

**FOREIGN RELATIONS AUTHORIZATION ACT, FISCAL  
YEARS 1990 AND 1991**

[Public Law 101–246; February 16, 1990; 104 Stat. 58]

[Partial text of Public Law 101–246 [Foreign Relations Authoriza-  
tion Act, Fiscal Years 1990 and 1991; H.R. 3792], 104 Stat. 15  
at 63, approved February 16, 1990; amended by Public Law 101–  
302 [Dire Emergency Supplemental Appropriations; H.R. 4404],  
104 Stat. 213, approved May 25, 1990; Public Law 102–511  
[FREEDOM Support Act; S. 2532], 106 Stat. 3320, approved Oc-  
tober 24, 1992; Public Law 103–236 [Foreign Relations Author-  
ization Act, Fiscal Years 1994 and 1995; H.R. 2333], 108 Stat.  
382, approved April 30, 1994]

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*NOTE.—Sections of this Act amend the Board for International  
Broadcasting Act of 1973 and the State Department Basic Authori-  
ties Act of 1956, and have been incorporated into those Acts at the  
appropriate places.*

*The Board for International Broadcasting Act of 1973 was  
repealed effective 1995.*

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[As Amended Through P.L. 117–81, Enacted December 27, 2021]

[Currency: This publication is a compilation of the text of Public Law 101–246. It  
was last amended by the public law listed in the As Amended Through note above  
and below at the bottom of each page of the pdf version and reflects current law  
through the date of the enactment of the public law listed at [https://  
www.govinfo.gov/app/collection/comps/](https://www.govinfo.gov/app/collection/comps/)]

[Note: While this publication does not represent an official version of any Federal  
statute, substantial efforts have been made to ensure the accuracy of its contents.  
The official version of Federal law is found in the United States Statutes at Large  
and in the United States Code. The legal effect to be given to the Statutes at  
Large and the United States Code is established by statute (1 U.S.C. 112, 204).]

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**TITLE I—DEPARTMENT OF STATE**

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**SEC. 128. PROHIBITION ON EXCLUSION OR DEPORTATION OF NON-  
IMMIGRANT ALIENS ON CERTAIN GROUNDS.**

(a) **TECHNICAL CORRECTION.**—Section 901 of the Foreign Rela-  
tions Authorization Act, Fiscal Years 1988 and 1989 (8 U.S.C. 1182  
note) is amended in subsection (a) by inserting “subject to restric-  
tions or conditions on entry into the United States,” after “United  
States,” the first place it appears.

(b) REPEAL OF TERMINATION PROVISION.—Subsection (d) of section 901 of the Foreign Relations Authorization Act, Fiscal Years 1988 and 1989 (8 U.S.C. 1182 note) is repealed.

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**SEC. 131. EXCLUSION OF ALIENS PREVIOUSLY INVOLVED IN SERIOUS CRIMINAL OFFENSES COMMITTED IN THE UNITED STATES.**

(a) GROUNDS OF EXCLUSION.—[Omitted; added paragraph (34) to section 212(a) of the INA]

(b) DEFINITION.—[Omitted; added subsection (h) to section 101 of the INA]

(c) WAIVER.—Section 212(h) of the Immigration and Nationality Act (8 U.S.C. 1182(h)) is amended by striking out “or (12)” and inserting in lieu thereof “(12), or (34)”.

(d) REPORT CONCERNING COMPENSATION AND DIPLOMATIC IMMUNITY.—(1) Not later than 180 days after the date of enactment of this Act, the Secretary of State shall prepare and submit to the appropriate committees of the Congress a report which considers the need and feasibility of establishing a program which makes compensation awards to United States citizens and permanent resident aliens in the United States for physical injury or financial loss which is the result of criminal activity reasonably believed to have been committed by individuals with immunity from criminal jurisdiction as a result of international obligations of the United States arising from multilateral agreements, bilateral agreements, or otherwise under international law.

(2) Together with such other information as the Secretary of State considers appropriate, the report shall include—

(A) a plan and feasibility analysis for the establishment of such a program, including—

(i) specific recommendations for funding, administration, and procedures and standards for compensation and payment of awards; and

(ii) particular consideration of the feasibility of an appeals mechanism;

(B) an assessment of—

(i) the feasibility of establishing a fund;

(ii) the availability of existing accounts; or

(iii) other sources of funding for the program; and

(C) consideration of other possible mechanisms for compensation or reimbursement, including direct compensation by the individual with immunity from criminal jurisdiction or by the sending country of that individual.

