

Page Denied

STAT

STAT

STAT

15 MAR 1983 PS

II

98TH CONGRESS
1ST SESSION

S. 659

To authorize the Board of International Broadcasting to provide Federal funding for radio broadcasting to Cuba.

IN THE SENATE OF THE UNITED STATES

MARCH 3 (legislative day, FEBRUARY 23), 1983

Mr. PERCY (by request) introduced the following bill; which was read twice and referred to the Committee on Foreign Relations

A BILL

To authorize the Board of International Broadcasting to provide Federal funding for radio broadcasting to Cuba.

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

3 SHORT TITLE

4 SECTION. 1. This Act may be cited as the "Radio
5 Broadcasting to Cuba Act."

6 DECLARATION OF ADDITIONAL PURPOSES

7 SEC. 2. Section 2 of the Board for International Broad-
8 casting Act of 1973 (22 U.S.C. 2871) is amended—

9 (1) by inserting "(a)" immediately after "SEC.
10 2."; and

1 (2) by adding at the end of the section the follow-
2 ing:

3 “(b) The Congress further finds and declares—

4 “(1) that, consonant with the policy set out in
5 subsections (a) (1) and (2), radio broadcasting to Cuba
6 may be effective in furthering the open communication
7 of accurate information and ideas to the people of
8 Cuba, in particular information about Cuba; and

9 “(2) that such broadcasting to Cuba, operated in a
10 manner not inconsistent with the broad foreign policy
11 of the United States and in accordance with high pro-
12 fessional standards, would be in the national interest.”

13 **ADDITIONAL FUNCTIONS OF THE BOARD**

14 **SEC. 3.** Section 4 of the Board for International Broad-
15 casting Act of 1973 (22 U.S.C. 2873) is amended by adding
16 at the end thereof the following:

17 “(c) In order to further carry out the purposes set forth
18 in section 2 of this Act, the Board is authorized to provide for
19 the open communication of information and ideas through the
20 use of radio broadcasting to Cuba. The Board may carry out
21 this subsection by means of grants, leases, or contracts (sub-
22 ject to the availability of appropriations), or such other means
23 as the Board determines will most effectively carry out the
24 purposes set forth in section 2. With respect to grants to, or
25 leases or contracts with, a separate entity or other means of

1 carrying out broadcasting to Cuba, the Board shall have the
2 same authorities as those detailed in subsection (a) of this
3 section.

4 “(d) Radio broadcasting to Cuba under this Act shall
5 serve as a consistently reliable and authoritative source of
6 accurate, objective, and comprehensive news.

7 “(e) Any broadcasting to Cuba in accordance with sub-
8 sections (c) and (d) on the AM band (535 kHz to 1605 kHz)
9 other than that conducted by means of leasing time on com-
10 mercial or noncommercial educational radio broadcasting sta-
11 tions, shall be limited to the frequency used by the Voice of
12 America for its broadcasts from the facilities located at Mara-
13 thon, Florida. In the event that broadcasting is conducted on
14 the frequency used by the Voice of America, the Voice of
15 America broadcasting facilities located at Marathon, Florida,
16 may also be used for the purposes of this Act.”

17 **ASSISTANCE FROM OTHER GOVERNMENT AGENCIES**

18 **SEC. 4.** The Board for International Broadcasting Act
19 of 1973 is amended by adding at the end thereof the follow-
20 ing:

21 **“ASSISTANCE FROM OTHER GOVERNMENT AGENCIES**

22 **“SEC. 12.** In order to assist the Board in carrying out
23 the purposes set forth in section 2 of this Act, any agency or
24 instrumentality of the United States may sell, loan, lease, or
25 grant property (including interests therein) and may perform

5

1 Compliance with the requirements of this subsection shall not
2 be construed to make such corporation a Federal agency or
3 instrumentality.”.

4 (b) The section heading for section 11 of the Board for
5 International Broadcasting Act of 1973 is amended to read
6 as follows: “MERGER OF BOARDS OF DIRECTORS”.

○

S 2082

CONGRESSIONAL RECORD — SENATE

March 3, 1983

By Mr. QUAYLE:

S. 685. A bill to provide savings in the Federal Employees Compensation Act, and for other purposes; to the Committee on Labor and Human Resources.

S. 686. A bill to amend the Age Discrimination in Employment Act of 1967 to eliminate the upper age limitation of 70 years of age, to make procedural reforms, and reinstate the tenured faculty exemption, and for other purposes; to the Committee on Labor and Human Resources.

By Mr. HEINZ (for himself, Mr. DIXON, Mr. BYRD, Mr. SPECTER, Mr. PERCY, Mr. LEVIN, Mr. RIEGLE, Mr. RANDOLPH, Mr. SARBANES, Mr. PELL, and Mr. GLENN):

S. 687. A bill to amend the Federal Supplemental Compensation Act of 1982 to increase the number of weeks of compensation; to the Committee on Finance.

By Mr. HATFIELD:

S. 688. A bill to provide that, unless the Government of El Salvador actively participates in negotiations with all major parties to the conflict which are willing to participate unconditionally in negotiations for the purpose of achieving a cease fire and an equitable political solution to hostilities, U.S. military support for El Salvador shall be terminated, with military assistance funds to be transferred for use for development and humanitarian assistance; to the Committee on Foreign Relations.

By Mr. HEINZ:

S. 689. A bill entitled the Natural Gas Policy Act Amendments of 1983; to the Committee on Energy and Natural Resources.

By Mrs. HAWKINS:

S.J. Res. 47. Joint resolution authorizing and requesting the President to proclaim "National Disabled Veterans Week"; to the Committee on the Judiciary.

