Documents for the Record

Energy and Commerce Committee

Subcommittee on Oversight and Investigations

05.08.24

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TECHNOLOGY

Possible TikTok ban could be 'an extinction-level event' for the creator economy

MAY 6, 2024 · 5:00 AM ET

Bobby Allyn

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Social media creator Lauren-Ashley Beck has more than 500,000 TikTok followers. Money she earns on the platform is now her largest source of income.

Grace Widyatmadja/NPR

Content creators are watching the clock.

TikTok will be banned in the U.S. in less than a year, unless its owner, ByteDance, sells the company, or the law signed by President Biden last month is blocked by the courts.

Anxiety is coursing through the creator economy, which includes tens of thousands of people who earn a living by making videos on TikTok, an app that has become a prime place for advertisers to reach younger audiences.

Taken together, content creators have become a formidable economic force.

Goldman Sachs estimates that the creator economy is a $250 billion industry, and it is expected to double by 2027.

Some creators on TikTok make side money by hawking products on the app's TikTok Shops. Others produce sponsored videos with brands, retailers and marketing agencies — sometimes the corporate sponsorship is barely noticeable, with TikTokkers recording low-budget, direct-to-screen videos that appear, at first glance, to be just like the rest of their output, except it is generating serious money.

From pandemic boredom to hit influencer career

For some, the hustle on the hit video app has become a new career, but not everyone embraces the usual title for this internet profession.

"I know people have a negative connotation to influencers, and I totally understand that, but there's some of us kind of fell into this by mistake, and this is our job now," said Lauren-Ashley Beck, 34, who lives in Los Angeles.

Besides once being a contestant on the television show "Survivor," Beck has a familiar story: She got bored during the pandemic, so she downloaded TikTok.

"Posting selfies and my food, just like everybody else," she said.

Eventually, she found her sweet spot: doing reviews of reality TV shows. It blew up, almost over night, and continued growing. These days she has marketing deals with HBO, Hulu and Amazon.

"Those are the people that come to me like, hey, can you talk about our shows? And then I build out the community talking about those shows," Beck said.

TECHNOLOGY

New DOJ Filing: TikTok's Owner Is 'A Mouthpiece' Of Chinese Communist Party

Talking about television to her more than 500,000 TikTok followers is now her largest source of income.

"I've dubbed myself, 'The Queen of Stream,' " she said.

The Queen of Stream cash has helped her get caught up with her student loans and allowed her to buy a Barbie-pink Ford Bronco, a purchase she made before Biden signed the TikTok ban law.

"I always say, I'm TikTok's biggest cheerleader. If you're a librarian, you could be a TikTokker," she said.

Beck has dubbed herself "The Queen of Stream."

Grace Widyatmadja/NPR

And TikTok has shown, some librarians indeed have made it on the platform, filling the so-called BookTok community with a steady stream of nerdy videos.

But for the Becks of the world, and BookTok creators alike, President Biden's recent action hit like a thunder clap.

TikTok ban could upend creator economy

Under the new law, ByteDance must fully divest from TikTok, or face punishing sanctions that would effectively drive the app into the ground. Providing web-hosting support to TikTok would become illegal. Google and Apple would be forced to remove TikTok from app stores. In sum, the federal government would marshal its resources to put TikTok out of business.

The U.S. claims the Chinese-owned app is a national security concern. Officials say, without direct evidence, that TikTok could be used as a spy tool, or a means for spreading pro-China propaganda to millions of Americans.

TECHNOLOGY

TikTok officials go on a public charm offensive amid a stalemate in Biden White House

James Nord, chief executive of the New York-based company Fohr, which does marketing for creators, said the law has sent shockwaves through the world of content creators.

Most big TikTokkers, Nord said, do not necessarily have large followings on other platforms, so a ban could mean starting almost from square one.

"For many people, this will be a extinction-level event for their careers," he said of the possible ban.

His company alone is on track to pay out $20 million to TikTok creators this year from brand deals he has brokered.

"This will shut tens of thousands of small businesses down. They won't get unemployment," Nord said. "There's no lattice of support for these creators."

Pivoting to other platforms is not so easy

So creators are trying to hedge their bets.

TikTokkers are now working on building up their following on the many social media platforms trying to be the next TikTok: YouTube Shorts, Instagram Reels, Snapchat and Amazon's Twitch.

But the big money is still made on TikTok, says Prasuna Cheruku, who runs Diversifi Talent, which helps TikTokkers in under-represented groups land big checks.

"It could be $1,000 up to $15, $20,000 [per video] depending on the creator," Cheruku said. "The majority of the creators I work with are very stressed out and anxious it'll all go away," she said, if the platform is outlawed.

"I have told my creators from the beginning: Make sure you're posting on Instagram, make sure you're posting on YouTube just in case."

Beck, for one, said she is acting as if a ban will happen by cross-posting videos to other platforms. But she said it's tricky, since TikTok success is no guarantee on other social media sites.

"I have been trying to repurpose my TikToks as YouTube Shorts, but it's just not the same viewership," she said, noting that a TikTok video of hers that garners 400,000 views might only get 400 on a rival platform.

