

115TH CONGRESS
2D SESSION

S. 3654

To amend the United States International Broadcasting Act of 1994, to avoid the duplication of public diplomacy programs and efforts, to improve the research and evaluation of public diplomacy, and for other purposes.

IN THE SENATE OF THE UNITED STATES

NOVEMBER 15, 2018

Mr. MENENDEZ introduced the following bill; which was read twice and referred to the Committee on Foreign Relations

A BILL

To amend the United States International Broadcasting Act of 1994, to avoid the duplication of public diplomacy programs and efforts, to improve the research and evaluation of public diplomacy, 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. SHORT TITLE.**

4 This Act may be cited as the “U.S. Agency for Global
5 Media Reform Act”.

1 **SEC. 2. LIMITATION ON CORPORATE LEADERSHIP OF**
2 **GRANTEES.**

3 Section 305 of the United States International
4 Broadcasting Act of 1994 (22 U.S.C. 6204) is amended
5 by inserting after subsection (b) the following:

6 “(c) **LIMITATION ON CORPORATE LEADERSHIP OF**
7 **GRANTEES.**—The Chief Executive Officer may not award
8 any grant under subsection (a) to RFE/RL, Inc., Radio
9 Free Asia, the Middle East Broadcasting Networks, or
10 any other statutorily authorized grantee (collectively re-
11 ferred to as the ‘Agency Grantee Networks’) unless the
12 incorporation documents of the grantee require that the
13 corporate leadership and Board of Directors of the grantee
14 be selected in accordance with this Act.”.

15 **SEC. 3. INTERNATIONAL BROADCASTING ADVISORY**
16 **BOARD.**

17 Section 306 of the United States International
18 Broadcasting Act of 1994 (22 U.S.C. 6205) is amended—

19 (1) by striking subsections (a) through (c) and
20 inserting the following:

21 “(a) **IN GENERAL.**—The International Broadcasting
22 Advisory Board (referred to in this section as the ‘Advi-
23 sory Board’) shall advise the Chief Executive Officer of
24 the United States Agency for Global Media, as appro-
25 priate.

1 “(b) RETENTION OF EXISTING BROADCASTING
2 BOARD OF GOVERNORS MEMBERS.—The presidentially
3 appointed and Senate-confirmed members of the Board of
4 the Broadcasting Board of Governors who were serving
5 as of December 23, 2016, shall—

6 “(1) constitute the first Advisory Board; and

7 “(2) hold office until replaced without re-
8 appointment to the Advisory Board.

9 “(c) COMPOSITION OF THE ADVISORY BOARD.—

10 “(1) IN GENERAL.—The Advisory Board shall
11 consist of 7 members, of whom—

12 “(A) 6 shall be appointed by the President,
13 by and with the advice and consent of the Sen-
14 ate, in accordance with subsection (d); and

15 “(B) 1 shall be the Secretary of State.

16 “(2) CHAIR.—The President shall designate,
17 with the advice and consent of the Senate one of the
18 members appointed under paragraph (1)(A) as
19 Chair of the Advisory Board.

20 “(3) PARTY LIMITATION.—Not more than 4
21 members of the Advisory Board appointed under
22 paragraph (1)(A) may be affiliated with the same
23 political party.

24 “(4) TERMS OF OFFICE.—

1 “(A) IN GENERAL.—Except as provided in
2 subparagraph (B), members of the Advisory
3 Board shall serve for a single term of 4 years,
4 except that, of the first group of members ap-
5 pointed under paragraph (1)(A)—

6 “(i) 2 members who are not affiliated
7 with the same political party, shall be ap-
8 pointed for terms ending on the date that
9 is 2 years after the date of the enactment
10 of the U.S. Agency for Global Media Re-
11 form Act;

12 “(ii) 2 members who are not affiliated
13 with the same political party, shall be ap-
14 pointed for terms ending on the date that
15 is 4 years after the date of the enactment
16 of the U.S. Agency for Global Media Re-
17 form Act; and

18 “(iii) 2 members who are not affili-
19 ated with the same political party, shall be
20 appointed for terms ending on the date
21 that is 6 years after the date of the enact-
22 ment of the U.S. Agency for Global Media
23 Reform Act.

24 “(B) SECRETARY OF STATE.—The Sec-
25 retary of State shall serve as a member of the

1 Advisory Board for the duration of his or her
2 tenure as Secretary of State.

3 “(5) VACANCIES.—

4 “(A) IN GENERAL.—The President shall
5 appoint, with the advice and consent of the
6 Senate, additional members to fill vacancies on
7 the Advisory Board occurring before the expira-
8 tion of a term.