By Mr. McCLORE (for himself and Mr. MATTINGLY):

S.J. Res. 48. Joint resolution to amend the Constitution of the United States to limit budget outlays for a fiscal year to not more than 20 per centum of gross national product for such fiscal year; to the Committee on the Judiciary.

By Mr. PERCY (for himself, Mr. PERCY, Mr. BYRD, Mr. DOMENICI, Mr. PRESSLER, Mr. HOLLINGS, Mr. LUGAR, Mr. INOUE, Mr. JACKSON, Mr. DODD, Mr. SARBANES, Mr. PROXMIER, Mr. ZORINSKY, Mr. CHAFFEE, Mr. BOSCHWITZ, Mr. HUDDLESTON, Mr. MOYNIHAN, Mr. CHILES, Mr. BIDEN, Mr. DIXON, Mr. LEVIN, Mr. HART, Mr. KENNEDY, Mr. SASSER, Mr. DANFORTH, Mr. COHEN, Mr. MATHIAS, Mr. MITCHELL, and Mr. STEVENS):

S.J. Res. 49. Joint resolution to authorize and request the President to proclaim the week of April 10-16, 1983, as "A Week of Remembrance for the 40th Anniversary of the Warsaw Ghetto Uprising"; to the Committee on the Judiciary.

By Mr. LEVIN (for himself, Mr. BAUCUS, Mr. CHAFFEE, Mr. GLENN, Mrs. HAWKINS, Mr. HOLLINGS, Mr. RIEGLE, and Mr. ZORINSKY):

S.J. Res. 50. Joint resolution designating the week beginning September 25, 1983, as "National Adult Day Care Center Week"; to the Committee on the Judiciary.

By Mr. DOLE (for himself and Mr. MOYNIHAN):

S.J. Res. 51. Joint resolution designating May 21, 1983, as "Andrei Sakharov Day"; to the Committee on the Judiciary.

By Mr. QUAYLE (for himself, Mr. INOUE, Mr. HATCH, Mr. SPECTER, Mr. D'AMATO, Mr. WEICKER, Mr. HOLLINGS, Mr. BAUCUS, Mr. KENNEDY, Mr. BURDICK, Mr. RIEGLE, Mr. COCH-

RAN, Mr. DECONCINI, Mr. STENNIS, Mr. STEVENS, Mr. ANDREWS, Mr. LUGAR, Mr. STAFFORD, Mrs. HAWKINS, Mr. RANDOLPH, Mr. METZENBAUM, and Mr. DODD):

S.J. Res. 52. Joint resolution to authorize and request the President to designate the week of April 10, 1983, through April 16, 1983, as "National Mental Health Week"; to the Committee on the Judiciary.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. STEVENS (for Mr. THURMOND) (for himself, Mr. STEVENS and Mr. LAXALT):

S. Res. 79. Resolution to commend the value of the Health Fair Program; considered and agreed to.

By Mr. BYRD:

S. Res. 80. Resolution to amend rule XV to provide a procedure to require that amendments to a bill or resolution be germane after a vote by three fifths of all Senators; to the Committee on Rules and Administration.

By Mr. STEVENS (for Mr. BAKER) (for himself and Mr. BYRD):

S. Res. 81. Resolution to direct the Senate Legal Counsel to represent Senator MOYNIHAN and Senator D'AMATO in the case of *Municipal Electric Utilities Association of New York State v. Ronald W. Reagan, et al.* Civil Action No. 83-0595; considered and agreed to.

By Mr. MOYNIHAN (for himself and Mr. HART):

S. Con. Res. 13. Concurrent resolution to achieve economic growth through coordination of monetary and fiscal policy; to the Committee on Banking, Housing, and Urban Affairs.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. PERCY (by request):

S. 659. A bill to authorize the Board for International Broadcasting to provide Federal funding for radio broadcasting to Cuba; to the Committee on Foreign Relations.

RADIO BROADCASTING TO CUBA ACT

Mr. PERCY. Mr. President, by request, I introduce for appropriate reference a bill to provide Federal funding for radio broadcasting to Cuba.

This legislation has been requested by the Department of State and I am introducing the proposed legislation in order that there may be a specific bill to which Members of the Senate and the public may direct their attention and comments.

I reserve my right to support or oppose this bill, as well as any suggested amendments to it, when the matter is considered by the Committee on Foreign Relations.

I ask unanimous consent that the bill be printed in the RECORD at this point, together with a legislative analysis, and the letter from the Assistant Secretary of State for Congressional Relations to the President of the Senate dated February 24, 1983, requesting this legislation.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

S. 659

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

SHORT TITLE

SECTION 1. This Act may be cited as the "Radio Broadcasting to Cuba Act".

DECLARATION OF ADDITIONAL PURPOSES

SEC. 2. Section 2 of the Board for International Broadcasting Act of 1973 (22 U.S.C. 2871) is amended—

(1) by inserting "(a)" immediately after "Sec. 2."; and

(2) by adding at the end of the section the following:

"(b) The Congress further finds and declares—

"(1) that, consonant with the policy set out in subsections (a) (1) and (2), radio broadcasting to Cuba may be effective in furthering the open communication of accurate information and ideas to the people of Cuba, in particular information about Cuba; and

"(2) that such broadcasting to Cuba, operated in a manner not inconsistent with the broad foreign policy of the United States and in accordance with high professional standards, would be in the national interest."

ADDITIONAL FUNCTIONS OF THE BOARD

SEC. 3. Section 4 of the Board for International Broadcasting Act of 1973 (22 U.S.C. 2873) is amended by adding at the end thereof the following:

"(c) In order to further carry out the purposes set forth in section 2 of this Act, the Board is authorized to provide for the open communication of information and ideas through the use of radio broadcasting to Cuba. The Board may carry out this subsection (subject to the availability of appropriations), or such other means as the Board determines will most effectively carry out the purposes set forth in section 2. With respect to grants to or leases or contracts with a separate entity or other means of carrying out broadcasting to Cuba, the Board shall have the same authorities as those detailed in subsection (a) of this section.

