By email

September 24, 2020

The Honorable Eliot Engel
Chairman, Committee on Foreign Affairs
United States House of Representatives
2170 Rayburn House Office Building
Washington, D.C. 20515

The Honorable Michael McCaul
Ranking Member, Committee on Foreign Affairs
United States House of Representatives
2170 Rayburn House Office Building
Washington, D.C. 20515

Re: Oversight of the United States Agency for Global Media and U.S. International Broadcasting Efforts

Dear Chairman Engel and Ranking Member McCaul:

The Reporters Committee for Freedom of the Press writes in connection with this important oversight proceeding. We urge the Committee to act to protect the physical safety of journalists at the U.S. international broadcasters and to preserve the editorial independence of these sources of essential and trusted news for millions around the world.

Already, at least five visa holders have had to leave the country, and many more may have to, some to countries that could retaliate against them for their work on the public’s behalf. See Jessica Jerreat, House Committee Issues Subpoena for USAGM CEO, Voice of America (Sept. 18, 2020), https://perma.cc/B67B-W3EF.

Additionally, the constructive firing of these journalists through the blanket refusal to renew their visas directly violates the statutory firewall protecting the USAGM networks’ editorial independence. The requirement that USAGM leadership “respect the independence and integrity” of its broadcasting services is codified in federal statute. See 22 U.S.C. § 6204(b).

This statutory requirement received further elaboration in the recent June 2020 rule approved unanimously by the USAGM’s then-board. See 22 C.F.R. § 531. The regulation plainly states that no person in the executive branch or a network outside the newsroom may “attempt[] to direct, pressure, coerce, threaten, interfere with, or otherwise impermissibly influence any of the USAGM networks, including their leadership, officers, employees, or staff, in the performance of their journalistic and broadcasting duties and activities.” 22 C.F.R. § 531.3(c).

Mr. Pack’s refusal to process the ordinary and routine renewal of these visas robs the broadcasters of essential journalistic expertise, localized knowledge, and language skills, all of which are necessary for the public broadcasters to effectively serve their unique audiences worldwide. In a concrete and immediate way, it impairs the ability of the broadcasters to gather and report the news consistent with the “highest professional standards of broadcast journalism.” 22 C.F.R. § 531.3(a).

Further, Mr. Pack has publicly stated that he (incorrectly) sees his job as reconstituting and policing the editorial approach of the networks—a blatant firewall violation—and the refusal to process these renewals en masse must be seen in light of those statements. See The Federalist Radio Hour (Aug. 27, 2020), https://youtu.be/7A43zYFQFIQ (“My job really is to drain the swamp, to root out corruption, and to deal with these issues of bias, not to tell journalists what to report.”) (starting at 10:02) (emphasis added); see also David Folkenflik, *At Voice of America, Trump Appointee Sought Political Influence Over Coverage*, Nat’l Public Radio (Sept. 2, 2020), https://perma.cc/2GR2-XBUN (“In two cases, stories were removed from VOA’s websites after questions were raised.”). Not only do these statements chill reporting by journalists facing visa non-renewal, but interference by the CEO in editorial decision-making, even in the face of perceived “bias,” is itself a firewall violation. The networks must be free to enforce
journalistic standards themselves. That is the very purpose of editorial independence as enshrined in the First Amendment, see *Miami Herald v. Tornillo*, 418 U.S. 241 (1974), and reflected in the firewall.

The firewall ensures that U.S. international public broadcasting is not seen as propaganda by viewers, listeners, and readers around the world. Rather, the animating principle behind publicly funded international broadcasting in the United States is to create an objective, unbiased, and editorially independent source of news—one that is even free to report critically about the United States government itself.

Legal and structural protections, like the firewall, are essential to protecting the independence of all publicly funded media. That the new leadership at the USAGM is violating the firewall in a manner that puts foreign journalists—many of whom came to the United States to provide essential news and information for their home countries suffering under state-controlled media and censorship—is doubly tragic and must stop.

Please do not hesitate to contact Gabe Rottman, director of the Technology and Press Freedom Project at the Reporters Committee, with any questions. He can be reached at grottman@rcfp.org.

Sincerely,

Bruce D. Brown
Executive Director

Gabe Rottman
Director of the Technology and Press Freedom Project