Forever the optimist, Beck said she's confident she will be able to make a living on social media in whatever form that might soon take. But she has this advice for TikTokkers feeling less chipper about the future:

"You are not just TikTok, and everything will be OK, truly," she said. "And lean into your other platforms, just in case it does all go away."

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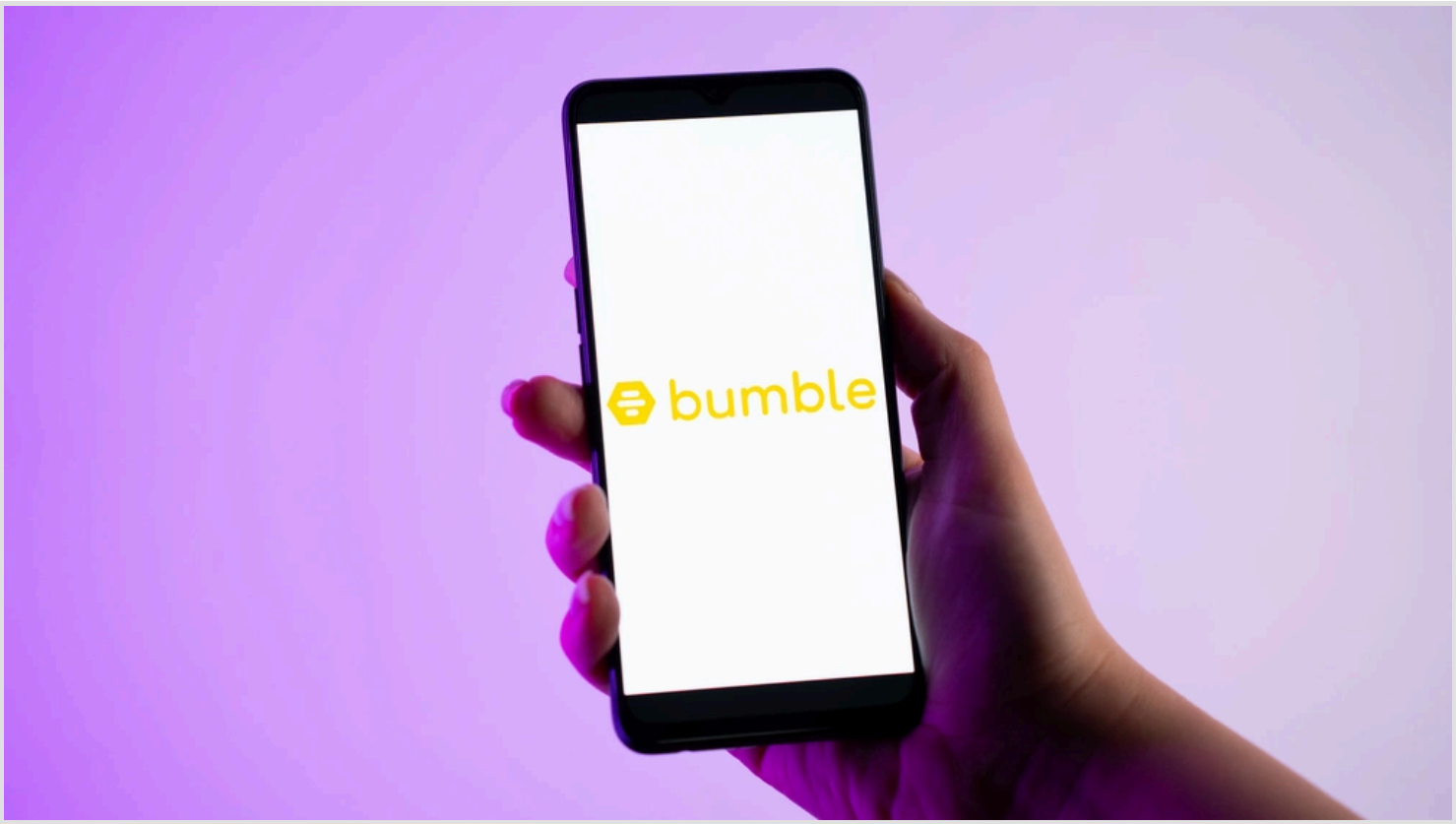

