

RECORD OF DECISIONS

From: Broadcasting Board of Governors
Date: March 11, 2011
Subject: **Decisions of Board at BBG Meeting of March 11, 2011**

The Broadcasting Board of Governors (BBG) met today in Miami, FL at the Office of Cuba Broadcasting Headquarters. The meeting was open for public observation via streaming on the BBG website.

The meeting was attended by the following Board members:

Chairman Walter Isaacson
Governor Victor Ashe
Governor Michael Lynton
Governor Susan McCue
Governor Michael Meehan
Governor Dennis Mulhaupt
Governor Dana Perino
Governor S. Enders Wimbush
Under Secretary Judith McHale

The Broadcasting Board of Governors agreed to the following items [by unanimous consent]:

1. Adoption of December 17, 2010 Minutes. The Board adopted the minutes of December 17, 2010 meeting [under Tab 10 of the Briefing Book].
2. Adoption of 2011 BBG Policy Statements on Sexual Harassment & Equal Employment Opportunity. The Board formally adopted the policy statements that were approved in January 2011 by notation vote [under Tab 11 of the Briefing Book].
3. Adoption of Resolution on Interference with BBG Broadcasts. The Board adopted the draft resolution condemning interference with BBG broadcasts (Attachment 1 hereto).
4. Adoption of Resolution for Jeffrey Gedmin. The Board considered a draft resolution for Jeffrey Gedmin, recognizing his distinguished service as RFE/RL President [under Tab 12 of the Briefing Book]. Governor Ashe proposed the following amendment to the draft resolution for Jeffrey Gedmin: “Be it further resolved that the BBG commends Governor Dennis Mulhaupt who serves as chair of Radio Free Europe for his leadership in managing the transition of leadership at RFE and wishes him well as the process proceeds and we confirm our confidence in him.” The Board then adopted the amendment and amended draft resolution.

5. Adoption of Resolutions Recognizing Anniversaries of Broadcast Services. The Board adopted the following draft resolutions:
 - VOA Creole Service 25th Anniversary [under Tab 13 of the Briefing Book]
 - VOA Tibetan Service 20th Anniversary [under Tab 14 of the Briefing Book]
 - RFA 15th Anniversary [under Tab 15 of the Briefing Book]
6. Adoption of Strategy and Budget Committee Recommendations. The Board heard a briefing from Governor Wimbush regarding the observations and recommendations of the Strategy and Budget Committee from its meetings held on January 13, 2011 for the Africa Regional Review and February 22, 2011 for the Latin America Regional Review. The Board agreed to adopt the Committee Reports of those meetings [under Tab 2 of the Briefing Book].
7. Adoption of Governance Committee Recommendations. The Board heard a briefing from Governors Mulhaupt and Ashe regarding the Governance Committee meeting held on February 22, 2011. The Board adopted the following Governance Committee recommendations [under Tab 4 of the Briefing Book]:
 - a. Adoption of November 2010 Committee Report. The plenary Board adopts the Governance Committee recommendations from the November 18, 2010 Governance Committee Report, noting that the Board has already adopted several of the Committee's recommendations at the Board's November 19, 2010 meeting.
 - b. Amended Terms of Reference. The plenary Board adopts the revised Governance Committee Terms of Reference [behind Committee Report under Tab 4 of the Briefing Book] incorporating the following changes:
 - i. Include, as a Committee mandate, oversight of the federal agency's authority to accept gifts from outside sources.
 - ii. Include, as a Committee mandate, oversight of the overall structure and use of human capital within BBG-funded United States international broadcasting (including, without limitation, issues of staff morale and management structures).
 - c. Improved Firewall Policy. Noting that the Board's firewall policy has a statutory basis in the United States International Broadcasting Act of 1994 (as amended) and pertains to individual Governors, the Secretary of State, and the Inspector General, as well as other Executive Branch agencies, the plenary Board adopts the revised firewall policy [behind Committee Report under Tab 4 of the Briefing Book].
 - d. Crisis Management Policy.
 - i. The BBG staff is directed to develop and propose a crisis management policy based on a definition of "crisis" that is comprised of a physical threat to a journalist or the destruction of BBG facilities (as distinguished from foreign policy crises, which may require a surge in BBG broadcasting).