9 “(B) TERM.—Any members appointed pur-
10 suant to subparagraph (A) shall serve for the
11 remainder of such term.

12 “(C) SERVICE BEYOND TERM.—Any mem-
13 ber whose term has expired shall continual to
14 serve as a member of the Advisory Board until
15 a qualified successor has been appointed and
16 confirmed by the Senate.

17 “(D) SECRETARY OF STATE.—When there
18 is a vacancy in the office of Secretary of State,
19 the Acting Secretary of State shall serve as a
20 member of the Advisory Board until a new Sec-
21 retary of State is appointed.”;

22 (2) in subsection (d)—

23 (A) in the subsection heading, by inserting
24 “ADVISORY” before “BOARD”; and

1 (B) in paragraph (2), by inserting “who
2 are” before “distinguished”; and

3 (3) by striking subsections (e) and (f) and in-
4 serting the following:

5 “(e) FUNCTIONS OF THE ADVISORY BOARD.—The
6 members of the Advisory Board shall—

7 “(1) provide the Chief Executive Officer of the
8 United States Agency for Global Media with advice
9 and recommendations for improving the effectiveness
10 and efficiency of the Agency and its programming;

11 “(2) meet with the Chief Executive Officer at
12 least twice annually and at additional meetings at
13 the request of the Chief Executive Officer or the
14 Chair of the Advisory Board;

15 “(3) report periodically, or upon request, to the
16 congressional committees specified in subsection
17 (d)(2) regarding its advice and recommendations for
18 improving the effectiveness and efficiency of the
19 United States Agency for Global Media and its pro-
20 gramming;

21 “(4) obtain information from the Chief Execu-
22 tive Officer, as needed, for the purposes of fulfilling
23 the functions described in this subsection;

1 “(5) review budget submissions and strategic
2 plans before they are submitted to the Office of
3 Management and Budget or to Congress;

4 “(6) advise the Chief Executive Officer to en-
5 sure that—

6 “(A) the Chief Executive Officer fully re-
7 spects the professional integrity and editorial
8 independence of United States Agency for Glob-
9 al Media broadcasters, networks, and grantees;
10 and

11 “(B) agency networks, broadcasters, and
12 grantees adhere to the highest professional
13 standards and ethics of journalism, including
14 taking necessary actions to uphold professional
15 standards to produce consistently reliable and
16 authoritative, accurate, objective, and com-
17 prehensive news and information; and

18 “(7) provide other strategic input to the Chief
19 Executive Officer.

20 “(f) APPOINTMENT OF HEADS OF NETWORKS.—

21 “(1) IN GENERAL.—The head of Voice of
22 America, of the Office of Cuba Broadcasting, of
23 RFE/RL, Inc., of Radio Free Asia, of the Middle
24 East Broadcasting Networks, or of any other statu-
25 torily authorized grantee may only be appointed or

1 removed if such action has been approved by a ma-
2 jority vote of the Advisory Board.

3 “(2) REMOVAL.—After consulting with the
4 Chief Executive Officer, 5 or more members of the
5 Advisory Board may unilaterally remove any such
6 head of network or grantee network described in
7 paragraph (1).

8 “(3) QUORUM.—

9 “(A) IN GENERAL.—A quorum shall con-
10 sist of 4 members of the Advisory Board (ex-
11 cluding the Secretary of State).

12 “(B) DECISIONS.—Except as provided in
13 paragraph (2), decisions of the Advisory Board
14 shall be made by majority vote, a quorum being
15 present.

16 “(C) AUTHORITIES.—The Advisory Board
17 may exercise the authorities set forth in section
18 305 and any other provision under this title
19 that is relevant to carrying out the Advisory
20 Board’s functions.

21 “(D) CLOSED SESSIONS.—The Advisory
22 Board may meet in closed sessions in accord-
23 ance with section 552b of title 5, United States
24 Code.

25 “(g) COMPENSATION.—

1 “(1) IN GENERAL.—Members of the Advisory
2 Board, while attending meetings of the Advisory
3 Board or while engaged in duties relating to such
4 meetings or in other activities of the Advisory Board
5 under this section (including travel time) shall be en-
6 titled to receive compensation equal to the daily
7 equivalent of the compensation prescribed for level
8 IV of the Executive Schedule under section 5315 of
9 title 5, United States Code.