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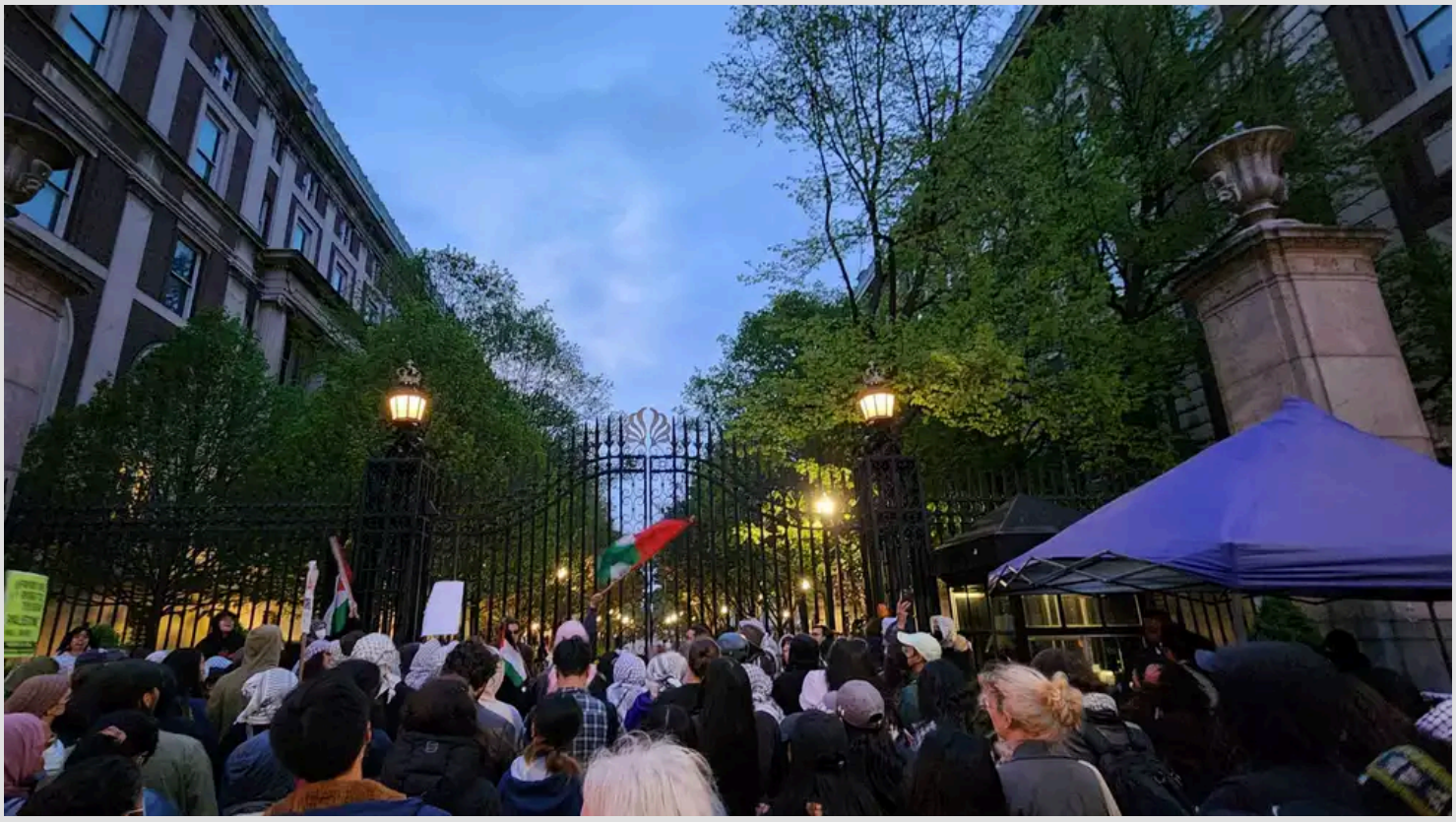

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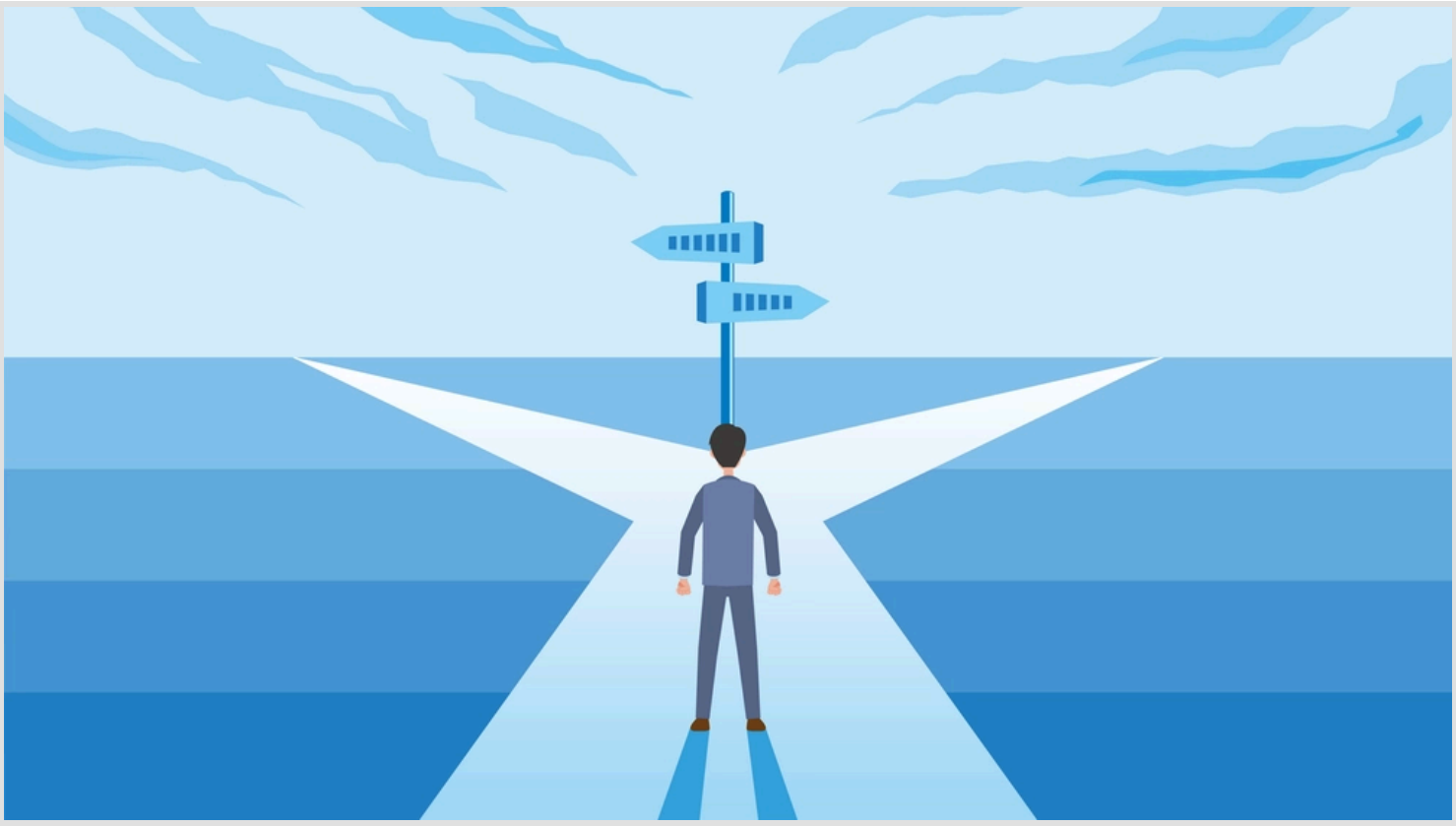

