

Calendar No. 459

108TH CONGRESS
2D SESSION**S. 2096****[Report No. 108–246]**

To promote a free press and open media through the National Endowment
for Democracy and for other purposes.

IN THE SENATE OF THE UNITED STATES

FEBRUARY 23, 2004

Mr. LUGAR (for himself, Ms. CANTWELL, Mr. HAGEL, and Mr. FEINGOLD)
introduced the following bill; which was read twice and referred to the
Committee on Foreign Relations

MARCH 18, 2004

Reported, under authority of the order of the Senate of March 12, 2004, by
Mr. LUGAR, without amendment

A BILL

To promote a free press and open media through the
National Endowment for Democracy 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 “International Free
5 Press and Open Media Act of 2004”.

1 **SEC. 2. FINDINGS.**

2 Congress makes the following findings:

3 (1) It is in the national interest of the United
4 States to promote the development of free press and
5 open media around the world, as such development
6 increases the national security of the United States.

7 (2) A free press and open media, including tra-
8 ditional forms of communications such as print
9 media, television, and radio programming, and films
10 and entertainment media, as well as emerging forms
11 of communication such as media transmitted on the
12 Internet and by wireless transmissions, are among
13 the foundations of democratic institutions in an open
14 society that respects human rights.

15 (3) A free press and open media can best be
16 achieved if the press and media—

17 (A) are located in a country that—

18 (i) has legal protections to ensure that
19 the press and media are independent of
20 government control or subversion and are
21 able to deliver information without impedi-
22 ment; and

23 (ii) has journalists, editors, publishers,
24 producers, and business executives who are
25 practiced in the basic concepts of fairness
26 and equal access in a civil society; and

1 (B) are able to be financially self-sufficient
2 through subscription fees, advertising revenues,
3 donations, or other funding mechanisms.

4 (4) Private sector groups in the United States,
5 including businesses and nongovernmental organiza-
6 tions, have carried out a variety of activities to pro-
7 mote free press and open media in foreign countries.

8 (5) There is a need to establish an entity—

9 (A) to address issues related to the devel-
10 opment of a free press and open media; and

11 (B) to bring together individuals and insti-
12 tutions to organize and focus greater attention
13 on the establishment of new, and the enhance-
14 ment of existing, free media programs through-
15 out the world.

16 (6) The National Endowment for Democracy
17 (in this section referred to as the “NED”) is a non-
18 profit, federally funded, grantmaking, nongovern-
19 mental organization recognized by Congress in the
20 National Endowment for Democracy Act (22 U.S.C.
21 4411 et seq.).

22 (7) The NED has historically provided support
23 and coordination of the activities of private sector
24 groups and nongovernmental organizations that pro-
25 mote democratic institutions.

1 (8) The NED has received strong bipartisan
2 support from Presidents and Congress since it was
3 established in 1983.

4 (9) The NED is the appropriate entity—

5 (A) to address issues related to the devel-
6 opment of a free press and open media; and

7 (B) to bring together individuals and insti-
8 tutions to organize and focus greater attention
9 on the establishment of new, and enhancement
10 of existing, free media programs throughout the
11 world.

12 **SEC. 3. AMENDMENTS TO THE NATIONAL ENDOWMENT FOR**
13 **DEMOCRACY ACT.**

14 (a) PURPOSES OF THE ENDOWMENT.—Section
15 502(b) of the National Endowment for Democracy Act (22
16 U.S.C. 4411(b)) is amended—

17 (1) in paragraph (1), by striking “rights)” and
18 inserting “rights and freedom of the press and other
19 media)”;

20 (2) in paragraph (2), by striking “and busi-
21 ness;” and inserting “business, and media;”;

22 (3) in paragraph (3), by inserting “media,”
23 after “business,”; and

24 (4) in paragraph (5), by inserting “media,”
25 after “business,”.

1 (b) FUNDS TO PROMOTE FREEDOM OF THE
2 PRESS.—Section 503 of the National Endowment for De-
3 mocracy Act (22 U.S.C. 4412) is amended by striking sub-
4 section (e) and inserting the following:

5 “(e) Not less than 10 percent of the amounts made
6 available to the Endowment for fiscal year 2005 should
7 be made available for programs to promote freedom of the
8 press and other media.”.

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