- ii. In the event of a foreign policy crisis, the Strategy and Budget Committee should develop recommendations for proposed actions, including a surge in BBG broadcasting.
 - iii. BBG staff is directed to develop a revised crisis protocol based upon these recommendations.
- e. Individual Governor Contributions to Meeting Agendas. In light of the public notice requirement of the Government in Sunshine Act, the Board encourages individual Governors to raise agenda items and resolutions for discussion at least seven (7) days prior to a meeting of the Board of Governors, except in urgent circumstances.
- f. Protection of Sensitive But Unclassified Information. The Board notes the need to develop a confidentiality policy for “sensitive but unclassified” information. BBG staff is directed to develop and recommend ways to protect from disclosure and public distribution of information and materials which the Board deems to be “sensitive but unclassified” that are consistent with federal law and regulation and consistent with the precedents established by other federal agencies.
- g. Functions and Authorities of BBG, VOA, OCB, and IBB.
- i. The functions of the IBB Director within the federal agency were clarified in a functional authorities diagram adopted by the Board at its December 2010 meeting. The Board confirms that, in order to properly execute the IBB functions – as manager of key functions of the federal Agency, manager of the BBG’s global distribution network and chair of the IBB Coordinating Committee – the IBB Director must have the authority to identify, evaluate and resolve strategic trade-offs and conflicts among the broadcasting entities, consistent with the broad strategic guidelines established by the Board and subject to the Board’s continuing oversight.
 - ii. The Board hereby clarifies that the VOA and OCB Directors report to the IBB Director with respect to these key day-to-day operational functions and report to the Board only with respect to their respective programming.
 - iii. BBG staff is directed to develop proposed delegations of authority to the BBG Executive Director, IBB Director, VOA Director, and OCB Director to clarify the responsibilities of each position and ensure the proper delegation of functions across the four positions. The Board directs that each delegation of authority should clearly specify the nature and extent of the functions for which each respective director is responsible, the reporting relationships of each respective director, and, where applicable, the functions with respect to which each such director may be subordinate to another director.

h. Agreements and Relationships with Other International Broadcasting Entities and Governments.

- i. The Board hereby designates the BBG Executive Director as the principal point of contact and the chief representative of the BBG in relationships with other international broadcasting entities and governments (including such informal groups as the DG-5). The Board may delegate this authority to other members of the federal agency, including, but not limited to, the IBB Director and the VOA Director, to provide representation at various conferences and events.
 - ii. The BBG Executive Director's representational authority is not intended to curtail the IBB Director's authority to conduct discussions regarding commercial and intergovernmental relationships necessary to distribute BBG programming globally. The IBB maintains many such international relationships to build and maintain facilities, develop affiliate relations and distribute BBG programming around the world. These relationships should continue to be managed under the supervision of the IBB Director.
8. East Asia Trip Report. The Board heard a report from Governor Ashe of his trip to East Asia on which he was accompanied by RFA Vice President of Programming/Executive Editor Daniel Southerland to Bangkok, Phnom Penh and Hong Kong (Attachment 2 hereto).
9. IBB Director's Report. The Board heard a report from International Broadcasting Bureau Director Dick Lobo on efforts related to distribution platforms, among other things.

Walter Isaacson
Chairman

Witnessed:

Paul Kollmer-Dorsey
Secretary

Attachments:

1. Resolution on Interference with BBG Broadcasts
2. East Asia Trip Report

BROADCASTING BOARD OF GOVERNORS
BOARD RESOLUTION
March 11, 2011

Resolution on Interference with BBG Broadcasts

WHEREAS, the Congress declared in the U.S. International Broadcasting Act of 1994, as amended (the “Act”) – the law that established the Broadcasting Board of Governors as an independent federal agency – that:

“It is the policy of the United States to promote the freedom of opinion and expression; including the freedom ‘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.”

And furthermore that:

“Open communication of information and ideas among the peoples of the world contributes to international peace and stability and the promotion of such communication is in the interests of the United States.”