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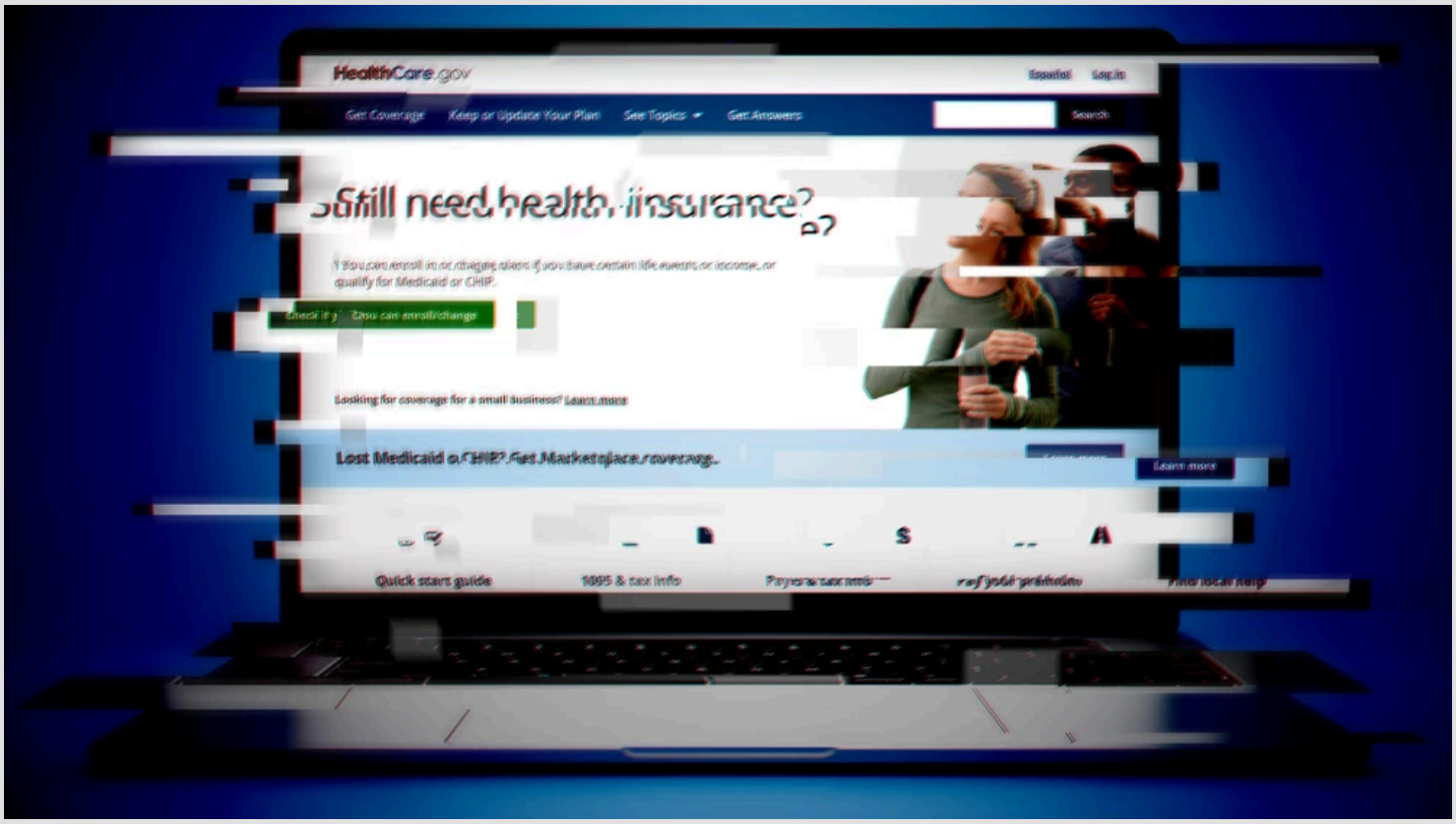

