

117TH CONGRESS
1ST SESSION

H. R. 4747

To establish the Open Translation and Analysis Center, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JULY 28, 2021

Mr. CASTRO of Texas (for himself, Mr. GALLAGHER, Mr. KEATING, Mr. FITZPATRICK, and Mrs. KIM of California) introduced the following bill; which was referred to the Committee on Foreign Affairs

A BILL

To establish the Open Translation and Analysis Center, 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 “Open Translation and
5 Analysis Center Authorization Act”.

6 **SEC. 2. FINDINGS.**

7 Congress finds the following:

8 (1) The success of United States foreign policy
9 depends on the ability to accurately perceive and un-

1 derstand other countries’ foreign and domestic poli-
2 cies.

3 (2) Open source materials published by the
4 People’s Republic of China and other nations offer
5 a uniquely valuable window into the politics, policy,
6 ideology, intentions, and activities of those countries.

7 (3) A lack of foreign language speakers greatly
8 hinders United States policymakers, journalists, aca-
9 demics, students, and others’ ability to understand
10 the People’s Republic of China and other nations
11 and governments.

12 (4) During the Cold War, the Foreign Broad-
13 cast Information Service provided translations and
14 open source analysis that nourished generations of
15 diplomats, journalists, academics, students, and oth-
16 ers.

17 (5) Today, a public translation and analysis or-
18 ganization is needed to support the development of
19 United States foreign policy and to enrich public un-
20 derstanding.

21 **SEC. 3. ESTABLISHMENT.**

22 There is established a federally funded research and
23 development center to be known as the “Open Translation
24 and Analysis Center” (referred to in this section as
25 “OTAC”).

1 **SEC. 4. INCORPORATION.**

2 OTAC shall be—

3 (1) administered as a separate entity by an or-
4 ganization managing a federally funded research and
5 development center on the date of the enactment of
6 this Act; or

7 (2) incorporated as a nonprofit membership
8 corporation.

9 **SEC. 5. PURPOSE AND MISSION.**

10 The purpose and mission of OTAC is the following:

11 (1) The translation, analysis, and public dis-
12 semination of foreign language government and
13 other documents from countries of strategic interest,
14 for the purposes of enhancing the understanding of
15 such countries' governments, governing organiza-
16 tions, militaries, economies, and cultures.

17 (2) To provide proper context and explanations
18 of translated foreign-language material to enhance
19 the ability of consumers to understand the meaning
20 and significance of such translated material.

21 (3) To strive to make as much translated for-
22 eign-language material publicly available as possible,
23 and to provide summaries of important foreign-lan-
24 guage material that cannot be made public.

1 (4) To train and develop exceptional analysts
2 and linguists with specialization regarding countries
3 of strategic interest.

4 **SEC. 6. DUTIES.**

5 (a) IN GENERAL.—In furtherance of the purpose and
6 mission specified in section 5, OTAC shall—

7 (1) translate into the English language docu-
8 ments and information in languages from countries
9 of interest, including—

10 (A) official and unofficial government, gov-
11 erning organization, and military documents
12 and reports;

13 (B) speeches of relevant government, polit-
14 ical, governing organization, and military offi-
15 cials;

16 (C) official and semiofficial government,
17 governing organization, and military journals;

18 (D) news articles and commentary from
19 government, governing organization, or other
20 quasi-official sources OTAC determines particu-
21 larly noteworthy for United States policymakers
22 and journalists and analysts around the world;

23 (E) documents and other information by
24 state-owned businesses and entities; and

1 (F) other information, including internet
2 and social media posts, that OTAC determines
3 important to United States policymakers and
4 journalists, academics, and the general public
5 around the world;

6 (2) provide analyses, summaries, and important
7 context for material translated pursuant to para-
8 graph (1), and other untranslated material, includ-
9 ing—

10 (A) biographical sketches and information
11 on important leaders;

12 (B) descriptions and background on polit-
13 ical processes, important bodies, companies,
14 economic systems, and military weapons sys-
15 tems and doctrines;

16 (C) definitions and analysis of important
17 concepts and phrases;

18 (D) information regarding changes over
19 time in government, military, and governing or-
20 ganization policies and intentions; and

21 (E) other issues that are of significance for
22 understanding countries of strategic interest;
23 and

24 (3) cooperate with other grantees of the United
25 States Agency for Global Media and relevant Fed-

1 eral agencies regarding any effort consistent with
2 such purpose and mission.

