

108TH CONGRESS
2D SESSION

S. 2096

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

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”.

6 **SEC. 2. FINDINGS.**

7 Congress makes the following findings:

8 (1) It is in the national interest of the United
9 States to promote the development of free press and

1 open media around the world, as such development
2 increases the national security of the United States.

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

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

13 (A) are located in a country that—

14 (i) has legal protections to ensure that
15 the press and media are independent of
16 government control or subversion and are
17 able to deliver information without impedi-
18 ment; and

19 (ii) has journalists, editors, publishers,
20 producers, and business executives who are
21 practiced in the basic concepts of fairness
22 and equal access in a civil society; and

23 (B) are able to be financially self-sufficient
24 through subscription fees, advertising revenues,
25 donations, or other funding mechanisms.

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

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

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

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

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

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

23 (8) The NED has received strong bipartisan
24 support from Presidents and Congress since it was
25 established in 1983.

- 1 (9) The NED is the appropriate entity—
2 (A) to address issues related to the devel-
3 opment of a free press and open media; and
4 (B) to bring together individuals and insti-
5 tutions to organize and focus greater attention
6 on the establishment of new, and enhancement
7 of existing, free media programs throughout the
8 world.

9 **SEC. 3. AMENDMENTS TO THE NATIONAL ENDOWMENT FOR**
10 **DEMOCRACY ACT.**

11 (a) **PURPOSES OF THE ENDOWMENT.**—Section
12 502(b) of the National Endowment for Democracy Act (22
13 U.S.C. 4411(b)) is amended—

14 (1) in paragraph (1), by striking “rights)” and
15 inserting “rights and freedom of the press and other
16 media)”;

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

19 (3) in paragraph (3), by inserting “media,”
20 after “business;” and

21 (4) in paragraph (5), by inserting “media,”
22 after “business;”.

23 (b) **FUNDS TO PROMOTE FREEDOM OF THE**
24 **PRESS.**—Section 503 of the National Endowment for De-

1 mocracy Act (22 U.S.C. 4412) is amended by striking sub-
2 section (e) and inserting the following:

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

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