

118TH CONGRESS
2D SESSION

S. 4118

To establish the Open Translation Center, and for other purposes.

IN THE SENATE OF THE UNITED STATES

APRIL 11 (legislative day, APRIL 10), 2024

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

A BILL

To establish the Open Translation Center, 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 “Open Translation Cen-
5 ter Authorization Act”.

6 **SEC. 2. FINDINGS.**

7 Congress finds the following:

8 (1) The success of United States foreign policy
9 depends on the ability to accurately perceive and un-
10 derstand other countries’ foreign and domestic poli-
11 cies.

1 (2) Open source materials published by the
2 People’s Republic of China and other nations offer
3 a uniquely valuable window into the politics, policy,
4 ideology, intentions, and activities of those countries.

5 (3) A lack of foreign language speakers greatly
6 hinders United States policymakers, journalists, aca-
7 demics, students, and others’ ability to understand
8 the People’s Republic of China and other nations
9 and governments.

10 (4) During the Cold War, the Foreign Broad-
11 cast Information Service provided translations and
12 open source analysis that nourished generations of
13 diplomats, journalists, academics, students, and oth-
14 ers.

15 (5) A public translation and analysis organiza-
16 tion is currently needed to support the development
17 of United States foreign policy and to enrich public
18 understanding.

19 **SEC. 3. DEFINITIONS.**

20 In this Act:

21 (1) **DESIGNATED COUNTRIES.**—The term “des-
22 ignated countries” means—

23 (A) the People’s Republic of China; and

24 (B) any other country designated by the
25 board of directors established under section

1 5(b), after consultation with the Secretary of
2 State.

3 (2) DESIGNATED LANGUAGES.—The term “des-
4 ignated languages” means—

5 (A) languages identified as critical lan-
6 guages by the Department of State’s Critical
7 Language Scholarship Program; and

8 (B) any other language designated by the
9 board of directors established pursuant to sec-
10 tion 5(b), after consultation with the Secretary
11 of State.

12 (3) GOVERNING ORGANIZATION.—The term
13 “governing organization” means any national body
14 separate from a foreign government that maintains
15 ultimate control over such government, including po-
16 litical parties that exercise functions normally re-
17 served for governments.

18 (4) RELEVANT CONGRESSIONAL COMMIT-
19 TEES.—The term “relevant congressional commit-
20 tees” means—

21 (A) the Committee on Foreign Relations of
22 the Senate;

23 (B) the Select Committee on Intelligence
24 of the Senate;

1 (C) the Committee on Foreign Affairs of
2 the House of Representatives; and

3 (D) the Permanent Select Committee on
4 Intelligence of the House of Representatives.

5 **SEC. 4. ESTABLISHMENT.**

6 There is established a federally funded research and
7 development center, to be known as the “Open Translation
8 Center” (referred to in this Act as “OTAC”).

9 **SEC. 5. INCORPORATION.**

10 (a) IN GENERAL.—OTAC shall be—

11 (1) administered as a separate entity by an or-
12 ganization managing a federally funded research and
13 development center as of the date of the enactment
14 of this Act; or

15 (2) incorporated as a nonprofit membership
16 corporation.

17 (b) BOARD OF DIRECTORS.—OTAC shall be headed
18 by a board of directors that consists of 5 members, of
19 whom—

20 (1) 2 members shall be appointed by the Sec-
21 retary of State;

22 (2) 2 members shall be appointed by the Direc-
23 tor of National Intelligence; and

24 (3) 1 member shall be appointed by the Reg-
25 ister of Copyrights.

1 (c) TERM; QUALIFICATIONS.—

2 (1) IN GENERAL.—Except as provided in para-
3 graph (2), each member appointed to the board of
4 directors pursuant to subsection (b) shall serve for
5 a term of 3 years and may be reappointed to addi-
6 tional, consecutive terms.

7 (2) INITIAL TERM.—Notwithstanding para-
8 graph (1)—

9 (A) the initial term of 1 of the first 2
10 members appointed by the Secretary of State
11 shall be 2 years; and

12 (B) the initial term of 1 of the first 2
13 members appointed by the Director of National
14 Intelligence shall be 2 years.

15 (3) QUALIFICATIONS.—Members of the board
16 of directors—

17 (A) shall be appointed from among individ-
18 uals with expertise in translation, publishing,
19 domestic and international copyright law,
20 media, foreign languages, area studies, or inter-
21 national relations;

22 (B) shall make all decisions for which the
23 board of directors is responsible independently
24 from any official of the United States Govern-
25 ment; and

1 (C) may not be employees or officials of
2 the United States during their respective terms
3 on the board of directors.