3 (b) DISSEMINATION.—

4 (1) PUBLIC WEBSITE.—

5 (A) IN GENERAL.—OTAC shall establish a
6 publicly accessible website that includes all
7 analyses and summaries under this Act and, to
8 the maximum extent practicable, all translated
9 materials under subsection (a), including
10 speeches, documents, and reports from any gov-
11 ernment, governing organizations, military, or
12 other organizations that are required to reg-
13 ister, or have subsidiaries that are required to
14 register, under title II of the State Department
15 Basic Authorities Act of 1956 (22 U.S.C. 4301
16 et seq.).

17 (B) LICENSE.—The materials referred to
18 in subparagraph (A) shall be published under a
19 creative commons license.

20 (2) COPYRIGHT.—

21 (A) IN GENERAL.—In accordance with the
22 Berne Convention for the Protection of Literary
23 and Artistic Works, other World Intellectual
24 Property Organization regulations and treaties,
25 and other international treaties, OTAC shall

1 treat foreign material in the same manner as
2 national materials are treated for purpose of
3 copyrights.

4 (B) NATIONAL LAWS.—Notwithstanding
5 any other provision of law, no document pub-
6 lished by the United States Government, includ-
7 ing the Armed Forces and any organization as-
8 sociated with or part of such Government, may
9 be construed by OTAC to have any copyright
10 protection beyond the level of a creative com-
11 mons license.

12 (C) CLARIFICATION.—For the purposes of
13 this Act, a governing organization or any orga-
14 nization that is required to register, or has sub-
15 sidiaries that are required to register, under
16 title II of the State Department Basic Authori-
17 ties Act of 1956 (22 U.S.C. 4301 et seq.), shall
18 be treated as a government for copyright pur-
19 poses.

20 (3) EXCEPTION.—For translated materials that
21 cannot be made publicly accessible without violating
22 legally binding copyright or intellectual property pro-
23 tections, OTAC shall—

24 (A) provide such materials free of charge
25 on a private website available to all United

1 States Government employees, Members of Con-
2 gress, and congressional staff, as well as to or-
3 ganizations and individuals who have relevant
4 contracts or grants with the United States Gov-
5 ernment or any part thereof;

6 (B) license such materials to any such or-
7 ganization or individual at cost; and

8 (C) as appropriate, provide summaries and
9 analyses that would fall under “fair use” guide-
10 lines for the purpose of copyright laws.

11 (c) METHODOLOGY.—In carrying out this section and
12 section 5, OTAC shall—

13 (1) establish the capabilities to acquire, retain,
14 train, and develop exceptional analytical and lin-
15 guistic expertise in countries of strategic interest
16 and languages of strategic interest;

17 (2) use software, programs, artificial intel-
18 ligence, and other technologies to ensure timely
19 translations;

20 (3) seek input from technical, regional, and
21 subject matter experts from a wide range of relevant
22 disciplines, to review, provide feedback, and evaluate
23 translations and analyses;

24 (4) maximize cooperation with the public and
25 private sectors in the United States, including Fed-

1 eral agencies, as well as with United States allies
2 and partners, to maximize efficiencies, acquire
3 source materials, and eliminate duplication of ef-
4 forts; and

5 (5) select material to translate and analyze on
6 the basis of its significance for United States and al-
7 lied policymakers, journalists, academics, and the
8 general public, and to enhance the understanding of
9 countries of strategic interests' politics, policies, in-
10 tentions, ideologies, militaries, businesses, tech-
11 nologies, science, and cultures.