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May 7, 2024

The Honorable Morgan Griffith
Chair, Committee on Energy and Commerce Subcommittee on Oversight & Investigations
U.S. House of Representatives
Washington, D.C. 20515

The Honorable Kathy Castor
Ranking Member
Committee on Energy and Commerce Subcommittee on Oversight & Investigations
U.S. House of Representatives
Washington, D.C. 20515

Dear Chairman Griffith and Ranking Member Castor:

I understand that the Oversight and Investigations Subcommittee of the House Energy and Commerce Committee intends to proceed with a hearing on May 8, 2024, to discuss allegations of bias within National Public Radio, Inc. (NPR). As you know, I received a request to testify before the subcommittee on April 30, 2024. As I communicated to your staff, I welcome the opportunity to discuss with this Committee the critical role of public media in delivering fact-based, non-partisan news and reporting to the American public.

I am not able to attend this important discussion today due to a previously scheduled and publicly posted all-day meeting of NPR's Board of Directors. This Board meeting is my first opportunity, since joining NPR on March 25, 2024, to review and consult with the Board on the challenges and opportunities facing the organization, including a strategy to lead NPR forward in fulfilling its public service mission to serve all of America.

I respect the Committee and its request, and am in discussions with Committee staff about testifying on a date in the near future.

To support and inform the Subcommittee's discussion, I am respectfully submitting this enclosed statement. I would ask that this statement be entered into the record.

Thank you for considering this statement, and the opportunity to meet with the Subcommittee on a later date.

Sincerely,

Katherine Maher
President and CEO

Enclosure

Statement of Katherine Maher
President and CEO, National Public Radio
Hearing on "Examining Accusations of Ideological Bias at NPR"
Subcommittee on Oversight and Investigations
Committee on Energy and Commerce
U.S. House of Representatives

May 8, 2024

Chairwoman McMorris Rodgers, Chair Griffith, Ranking Member Pallone, Ranking Member Castor, and Members of the Subcommittee,

I welcome the opportunity to discuss the critical role of public media in delivering fact-based, non-partisan news and reporting to the American public. NPR has a long history of working with this Committee and I have great respect for the work you have done to support public media over the years.

I regret that I am not able to testify at today's hearing due to a previously scheduled and publicly posted all-day meeting of the Board of Directors of National Public Radio (NPR). This Board meeting is my first opportunity, since joining NPR six weeks ago on March 25, 2024, to review and consult with the Board on the challenges and opportunities facing the organization, including a strategy to lead NPR forward in fulfilling its public service mission to serve all of America. As you know, I am working with the Committee to find a date in the near future to appear.

As the President and CEO of NPR, I am respectfully submitting this statement to inform your discussion today of the critical role of public radio, its impact in communities across the country, and our shared commitment—which I carry with the utmost respect and responsibility—to providing an essential public media service that informs and is accountable to the American public, and upholds the protections of the First Amendment.

Public Radio, NPR & the Importance of Federal Funding

Every day, public radio connects with millions of Americans on the air, online, through smart speakers and mobile devices, and in person to explore current news, music, and enduring ideas. The average American listens to four hours of audio programming—commercial and noncommercial—per day, including news, music, and cultural programming. They listen in their cars as they commute, in the background at their places of work, and in the kitchen with family around mealtimes. Radio was one of the first technologies that connected communities across our nation, and ever since has helped entertain, educate, and inform America. Approximately 99 percent of the U.S. population is within the broadcast listening area of one or more of the nearly 1,200 public radio

stations across the country. NPR was founded in 1970 as an independent 501(c)(3) and membership organization for public radio stations. Public radio stations choose to become members of NPR, using a portion of their grants to purchase programming and services.

Today, NPR has 247 member organizations across every state in the nation, collectively known as the NPR Network. NPR upholds our mission of supporting an informed public by collaborating with this network of stations and news organizations to create news and cultural programs that help foster a deeper understanding and appreciation of news, events, ideas, and culture. To achieve this, we produce, acquire, and distribute programming that upholds the highest standards of public service in journalism and cultural expression. We provide a network of tools, services, and platforms to support stations in serving digital audiences. We also advocate for our members' shared interests, provide satellite interconnection for the entire public radio system, and provide for the effective distribution of emergency alert notifications.