10 “(2) TRAVEL EXPENSES.—While away from
11 their homes or regular places of business, members
12 of the Board may be allowed travel expenses, includ-
13 ing per diem in lieu of subsistence, as authorized
14 under section 5703 of such title for persons in the
15 Government service employed intermittently.

16 “(3) SECRETARY OF STATE.—The Secretary of
17 State is not entitled to any compensation under this
18 title, but may be allowed travel expenses in accord-
19 ance with paragraph (2).

20 “(h) SUPPORT STAFF.—The Chief Executive Officer
21 shall, from within existing United States Agency for Glob-
22 al Media personnel, provide the Advisory Board with an
23 Executive Secretary and such administrative staff and
24 support as may be necessary to enable the Advisory Board
25 to carry out subsections (e) and (f).”.

1 **SEC. 4. CONFORMING AMENDMENTS.**

2 The United States International Broadcasting Act of
3 1994 (22 U.S.C. 6201 et seq.) is amended—

4 (1) in section 304—

5 (A) in the section heading, by striking
6 **“BROADCASTING BOARD OF GOVERNORS”**
7 and inserting **“UNITED STATES AGENCY FOR**
8 **GLOBAL MEDIA”**;

9 (B) in subsection (a), by striking “Broad-
10 casting Board of Governors” and inserting
11 “United States Agency for Global Media”;

12 (C) in subsection (b)(1), by striking
13 “Broadcasting Board of Governors” and insert-
14 ing “United States Agency for Global Media”;
15 and

16 (D) in subsection (c), by striking “Board”
17 each place such term appears and inserting
18 “Agency”;

19 (2) in section 305—

20 (A) in subsection (a)—

21 (i) in paragraph (6), by striking
22 “Board” and inserting “Agency”;

23 (ii) in paragraph (13), by striking
24 “Board” and inserting “Agency”;

25 (iii) in paragraph (20), by striking
26 “Board” and inserting “Agency”; and

1 (iv) in paragraph (22), by striking
2 “Board” and inserting “Agency”; and

3 (B) in subsection (b), by striking “Board”
4 each place such term appears and inserting
5 “Agency”;

6 (3) in section 308—

7 (A) in subsection (a), in the matter pre-
8 ceding paragraph (1), by striking “Board” and
9 inserting “Agency”;

10 (B) in subsection (b), by striking “Board”
11 each place such term appears and inserting
12 “Agency”;

13 (C) in subsection (d), by striking “Board”
14 and inserting “Agency”;

15 (D) in subsection (g), by striking “Board”
16 each place such term appears and inserting
17 “Agency”;

18 (E) in subsection (h)(5), by striking
19 “Board” and inserting “Agency”; and

20 (F) in subsection (i), by striking “Board”
21 and inserting “Agency”;

22 (4) in section 309—

23 (A) in subsection (c)(1), by striking
24 “Board” each place such term appears and in-
25 serting “Agency”;

1 (B) in subsection (e), in the matter pre-
2 ceding paragraph (1), by striking “Board” and
3 inserting “Agency”;

4 (C) in subsection (f), by striking “Board”
5 each place such term appears and inserting
6 “Agency”; and

7 (D) in subsection (g), by striking “Board”
8 and inserting “Agency”;

9 (5) in section 310(d), by striking “Board” and
10 inserting “Agency”;

11 (6) in section 310A(a), by striking “Broad-
12 casting Board of Governors” and inserting “United
13 States Agency for Global Media”;

14 (7) in section 310B, by striking “Board” and
15 inserting “Agency”;

16 (8) in section 313(a), in the matter preceding
17 paragraph (1), strike “Board” and insert “Agency”;

18 (9) in section 314, by striking “(4) the terms
19 ‘Board and Chief Executive Officer of the Board’
20 means the Broadcasting Board of Governors” and
21 inserting the following:

22 “(2) the terms ‘Agency’ and ‘Chief Executive
23 Officer of the Agency’ mean the United States Agen-
24 cy for Global Media”; and

25 (10) in section 315—

1 (A) in subsection (a)(1), by striking
 2 “Broadcasting Board of Governors” and insert-
 3 ing “United States Agency for Global Media”;
 4 and

5 (B) in subsection (c), by striking “Broad-
 6 casting Board of Governors” and inserting
 7 “United States Agency for Global Media”.