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**TITLE II—UNITED STATES INFORMATIONAL, EDUCATIONAL, AND CULTURAL PROGRAMS**

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PART D—TELEVISION BROADCASTING TO CUBA<sup>1</sup>

SEC. 241. [22 U.S.C. 1465aa nt] SHORT TITLE.

This part may be cited as the “Television Broadcasting to Cuba Act”.

SEC. 242. [22 U.S.C. 1465aa] FINDINGS AND PURPOSES.

The Congress finds and declares that—

(1) it is the policy of the United States to support the right of the people of Cuba to seek, receive, and impart information and ideas through any media and regardless of frontiers, in accordance with article 19 of the Universal Declaration of Human Rights;

(2) consonant with this policy, television broadcasting to Cuba may be effective in furthering the open communication of accurate information and ideas to the people of Cuba and, in particular, information about Cuba;

(3) television 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;

(4) facilities broadcasting television programming to Cuba must be operated in a manner consistent with applicable regulations of the Federal Communications Commission, and must not affect the quality of domestic broadcast transmission or reception; and

(5) that<sup>2</sup> the Voice of America already broadcasts to Cuba information that represents America, not any single segment of American society, and includes a balanced and comprehensive projection of significant American thought and institutions, but that there is a need for television broadcasts to Cuba which provide news, commentary, and other information about events in Cuba and elsewhere to promote the cause of freedom in Cuba.

SEC. 243. [22 U.S.C. 1465bb] TELEVISION BROADCASTING TO CUBA.

(a) TELEVISION BROADCASTING TO CUBA.—In order to carry out the purposes set forth in section 242 and notwithstanding the limitation of section 501 of the United States Information and Edu-

<sup>1</sup>Section 107(c) of the Cuban Liberty and Democratic Solidarity (LIBERTAD) Act of 1996 (P.L. 104–114; 110 Stat. 798) provides for the repeal of this Act “upon transmittal of a determination under section 203(c)(3)” of P.L. 104–114.

Section 203(c)(3) of P.L. 104–114 (110 Stat. 809) provides as follows:

SEC. 203. COORDINATION OF ASSISTANCE PROGRAM; IMPLEMENTATION AND REPORTS TO CONGRESS; REPROGRAMMING.

(c) IMPLEMENTATION OF PLAN; REPORTS TO CONGRESS.—

(3) IMPLEMENTATION WITH RESPECT TO DEMOCRATICALLY ELECTED GOVERNMENT.—The President shall, upon determining that a democratically elected government in Cuba is in power, submit that determination to the appropriate congressional committees and shall, subject to an authorization of appropriations and subject to the availability of appropriations, commence the delivery and distribution of assistance to such democratically elected government under the plan developed under section 202(b).

<sup>2</sup>So in original. The word “that” probably should not appear.

cational Exchange Act of 1948 (22 U.S.C. 1461) with respect to the dissemination in the United States of information prepared for dissemination abroad to the extent such dissemination is inadvertent, the Broadcasting Board of Governors (hereafter in this part referred to as the “Agency”<sup>3</sup>) shall provide for the open communication of information and ideas through the use of television broadcasting to Cuba. Television broadcasting to Cuba shall serve as a consistently reliable and authoritative source of accurate, objective, and comprehensive news.

(b) VOICE OF AMERICA STANDARDS.—Television broadcasting to Cuba under this part shall be in accordance with all Voice of America standards to ensure the broadcast of programs which are objective, accurate, balanced, and which present a variety of views.

(c) TELEVISION MARTI.—Any program of United States Government television broadcasts to Cuba authorized by this section shall be designated “Television Marti Program”.

(d) FREQUENCY ASSIGNMENT.—

(1) Subject to the Communications Act of 1934, the Federal Communications Commission shall assign by order a suitable frequency to further the national interests expressed in this part, except that no such assignment shall result in objectionable interference with the broadcasts of any domestic licensee.

(2) No Federal branch or agency shall compel an incumbent domestic licensee to change its frequency in order to eliminate objectionable interference caused by broadcasting of the Service.

(3) For purposes of section 305 of the Communications Act of 1934, a television broadcast station established for purposes of this part shall be treated as a government station, but the Federal Communications Commission shall exercise the authority of the President under such section to assign a frequency to such station.