WHEREAS, BBG-sponsored U.S. international broadcasters face significant obstacles in implementing the principles underlying the Act, including the jamming of radio and television signals carried over terrestrial and satellite delivery systems, blockage of Internet-based program delivery; the refusal of foreign governments to allow placement of BBG programming on domestic media outlets and to grant visas to U.S. journalists; and harassment of, and violent attacks on, BBG journalists in countries to which we broadcast;

WHEREAS, deliberate interference and jamming of United States international broadcasting signals, cyber attacks against BBG-sponsored websites and restrictions on the use and availability of the Internet and social media tools has increased in nations in the Middle East, East Asia and elsewhere where citizens are demonstrating for institutional change;

WHEREAS, media organizations of those nations that jam or otherwise interfere with the free flow of ideas through broadcast media enjoy open access to U.S. media markets; and

WHEREAS, the BBG recognizes the need to articulate clearly the United States Government’s position that interference with free media and the free flow of information and ideas constitutes a threat to human rights and freedom and to the principles stated in Article 19 of the Universal Declaration of Human Rights.

THEREFORE, be it resolved that the Broadcasting Board of Governors hereby affirms its commitments to the following:

- To reach audiences in restricted media environments by the most effective means available.
- To oppose and overcome jamming and other deliberate means of interference with BBG broadcasts through all available technologies, as well as through diplomatic efforts by the U.S. Government.
- To protect BBG-sponsored journalists and assist their news-gathering and reporting activities throughout the world.

Walter Isaacson
Chairman
Broadcasting Board of Governors

DATE: March 11, 2011

TRIP REPORT

Seoul, Bangkok, Phnom Penh, and Hong Kong

January 2011

The Honorable Victor Ashe
Governor, Broadcasting Board of Governors
Chair, Radio Free Asia's Board of Directors

As the chair of RFA's board of directors, I travelled to Seoul, Bangkok, Phnom Penh, and Hong Kong from January 16-26.

The purpose of the trip was to meet with RFA editors and broadcasters, U.S. diplomats, regional experts, and journalists to determine whether RFA is adhering to its mission and achieving its goals. In addition, experts briefed me on the media environment in each of the four locations. I also met with VOA bureau chiefs, editors, and broadcasters in each location.

Media Environment

The environment varied greatly from location to location. At one extreme was North Korea, where the media is totally controlled. At the other end of the spectrum were Hong Kong, where the media is relatively robust but increasingly self-censoring, and Cambodia, where the government controls all television outlets. Cambodian language newspapers are divided between pro and anti-government tendencies and reach few people outside Phnom Penh. In this environment, radio flourishes. In Thailand, the most democratic of the places visited, press freedom advocates see disturbing trends, including the closing of a number of websites over the past year.

Highlights

Seoul

- In Seoul, we met with RFA's Seoul bureau chief and staff and engaged in a discussion with five North Korean defectors working for RFA as reporters, analysts, and commentators. I met Andrei Lankov, an RFA commentator on North Korea who was trained in Pyongyang, and who described RFA as "perhaps the best" of the international and defector radio stations broadcasting to North Korea.
- We also met with U.S. Ambassador Kathleen Stephens, who expressed support for the work of both RFA and VOA. I delivered a letter to the ambassador inviting her to visit the RFA and VOA offices in Seoul. The ambassador responded that she would be happy to do so.

- I urged the RFA bureau chief in Seoul to meet every few months with the VOA bureau chief in order to exchange ideas and information.

Bangkok

- In Bangkok, we met RFA broadcasters and were briefed by RFA's Laotian service director on China's growing influence in her country. The Chinese are leasing land in Laos for casinos, agricultural development, and special economic zones.
- Shawn Crispin, Southeast Asia representative of the Committee to Protect Journalists, said that China is giving Laos the capacity to censor the Internet. RFA is checking out a report from Laos that China is doing just that.
- We also met with Neal Lavon, the IBB's regional marketing director, to discuss affiliate relations.
- Kristie Kenney, the newly arrived U.S. ambassador to Thailand, expressed a strong interest in the work of RFA and VOA broadcasters in Bangkok and reacted positively to my suggestion that she visit their offices.