8 **SEC. 5. AVOIDING DUPLICATION OF PROGRAMS AND EF-**
 9 **FORTS.**

10 The Under Secretary for Public Diplomacy and Pub-
 11 lic Affairs of the Department of State shall—

12 (1) identify opportunities for greater efficiency
 13 of operations, including through improved coordina-
 14 tion of efforts across public diplomacy bureaus and
 15 offices of the Department of State; and

16 (2) maximize shared use of resources between,
 17 and within, such public diplomacy bureaus and of-
 18 fices in cases in which programs, facilities, or admin-
 19 istrative functions are duplicative or substantially
 20 overlapping.

21 **SEC. 6. IMPROVING RESEARCH AND EVALUATION OF PUB-**
 22 **LIC DIPLOMACY.**

23 (a) DEFINITIONS.—In this section:

24 (1) AUDIENCE RESEARCH.—The term “audi-
 25 ence research” means research conducted at the out-

1 set of a public diplomacy program or campaign plan-
2 ning and design on specific audience segments to un-
3 derstand the attitudes, interests, knowledge, and be-
4 haviors of such audience segments.

5 (2) DIGITAL ANALYTICS.—The term “digital
6 analytics” means the analysis of qualitative and
7 quantitative data, accumulated in digital format, to
8 indicate the outputs and outcomes of a public diplo-
9 macy program or campaign.

10 (3) IMPACT EVALUATION.—The term “impact
11 evaluation” means an assessment of the changes in
12 the audience targeted by a public diplomacy program
13 or campaign that can be attributed to such program
14 or campaign.

15 (4) PUBLIC DIPLOMACY BUREAUS AND OF-
16 FICES.—The term “public diplomacy bureaus and
17 offices” means—

18 (A) the Bureau of Educational and Cul-
19 tural Affairs;

20 (B) the Bureau of Public Affairs;

21 (C) the Bureau of International Informa-
22 tion Programs;

23 (D) the Office of Policy, Planning, and Re-
24 sources for Public Diplomacy and Public Af-
25 fairs;

1 (E) the Global Engagement Center; and

2 (F) the public diplomacy functions within
3 the regional and functional bureaus.

4 (b) RESEARCH AND EVALUATION ACTIVITIES.—The
5 Secretary of State shall—

6 (1) conduct regular research and evaluation of
7 public diplomacy programs and activities of the De-
8 partment of State, including through the routine use
9 of audience research, digital analytics, and impact
10 evaluations, to plan and execute such programs and
11 activities; and

12 (2) make the findings of the research and eval-
13 uations conducted under paragraph (1) available to
14 Congress.

15 (c) DIRECTOR OF RESEARCH AND EVALUATION.—

16 (1) APPOINTMENT.—Not later than 90 days
17 after the date of the enactment of this Act, the Sec-
18 retary of State shall appoint a Director of Research
19 and Evaluation (referred to in this subsection as the
20 “Director”) in the Office of Policy, Planning, and
21 Resources for Public Diplomacy and Public Affairs.

22 (2) LIMITATION ON APPOINTMENT.—The ap-
23 pointment of the Director pursuant to paragraph (1)
24 shall not result in an increase in the overall full-time
25 equivalent positions within the Department of State.

1 (3) RESPONSIBILITIES.—The Director shall—

2 (A) coordinate and oversee the research
3 and evaluation of public diplomacy programs of
4 the Department of State—

5 (i) to improve public diplomacy strate-
6 gies and tactics; and

7 (ii) to ensure that programs are in-
8 creasing the knowledge, understanding,
9 and trust of the United States by relevant
10 target audiences;

11 (B) report to the Director of Policy Plan-
12 ning in the Office of Policy, Planning, and Re-
13 sources for Public Diplomacy and Public Af-
14 fairs;

15 (C) routinely organize and oversee audi-
16 ence research, digital analytics, and impact
17 evaluations across all public diplomacy bureaus
18 and offices of the Department of State;

19 (D) support embassy public affairs sec-
20 tions;

21 (E) share appropriate public diplomacy re-
22 search and evaluation information within the
23 Department of State and with other Federal de-
24 partments and agencies;

1 (F) regularly design and coordinate stand-
2 ardized research questions, methodologies, and
3 procedures to ensure that public diplomacy ac-
4 tivities across all public diplomacy bureaus and
5 offices are designed to meet appropriate foreign
6 policy objectives; and

7 (G) report biannually to the United States
8 Advisory Commission on Public Diplomacy,
9 through the Subcommittee on Research and
10 Evaluation established pursuant to subsection
11 (g), regarding the research and evaluation of all
12 public diplomacy bureaus and offices of the De-
13 partment of State.