(e) INTERFERENCE WITH DOMESTIC BROADCASTING.—

(1) Broadcasting by the Television Marti Service shall be conducted in accordance with such parameters as shall be prescribed by the Federal Communications Commission to preclude objectionable interference with the broadcasts of any domestic licensee. The Television Marti Service shall be governed by the same standards regarding objectionable interference as any domestic licensee. The Federal Communications Commission shall monitor the operations of television broadcasting to Cuba pursuant to subsection (f). If, on the basis of such monitoring or a complaint from any person, the Federal Communications Commission determines, in its discretion, that broadcasting by the Television Marti Service is causing objectionable interference with the transmission or reception of the broadcasts of a domestic licensee, the Federal Communications Commission shall direct the Television Marti Service to cease broadcasting and to eliminate the objectionable interference. Broadcasts by the Service shall not be resumed until the Federal Communications Commission finds that the objectionable interference has been eliminated and should not recur.

<sup>3</sup> So in original. Probably should be “Board”.

(2) The Federal Communications Commission shall take such actions as are necessary and appropriate to assist domestic licensees in overcoming the adverse effects of objectionable interference caused by broadcasting by the Television Marti Service. Such assistance may include the authorization of non-directional increases in the effective radiated power of a domestic television station so that its coverage is equivalent to the maximum allowable for such facilities, to avoid any adverse effect on such stations of the broadcasts of the Television Marti Service.

(3) If the Federal Communications Commission directs the Television Marti Service to cease broadcasting pursuant to paragraph (1), the Commission shall, as soon as practicable, notify the appropriate committees of Congress of such action and the reasons therefor. The Federal Communications Commission shall continue to notify the appropriate committees of Congress of progress in eliminating the objectionable interference and shall assure that Congress is fully informed about the operation of the Television Marti Service.

(f) **MONITORING OF INTERFERENCE.**—The Federal Communications Commission shall continually monitor and periodically report to the appropriate committees of the Congress interference to domestic broadcast licensees—

(1) from the operation of Cuban television and radio stations; and

(2) from the operations of the television broadcasting to Cuba.

(g) **TASK FORCE.**—It is the sense of the Congress that the President should establish a task force to analyze the level of interference from the operation of Cuban television and radio stations experienced by broadcasters in the United States and to seek a practical political and technical solution to this problem.

**SEC. 244. [22 U.S.C. 1465cc] TELEVISION MARTI SERVICE.**

(a) **TELEVISION MARTI SERVICE.**—There is within the Voice of America a Television Marti Service. The Service shall be responsible for all television broadcasts to Cuba authorized by this part. The Broadcasting Board of Governors<sup>4</sup> shall appoint a head of the Service who shall report directly to the International Broadcasting Bureau.<sup>5</sup> The head of the Service shall employ such staff as the head of the Service may need to carry out the duties of the Service.

(b) **USE OF EXISTING FACILITIES OF THE USIA.**—To assure consistency of presentation and efficiency of operations in conducting the activities authorized under this part, the Television Marti Service shall make maximum feasible utilization of Board facilities and management support, including Voice of America: Cuba Service, Voice of America, and the United States International Television Service.

(c) **AUTHORITY.**—The Board may carry out the purposes of this part by means of grants, leases, or contracts (subject to the avail-

<sup>4</sup>The amendments made by section 1325(4)(B)(i)(I) and (II) were carried out to the third sentence instead of the second sentence to reflect the probable intent of the Congress.

<sup>5</sup>See footnote 3.

ability of appropriations), or such other means as the Board determines will be most effective.

**SEC. 245. AMENDMENTS TO THE RADIO BROADCASTING TO CUBA ACT.**

(a)

(b) **[22 U.S.C. 1465c note] REFERENCES.**—A reference in any provision of law to the “Advisory Board for Radio Broadcasting to Cuba” shall be considered to be a reference to the “Advisory Board for Cuba Broadcasting”.

(c) **[22 U.S.C. 1465c note] CONTINUED SERVICE OF MEMBERS OF BOARD.**—Each member of the Advisory Board for Radio Broadcasting to Cuba as in existence on the day before the effective date of the amendment made by subsection (a) shall continue to serve for the remainder of the term to which such member was appointed as a member of the Advisory Board for Cuba Broadcasting.

(d) **[22 U.S.C. 1465c note] STAFF DIRECTOR.**—The Board shall have a staff director who shall be appointed by the Chairperson of the Advisory Board for Cuba Broadcasting.