Phnom Penh

- In Phnom Penh, we met with the minister of information and the deputy prime minister, Sar Keng, who said that RFA had "quite a big number of listeners." At the same time, he said that RFA needed to make further efforts to produce balanced news. I told the deputy prime minister that RFA does not take sides but reports both sides of the issues.
- U.S. Ambassador Carol Rodley said that RFA "is an important part of the media environment" in Cambodia and provides the country with "more access to objective news coverage."
- We met two respected NGO directors, Youk Chhang and Kek Galabru, who said that RFA was the most listened-to radio station in Cambodia.
- Chea Sundaneth, director of the Women's Media Center (WMC) of Cambodia, which carries RFA programs, said that she is facing financial difficulties and needs to replace old equipment. She asked if RFA could buy her a transmitter that would cost \$70,000. If we did this, she said, we would not have to pay her for air time for three years. (The current lease costs the IBB about \$60,000 a year.)

Hong Kong

- In Hong Kong, RFA's labor expert Han Dongfang described his exchanges with Chinese workers on the RFA call-in show, "Labor Corner."
- We met with Democracy Party leaders Albert Ho and former chairman Martin Lee.

- Three Hong Kong journalists briefed us on growing self-censorship within the Chinese language media in Hong Kong.
- We also met with an American consultant to CCTV, China's central television network. He described China's funding of a major expansion of China's foreign language television broadcasts overseas, estimated at about \$6.8 billion.
- U.S. Consul General Stephen Young described Hong Kong's enduring strong points, including rule of law, dynamic entrepreneurship, and a still relatively robust media environment.

Chinese Influence in Southeast Asia

During our visits to Bangkok and Phnom Penh, we noticed widespread media coverage of China's growing commercial investment and substantial civilian and military assistance in the region.

From the moment we arrived in Bangkok, the issue was prominent. Stepping off the plane, we saw that *The Economist* magazine of that week featured an article on China's recently ratified agreement to build new, multi-billion dollar rail lines in Laos and Thailand.

Late last year, China launched plans to build a \$600 million stretch of railway between Phnom Penh and Vietnam. Eventually, China's rail lines will incorporate much of Southeast Asia as far south as Singapore.

China's tariff-cutting free trade agreement with the Association of Southeast Asian Nations (ASEAN) promises more trade between China and the region. Laos and Cambodia have natural resources which China is eager to strip.

Across Cambodia, state-owned Chinese companies are building eight hydropower dams. The total price tag: more than \$1 billion, which will be backed by concessionary loans.

Beijing is also investing heavily in "media partnerships" in Southeast Asia in which China provides "a great deal of content for local media," according to a new study by the U.S.-based Center for International Media Assistance.

Findings and Conclusions

- Both RFA and VOA are playing a vital role in bringing accurate news to several nations where the media are censored or otherwise restricted. Staff members whom I met were highly motivated, treating their jobs as a mission and a high calling.
- U.S. ambassadors should be invited to visit RFA and VOA offices at least once during their tours. This is not a matter of breaching the firewall. Ambassadors need to be aware of RFA

and VOA operations, and a single, even brief, visit would be good for staff morale. Ambassadors also need to be informed should a threat develop against any office.

- Similarly, RFA and VOA bureau chiefs should have periodic contact aimed at sharing ideas and information and should keep each other informed of any threat, such as the incident involving a bullet fired into RFA's office in Phnom Penh late one night on December 5, 2010.
- Beijing's investments in "media partnerships" throughout Southeast Asia offer new challenges to international broadcasters.
- China is spending several billion dollars to expand its image by expanding its own media's direct overseas outreach. The official Xinhua news agency, for example, has plans to go into television and nearly double the number of its overseas bureaus. Xinhua and China's central TV network, CCTV, have begun hiring out-of-work foreign reporters. This is taking place while VOA is still unable to expand its own small presence in China. RFA has succeeded in getting high-level reporting out of China but has not been able to establish a single reporter on a permanent basis in China.