"(d) Radio broadcasting to Cuba under this Act shall serve as a consistently reliable and authoritative source of accurate, objective and comprehensive news.

"(e) Any broadcasting to Cuba in accordance with subsections (c) and (d) on the AM band (535 kHz to 1605 kHz), other than that conducted by means of leasing time on commercial or non-commercial educational radio broadcasting stations, shall be limited to the frequency used by the Voice of America for its broadcasts from the facilities located at Marathon, Florida. In the event that broadcasting is conducted on the frequency used by the Voice of America, the Voice of America broadcasting facilities located at Marathon, Florida, may also be used for the purposes of this Act."

ASSISTANCE FROM OTHER GOVERNMENT AGENCIES

SEC. 4. The Board for International Broadcasting Act of 1973 is amended by adding at the end thereof the following:

"ASSISTANCE FROM OTHER GOVERNMENT AGENCIES

"SEC. 12. In order to assist the Board in carrying out the purposes set forth in section 2 of this Act, any agency or instrumentality of the United States may sell, loan,

March 3, 1983

CONGRESSIONAL RECORD — SENATE

S 2083

lease, or grant property (including interests therein) and may perform administrative and technical support and services at the request of the Board. Support and services shall be provided on a reimbursable basis, which reimbursement shall be credited to the appropriation from which the property, support, or service was derived."

MERGER OF BOARDS OF DIRECTORS

Sec. 5. (a) Section 11 of the Board for International Broadcasting Act of 1973 is amended by adding at the end thereof the following:

"(c) No grant may be made under this Act to Radio Broadcasting to Cuba, Incorporated, or any other corporation established to provide radio broadcasting to Cuba, unless such corporation provides in its certificate of incorporation that—

"(1) the Board of Directors of such corporation shall consist of the members of the Board for International Broadcasting and no other members; and

"(2) such Board of Directors shall make all major policy determinations governing the operation of such corporation and shall appoint and fix the compensation of such managerial officers and employees of such corporation as it deems necessary to carry out the purposes of this Act.

Compliance with the requirements of this subsection shall not be construed to make such corporation a Federal agency or instrumentality."

(b) The section heading for Section 11 of the Board for International Broadcasting Act of 1973 is amended to read as follows: "MERGER OF BOARDS OF DIRECTORS".

U.S. DEPARTMENT OF STATE,
Washington, D.C., February 24, 1983.

HON. GEORGE BUSH,
President of the Senate.

DEAR MR. PRESIDENT: I have the honor to submit for the consideration of the Congress a bill that would authorize the Board for International Broadcasting to provide federal funding for radio broadcasting to Cuba.

I urge that the Congress give this proposal its early and favorable consideration.

The Office of Management and Budget has advised that there is no objection to the presentation of this proposal to the Congress and that its enactment would be in accord with the program of the President.

Sincerely,

POWELL A. MOORE,
Assistant Secretary for
Congressional Relations.

LEGISLATIVE ANALYSIS: RADIO BROADCASTING
TO CUBA ACT
BACKGROUND

On September 22, 1981, the President issued Executive Order 12323 creating the Presidential Commission on Broadcasting to Cuba. The Commission's Final Report strongly urged the early establishment of radio broadcasting to Cuba, to provide the people of Cuba with a source of accurate and objective information, particularly about Cuba. The Commission recommended that such broadcasting be conducted along the same lines as Radio Free Europe and Radio Liberty. During the last session of Congress, the Administration sent to the Congress proposed legislation authorizing funding for radio broadcasting to Cuba. H.R. 5427, as amended, passed the House on August 10, 1982 and, as further amended, was favorably reported by the Senate Foreign Relations Committee on September 9, 1982; however, one bill was never voted on by the full Senate.

This legislation, which amends the Board for International Broadcasting Act of 1973,

22 U.S.C. 2871 et seq., is in several respects similar to H.R. 5427. It authorizes the Board for International Broadcasting to provide for federally funded broadcasting to Cuba, in much the same way that the Board now oversees federal grants to Radio Free Europe and Radio Liberty.

DETAILED ANALYSIS BY SECTION

Section 2

Section 2 contains the congressional findings and policy statement with respect to radio broadcasting to Cuba. It declares that the policy already enunciated in Section 2 of the Board for International Broadcasting Act of 1973, 22 U.S.C. 2871—promoting open communication of information and ideas and supporting the right to receive such information and ideas through any media and regardless of frontiers—may be furthered by radio broadcasting to Cuba. Subparagraph (b)(2) links such broadcasting, operated in accordance with high professional standards and not inconsistently with U.S. foreign policy, to the national interest in general.

Section 3

Section 3, amending the authority under which the Board for International Broadcasting now makes and supervises grants to Radio Free Europe and Radio Liberty, 22 U.S.C. 2873, establishes the basic authority for the Board for International Broadcasting to provide for radio broadcasting to Cuba. Subsection (c) incorporates the relevant authorities the Board for International Broadcasting already possesses with respect to Radio Free Europe and Radio Liberty, and in general allows broad flexibility to the Board to provide for broadcasting to Cuba through grants, leases, contracts or other means the Board deems appropriate.

Subsection (e), however, limits any broadcasting on the AM band (535 kHz to 1605 kHz) to the leasing of time from other stations or to the frequency now used by the Voice of America for its broadcasts from Marathon, Florida. In the event that the latter option is used, it is contemplated that the Board for International Broadcasting will consult with the U.S. Information Agency in determining an appropriate allocation of time between broadcasting to Cuba under this Act and the broadcasts of the Voice of America. This subsection (e) was included to respond to concerns of broadcasters over possible increased Cuban interference on the present commercial portion of the AM band.

