIO CONSTRUCTION.—**

(1) **AUTHORIZATION OF APPROPRIATIONS.—**In addition to such sums as are otherwise authorized to be appropriated for "Radio Construction" for fiscal years 1998 and 1999, there are authorized to be appropriated for "Radio Construction" \$10,000,000 for fiscal year 1998 and \$3,000,000 for fiscal year 1999, which shall be available only for construction in support of enhanced broadcasting to China.

(2) **LIMITATION.—**Of the funds under paragraph (1) authorized to be appropriated for fiscal year 1998, \$3,000,000 is authorized to be appropriated to facilitate the timely augmentation of transmitters at Tinian, the Commonwealth of the Northern Mariana Islands.

(d) **ALLOCATION.—**Of the amounts authorized to be appropriated for "International Broadcasting Activities", the Director of the United States Information Agency and the Board of Broadcasting Governors shall seek to ensure that the amounts made available for broadcasting to nations whose people do not fully enjoy freedom of expression do not decline in proportion to the amounts made available for broadcasting to other nations.

(e) **ALLOCATION OF FUNDS FOR NORTH KOREA.—**Of the funds under subsection (b), \$2,000,000 is authorized to be appropriated for each fiscal year for additional personnel and broadcasting targeted at North Korea.

SEC. 4. REPORTING REQUIREMENT.

Not later than 90 days after the date of enactment of this Act, in consultation with the Board of Broadcasting Governors, the President shall prepare and transmit to Congress a report on a plan to achieve continuous broadcasting of Radio Free Asia and Voice of America to the People's Republic of China in multiple major dialects and languages.

SEC. 5. UTILIZATION OF UNITED STATES INTERNATIONAL BROADCASTING SERVICES FOR PUBLIC SERVICE ANNOUNCEMENTS REGARDING FUGITIVES FROM UNITED STATES JUSTICE.

United States international broadcasting services, particularly the Voice of America, shall produce and broadcast public service announcements, by radio, television,

and Internet, regarding fugitives from the criminal justice system of the United States, including cases of international child abduction.

BACKGROUND AND PURPOSE

H.R. 2232, the "Radio Free Asia Act of 1997," is intended to provide continuous, 24-hour-a-day broadcasting capability into China and Tibet. The increased broadcast programs will be in Mandarin, Cantonese, Tibetan, and other dialects spoken in the People's Republic of China.

Section 2 of the bill is a series of findings describing the media and information environment in the People's Republic of China, and the current limited broadcast hours of Radio Free Asia and the Voice of America, which serve as the surrogate free press in the People's Republic of China.

Section 3 provides for the authorization of appropriations for fiscal years 1998 and 1999 to support the activities required to increase the hours of broadcasting. Of the funds authorized to be appropriated for International Broadcasting, \$2 million is authorized to be appropriated for broadcasting to North Korea.

Section 4 is a reporting requirement requiring the President to prepare a plan to achieve the continuous broadcasting through Radio Free Asia and the Voice of America to the People's Republic of China.

COMMITTEE ACTION

On March 13, 1997, the Subcommittee on International Operations and Human Rights held a hearing on the U.S. Information Agency, which among other duties, is responsible for U.S. international broadcasting. Witnesses at this hearing included: The Honorable Joseph D. Duffey, Director of the U.S. Information Agency, and David W. Burke, Chairman of the International Broadcasting Board of Governors.

On July 9, 1996, the Subcommittee on International Operations and Human Rights held a hearing on international broadcasting. Witnesses for this hearing were: The Honorable Joseph D. Duffey, Director of the U.S. Information Agency and David W. Burke, Chairman of the international Broadcasting Board of Governors.

The Subcommittee on International Operations and Human Rights reported to the full committee, H.R. 2232, with an amendment in the nature of a substitute, on September 25, 1997.

The Full Committee marked up the bill on September 29, 1997, considering the subcommittee amendment in the nature of a substitute as original text for the purposes of amendment and taking the following preliminary actions, all by voice vote:

Adopting the Kim amendment, adding reference to North Korea to section 3(b) of the bill.