The relationship between NPR and its member organizations is one of service, collaboration, and accountability. Member organizations license NPR broadcast content, digital content, and digital tools. They also receive services such as fundraising materials and assets, music rights reporting, and representation in blanket music license negotiations, as well as data on audience insights and analytics. NPR membership bolsters stations' ability to deliver on their mission to the American people, grow audiences across platforms, and build sustainable business models. NPR collaborates with member organizations to produce journalism that supports local communities, and brings the news of the nation to a national audience; NPR members in turn provide feedback on NPR's journalism and operations. NPR is governed by a board that includes a majority of directors elected from member organizations across the country.

Federal funding provided by Congress to the Corporation for Public Broadcasting (CPB) is the bedrock of the public broadcasting system, and the grounds for a nationwide model of local, community-based, public-private partnerships. Nearly 70 percent of CPB's appropriation is distributed directly to local public media stations that qualify for annual CPB grants. On average, for every $1 in federal grant money that a public radio station receives, the station raises $8 locally from audiences and sponsors in their coverage area. Public radio stations are independent not-for-profit, locally owned, licensed, and managed entities, and are thereby accountable to the community and listeners they serve. Almost all of the remaining federal funding allocated to CPB goes toward providing programming, system support, and essential broadcast and digital infrastructure for public stations. On average, only 1% of NPR's annual operating budget comes in the form of grants from CPB and federal agencies and departments.

The Public Interest and Editorial Independence

Public radio journalism is built to serve the public interest, and we value and welcome feedback and input on how we can better serve American audiences. To ensure that we are fulfilling our commitment to that public interest, NPR's newsroom subjects itself to continued, rigorous accountability. In addition to a Standards and Practices Editor working inside the newsroom—who is dedicated on a daily basis to strict adherence to NPR's publicly available editorial guidelines—NPR is one of the only journalistic institutions in the country with a Public Editor. The public editor is a source of independent accountability who serves as an advocate for NPR listeners and readers, with complete autonomy to investigate complaints, address the quality of NPR journalism, and transparently share findings with the public.

Although public media organizations are unique among publishers in their mandate to serve the public interest, the mission of any public media newsroom is situated firmly in the American constitutional guarantee of a free and independent press. Central to the structure of public broadcasting is the editorial firewall—a firewall underpinned by First Amendment protections, which are discussed below. The firewall prevents management, external, or political interference into the editorial decision-making of public media institutions. This firewall is a central tenet of public broadcasting that distinguishes public media from government-controlled media organizations, such as in China or Russia. It is the line between publicly funded journalism, created in the public interest, and state or political propaganda. For nearly 50 years, Congress has committed to this guarantee of independence through the two-year, advance appropriation for public media funding. This funding structure, which ensures the autonomy of national producers and local stations in their editorial decisions, is a key underpinning of the public media system, established with bipartisan support and codified by statute for nearly five decades.

NPR in Our Communities

NPR serves tens of millions of Americans as an essential daily local news provider, filling critical gaps for news and information in America's communities with expanded local and regional coverage. Public radio stations employ approximately 2,900 local journalists serving their communities with daily news—bringing trusted, reliable, independent news and information of the highest editorial standards. This essential service, which has roots in the founding of the public media system, has only grown more important as the availability of other sources of local news, such as local newspapers, has declined precipitously in communities across the country—with the total number of local newspapers decreasing by nearly one third since 2005.

NPR supports member organizations in bolstering local and regional news capacity through four regional newsrooms. This includes the Gulf States Newsroom, led by WBHM in Birmingham, AL, the Midwest Newsroom, led by KCUR in Kansas City, MO, the Texas Newsroom, led by KERA in Dallas, TX, and the California Newsroom, led by KQED in San Francisco, CA. We are expanding these collaborations nationally, with efforts underway to launch regional newsrooms in Appalachia, the Mountain West, and the Northeast. These collaborative local newsrooms, established first in 2019, have proven essential in increasing critical coverage and reporting both for their local communities and on regional issues for a national audience. This effort, initially established through direct grants from CPB, is now largely supported by the stations and NPR, and an excellent example of how public funds are used by public media to serve the most pressing needs of audiences across America.

In 2023, reporters who are part of the Texas Newsroom appeared on NPR national newscasts more than 400 times, and provided reporting for NPR's national shows more than 100 times. KERA was the first to report that Dallas Mayor Eric Johnson missed more than 130 hours of City Council meetings between 2019 and 2023. The station has also reported deeply on housing policy in the metro area, including uncovering a story about Mesquite resident Finda Koroma, who was losing the home she owned for 18 years after owing her HOA $3,500. In August 2023, KERA acquired the *Denton Record-Chronicle* to ensure Denton County continued to be served by a local newspaper. KERA also continues to strengthen its partnership with the *Dallas Morning News*, *Arts Access* and its collaboration with the *Fort Worth Report* to increase local reporting across North Texas.

NPR's journalism shines light on how individuals and communities can be better served by those entrusted to lead. In November 2023, reporting by NPR helped stop foreclosures on thousands of military veterans who were about to lose their homes through no fault of their own. NPR's reporting prompted a Congressional response that led to a near-immediate policy fix from the Department of Veterans Affairs. In January 2024, NPR education reporters investigated a 2024 error with the Free Application for Federal Student Aid (FAFSA) by the Biden administration's Department of Education that would have denied low-income students $1.8 billion in federal student aid. As a result of our reporting, the administration publicly committed to fix the problem in time for the 2024-2025 award year.