**SEC. 246. [22 U.S.C. 1465dd] ASSISTANCE FROM OTHER GOVERNMENT AGENCIES.**

In order to assist the United States Information Agency in carrying out the provisions of this part, any agency or instrumentality of the United States may sell, loan, lease, or grant property (including interests therein) and may perform administrative and technical support and services at the request of the Board.

**SEC. 247. [22 U.S.C. 1465ee] AUTHORIZATION OF APPROPRIATIONS.**

(a) **AUTHORIZATION OF APPROPRIATIONS.**—In addition to amounts otherwise made available under section 201 for such purposes, there are authorized to be appropriated to the United States Information Agency, \$16,000,000 for the fiscal year 1990 and \$16,000,000 for the fiscal year 1991 for television broadcasting to Cuba in accordance with the provisions of this part.

(b) **LIMITATION.**—

(1) Subject to paragraph (2), no funds authorized to be appropriated under subsection (a) may be obligated or expended unless the President determines and notifies the appropriate committees of Congress that the test of television broadcasting to Cuba (as authorized by title V of the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 1989 (Public Law 100–459)) has demonstrated television broadcasting to Cuba is feasible and will not cause objectionable interference with the broadcasts of incumbent domestic licensees. The Federal Communications Commission shall furnish to the appropriate committees of Congress all interim and final reports and other appropriate documentation concerning objectionable interference from television broadcasting to Cuba to incumbent domestic licensees.

(2) Not less than 30 days before the President makes the determination under paragraph (1), the President shall submit a report to the appropriate committees of the Congress which includes the findings of the test of television broadcasting to Cuba. The period for the test of television broadcasting may be extended until—

(A) the date of the determination and notification by the President under paragraph (1), or  
(B) 30 days,  
whichever comes first.  
(c) AVAILABILITY OF FUNDS.—Amounts appropriated to carry out the purposes of this part are authorized to be available until expended.

SEC. 248. [22 U.S.C. 1465ff] DEFINITIONS.

As used in this part—

- (1) the term “licensee” has the meaning provided in section 3(c) of the Communications Act of 1934;
- (2) the term “incumbent domestic licensee” means a licensee as provided in section 3(c) of the Communications Act of 1934 that was broadcasting a television signal as of January 1, 1989;
- (3) the term “objectionable interference” shall be applied in the same manner as such term is applied under regulations of the Federal Communications Commission to other domestic broadcasters; and
- (4) the term “appropriate committees of Congress” includes the Committee on Foreign Affairs and the Committee on Energy and Commerce of the House of Representatives and the Committee on Foreign Relations of the Senate.

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TITLE III—BOARD FOR INTERNATIONAL BROADCASTING

SEC. 301. AUTHORIZATIONS OF APPROPRIATIONS.

- (a)
- (b) RADIO TRANSMITTER CONSTRUCTION AND MODERNIZATION.—There are authorized to be appropriated to the Board for International Broadcasting for radio transmitter construction and modernization \$15,845,000 for the fiscal year 1990 and \$12,000,000 for the fiscal year 1991. Amounts appropriated under this subsection are authorized to remain available until expended.
- (c) [Repealed—1994]

SEC. 302. REQUIREMENT FOR AUTHORIZATION OF APPROPRIATIONS.

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[Repealed—1990]  
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TITLE IV—INTERNATIONAL ORGANIZATIONS AND COMMISSIONS

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SEC. 406. [22 U.S.C. 2414a] ANNUAL REPORT TO CONGRESS ON VOTING PRACTICES AT THE UNITED NATIONS.

(a) IN GENERAL.—Not later than March 31 of each year, the Secretary of State shall transmit to the Speaker of the House of Representatives and the chairman of the Committee on Foreign Relations of the Senate a full and complete annual report which assesses for the preceding calendar year, with respect to each foreign country member of the United Nations, the voting practices of the

governments of such countries at the United Nations, and which evaluates General Assembly and Security Council actions and the responsiveness of those governments to United States policy on issues of special importance to the United States.

