

115TH CONGRESS
2D SESSION

H. R. 5354

To amend the Communications Act of 1934 to require United States-based foreign media outlets to submit semiannual reports to the Federal Communications Commission, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 20, 2018

Mr. MOULTON (for himself and Ms. STEFANIK) introduced the following bill;
which was referred to the Committee on Energy and Commerce

A BILL

To amend the Communications Act of 1934 to require United States-based foreign media outlets to submit semiannual reports to the Federal Communications Commission, 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 “Countering Foreign
5 Propaganda Act of 2018”.

1 **SEC. 2. DISCLOSURE REQUIREMENTS FOR UNITED STATES-**
2 **BASED FOREIGN MEDIA OUTLETS.**

3 Title VII of the Communications Act of 1934 (47
4 U.S.C. 601 et seq.) is amended by adding at the end the
5 following:

6 **“SEC. 721. DISCLOSURE REQUIREMENTS FOR UNITED**
7 **STATES-BASED FOREIGN MEDIA OUTLETS.**

8 “(a) REPORTS BY OUTLETS TO COMMISSION.—Not
9 later than 90 days after the date of the enactment of this
10 section, and not less frequently than every 6 months there-
11 after, a United States-based foreign media outlet shall
12 submit to the Commission a report that contains the fol-
13 lowing information:

14 “(1) The name of such outlet.

15 “(2) A description of the relationship of such
16 outlet to the foreign principal of such outlet, includ-
17 ing a description of the legal structure of such rela-
18 tionship and any funding that such outlet receives
19 from such principal.

20 “(b) REPORTS BY COMMISSION TO CONGRESS.—Not
21 later than 60 days after the date of the enactment of this
22 section, and not less frequently than every 6 months there-
23 after, the Commission shall transmit to Congress a report
24 that summarizes the contents of the reports submitted by
25 United States-based foreign media outlets under sub-
26 section (a) during the preceding 6-month period.

1 “(c) PUBLIC AVAILABILITY.—The Commission shall
2 make publicly available on the internet website of the
3 Commission each report submitted by a United States-
4 based foreign media outlet under subsection (a) not later
5 than the earlier of—

6 “(1) the date that is 30 days after the outlet
7 submits the report to the Commission; or

8 “(2) the date on which the Commission trans-
9 mits to Congress under subsection (b) the report
10 covering the 6-month period during which the report
11 of the outlet was submitted to the Commission
12 under subsection (a).

13 “(d) STATEMENT REQUIRED TO BE INCLUDED IN
14 VIDEO PROGRAMMING.—

15 “(1) IN GENERAL.—It shall be unlawful for a
16 United States-based foreign media outlet to produce
17 or distribute any video programming for or in the
18 interests of a foreign principal of such outlet, if such
19 programming is transmitted, or intended for trans-
20 mission, by a multichannel video programming dis-
21 tributor to consumers in the United States, without
22 including in such programming a conspicuous state-
23 ment that the programming is produced or distrib-
24 uted by such outlet on behalf of such foreign prin-
25 cipal, and that additional information is available in

1 semiannual reports of such outlet posted on the
2 internet website of the Commission. The Commission
3 may by rule define what constitutes a conspicuous
4 statement for the purposes of this subsection.

5 “(2) FREQUENCY.—In the case of video pro-
6 gramming that is longer than 60 minutes in dura-
7 tion, the statement required by paragraph (1) shall
8 be included at least once in each 60-minute segment
9 of programming.

10 “(e) DEFINITIONS.—In this section:

11 “(1) FOREIGN PRINCIPAL.—The term ‘foreign
12 principal’ has the meaning given such term in sec-
13 tion 1(b)(1) of the Foreign Agents Registration Act
14 of 1938 (22 U.S.C. 611(b)(1)).

15 “(2) MULTICHANNEL VIDEO PROGRAMMING
16 DISTRIBUTOR.—The term ‘multichannel video pro-
17 gramming distributor’ has the meaning given such
18 term in section 602.

19 “(3) UNITED STATES-BASED FOREIGN MEDIA
20 OUTLET.—The term ‘United States-based foreign
21 media outlet’ means an entity that—

22 “(A) produces or distributes video pro-
23 gramming that is transmitted, or intended for
24 transmission, by a multichannel video program-

1 ming distributor to consumers in the United
2 States; and

3 “(B) would be an agent of a foreign prin-
4 cipal (as defined in paragraph (1)) for purposes
5 of the Foreign Agents Registration Act of 1938
6 (22 U.S.C. 611 et seq.) but for section 1(d) of
7 such Act (22 U.S.C. 611(d)).

8 “(4) VIDEO PROGRAMMING.—The term ‘video
9 programming’ has the meaning given such term in
10 section 602.”.

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