Public radio stations are community service organizations, and as such they look to increase employment opportunities in their regions and to tell the stories of members of their communities. For example, Troy Public Radio, which serves southeastern Alabama, western Georgia, and the Florida Panhandle, established a radio producer training program. In 12 years, TPR has invested approximately 20,000 mentorship hours in about

80 students; graduates have taken jobs at NPR, the PBS Newshour, The Smithsonian, Mississippi Public Broadcasting, KUNR, and WLRH, among other organizations. Troy Public Radio has also worked with military installations and veterans' organizations to amplify the stories of those who serve and have served our country, including an obituary report for NPR's national newsmagazine, All Things Considered, on the life of Command Sgt Major Bennie G. Adkins, recipient of the Medal of Honor.

Public radio is not just news. Public radio music-format stations play an important role in keeping alive the rich and diverse musical traditions of our nation, playing a broad collection of sounds and styles including jazz, blues, classical, folk, alternative, bluegrass, zydeco, roots, and other eclectic genres, and supporting local artists and music performances. Mountain Stage, produced by West Virginia Public Broadcasting and distributed by NPR, is the nation's second longest running nationally distributed performance radio show, behind only the Grand Ole Opry, and heard weekly on over 260 public radio stations nationwide. NPR's Tiny Desk Concerts, one of NPR's most beloved programs, reached 3 billion views in April 2024. Tiny Desk has a vast following among music lovers of all ages across the nation: for the past ten years, our popular Tiny Desk Contest for new musical talent has received entries from all 50 states in every conceivable American music genre, from country to hip hop to rock.

Shared Infrastructure for Universal Access and Public Safety

The success of NPR's Tiny Desk video series and nationwide contest symbolize the audience-shift to digital that we are seeing across the public radio system. Many of our listeners still rely on traditional radio broadcasting, especially during emergency situations, but increasingly listeners embrace public radio journalism across a range of different platforms. NPR itself does not hold any broadcast license, but NPR and public radio stations offer original journalism through a variety of platforms, including terrestrial radio, satellite radio, the web (desktop and mobile), smart speakers, and podcasts—and application-driven mobile services on iOS and Android (both phone and tablet) and via aggregators such as Apple Music. With a multi-platform approach, public radio serves all Americans across the platforms they choose, and always without a paywall.

In support of this digital shift, with CPB support, NPR continues to build and expand the adoption of Grove, a shared enterprise digital content management system (CMS) for all eligible public stations, including joint radio and television public media licensees. This enterprise CMS facilitates management of text and photo content for websites and mobile experiences. It streamlines editorial workflows by unifying many of the myriad existing website publishing systems currently in use across public media. It also helps facilitate easy sharing of content among stations and with national organizations to the benefit of public media audiences. As of May 2024, more than 220 public media sites are live on

Grove, and NPR is continuing to migrate joint licensees and others into Grove this year. In 2023, public media station sites using the Grove CMS received a weekly average of 3.1 million news consumers.

A shared CMS enables stations and national producers, like NPR, to collaborate more effectively in real time to serve audiences with critical information. In October 2023, when a gunman fatally shot 18 people and injured 13 others in Lewiston, Maine, the Grove CMS system allowed Maine Public, NPR, and the New England News Collaborative to coordinate in real time to launch and maintain a live blog that merged content developed by partners across the region. Digital search engines prioritized the local content in findings, recognizing Maine Public's voice and authority for news on this situation. The small digital team at Maine Public was able to draw upon the resources provided by NPR and others to add capacity and editorial support to an unfolding news event. Traffic to the live blog on Maine Public saw significant new audiences and our shared live blog was one of the highest trafficked stories on the station's site. The collaborative spirit of public media to utilize limited resources in service to American audiences was catalyzed at a critical time by this shared digital infrastructure.

NPR recognizes that public radio plays an even more important role in filling information gaps for rural communities, particularly with the decline of local news across the country. In response, our work seeks to bolster the availability of news in rural areas. More than 40 percent of public radio stations who qualify for annual grants from CPB are defined as Rural Area Support Stations (RASS), meaning that they have a coverage area population (CAP) density equal to or less than 40 people per square kilometer. Due to fundraising challenges in rural areas, rural radio stations rely more on CPB funding than urban stations. CPB grants on average represent 22 percent of a rural radio station's revenue, compared to an average eight percent for the rest of the industry. More than half of all rural grantees rely on CPB for at least 25 percent of their budget, and for 34 stations CPB funding accounts for 50 percent of their revenue. In recognition of the financial and operational challenges rural stations face, NPR also provides reduced Member fees to RASS stations.

In order to achieve universal access for public radio—including in the most rural and remote areas—NPR also operates the Public Radio Satellite System® (PRSS), the satellite and terrestrial content distribution system on which the public radio system depends. NPR operates the PRSS on behalf of the entire public radio system, serving more than 1,200 stations—not just NPR Member organizations—as well as other major content producers, and more than 100 independent radio producers and organizations. Stations that receive programming distributed through the PRSS range from those located in remote rural communities in northern Alaska, on Native American reservations in the Southwest, and in major-market stations in urban areas. The system operates with

99 percent reliability, and transmits almost 300,000 hours of original news and information per year across America. The PRSS provides free, or "in-kind," satellite transmission services to distribute programming to unserved or under-served audiences with full-time support currently given to Native Voice One serving Native American listeners; Satélite Radio Bilingüe, a Spanish-language service; and the African American Public Radio Consortium.