Subsection (d) provides that, in accordance with the distinguished tradition of Radio Free Europe and Radio Liberty, radio broadcasting to Cuba shall serve as a consistently reliable source of accurate and objective information.

Section 4

Section 4 adds a new Section 12 to the Board for International Broadcasting Act to provide specific authority for the Board to receive, on a reimbursable basis, a wide range of assistance from other other government agencies, including making property and support services available. Reimbursement in amounts appropriate for such inter-agency transfers would be credited to appropriations available for use by the agency furnishing the assistance.

Section 5

Section 5 amends Section 11 of the Board for International Broadcasting Act of 1973, 22 U.S.C. 2880, to make its substance applicable to broadcasting to Cuba. Section 11, added in 1982 by Section 403 of P.L. 97-241, requires that in order for RFE/RL, Incorporated (Radio Free Europe/Radio Liberty) to receive federal support under the Act, its Board of Directors must consist, only of the

members of the Board for International Broadcasting. Section 11 also requires that the Board have actual control over the operations and management of RFE/RL, Incorporated and specifies that the requirements of that section are not to be construed to render RFE/RL, Incorporated a Federal agency or instrumentality. Section 5 of the Radio Broadcasting to Cuba Act applies these provisions of Section 11 of the Board for International Broadcasting Act to any corporation similar to RFE/RL, Incorporated (such as the already-existing but non-operational Radio Broadcasting to Cuba, Incorporated) to which the Board for International Broadcasting might provide support under this Act for purposes of broadcasting to Cuba.

By Mr. PERCY (by request):

S. 660. A bill to authorize appropriations for fiscal years 1984 and 1985 for the Department of State; to the Committee on Foreign Relations.

DEPARTMENT OF STATE AUTHORIZATION ACT,
FISCAL YEARS 1984 AND 1985

Mr. PERCY. Mr. President, by request, I introduce for appropriate reference a bill authorizing appropriations for fiscal years 1984 and 1985 for the Department of State.

This legislation has been requested by the State Department and I am introducing the proposed legislation in order that there may be a specific bill to which Members of the Senate and the public may direct their attention and comments.

I reserve my right to support or oppose this bill, as well as any suggested amendments to it, when the matter is considered by the Committee on Foreign Relations.

I ask unanimous consent that the bill be printed in the Record at this point, together with a section-by-section analysis, and the letter from the Assistant Secretary of State for Congressional Relations to the President of the Senate dated March 1 requesting this legislation.

There being no objection, the material was ordered to be printed in the Record, as follows:

S. 660

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

TITLE I—DEPARTMENT OF STATE

SHORT TITLE

SEC. 101. This title may be cited as the "Department of State Authorization Act, Fiscal Years 1984 and 1985."

AUTHORIZATIONS OF APPROPRIATIONS

SEC. 102. The following amounts are authorized to be appropriated for the Department of State to carry out the authorities, functions, duties, and responsibilities in the conduct of the foreign affairs of the United States and other purposes authorized by law:

(1) For "Administration of Foreign Affairs," \$1,473,713,000 for the fiscal year 1984 and \$1,574,520,000 for the fiscal year 1985.

(2) For "International Organizations and Conferences," \$602,343,000 for the fiscal year 1984 and \$645,978,000 for the fiscal year 1985.

(3) For "International Commissions," \$23,207,000 for the fiscal year 1984 and \$27,329,000 for the fiscal year 1985.

aj to

FEB 1983

PS

II

98TH CONGRESS
1ST SESSION**S. 602**

To provide for the broadcasting of accurate information to the people of Cuba, and for other purposes.

IN THE SENATE OF THE UNITED STATES

FEBRUARY 24 (legislative day, FEBRUARY 23), 1983

Mrs. HAWKINS (for herself and Mr. CHILES) introduced the following bill; which was read twice and referred to the Committee on Foreign Relations

A BILL

To provide for the broadcasting of accurate information to the people of Cuba, 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 That this Act may be cited as the "Radio Broadcasting to
4 Cuba Act".

5 **DECLARATION OF ADDITIONAL PURPOSES**

6 **SEC. 2.** Section 2 of the Board for International Broad-
7 casting Act of 1973 (22 U.S.C. 2871) is amended—

8 (1) by inserting "(a)" immediately after "SEC.
9 2."; and

1 (2) by adding at the end of the section the follow-
2 ing:

3 “(b) The Congress further finds and declares—

4 “(1) that, consonant with this policy set out in
5 subsections (a) (1) and (2), radio broadcasting to Cuba
6 may be effective in furthering the open communication
7 of accurate information and ideas to the people of
8 Cuba, in particular information about Cuba; and

9 “(2) that such broadcasting to Cuba, operated in a
10 manner not inconsistent with the broad foreign policy
11 of the United States and in accordance with high pro-
12 fessional standards, would be in the national interest.”.

13 **ADDITIONAL FUNCTIONS OF THE BOARD**

14 **SEC. 3.** Section 4 of the Board for International Broad-
15 casting Act of 1973 (22 U.S.C. 2873) is amended by adding
16 at the end thereof the following:

17 “(c) In order to further carry out the purposes set forth
18 in section 2 of this Act, the Board is authorized to provide for
19 the open communication of information and ideas through the
20 use of radio broadcasting to Cuba. The Board may carry out
21 this subsection by means of grants, leases, or contracts (sub-
22 ject to the availability of appropriations), or such other means
23 as the Board determines will most effectively carry out the
24 purposes set forth in section 2. With respect to grants to or
25 leases or contracts with a separate entity or other means of

1 carrying out broadcasting to Cuba, the Board shall have the
2 same authorities as those detailed in subsection (a) of this
3 section.

