

111TH CONGRESS
2^D SESSION

S. 3104

To permanently authorize Radio Free Asia, and for other purposes.

IN THE SENATE OF THE UNITED STATES

MARCH 11, 2010

Mr. LUGAR (for himself, Mr. KAUFMAN, Mr. FRANKEN, Mr. INOUE, and Mr. RISCH) introduced the following bill; which was read twice and referred to the Committee on Foreign Relations

A BILL

To permanently authorize Radio Free Asia, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. FINDINGS.**

4 Congress finds the following:

5 (1) Radio Free Asia (referred to in this Act as
6 “RFA”)—

7 (A) was authorized under section 309 of
8 the United States International Broadcasting
9 Act of 1994 (22 U.S.C. 6208);

1 (B) was incorporated as a private, non-
2 profit corporation in March 1996 in the hope
3 that its operations would soon be obviated by
4 the global advancement of democracy; and

5 (C) is headquartered in Washington, DC,
6 with additional offices in Bangkok, Hong Kong,
7 Phnom Penh, Seoul, Ankara, and Taipei.

8 (2) RFA broadcasts serve as substitutes for in-
9 digenous free media in regions lacking free media
10 outlets.

11 (3) The mission of RFA is “to provide accurate
12 and timely news and information to Asian countries
13 whose governments prohibit access to a free press”
14 in order to enable informed decisionmaking by the
15 people within Asia.

16 (4) RFA provides daily broadcasts of news,
17 commentary, analysis, and cultural programming to
18 Asian countries in several languages, including—

19 (A) 12 hours per day in Mandarin;

20 (B) 8 hours per day in 3 Tibetan dialects,
21 Uke, Kham, and Amdo;

22 (C) 4 hours per day in Korean and Bur-
23 mese;

1 (D) 2 hours per day in Cantonese, Viet-
2 nameese, Laotian, Khmer (Cambodian), and
3 Uyghur; and

4 (E) 1½ hours per week in Wu (local
5 Shanghai dialect).

6 (5) The governments of the countries targeted
7 for these broadcasts have consistently denied and
8 blocked attempts at Medium Wave and FM trans-
9 missions into their countries, forcing RFA to rely on
10 Shortwave broadcasts and the Internet.

11 (6) RFA has provided continuous online news
12 to its Asian audiences since 2004, although some
13 countries—

14 (A) routinely and aggressively block RFA's
15 website;

16 (B) monitor access to RFA's website; and

17 (C) discourage online users by making it il-
18 legal to access RFA's website.

19 (7) Despite these attempts, RFA has success-
20 fully managed to reach its online audiences through
21 proxies, cutting-edge software, and active replica-
22 tion and repostings by its audience.

23 (8) RFA also provides forums for local opinions
24 and experiences through message boards, podcasts,
25 web logs (blogs), cell phone-distributed newscasts,

1 and new media, including Facebook, Flickr, Twitter,
2 and YouTube.

3 (9) Freedom House has documented that free-
4 dom of the press is in decline in nearly every region
5 of the world, particularly in Asia, where none of the
6 countries served by RFA have increased their free-
7 dom of the press during the past 5 years.

8 (10) As documented in Freedom House's Index
9 of Global Press Freedom, which annually ranks the
10 nations of the world on this issue, between 2004 and
11 2009, out of 193 and 195 countries rated for those
12 years—

13 (A) China's ranking dropped from 173rd
14 to 181st;

15 (B) Cambodia's ranking dropped from
16 127th to 132nd;

17 (C) Vietnam's ranking dropped from 178th
18 to 179th;

19 (D) Laos' ranking dropped from 179th to
20 184th;

21 (E) Burma's ranking dropped from 190th
22 to 193rd; and

23 (F) North Korea's ranking remained dead
24 last.

1 (11) In fiscal year 2010, RFA is operating on
2 a \$37,000,000 budget to reach the approximately
3 1,500,000,000 people who live within the countries
4 served by RFA, less than \$400,000 of which is avail-
5 able to fund Internet censorship circumvention.

6 (12) Independent media sources are nonexistent
7 or severely restrained in their operations in these
8 areas where the press often serves as a means to
9 promote the government's agenda.

10 (13) Congress currently provides grant funding
11 for RFA's operations on a fiscal year basis.

12 **SEC. 2. SENSE OF THE SENATE.**

13 It is the sense of the Senate that—

14 (1) public access to timely, uncensored, and ac-
15 curate information is imperative for achieving gov-
16 ernment accountability and the protection of human
17 rights;

18 (2) Radio Free Asia provides a vital voice to
19 people in Asia;

20 (3) in the 14 years since RFA was established,
21 freedom of the press in Asia has been reduced, as
22 evidenced by the inability of RFA to broadcast on
23 AM or FM frequencies in the countries served by
24 RFA;

1 (4) some of the governments in Asia spend mil-
2 lions of dollars each year to jam RFA’s shortwave,
3 block its Internet sites, and illegally access RFA’s
4 computer networks and user files;

5 (5) Congress should provide additional funding
6 to RFA and the other entities overseen by the
7 Broadcasting Board of Governors for—

8 (A) Internet censorship circumvention; and

9 (B) enhancement of their cyber security ef-
10 forts; and

11 (6) permanently authorizing funding for Radio
12 Free Asia would—

13 (A) reflect the concern that media censor-
14 ship and press restrictions in the countries
15 served by RFA have increased since RFA was
16 established; and

17 (B) send a powerful signal of our Nation’s
18 support for free press in Asia and throughout
19 the world.

20 **SEC. 3. PERMANENT AUTHORIZATION FOR RADIO FREE**
21 **ASIA.**

22 Section 309 of the United States International
23 Broadcasting Act of 1994 (22 U.S.C. 6208) is amended—

24 (1) in subsection (c)(2), by striking “, and shall
25 further specify that funds to carry out the activities

1 of Radio Free Asia may not be available after Sep-
2 tember 30, 2010”;

3 (2) by striking subsection (f);

4 (3) by redesignating subsections (g) and (h) as
5 subsection (f) and (g), respectively; and

6 (4) in subsection (f), as redesignated—

7 (A) by striking “The Board” and inserting
8 the following:

9 “(1) NOTIFICATION.—The Board”;

10 (B) by striking “before entering” and in-
11 serting the following: “before—

12 “(A) entering”;

13 (C) by striking “Radio Free Asia.” and in-
14 serting the following: “Radio Free Asia; or

15 “(B) entering into any agreements in re-
16 gard to the utilization of Radio Free Asia
17 transmitters, equipment, or other resources that
18 will significantly reduce the broadcasting activi-
19 ties of Radio Free Asia.”;

20 (D) by striking “The Chairman” and in-
21 serting the following:

22 “(2) CONSULTATION.—The Chairman”; and

1 (E) by inserting “or Radio Free Asia
2 broadcasting activities” before the period at the
3 end.

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