4 (d) CHAIR.—The Chair of the board of directors shall
5 be elected from among the members of the board.

6 **SEC. 6. PURPOSE AND MISSION.**

7 The purpose and mission of OTAC shall be—

8 (1) to translate, analyze, and publicly dissemi-
9 nate foreign language government documents and
10 other documents from designated countries for the
11 purposes of enhancing the understanding of such
12 countries' governments, governing organizations,
13 militaries, economies, and cultures;

14 (2) to provide proper context and explanations
15 of translated foreign language material to enhance
16 the ability of consumers to understand the meaning
17 and significance of such translated material;

18 (3) to strive to make as much translated for-
19 eign language material publicly available as possible
20 and to provide summaries of important foreign lan-
21 guage material that cannot be made public; and

22 (4) to train and develop exceptional analysts
23 and linguists with specialization regarding des-
24 ignated countries.

1 **SEC. 7. DUTIES.**

2 (a) IN GENERAL.—In furtherance of the purpose and
3 mission specified in section 6, OTAC shall—

4 (1) translate documents and information from
5 designated countries into the English language;

6 (2) provide analyses, summaries, and important
7 context for material translated pursuant to para-
8 graph (1), and other untranslated material, includ-
9 ing—

10 (A) biographical sketches and information
11 on important leaders;

12 (B) descriptions and background on polit-
13 ical processes, important bodies, companies,
14 economic systems, and military weapons sys-
15 tems and doctrines;

16 (C) definitions and analysis of important
17 concepts and phrases;

18 (D) information regarding changes over
19 time in the policies and intentions of govern-
20 ments, militaries, and governing organizations;
21 and

22 (E) other issues that are of significance for
23 understanding designated countries;

24 (3) cooperate with other relevant Federal agen-
25 cies regarding any effort consistent with such pur-
26 pose and mission;

1 (4) make available on a publicly accessible
2 website—

3 (A) all analyses and summaries created
4 pursuant to paragraph (2); and

5 (B) all materials translated pursuant to
6 paragraph (1), except for any material that
7 OTAC determines not to make available pursu-
8 ant to subsection (b)(1)(F); and

9 (5) with respect to translated materials that
10 OTAC determines not to make available pursuant to
11 subsection (b)(1)(F)—

12 (A) to the extent possible, provide such
13 materials free of charge to—

14 (i) all United States Government em-
15 ployees, including Members of Congress
16 and congressional staff; and

17 (ii) organizations and individuals who
18 have relevant contracts or grants with the
19 United States Government; or

20 (B) as appropriate, provide summaries and
21 analyses of such materials to the persons and
22 organizations described in subparagraph (A).

23 (b) METHODOLOGY.—

24 (1) IN GENERAL.—In carrying out this section
25 and section 6, OTAC shall—

1 (A) establish the capability to acquire, re-
2 tain, train, and develop exceptional analytical
3 and linguistic expertise in designated countries
4 and designated languages;

5 (B) use software, programs, artificial intel-
6 ligence, and other technologies to ensure timely
7 translations;

8 (C) seek input from technical, regional,
9 and subject matter experts from a wide range
10 of relevant disciplines, to review, provide feed-
11 back, and evaluate translations and analyses;

12 (D) maximize cooperation with the public
13 and private sectors in the United States, includ-
14 ing Federal agencies, and United States allies
15 and partners, to maximize efficiencies, acquire
16 source materials, and eliminate duplication of
17 efforts;

18 (E) select materials, such as the materials
19 described in paragraph (2), to translate and
20 analyze on the basis of—

21 (i) the significance of the material for
22 United States policymakers, journalists,
23 academics, and the general public; and

24 (ii) the ability of such material to en-
25 hance the understanding of the politics,

1 policies, intentions, ideologies, militaries,
2 businesses, technologies, science, or cul-
3 tures of designated countries; and

4 (F) in selecting material to translate pur-
5 suant to subparagraph (E) and in making ma-
6 terial available under subsection (a)(4), con-
7 sider whether the translation or dissemination
8 of such material would be consistent with do-
9 mestic and international commitments on copy-
10 right, including title 17, United States Code.