(b) INFORMATION ON VOTING PRACTICES IN THE UNITED NATIONS.—Such report shall include, with respect to voting practices and plenary actions in the United Nations during the preceding calendar year, information to be compiled and supplied by the Permanent Representative of the United States to the United Nations, consisting of—

(1) an analysis and discussion, prepared in consultation with the Secretary of State, of the extent to which member countries supported United States policy objectives at the United Nations;

(2) an analysis and discussion, prepared in consultation with the Secretary of State, of actions taken by the United Nations by consensus;

(3) with respect to plenary votes of the United Nations General Assembly—

(A) a listing of all such votes on issues which directly affected important United States interests and on which the United States lobbied extensively and a brief description of the issues involved in each such vote;

(B) a listing of the votes described in subparagraph (A) which provides a comparison of the vote cast by each member country with the vote cast by the United States;

(C) a country-by-country listing of votes described in subparagraph (A); and

(D) a listing of votes described in subparagraph (A) displayed in terms of United Nations regional caucus groups;

(4) a listing of all plenary votes cast by member countries of the United Nations in the General Assembly which provides a comparison of the votes cast by each member country with the vote cast by the United States, including a separate listing of all plenary votes cast by member countries of the United Nations in the General Assembly on resolutions specifically related to Israel that are opposed by the United States;

(5) an analysis and discussion, prepared in consultation with the Secretary of State, of the extent to which other members supported United States policy objectives in the Security Council and a separate listing of all Security Council votes of each member country in comparison with the United States; and

(6) a side-by-side comparison of agreement on important and overall votes for each member country and the United States.

(c) FORMAT.—Information required pursuant to subsection (b)(3) shall also be submitted, together with an explanation of the statistical methodology, in a format identical to that contained in chapter II of the Report to Congress on Voting Practices in the United Nations, dated March 14, 1988.

(d) STATEMENT BY THE SECRETARY OF STATE.—Each report under subsection (a) shall contain a statement by the Secretary of

State discussing the measures which have been taken to inform United States diplomatic missions of United Nations General Assembly and Security Council activities.

(e) TECHNICAL AND CONFORMING AMENDMENTS.—The following provisions of law are repealed:

(1) The second undesignated paragraph of section 101(b)(1) of the Foreign Assistance and Related Programs Appropriations Act, 1984 (Public Law 98-151; 97 Stat. 967).

(2) Section 529 of the Foreign Assistance and Related Programs Appropriations Act, 1986, as enacted by Public Law 99-190 (99 Stat. 1307).

(3) Section 528 of the Foreign Assistance and Related Programs Appropriations Act, 1987, as enacted by Public Law 99-500 (100 Stat. 1783) and Public Law 99-591 (100 Stat. 3341).

(4) Section 528 of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1988, as enacted by Public Law 100-202 (101 Stat. 1329).

(5) Section 527 of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1989, as enacted by Public Law 100-461.

**SEC. 407. DENIAL OF VISAS TO CERTAIN REPRESENTATIVES TO THE UNITED NATIONS.**

(a) IN GENERAL.—The President shall use his authority, including the authorities contained in section 6 of the United Nations Headquarters Agreement Act (Public Law 80-357), to deny any individual's admission to the United States as a representative to the United Nations if the President determines that such individual—

(1) has been found to have been engaged in espionage activities or a terrorist activity (as defined in section 212(a)(3)(B)(iii) of the Immigration and Nationality Act (8 U.S.C. 1182(a)(3)(B)(iii))) directed against the United States or its allies; and

(2) may pose a threat to United States national security interests.

(b) WAIVER.—The President may waive the provisions of subsection (a) if the President determines, and so notifies the Congress, that such a waiver is in the national security interests of the United States.

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**TITLE VIII—PLO COMMITMENTS COMPLIANCE ACT OF 1989**

**SEC. 801. SHORT TITLE.**

This title may be cited as the "PLO Commitments Compliance Act of 1989".

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**SEC. 804. REPORTING REQUIREMENT.**

(a) REPORT ON ARMED INCURSIONS.—In the event that talks are held with the PLO after the date of enactment of this Act, the Secretary of State, shall, within 30 days after the next round of

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such talks, report to the Chairman of the Committee on Foreign Affairs of the Senate and the Speaker of the House of Representatives any accounting provided by the representative of the PLO of the incidents described in section 803(c).

(c) REPORT ON POLICIES OF ARAB STATES.—Not more than 30 days after the date of enactment of this Act, the Secretary of State shall prepare and submit to the Congress a report concerning the policies of Arab states toward the Middle East peace process, including progress toward—

- (1) public recognition of Israel's right to exist in peace and security;
- (2) ending the Arab economic boycott of Israel; and
- (3) ending efforts to expel Israel from international organizations or denying participation in the activities of such organizations.

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