

**From: Michael Pack, Chief Executive Officer
U.S. Agency for Global Media**

**To: The Voice of America, the Office of Cuba
Broadcasting, Radio Free Europe/Radio Liberty,
Radio Free Asia, Middle East Broadcasting
Networks**

Date: October 2, 2020

Subject: Guidance on Conflicts of Interest

Reporting the news in a manner that is “consistently reliable and authoritative, accurate, objective, and comprehensive” (22 U.S.C. § 6202(b)(1)) requires “fairness, objectivity & balance.” *VOA Best Practices Guide*, at 8 (June 2020). Management of conflicts of interest is a key component of maintaining fairness, objectivity, and balance. Such actual conflicts as well as even the appearance of such conflicts in the eyes of a reasonable observer must be avoided. *See, e.g., VOA Best Practices Guide*, at 8–9 (June 2020); *The New York Times, Ethical Journalism*; *The Washington Post, Policies and Standards* (Jan. 1, 2016; 12:01 p.m. EST). A key part of prophetically preventing conflicts of interest amongst journalists is compliance with social media policies. *See, e.g., V-A BAM 530, Social Media Policy* (July 8, 2019); *VOA Best Practices*, at 50 (June 2020). I write to clarify policies and provide guidance on these points.

First. Policies regarding conflicts of interest and use of social media shall be enforced as written.

Second. Under applicable policies, conflicts of interest are not limited to those involving the recipient of money, ownership of stock, or gifts. The rule is broader. Simply put, it is a conflict of interest for a journalist to participate personally and substantially in reporting on an issue: (1) in which they have a personal interest or (2) have publically personally expressed a political opinion. For example, the *VOA Best Practices Guide* states:

VOA's mission is to provide accurate and objective news and information. To facilitate that mission, as journalists, you are expected to remain neutral and objective in all public appearances and public spaces, including social media. That means that you should try to avoid conduct or activity that would call into question your neutrality and objectivity as well as the neutrality and objectivity of VOA.

➤ For example: If as a VOA journalist you are reporting on or otherwise working on a story regarding "X" situation, it is recommended that you avoid publicly voicing your personal opinion about that situation because such activity may call into question your credibility as a journalist and could compromise VOA's reputation as a reliable and credible news organization.

VOA Best Practices Guide, at 111 (June 2020); *see also, e.g.*, The New York Times, *Ethical Journalism*; The Washington Post, *Policies and Standards* (Jan. 1, 2016; 12:01 p.m. EST). This is a common sense principle.

Recent events require explanation of the following examples, which in some cases, constitute a conflict of interest that can only be remedied by recusal.

- If a Voice of America ("VOA") journalist is personally affected by a potential governmental action, then they may not cover that issue. For example, a journalist who is working in the United States on a J-1 visa must follow normal procedures and recuse themselves from any story involving J-1 visas.
- A VOA journalist who publically takes a personal position on an active political issue has a conflict of interest—doubly so if that issue directly affects that individual. For example, a journalist who, in their private capacity, publically criticizes the U.S. Department of Justice's leadership for, among other things, implementing the policies and protecting the prerogatives of the Administration must recuse themselves

from reporting on the Department and the part of the Administration implicated by the criticism.

- A VOA journalist who expresses personal views on political topics in their personal social media creates the potential for a conflict of interest and should consider whether recusal or mitigation is required. For example, a journalist who on Facebook “likes” a comment or political cartoon that aggressively attacks or disparages the President must recuse themselves from covering the President.

The obligation to recuse or mitigate conflicts of interest rests with both the individual journalist and their supervisor. If a journalist fails to recuse themselves, it is the obligation of the supervisor to order recusal.

Despite the informal nature of this Memorandum, it constitutes a U.S. Agency for Global Media policy, and shall be recorded in the Broadcasting Administrative Manual as such.

This Memorandum is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the United States, its departments, agencies, or entities, its officers, employees, or agents, or any other person.