11 (2) EXAMPLES OF MATERIALS TO BE TRANS-
12 LATED.—The materials described in this paragraph
13 are, with respect to a designated country—

14 (A) official and unofficial government, gov-
15 erning organization, and military documents
16 and reports;

17 (B) speeches of relevant government, polit-
18 ical, governing organization, and military offi-
19 cials;

20 (C) official and semiofficial government,
21 governing organization, and military journals;

22 (D) news articles and commentary from
23 government, governing organization, or other
24 quasi-official sources;

1 (E) documents and other information by
2 state-owned businesses and entities; and

3 (F) other information, including internet
4 and social media posts.

5 (c) COPYRIGHTS.—

6 (1) TRANSLATIONS DEEMED GOVERNMENT
7 WORKS.—A work prepared by an employee or con-
8 tractor of the OTAC for the purpose of the dissemi-
9 nation of such work by OTAC shall be deemed a
10 work of the United States Government under section
11 105(a) of title 17, United States Code.

12 (2) NO LESS FAVORABLE TREATMENT.—In ac-
13 cordance with the Agreement on the Trade-Related
14 Aspects of Intellectual Property Rights of the World
15 Trade Organization (commonly known as the
16 “TRIPS Agreement”), the Berne Convention for the
17 Protection of Literary and Artistic Works (as
18 amended on September 28, 1979), other World In-
19 tellectual Property Organization regulations and
20 treaties, and other relevant international treaties
21 and agreements, OTAC shall treat foreign material
22 no less favorably than national materials are treated
23 for the purpose of copyrights.

1 (d) LIMITATION.—OTAC may not publish any trans-
2 lation until after OTAC has reviewed and approved such
3 translation for accuracy.

4 **SEC. 8. COOPERATION AND CONSULTATION.**

5 (a) IN GENERAL.—In carrying out the duties de-
6 scribed in section 7, OTAC may consult and cooperate
7 with—

8 (1) relevant Federal agencies and grantees of
9 the United States Agency for Global Media regard-
10 ing any effort consistent with the purposes of this
11 Act, including—

12 (A) collecting source material;

13 (B) avoiding duplication of effort;

14 (C) details of employees; and

15 (D) training; and

16 (2) other relevant stakeholders, including—

17 (A) nonprofit research institutes;

18 (B) institutions of higher education; and

19 (C) media organizations.

20 (b) FOREIGN GOVERNMENTS.—OTAC may consult
21 and cooperate with any foreign government beginning on
22 the date that is 14 days after the Secretary of State—

23 (1) certifies that it is in the national interest
24 for OTAC to cooperate and consult with such for-
25 eign government; and

1 (2) provides such certification to the relevant
2 congressional committees.

3 **SEC. 9. SPONSORSHIP.**

4 (a) SPONSORS.—

5 (1) IN GENERAL.—The Secretary of State shall
6 be the primary sponsor of OTAC.

7 (2) AGREEMENTS.—The Secretary of State may
8 enter into agreements with other relevant Federal
9 agencies to provide additional sponsors of OTAC.

10 (3) NOTIFICATION.—Not later than 15 days
11 after entering into an agreement described in para-
12 graph (2), the Secretary of State shall notify the rel-
13 evant congressional committees of any additional
14 sponsors for OTAC.

15 (b) SENSE OF CONGRESS.—It is the sense of Con-
16 gress that the Secretary of State should enter into a spon-
17 sorship agreement pursuant to subsection (a)(2) with the
18 Director of the Central Intelligence Agency.

19 (c) AGREEMENT.—

20 (1) IN GENERAL.—Not later than 180 days
21 after the date of the enactment of this Act, the Sec-
22 retary of State shall seek to enter into a sponsoring
23 agreement with respect to OTAC that requires
24 OTAC to carry out the duties described in sections
25 6 and 7.

1 (2) CONSISTENCY WITH REQUIREMENTS PRE-
2 SCRIBED BY ADMINISTRATOR FOR FEDERAL PRO-
3 CUREMENT POLICY.—The Administrator for Federal
4 Procurement Policy shall prescribe general require-
5 ments for the sponsoring agreement described in
6 paragraph (1).

7 **SEC. 10. AUTHORIZATION OF APPROPRIATIONS.**

8 There are authorized to be appropriated for OTAC—

9 (1) \$85,000,000 for fiscal year 2025;

10 (2) \$80,000,000 for each of the fiscal years
11 2026 through 2029; and

12 (3) such sums as may be necessary for each fis-
13 cal year thereafter.

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