14 (4) GUIDANCE AND TRAINING.—Not later than
15 1 year after the appointment of the Director pursu-
16 ant to paragraph (1), the Director shall create guid-
17 ance and training, including curriculum for use by
18 the Foreign Service Institute, for all public diplo-
19 macy officers regarding the reading and interpreta-
20 tion of public diplomacy program evaluation findings
21 to ensure that such findings and lessons learned are
22 implemented in the planning and evaluation of all
23 public diplomacy programs and activities throughout
24 the Department of State.

25 (d) PRIORITIZING RESEARCH AND EVALUATION.—

1 (1) IN GENERAL.—The Director of Policy Plan-
2 ning shall ensure that research and evaluation, as
3 coordinated and overseen by the Director of Re-
4 search and Evaluation, supports strategic planning
5 and resource allocation across all public diplomacy
6 bureaus and offices of the Department of State.

7 (2) ALLOCATION OF RESOURCES.—Amounts al-
8 located for the purposes of research and evaluation
9 of public diplomacy programs and activities pursu-
10 ant to subsection (b) shall be made available to be
11 disbursed at the direction of the Director of Re-
12 search and Evaluation among the research and eval-
13 uation staff across all public diplomacy bureaus and
14 offices of the Department of State.

15 (3) SENSE OF CONGRESS.—It is the sense of
16 Congress that the Department of State should
17 gradually increase its allocation of funds made avail-
18 able under the headings “EDUCATIONAL AND CUL-
19 TURAL EXCHANGE PROGRAMS” and “DIPLOMATIC
20 AND CONSULAR PROGRAMS” for research and evalua-
21 tion of public diplomacy activities and programs pur-
22 suant to subsection (a) to a percentage of program
23 funds that is commensurate with government best
24 practices.

1 (e) LIMITED EXEMPTION.—Chapter 35 of title 44,
2 United States Code (commonly known as the “Paperwork
3 Reduction Act”), shall not apply to collections of informa-
4 tion directed at any individuals conducted by, or on behalf
5 of, the Department of State for the purpose of audience
6 research, monitoring, and evaluations, and in connection
7 with the Department’s activities conducted pursuant to—

8 (1) the United States Information and Edu-
9 cational Exchange Act of 1948 (22 U.S.C. 1431 et
10 seq.);

11 (2) the Mutual Educational and Cultural Ex-
12 change Act of 1961 (22 U.S.C. 2451 et seq.);

13 (3) section 1287 of the National Defense Au-
14 thorization Act for Fiscal Year 2017 (Public Law
15 114–328; 22 U.S.C. 2656 note); or

16 (4) the Foreign Assistance Act of 1961 (22
17 U.S.C. 2151 et seq.).

18 (f) LIMITED EXEMPTION TO THE PRIVACY ACT.—

19 (1) IN GENERAL.—The Department of State
20 shall maintain, collect, use, and disseminate records
21 (as defined in section 552a(a)(4) of title 5, United
22 States Code) for research and data analysis of com-
23 munications related to public diplomacy efforts in-
24 tended for foreign audiences.

1 (2) CONDITIONS.—Research and data analysis
2 under paragraph (1) shall be—

3 (A) reasonably tailored to meet the pur-
4 poses of this subsection; and

5 (B) carried out with due regard for privacy
6 and civil liberties guidance and oversight.

7 (g) UNITED STATES ADVISORY COMMISSION ON
8 PUBLIC DIPLOMACY.—

9 (1) SUBCOMMITTEE FOR RESEARCH AND EVAL-
10 UATION.—The United States Advisory Commission
11 on Public Diplomacy shall establish a Subcommittee
12 for Research and Evaluation to monitor and advise
13 regarding the research and evaluation activities of
14 the Department of State and the United States
15 Agency for Global Media.

16 (2) REPORT.—The Subcommittee for Research
17 and Evaluation established pursuant to paragraph
18 (1) shall submit an annual report to Congress in
19 conjunction with the Commission on Public Diplo-
20 macy’s Comprehensive Annual Report on the per-
21 formance of the Department and the United States
22 Agency for Global Media in carrying out research
23 and evaluations of their respective public diplomacy
24 programming.

1 **SEC. 7. PERMANENT REAUTHORIZATION OF THE UNITED**
2 **STATES ADVISORY COMMISSION ON PUBLIC**
3 **DIPLOMACY.**

4 Section 1334 of the Foreign Affairs Reform and Re-
5 structuring Act of 1998 (22 U.S.C. 6553) is amended—

6 (1) in the section heading, by striking “**SUN-**
7 **SET**” and inserting “**CONTINUATION**”; and

8 (2) by striking “until October 1, 2020”.

○