Adopting the Smith amendment revising subsection (7) of section 1, striking language relating to additional advanced editing equipment, and reducing the amount for additional personnel to staff Cantonese language broadcasting.

Adopting the Bereuter amendment making a technical change in a reference.

Adopting the Royce amendment relating to utilization of U.S. International Broadcasting Services for public service announcements relative to fugitives from U.S. justice.

After concluding its consideration of the amendment in the nature of a substitute, the Committee adopted the amendment and ordered the bill reported to the House by voice vote, a quorum being present.

COMMITTEE OVERSIGHT FINDINGS

In compliance with clause 2(1)(3)(A) of rule XI of the Rules of the House of Representatives, the Committee reports the findings and recommendations of the Committee, based on oversight activities under clause 2(b)(1) of rule X of the Rules of the House of Representatives, are incorporated in the descriptive portions of this report.

COMMITTEE ON GOVERNMENT REFORM AND OVERSIGHT FINDINGS

No findings or recommendations of the Committee on Government Reform and Oversight were received as referred to in clause 2(1)(3)(D) of rule XI of the Rules of the House of Representatives.

NEW BUDGET AUTHORITY AND TAX EXPENDITURES

The Committee adopts the cost estimate of the Congressional Budget Office, set out below, as its submission of any required information on new budget authority, new spending authority, new credit authority, or an increase or decrease in the national debt required by clause 2(1)(3)(B) of rule XI of the Rules of the House of Representatives.

FEDERAL MANDATES STATEMENT

The Committee adopts as its own the estimate of Federal mandates prepared by the Director of the Congressional Budget Office pursuant to Section 423 of the Unfunded Mandates Reform Act.

ADVISORY COMMITTEE STATEMENT

No advisory committees within the meaning of section 5(b) of the Federal Advisory Committee Act were created by this legislation.

APPLICABILITY TO THE LEGISLATIVE BRANCH

The Committee finds that the legislation does not relate to the terms and conditions of employment or access to public services or accommodations within the meaning of section 102(b)(3) of the Congressional Accountability Act.

CONSTITUTIONAL AUTHORITY STATEMENT

In compliance with clause 2(1)(4) of rule XI of the Rules of the House of Representatives, the Committee cites the following specific powers granted to the Congress in the Constitution as authority for enactment of H.R. 2232, as reported by the Committee: Article I, section 8, clause 3 (relating to the regulation of commerce with foreign nations and among the several states); and Article I, section 8, clause 18 (relating to making all laws necessary and

proper for carrying into execution powers vested by the Constitution in the government of the United States).

CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

In compliance with clause 2(1)(3)(C) of rule XI of the Rules of the House of Representatives, the Committee sets forth with respect to H.R. 2232 as reported by the Committee the following estimate and comparison prepared by the Director of the Congressional Budget Office under section 403 of the Budget Act of 1974:

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, October 3, 1997.

Hon. BENJAMIN A. GILMAN,
Chairman, Committee on International Relations, House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for H.R. 2232, the Radio Free Asia Act of 1997.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Sunita D'Monte.

Sincerely,

JUNE E. O'NEILL, *Director.*

Enclosure.

H.R. 2232—Radio Free Asia Act of 1997

H.R. 2232 would authorize appropriations of \$50 million in 1998 and \$32 million in 1999 for broadcasting to China and North Korea and construction of broadcasting facilities. Assuming that authorized amounts would be appropriated by the start of each fiscal year and that outlays would follow historical spending patterns, CBO estimates that enacting the bill would raise spending by \$32 million in 1998 and \$81 million over the 1998–2002 period. The authorizations in this bill would be in addition to amounts provided in other legislation. H.R. 1757, as passed by the House of Representatives on June 11, 1997, would authorize \$415 million in 1998 and \$405 million in 1999 for broadcasting and construction of facilities. Together, H.R. 2232 and H.R. 1757 would raise annual funding for comparable activities by \$105 million in 1998 and \$77 million in 1999 over the amount provided in 1997. Because H.R. 2232 would not affect direct spending or receipts, pay-as-you-go procedures would not apply.