4 “(d) Radio broadcasting to Cuba under this Act shall
5 serve as a consistently reliable and authoritative source of
6 accurate, objective, and comprehensive news.

7 “(e) Any broadcasting to Cuba in accordance with sub-
8 sections (c) and (d) on the amplitude modulation (AM) band
9 (535 kHz to 1605 kHz), other than that conducted by means
10 of leasing time on commercial or noncommercial educational
11 radio broadcasting stations, shall be limited to the frequency
12 used by the Voice of America for its broadcasts from the
13 facilities located at Marathon, Florida. In the event that
14 broadcasting is conducted on the frequency used by the Voice
15 of America, the Voice of America broadcasting facilities lo-
16 cated at Marathon, Florida, may also be used for the pur-
17 poses of this Act.”.

18 ASSISTANCE FROM OTHER GOVERNMENT AGENCIES

19 SEC. 4. The Board for International Broadcasting Act
20 of 1973 is amended by adding at the end thereof the follow-
21 ing:

22 “ASSISTANCE FROM OTHER GOVERNMENT AGENCIES

23 “SEC. 12. In order to assist the Board in carrying out
24 the purposes set forth in section 2 of this Act, any agency or
25 instrumentality of the United States may sell, loan, lease, or

1 grant property (including interests therein) and may perform
2 administrative and technical support and services at the re-
3 quest of the Board. Support and services shall be provided on
4 a reimbursable basis, which reimbursement shall be credited
5 to the appropriation from which the property, support, or
6 service was derived.”.

7
8 **MERGER OF BOARDS OF DIRECTORS**

9 **SEC. 5. (a)** Section 11 of the Board for International
10 Broadcasting Act of 1973 is amended by adding at the end
11 thereof the following:

12 “(c) No grant may be made under this Act to Radio
13 Broadcasting to Cuba, Incorporated, or any other corporation
14 established to provide radio broadcasting to Cuba, unless
15 such corporation provides in its certificate of incorporation
16 that—

17 “(1) the Board of Directors of such corporation
18 shall consist of the members of the Board for Interna-
19 tional Broadcasting and no other members; and

20 “(2) such Board of Directors shall make all major
21 policy determinations governing the operation of such
22 corporation and shall appoint and fix the compensation
23 of such managerial officers and employees of such cor-
24 poration as it deems necessary to carry out the pur-
poses of this Act.

5

1 Compliance with the requirements of this subsection shall not
2 be construed to make such corporation a Federal agency or
3 instrumentality.”.

4 (b) The section heading for section 11 of the Board for
5 International Broadcasting Act of 1973 is amended to read
6 as follows: “MERGER OF BOARDS OF DIRECTORS”.

○

February 24, 1983

CONGRESSIONAL RECORD — SENATE

S 1617

I would ask my colleagues to act on this legislation as expeditiously as possible.

Mr. President, I ask unanimous consent that the bill be printed in the Record.

There being no objection, the bill was ordered to be printed in the Record, as follows:

S. 600

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

SECTION 1. (a) The first section of the Act entitled, "An Act to authorize the Secretary of the Interior to make payments to appropriate school districts to assist in providing educational facilities and services for persons living within or near the Grand Canyon National Park on nontaxable Federal lands, and for other purposes," approved March 14, 1978 (92 Stat. 154), as amended (20 U.S.C. note following sec. 2305), is amended by striking out the matter after the enacting clause through the word "payments" the first time it appears and inserting in lieu thereof the following: "That (a) notwithstanding any other provision of law providing for the disposition of revenues described in this subsection, and under such terms and conditions as may be prescribed by the Secretary of the Interior, payments may be made, in advance or otherwise, from any revenues received by the United States from visitors to Grand Canyon National Park,".

(b) Subsection (c) on the first section of such Act is amended to read as follows:

"(c) For the purpose of this Act, the Secretary of the Treasury is authorized and directed to maintain in a special fund a portion of the park revenues, sufficient for the maintenance and operation of Federally owned buildings, facilities, equipment, real property, and grounds used for school purposes, and for all applicable current Federal, State, and local fire life safety, and building codes, based upon estimates to be submitted by the Secretary of the Interior, and to expend amounts deposited in the special funds under this subsection upon certification by the Secretary of the Interior.

By Mr. QUAYLE (for himself and Mr. PELL):

S. 601. A bill to provide for demonstration projects under which the Secretary of Defense may require a contractor under certain defense contracts to provide training in skilled occupations in which there is a substantial shortage and for other purposes; to the Committee on Labor and Human Resources.

DEFENSE PROCUREMENT TRAINING
DEMONSTRATION PROJECT ACT

● Mr. QUAYLE. Mr. President, today I am reintroducing the "Defense Procurement Training Demonstration Project Act." I am pleased to have Mr. PELL again join me in cosponsoring this bill. In hearings before the Subcommittee on Employment and Productivity, which I chair, we have repeatedly heard testimony that there is a shortage of skilled labor for available positions, despite the continuing high rate of unemployment. My proposal would provide one component to resolve this paradoxical problem of continuing skill shortages in the midst of vast unemployment.

The bill requires the Secretary of Labor to publish a list of skilled occu-

pations in which there is a substantial projected shortage, and then authorizes the Secretary of Defense to select from this list those skills in which a shortage will have an adverse impact on defense procurement. With respect to any large contract requiring the use of such skills, the Secretary of Defense is authorized to require the contractor or subcontractor to provide the training in that occupation.

This is a demonstration project only, and the Secretary of Defense is to report to the Congress on its efficiency within 30 months. The bill also contains a provision to facilitate the donation of surplus machine tools and related equipment to vocational education schools in order to assist those schools in providing necessary skill training.

I ask unanimous consent that a copy of the bill be printed in the Record.

