

Public Law 111–202
111th Congress

An Act

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

July 13, 2010

[S. 3104]

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

SECTION 1. FINDINGS.

22 USC 6208
note.

Congress finds the following:

- (1) Radio Free Asia (referred to in this Act as “RFA”)—
 - (A) was authorized under section 309 of the United States International Broadcasting Act of 1994 (22 U.S.C. 6208);
 - (B) was incorporated as a private, non-profit corporation in March 1996 in the hope that its operations would soon be obviated by the global advancement of democracy; and
 - (C) is headquartered in Washington, DC, with additional offices in Bangkok, Hong Kong, Phnom Penh, Seoul, Ankara, and Taipei.
- (2) RFA broadcasts serve as substitutes for indigenous free media in regions lacking free media outlets.
- (3) The mission of RFA is “to provide accurate and timely news and information to Asian countries whose governments prohibit access to a free press” in order to enable informed decisionmaking by the people within Asia.
- (4) RFA provides daily broadcasts of news, commentary, analysis, and cultural programming to Asian countries in several languages, including—
 - (A) 12 hours per day in Mandarin;
 - (B) 8 hours per day in 3 Tibetan dialects, Uke, Kham, and Amdo;
 - (C) 4 hours per day in Korean and Burmese;
 - (D) 2 hours per day in Cantonese, Vietnamese, Laotian, Khmer (Cambodian), and Uyghur; and
 - (E) 1½ hours per week in Wu (local Shanghai dialect).
- (5) The governments of the countries targeted for these broadcasts have consistently denied and blocked attempts at Medium Wave and FM transmissions into their countries, forcing RFA to rely on Shortwave broadcasts and the Internet.
- (6) RFA has provided continuous online news to its Asian audiences since 2004, although some countries—
 - (A) routinely and aggressively block RFA’s website;
 - (B) monitor access to RFA’s website; and
 - (C) discourage online users by making it illegal to access RFA’s website.

(7) Despite these attempts, RFA has successfully managed to reach its online audiences through proxies, cutting-edge software, and active republication and repostings by its audience.

(8) RFA also provides forums for local opinions and experiences through message boards, podcasts, web logs (blogs), cell phone-distributed newscasts, and new media, including Facebook, Flickr, Twitter, and YouTube.

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

(10) In fiscal year 2010, RFA is operating on a \$37,000,000 budget, less than \$400,000 of which is available to fund Internet censorship circumvention.

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

SEC. 2. SENSE OF THE SENATE.

It is the sense of the Senate that—

(1) public access to timely, uncensored, and accurate information is imperative for promoting government accountability and the protection of human rights;

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

(3) some of the governments in Asia spend millions of dollars each year to jam RFA's shortwave, block its Internet sites;

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

(A) Internet censorship circumvention; and

(B) enhancement of their cyber security efforts; and

(5) permanently authorizing funding for Radio Free Asia would—

(A) reflect the concern that media censorship and press restrictions in the countries served by RFA have increased since RFA was established; and

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

SEC. 3. PERMANENT AUTHORIZATION FOR RADIO FREE ASIA.

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

(1) in subsection (c)(2), by striking “, and shall further specify that funds to carry out the activities of Radio Free Asia may not be available after September 30, 2010”;

(2) by striking subsection (f);

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

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

(A) by striking “The Board” and inserting the following: “(1) NOTIFICATION.—The Board”;

(B) by striking “before entering” and inserting the following: “before—

“(A) entering”;

(C) by striking “Radio Free Asia.” and inserting the following: “Radio Free Asia; or

“(B) entering into any agreements in regard to the utilization of Radio Free Asia transmitters, equipment, or other resources that will significantly reduce the broadcasting activities of Radio Free Asia.”;

(D) by striking “The Chairman” and inserting the following:

“(2) CONSULTATION.—The Chairman”; and

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

Approved July 13, 2010.

LEGISLATIVE HISTORY—S. 3104:

SENATE REPORTS: No. 111-214 (Comm. on Foreign Relations).

CONGRESSIONAL RECORD, Vol. 156 (2010):

June 25, considered and passed Senate.

June 30, considered and passed House.