The bill contains no intergovernmental mandates as defined in the Unfunded Mandates Reform Act of 1995 (UMRA) and would not affect the budgets of state, local, or tribal governments. Section 5 of H.R. 2232, however, would impose a new private-sector mandate on two privately owned United States international broadcasting services, Radio Free Europe/Radio Liberty and Radio Free Asia. The bill would require these organizations to produce and broadcast, by radio, television, and Internet, public service announcements regarding fugitives from the criminal justice system of the United States. Based on information provided by representatives of these organizations, CBO estimates that the direct cost of the new private-sector mandate would be well below the statutory threshold

(\$100 million in 1996, adjusted annually for inflation) established in UMRA in any year.

The estimate of costs to the federal government was prepared by Sunita D'Monte. Lesley Frymier prepared the estimate of the private-sector mandate, and Pepper Santalucia assessed the impact on state, local, and tribal governments. This estimate was approved by Paul N. Van de Water, Assistant Director for Budget Analysis.

SECTION-BY-SECTION ANALYSIS

Section 1. Short title

Provides that the Act may be cited as the "Radio Free Asia Act of 1997."

Section 2. Findings

Sets forth relevant findings of Congress, including that the government of the People's Republic of China systematically controls the flow of information to the Chinese people; that Radio Free Asia and the Voice of America provide an invaluable source of information to the Chinese people, but have limited service to China; that Radio Free Asia and the Voice of America should develop 24-hour-a-day service in Mandarin, Cantonese, and Tibetan; and that together Radio Free Asia and the Voice of America could immediately establish 24-hour-a-day broadcasting to China in Mandarin.

Section 3. Authorization of appropriations for increased funding for Radio Free Asia and Voice of America broadcasting to China

Authorizes the appropriation of \$30,000,000 for fiscal year 1998 and \$22,000,000 for fiscal year 1999 for Radio Free Asia. Of the amounts authorized for fiscal year 1998 for Radio Free Asia, \$8,000,000 is authorized for one-time capital costs. Of the amounts authorized for fiscal years 1998 and 1999 for Radio Free Asia, \$700,000 is authorized for each such fiscal year for additional personnel to staff Cantonese language broadcasting.

In addition, authorizes the appropriation of \$10,000,000 for fiscal year 1998 and \$7,000,000 for fiscal year 1999 for International Broadcasting Activities, which shall be in addition to such sums as are otherwise authorized and which shall be available only for enhanced Voice of America broadcasting to China and North Korea. Of the amounts authorized for fiscal years 1998 and 1999 for International Broadcasting Activities, \$2,000,000 is authorized for each such fiscal year for additional personnel and broadcasting targeted at North Korea.

In addition, authorizes \$10,000,000 for fiscal year 1998 and \$3,000,000 for fiscal year 1999 for Radio Construction, which shall be in addition to such sums as are otherwise authorized and which shall be available only for construction in support of enhanced broadcasting to China. Of the amount authorized for Radio Construction for fiscal year 1998, \$3,000,000 is authorized to facilitate the timely augmentation of transmitters at Tinian.

The Director of the U.S. Information Agency and the Broadcasting Board of Governors shall seek to ensure that of the funds made available for International Broadcasting Activities, the proportion

of funds made available for broadcasting to nations whose people do not enjoy full freedom of expression does not decline.

Section 4. Reporting requirements

Not later than 90 days after the date of enactment, the President shall transmit to Congress a plan to achieve continuous broadcasting on Radio Free Asia and the Voice of America to China in multiple major dialects and languages.

Section 5. Utilization of United States International Broadcasting Services for public service announcements regarding fugitives from United States justice

United States international broadcasting services shall produce and broadcast public service announcements regarding fugitives from the U.S. criminal justice system, including cases of international child abduction.