There being no objection, the bill was ordered to be printed in the Record, as follows:

S. 601

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Defense Procurement Training Demonstration Project Act".

SEC. 2. (a)(1) The Secretary of Defense, after consultation with the Secretary of Labor, is authorized to establish and carry out demonstration projects in accordance with the provisions of this Act to provide training in skilled occupations in which there is a substantial shortage of workers in defense procurement.

(2) For the purpose of this Act "defense procurement" means any procurement defined in section 2303 of title 10, United States Code.

(b)(1) The Secretary of Labor shall develop and publish a list of skilled occupations in which there is a substantial shortage of workers. The list shall be revised annually.

(2) For the purpose of this subsection—
(A) the term "skilled occupations" includes only occupations for which the normal training program is at least two years but the term does not include any occupation for which a college degree is a normal prerequisite; and
(B) there is a substantial shortage of workers with respect to a skilled occupation if the sum of the number of trained programs in that skilled occupation is less than 80 per centum of the anticipated demand for the occupation for the five-year period beginning on the first day of the first month after the determination is made.

(c) The Secretary of Defense shall prepare a list of occupations, based upon the list of occupations prepared by the Secretary of Labor under subsection (b), which, the Secretary of Defense determines will, because of the shortage of workers in any specific occupation, have an adverse effect on defense procurement by expanding the lead-time for such procurement or by increasing the costs of the defense procurement.

(d) The Secretary of Defense shall carry out the demonstration projects authorized by this Act with respect to selected contracts for defense procurement entered into after the date of enactment of this Act if the Secretary determines that—

(1) the defense procurement contract involves the expenditure of at least \$10,000,000;

(2) the defense procurement contract will require the contractor or any subcontractor

of the contractor to hire additional workers in any of the skilled occupations contained in the list prepared by the Secretary of Defense under subsection (c); and

(3) the training of workers to meet the shortage of workers in any skilled occupation listed under subsection (b) is critical to the timely completion of work under defense procurement contracts in the area in which the contract will be performed.

(e) In carrying out the provisions of this Act the Secretary of Defense is authorized to include, in any contract selected by the Secretary to be a demonstration project, provisions designed to—

(1) require the contractor to provide training (either directly, or by way of contract or other arrangement) in the skills which the Secretary of Defense determines to be necessary to the completion of the contract under subsection (c) of this section; and

(2) specify the type of training, including on-the-job training, training from agencies and institutions experienced in furnishing occupational training, or any combination of such training.

(f) The Secretary of Defense shall, to the extent practicable, assure an equitable geographic distribution of training pilot projects carried out under this Act.

SEC. 3. In awarding contracts under applicable provisions of Federal law, the costs associated with carrying out demonstration projects under this Act shall not be considered.

SEC. 4. Not later than two and one-half years after the date of enactment of this Act, the Secretary of Defense shall prepare and submit to the Congress a report on the demonstration projects carried out under this Act, together with such recommendations, including recommendations for legislation, as the Secretary deems appropriate.

SEC. 5. Section 4 of the Defense Industrial Reserve Act (50 U.S.C. 45) is amended—

(1) by striking out "and" at the end of clause (6);

(2) by striking out the period at the end of clause (7) and inserting in lieu thereof a semicolon and the word "and"; and

(3) by adding at the end thereof the following as a clause:

"(8) authorize the donation of any such property directly to the educational institution or training school having a loan agreement for any such property when in the opinion of the Secretary that property is no longer needed by the Department of Defense." ●

By Mrs. HAWKINS (for herself and Mr. CLEGG):

S. 602. A bill to provide for the broadcasting of accurate information to the people of Cuba, and for other purposes; to the Committee on Foreign Relations.

RADIO MARTI

Mrs. HAWKINS. Mr. President, I am submitting today a bill to establish a Government-operated radio station for broadcasting to Cuba, known as Radio Marti. If created, Radio Marti will provide the Cuban people with comprehensive and objective news about Cuba and Cuba's role in the world. Legislation similar to this passed the House by an almost 2 to 1 margin, and was favorably reported out of the Senate Foreign Relations Committee during the 97th Congress. Only time constraints in the "lame duck" session prevented this legislation from becoming law last year.

I believe that it is essential that the Senate take swift action on this legislation. If we do, for the first time in a long time the people of Cuba will be able to listen to an alternative to government-censored news and programs. When this legislation is enacted, the Cuban people will finally hear the truth. Access to accurate news reports and varied opinions is something that we in the United States take for granted. We forget sometimes that the truth is a precious and rare commodity in countries where the government censors every broadcast and news report. For decades, the United States has provided the people of Eastern Europe and the Soviet Union an alternative to government propaganda, and now at long last we can provide the same to the people of Cuba.

I believe that the people of Cuba would soon learn to rely on Radio Marti for information about the world—and especially about their own country—in the same way that the people of Eastern Europe and the Soviet Union rely on Radio Free Europe and Radio Liberty. As it stands now, the Cuban people learn the news from either the government-controlled media or by word of mouth. Both of these sources are inadequate and unreliable. True, there are broadcasts that reach Cuba from Florida, but these are for the most part in English and are designed for an American, not a Cuban, audience.

What the people of Cuba need is a Spanish-language broadcast with a clear signal to alert them to events involving Cuba domestically or internationally. They do not get such information now. Most Cubans are unaware of the mismanagement of the Cuban economy. They do not know that during the 1976-80 5-year plan, production in most key sectors fell far below planned goals. They are not aware that the Cuban economy is expected to be even less successful at producing jobs in the future. They are also ignorant of the fact that government-imposed bureaucracy, in addition to the personal inconveniences it causes, is stifling the innovation, productivity, and efficiency needed to improve Cuban economic conditions. The average Cuban does not know that the only thing that has prevented a Cuban economic collapse has been over \$13 billion in Soviet aid over the last decade, or that Soviet subsidies now equal over \$3 billion per year, 25 percent of the Cuban gross national product. While many Cubans know from their own experience about broken promises concerning the availability of housing, foodstuffs, and consumer goods, they are uninformed that these problems plague the great majority of the Cuban people.