12 (d) LIMITATION.—OTAC may not publish any trans-
13 lation until such translation has been reviewed and ap-
14 proved for accuracy by OTAC.

15 **SEC. 7. COOPERATION AND CONSULTATION.**

16 (a) IN GENERAL.—In carrying out the duties de-
17 scribed in section 6, OTAC shall consult and cooperate
18 with—

19 (1) relevant Federal agencies and grantees of
20 the U.S. Agency for Global Media, regarding any ef-
21 fort consistent with the purposes of this Act, includ-
22 ing—

23 (A) collecting source material;

24 (B) avoiding duplication of effort;

25 (C) details of employees; and

1 (D) training; and

2 (2) other relevant stakeholders, including—

3 (A) nonprofit research institutes;

4 (B) institutions of higher education; and

5 (C) media organizations.

6 (b) FOREIGN GOVERNMENTS.—OTAC is authorized
7 to consult and cooperate with any foreign government be-
8 ginning on the date that is 14 days after—

9 (1) the Secretary of State certifies that it is in
10 the national interest for OTAC to cooperate and
11 consult with a foreign government; and

12 (2) the Secretary of State provides to the rel-
13 evant congressional committees such certification.

14 **SEC. 8. SPONSORSHIP.**

15 (a) SPONSORS.—

16 (1) IN GENERAL.—The Secretary of State shall
17 be the primary sponsor of OTAC.

18 (2) AGREEMENTS.—The Secretary of State may
19 enter into agreements with other relevant Federal
20 agencies to provide additional sponsors of OTAC.

21 (3) NOTIFICATION.—The Secretary of State
22 shall notify the relevant congressional committees of
23 any additional sponsors for OTAC not later than 15
24 days after entering into an agreement under para-
25 graph (2).

1 (b) SENSE OF CONGRESS.—It is the sense of Con-
2 gress that the Secretary of State should enter into a spon-
3 sorship agreement pursuant to subsection (a)(2) with the
4 Director of the Central Intelligence Agency.

5 (c) AGREEMENT.—

6 (1) IN GENERAL.—Not later than 180 days
7 after the date of the enactment of this Act, the Sec-
8 retary of State shall seek to enter into a sponsoring
9 agreement with respect to OTAC that requires
10 OTAC to carry out the duties described in sections
11 5 and 6.

12 (2) CONSISTENCY WITH REQUIREMENTS PRE-
13 SCRIBED BY ADMINISTRATOR FOR FEDERAL PRO-
14 CUREMENT POLICY.—The Administrator for Federal
15 Procurement Policy shall prescribe general require-
16 ments for the sponsoring agreement entered into
17 under paragraph (1).

18 **SEC. 9. DEFINITIONS.**

19 For the purposes of this Act:

20 (1) The term “governing organization” means
21 any national body separate from a foreign govern-
22 ment that maintains ultimate control over such gov-
23 ernment, including political parties that exercise
24 functions normally reserved for governments.

1 (2) The term “countries of strategic interest”
2 means—

3 (A) the People’s Republic of China; and

4 (B) other countries as determined by the
5 Secretary of State.

6 (3) The term “relevant congressional commit-
7 tees” means—

8 (A) the Foreign Affairs Committee in the
9 House of Representatives; and

10 (B) the Foreign Relations Committee in
11 the Senate.

12 (4) The term “languages of strategic interest”
13 means—

14 (A) languages identified as critical lan-
15 guages by the Department of State’s Critical
16 Language Scholarship Program; and

17 (B) other languages as determined by the
18 Secretary of State.

19 **SEC. 10. AUTHORIZATION OF APPROPRIATIONS.**

20 There are authorized to be appropriated for OTAC—

21 (1) \$85,000,000 for fiscal year 2022;

22 (2) \$80,000,000 for each of fiscal years 2023
23 through 2026; and

- 1 (3) such sums as may be necessary for each fis-
- 2 cal year thereafter.

