

“...the work performed by the international broadcasting entities...can hardly be described as a typical government function. Cynics may deride their work as ‘propaganda,’ but in fact the broadcasters are journalists, reporting the news of the United States and the world to foreign audiences. The news gathering and reporting functions of the broadcasters must continue to be independent and objective. The broadcasters themselves understand the importance of this imperative.”

U.S. House. Foreign Affairs Reform and Restructuring Act of 1998, Conference Report (to Accompany H.R. 1757). (105 H.Rpt. 432).

## Statutory Guarantees of Editorial Independence for All USAGM Networks

**USAGM is committed to supporting freedom of expression and exchange of information worldwide. USAGM provides funding to five news networks: the Voice of America, Radio Free Europe/Radio Liberty, Radio Free Asia, Middle East Broadcasting Networks, and the Radio/TV Marti. The editorial independence of the journalists and broadcasters at USAGM’s networks is a bedrock principle of their operation as public service media organizations. This independence is enshrined in both law and longstanding practice – which requires that USAGM networks adhere to the highest professional standards of journalism, and establishes, for that purpose, a protective firewall to insulate their broadcasters, their content, and staff from political and other such influence.**



### CODIFICATION OF USAGM NETWORK’S EDITORIAL INDEPENDENCE

An essential guarantee of the journalistic credibility of USAGM’s networks is editorial independence.

For USAGM networks, like any credible news organization, editorial independence requires appropriate separation between the news and business-sides of the organization. A firewall is short-hand for the structures and policies that insulate and protect the newsgathering and reporting function within a news organization. This firewall exists between those carrying out the journalism, including journalists and editors (often referred to as the “newsroom”) and everyone else in the organization.

## KEY PROVISIONS OF LAW

- 22 USC 6204(b), requires the CEO and Secretary of State to “respect the professional independence and integrity” of VOA, OCB, RFE/RL, RFA, and MBN.
- 22 USC 6202(a)(5), requires that agency programming meet the “highest professional standards of broadcast journalism”
- 22 USC 6202(b)(1), requires that agency news broadcasts be “consistently reliable and authoritative, accurate, objective, and comprehensive.”
- S. Rep. 103-107 (to accompany S. 1281) July 23, 1993 “protects the independence and journalistic integrity of the broadcasting entities.”
- S. Rep. 103-107 (1993) “secures the professional independence and integrity of [the agency’s] broadcasting services.”

The International Broadcasting Act of 1994 (22 U.S.C. §§ 6201 et seq.), as amended, the agency’s authorizing legislation, contains provisions which establish and protect the complete professional editorial independence of USAGM’s networks.

The USAGM Networks enjoy statutory protection from interference by government entities and authorities, to include the USAGM Chief Executive Officer (CEO) and the Secretary of State, who “shall respect the professional independence and integrity” of VOA, OCB, RFE/RL, RFA, MBN, and any other USAGM funded network. 22 U.S.C. § 6204(b). Together this and other provisions of the International Broadcasting Act, referred to as the “firewall” in the legislative history of the Act, are a recognition by Congress of the “need for journalists and broadcasters to maintain their professional independence in order to produce factual, unbiased and balanced work products.”

For purposes of USAGM, this firewall is understood to protect against those outside the newsroom from interfering with the independent editorial decisions of the network. In other words, it protects against influence that would undermine the journalistic and editorial independence, and thus the credibility, of a USAGM network.

## JOURNALISTIC STANDARDS

The firewall is critical to ensuring that the editors, reporters, and other journalists make the final decisions on what stories to cover and how they are covered, and that those decisions are ultimately governed by the highest standards of professional journalism, as required by law. To that end, all USAGM employees, regardless of their roles, and including the USAGM CEO, are required to take training that explains the legal and operational role of the firewall. Additionally, the firewall is enforced as part of the broader set of professional standards that are required of all USAGM networks’ journalists and are codified in each network’s journalistic standards. These standards reflect the best practices of the highest quality of journalism across the industry.

USAGM’s journalistic standards have teeth: conduct involving violations of these standards have resulted in the suspension and even termination of employees.

As appropriate, if its programming is called into question, USAGM may consult with independent journalism experts to produce independent analyses of whether the network has followed the highest standards of professional journalism, including implementing the expert recommendations.

The firewall is not meant to discourage USAGM journalists from interviewing government officials, or USG officials from appearing on USAGM programs. It is, however, central to the credibility of its networks, and notably differentiates the agency from state-sponsored propaganda operations.

Together, USAGM’s journalistic standards and statutorily mandated firewall reinforce one another, enabling its journalist workforce to produce authoritative, accurate, objective, and award-winning journalism free from undue political interference.

## FIREWALL RULE

The statutory firewall protects all USAGM networks, grantee and federal. Firewall is codified in agency guidance, appearing in Part II, section 531 of the USAGM Broadcasting Administrative Manual.

Recently, Congress reauthorized another aspect of the firewall: a bipartisan Board which provides oversight over the agency. Specifically, the International Broadcasting Advisory Board (IBAB), a bipartisan, Presidentially-appointed, Senate-confirmed Board is called upon to provide advice, guidance, and oversight to the USAGM CEO relating to the firewall:

“[the IBAB is] to ensure that— (A) the Chief Executive Officer fully respects the professional integrity and editorial independence of United States Agency for Global Media broadcasters, networks, and grantees; and (B) agency networks, broadcasters, and grantees adhere to the highest professional standards and ethics of journalism, including taking necessary actions to uphold professional standards to produce consistently reliable and authoritative, accurate, objective, and comprehensive news and information; ...”

Section 306(d)(6) of the IBA, 22 USC 6205(d)(6). The agency looks forward to working with the IBAB to look at ways to further protect editorial independence, including consideration of any future publication of any draft, interim, or final rules addressing professional independence of the journalists. This is consistent with and respectful of the IBAB’s mandate. Having future guidance and rules regarding this matter ultimately within the ambit of this independent, bipartisan Board ultimately insulates the firewall rule itself from the political ebb and flow.

## REPORTING INCIDENTS

Each network is to establish a policy to report any incidents which network staff reasonably believe violate the firewall and/or their or another USAGM’s networks editorial standards.

In the absence of such a policy, or as a general matter, such concerns may be reported to a network’s Standards Editor and/or General Counsel.

This is in addition to guidance pursuant to the USAGM Editorial Lapse Policy.