Local disinformation is also a problem. For example, the Cuban Government points to an increase in the number of physicians in Cuba as one of its health care successes. In fact, though, the number of physicians as a

percentage of the population has increased marginally since the revolution, and the turn around began 5 years before the Castro takeover. More importantly, infant mortality—a function of illiteracy, poor nutrition, and a rising birth rate—has increased since Castro's revolution.

The Cuban people are also deliberately kept ignorant of the Cuban Government's foreign adventures. Cuban soldiers who have died in Africa have been buried there, and those who have been wounded have been treated in Eastern Europe as part of a concerted effort to hide the truth from the people of Cuba. Closer to home, the Castro regime has armed, trained, and supported guerrillas from Colombia to Nicaragua. Yet, the Cuban people are unaware of their country's deep involvement and commitment of resources to international subversion, or the diplomatic setbacks these policies have caused.

I believe that the people of Cuba need to know the actual outcome of Castro's programs. Radio Marti will accomplish this. Radio Marti will supply the Cuban people with information they cannot get through the government-censored news media. It will encourage the Cubans to draw their own conclusions.

This new station gets its name from José Martí, the leading figure in the Cuban independence movement. He is Cuba's greatest hero and a man held in high regard throughout the Caribbean. By adopting the name "Marti," we have set a high performance standard for ourselves for truthfulness and integrity. I am sure we can meet this standard.

Some may have heard about threatened radio interference from Cuba in retaliation for Radio Marti. The people of Florida, however, have lived with such interference for the past 13 years. Therefore, it is a mistake to suppose that this is related to Radio Marti. Long before Radio Marti was announced, Cuba declared its intention to create or expand 200 radio stations and to construct two half-million-watt transmitters. True, interference may affect American radio stations. However, Cuba began this aggressive radio broadcasting buildup before Radio Marti was announced. Radio Marti is not the cause of Castro's interference. Radio Marti is only an excuse for Castro to try to blackmail the United States.

I believe we have a right, as a nation, to decide our foreign policy independently, regardless of threats of a foreign dictator. We also have the right to expand international radio broadcasts in conformity with international law.

Radio Marti has broad bipartisan support. It passed the House in the 97th Congress by a 2-to-1 margin. It also has the support of President Reagan and the AFL-CIO. I urge my colleagues to renew their support for this important proposal.

● Mr. CHILES. Mr. President, on January 28, the Cuban community celebrated the birthdate of José Martí. This man, known to his countrymen as the apostle of the Cuban revolution, was a man of impeccable character. His life in exile was dedicated to working toward a free and independent Cuba, and it was the fervor that he displayed while trying to accomplish this mission that gained him the title of apostle. José Martí sought the truth for his people. His dream was to take them from under the colonial rule of the Spanish Government and deliver them into the light of democracy. He was a strong believer in democratic principles, in the dignity of man, and he fell in battle in defense of the principles in which he believed. He was a noble man; he died for a very noble cause.

I am today joining in the introduction of legislation to establish Radio Marti, for like the man it is named after, it also seeks the truth for the Cuban people.

Today, the Cuban people continue to live in the dark. The Castro regime would have it no other way. After 20 years, its empty promises are all too evident in the empty cupboards of Cuban households. The Castro regime would be hard-pressed to explain to its people why they must continue to suffer shortages while their Government commits troops into Angola, advisers into Yemen and Ethiopia, and sends arms to Nicaragua. But explanations are necessary, for the Cuban people have a right to know. Opponents of this measure contend that it is nothing more than a hard-line propaganda ploy that would only entice the Cuban Government to retaliate by jamming our own radio stations. I would not sponsor and support this measure if it was a mere propaganda ploy. Radio Marti, like its counterparts, Radio Free Europe and Radio Liberty, is to serve as an unbiased and reliable news and entertainment source. It will provide the Cuban people with an alternative to the controlled information they receive, in the same way Radio Free Europe and Radio Liberty provide alternative news sources to the people of Eastern Europe and the Soviet Union. If providing for the Cuban people an alternative news source is hard line, then so be it.

Fear of retaliation by the Castro regime should not dictate our foreign policy. I do not need to remind this distinguished body that Cuba's own foreign policy is being exported throughout the world in the form of arms shipments, insurgent troops, and the providing of safe harbor to drug shipments being transported to the United States. Cuba also maintains a radio station in Grenada which broadcasts to the Caribbean, and has interfered with Florida radio stations long before any mention of Radio Marti.

February 24, 1983

CONGRESSIONAL RECORD — SENATE

S 1619

Mr. President, I hope that the Senate will act to pass this needed legislation. We owe the truth to the Cuban people, and we should not forgo this opportunity to provide some measure of light to that troubled and oppressed land. e

By Mr. MOYNIHAN (for himself, Mr. BIDEN, Mr. HEINZ, Mr. KENNEDY, Mr. INOUE, Mr. PELL, Mr. BRADLEY, and Mr. MATZENBAUM):

S. 804 bill to protect law enforcement officers; to the Committee on the Judiciary.

LAW ENFORCEMENT OFFICERS PROTECTION ACT OF 1983

Mr. MOYNIHAN. Mr. President, I rise today to introduce legislation, on behalf of myself and seven distinguished colleagues, that is designed to address one of the most serious and potentially dangerous problems facing our Nation's 528,000 law enforcement officers—the proliferation of so-called cop-killer bullets. It would do so by limiting the availability and use of armor-piercing handgun ammunition that can penetrate the bullet-resistant vests worn by police.

