



U.S. AGENCY FOR  
GLOBAL MEDIA

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# JOURNALISTIC INDEPENDENCE

## WHAT WAS FOUND

In its final hours of existence – and literally hours before Michael Pack became the first Senate-confirmed CEO of the U.S. Agency for Global Media (USAGM) – the Broadcasting Board of Governors (BBG) issued a so-called “firewall rule,” relying upon a significant misinterpretation of the [International Broadcasting Act](#) (IBA). Before long, it became clear to USAGM senior management that this midnight regulation impeded both the agency’s ability to fulfill its legal mandate and the CEO’s capacity to satisfy his legal requirements as the head of the agency.

The CEO position itself was caught in a predicament. On the one hand, even routine attempts to ensure that USAGM fulfilled its legal mandate and that the head of the agency satisfied legal requirements were reflexively met with inaccurate accusations that the “firewall rule” – which, again, had just been established – had been violated. On the other hand, there was fear that a laissez-faire approach to management of the agency – the one apparently envisioned by proponents of the firewall rule – would inevitably have led to accusations that the CEO were, conversely, absconding from duties whenever issues arose. Those issues might have involved, for instance, security, human relations, or journalistic principles.

In short, USAGM became convinced that a laissez-faire approach would have been contrary not only to the advancement of the agency’s mission and U.S. foreign policy, but also to the reason that Congress created the CEO position. Indeed, the CEO position, established in 2016, was founded precisely because members of both parties deemed the old BBG structure – comprised of a part-time, nine-member board – to be ineffective in performing its duties.

## **WHAT WAS DONE—AND WHY**

In October 2020, CEO Pack [rescinded](#) the “firewall rule” midnight regulation, rectifying a situation that was both in tension with the Constitution and additional law and harmful to USAGM and the U.S. national interest. As a result, CEO Pack provided needed clarity that the USAGM CEO will be able to engage in managerial and general editorial oversight, which Congress specifically mandated that the CEO do in order to ensure that the agency carries out its proper governmental mission.

The notion of a “firewall” between senior management and the newsroom is foreign to virtually every major media organization in the world. Further, the notion of any “firewall” is largely foreign to the extraordinary history of the networks that now comprise USAGM. Voice of America, Radio Free Europe, and Radio Liberty have all been proudly serving the U.S. national interest and the cause of democracy for more than six decades—the majority of that time without a firewall. With respect to USAGM’s predecessors, the idea of establishing distance between agency senior management and the newsroom was only broadly introduced in 1994 with the enactment of the IBA. For nearly half a century prior, U.S. civilian international broadcasting exemplified journalistic independence and even markedly contributed to one of the West’s greatest modern achievements: triumph over tyranny, which took the form of Soviet Communism. During that entire period, there was little, if any, internal complaint about the networks being connected to the U.S. government and promoting the U.S. national interest.

## **WHAT SHOULD BE DONE MOVING FORWARD**

USAGM, without proper authority, would be effectively unaccountable to Congress and the president. Undoubtedly, if a “firewall” existed between senior management and all other agency personnel, the former could not reasonably be held accountable for problems within the agency since it was not empowered to fix those problems. Senior management must have the ability to oversee and manage agency personnel. By statute, the CEO is responsible for making sure that individuals whose jobs are funded by the American taxpayer adhere to the highest standards of their profession.

While senior management cannot be prohibited from managing the thousands of other individuals who serve the agency, it should adamantly respect journalistic independence. It is not the role of the

CEO to interfere on a day-to-day basis with the operations of the newsroom or individual journalists, dictating to journalists what topics they should cover, let alone the way certain topics should be covered. To engage in such interventionist behavior would constitute poor management and result in subpar journalism. Still, senior management is obligated by statute to intervene in the newsroom and elsewhere – as it always has been – when violations of the [VOA Charter](#) and contraventions of U.S. foreign policy occur within the agency.

Especially at this time, when adversaries of liberty are rampantly disseminating misinformation and disinformation, America needs a robust, well-managed, well-structured organization overseeing U.S. civilian international broadcasting that is accountable to Congress and the American people. The decision to rescind the very recently-fashioned “firewall rule” will invariably move USAGM much closer to that goal.