There is an urgent need for this legislation. The development of bullet-proof vests in the mid-1970's provided law enforcement officers with a significantly greater degree of protection than had previously been the case. Indeed, these vests have so far been credited with saving the lives of some 400 law enforcement officers. FBI statistics indicate that the number of law enforcement officers killed in the line of duty declined 31 percent between 1974—when such vests were first made available to police departments—and 1981. However, these vests are rendered virtually useless by a new type of bullet that recently has entered the market in large numbers.

These high velocity, small caliber, pointed bullets, made of alloy or steel jacketed lead, have no legitimate commercial use. Those companies presently manufacturing armor-piercing bullets claim they are intended for police use, yet not one police department in the country will employ them—not only because of their awesome penetration capacity, but also because they pose greater ricochet hazards than more conventional ammunition. James P. Damos, former president of the International Association of Chiefs of Police, has said: "We can find no legitimate use for such (armor-piercing) ammunition, either in or out of law enforcement."

As a result, law enforcement agencies are leading the call for a ban on this type of bullet. These groups include the International Association of Chiefs of Police, the Fraternal Order of Police, the International Brotherhood of Police Officers, and the International Union of Police Officers. In addition, U.S. Associate Attorney General Rudolph W. Giuliani recently urged the adoption of legislation ban-

ning these bullets in a letter to Congressman MARIO BIAGGI, sponsor of identical legislation in the House, saying: "I continue to believe that any further delay (in adopting such legislation) is a tragic mistake."

The bill we are introducing would require the Department of the Treasury to determine which handgun bullets, when fired from a handgun with a barrel 5 inches or less in length, are capable of penetrating the equivalent of 18 layers of Kevlar, which is the standard composition of most police vests. The Department would then publish its findings in the Federal Register, and 60 days after publication those bullets identified would be banned from further manufacture, import, sale, or use—except when authorized by the Secretary of the Treasury for law enforcement or military purposes.

A licensed importer, manufacturer, or dealer who violated this act would be subject to a fine of not more than \$10,000, imprisonment for not more than 10 years, and revocation of their Federal license. In addition, a person using or carrying an illegal bullet during the commission of a Federal felony would be subject to a mandatory sentence of not less than 1 year nor more than 10 years for the first offense, and not less than 2 years nor more than 25 years for the second or any subsequent offense.

During the past year, seven States—Alabama, California, Illinois, Kansas, Minnesota, Oklahoma, and Rhode Island—have enacted their own laws banning such bullets. A number of localities including Alexandria, Va., Brookhaven, N.Y., Broward County, Fla., Dade County, Fla., and Louisville, Ky., have taken similar action.

Although encouraged by these actions we believe the Federal Government needs to assist State and local jurisdictions with their efforts to counter the widespread distribution and use of these lethal bullets. While the primary responsibility for law enforcement should rest with the States and localities, the Federal Government does have a role to play. The most effective means for keeping the armor-piercing bullets out of the hands of criminals is to establish a uniform national law for the manufacture, importation, sale, and use of the bullets. This is the purpose of our legislation.

Let us also be clear about what our bill is not designed to do. Our legislation in no way attempts to limit the availability of armor-piercing bullets for sporting purposes, even though most States prohibit hunters from using such bullets as they tend to cause prolonged suffering to animals rather than instantaneous death. Only bullets capable of penetrating body armor when fired from a handgun are to be banned; rifle ammunition would not be covered.

Moreover, in introducing this legislation, we are not attempting to limit

the availability of conventional ammunition to law-abiding citizens for self-defense and sporting purposes. The legislation has been drafted in such a manner as to apply only to a narrow class of bullets capable of penetrating bullet-resistant armor when fired from a handgun. Based on currently available test data, including a Federal Bureau of Investigation report issued last year, the bill would ban only eight bullets. Other commonly used types of conventional handgun ammunition, such as the .357 magnum, the 9mm, the high velocity .38 special, the high-velocity .22 long rifle, and the .44 magnum, are incapable of piercing standard body armor and thus would continue to be available.

Our legislation, then, is at its core a law enforcement officers protection bill. It is well known that law enforcement is a particularly dangerous and far too often unappreciated occupation. We have entrusted law enforcement officers with the tremendous responsibility of protecting us from criminal acts—a responsibility that often places them in life-threatening situations. In return, it is our duty to protect the approximately 250,000 officers who regularly wear bulletproof vests with the maximum possible protection from the dangers to which they are exposed daily. We owe them nothing less.

Mr. President, I urge my colleagues, on behalf of the men and women of the law enforcement community, to join me in supporting this eminently sensible legislation. I ask that my bill and an informative Congressional Research Service brief on the subject of armor-piercing bullets be printed in the Record at this point.

There being no objection, the material was ordered to be printed in the Record, as follows:

S. 804

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

SHORT TITLE

SECTION 1. This Act may be cited as the "Law Enforcement Officers Protection Act of 1983."

Sec. 2. (a) Whoever, being a licensed importer, manufacturer, or dealer under chapter 44 of title 18, United States Code, imports, manufacturers, or sells a restricted handgun bullet, except as specifically authorized by the Secretary of the Treasury for purposes of public safety or national security, shall be fined not more than \$10,000 or imprisoned not more than ten years, or both, and the license of such person shall be subject to revocation under such chapter.

(b) Whoever—

(1) uses a restricted handgun bullet to commit any felony for which he may be prosecuted in a court of the United States; or

(2) carries a restricted handgun bullet unlawfully during the commission of any felony for which he may be prosecuted in a court of the United States;

shall, in addition to the punishment provided for the commission of such felony, be sentenced to a term of imprisonment for not less than one year nor more than ten years.