The PRSS also enables public radio to play a critical role in U.S. civil defense and emergency alerting. The PRSS receives Presidential alerts (also called Emergency Action Notification (EAN) alerts) fed directly from the Federal Emergency Management Agency (FEMA), which can transmit to public radio stations in the event of a nationwide crisis. NPR/PRSS is named as a resource in at least 20 states' emergency plans, according to the Federal Communications Commission.

Public radio is essential to reaching audiences that lack broadband access, creating a lifeline in emergency situations. Rural public radio stations may be the only emergency alert system in rural communities. For example, WVTF in Roanoke, VA is a primary relay station for emergency alerts serving 65 percent of the landmass of Virginia, including the eastern fringes of Appalachia. Radio IQ, the station's 24/7 news service on 13 frequencies throughout Virginia, is one of the only broadcasters with a staff meteorologist. Many rural parts of WVTF's coverage area are prone to flash flooding, and when weather events are anticipated, the station mobilizes its news team to convey information as soon as possible from the National Weather Service, continually update on the situation as it happens, and report on the aftermath and sources for assistance for those affected. Public radio's role is even more important when the power goes out and rural Americans cannot watch television or access the Internet. Broadcast radio is often the only accessible information source in these cases, and our partnership with public radio stations and technical support is intended to ensure that these stations can be resilient in times of crisis to serve their rural communities.

My Role and Work at NPR

In my role as President and CEO, it is my responsibility to lead NPR as an independent 501(c)(3) organization and be accountable for its service to the American public. I treat this obligation with the utmost seriousness for the public trust it represents. My key objectives are to ensure that NPR has the strategy, resources, and organizational structure and processes in place to "be responsive to the interests of people both in particular localities and throughout the United States," and to develop programming that "involves creative risks," "constitute[s] an expression of diversity and excellence," and "addresses the needs of unserved and underserved audiences." 47 U.S.C. 396(a)(5)–(6).

To be clear, I do not direct or influence editorial decisions. I, like all NPR CEOs before me, am on the other side of the firewall that is rooted in the protections of the First Amendment. NPR's Ethics Policy Handbook, which is publicly available and governs how NPR's newsroom operates, states in the discussion of editorial independence that "At NPR, the journalists—including senior news managers—have full and final authority over all journalistic decisions." This structure mirrors many commercial media organizations, where the CEO or publisher is walled off from the newsroom. Were I ever to inappropriately seek to influence any editorial decision, the newsroom itself would respond swiftly and unambiguously to such an effort to breach that independence. In addition to respecting the firewall between myself and the newsroom, it is also my responsibility to prevent undue influence or intrusion from anyone into the editorial decisions of news leadership. This is essential to NPR and my protection of the Constitution's promise of a free and independent press.

I was brought in as CEO with a mandate to lead NPR into the future. This mandate includes reinvigorating NPR as an essential American media institution, serving a broader and larger audience than we currently serve. This means both listening to our audiences and reaching out to those who don't listen to NPR to ensure we are meeting the needs of all Americans, wherever and whomever they are. This also means ensuring that our editorial leadership has the resources and independence to operate in the public interest, and to continuously evolve in order to best serve a broad and dynamic American public. In my role, it is also my responsibility to grow the national understanding of what NPR stands for and whom it serves.

This week, I am meeting with NPR's Board of Directors to provide my initial assessments of our strategic needs for renewal, investment, and transformation. In the weeks ahead, I will continue to develop and drive a strategy that meets our mandate and increases our service to the American public. I look forward to providing more details regarding this work at a future date.

First Amendment Considerations

We value greatly our long history of working together with the Committee on Energy & Commerce. We also recognize the importance of this Committee's oversight over public broadcasting policy and assure you of our continued cooperation with such oversight. We continue to stand ready to work with you on legislative initiatives where you find our views helpful, and we welcome the opportunity to discuss issues of importance to the Committee, including, for example, how we are using federal funds in a fiscally responsible manner or how we can best reach "underserved audiences" across the country, consistent with our mandate, 47 U.S.C. 396(a)(6).

This Committee knows, of course, that, as with any media organization, NPR's coverage and editorial decision-making are protected under the First Amendment. *See Miami Herald Pub. Co. v. Tornillo*, 418 U.S. 241, 258 (1974) ("The choice of material to go into a newspaper . . . and treatment of public issues and public officials—whether fair or unfair—constitute the exercise of editorial control and judgment. It has yet to be demonstrated how governmental regulation of this crucial process can be exercised consistent with First Amendment guarantees of a free press as they have evolved to this time."). This Committee has never attempted to, and we don't expect now would attempt to, encroach on NPR's editorial independence.

The constitutional protections to which we refer are familiar but are worth some attention here. "Speech is an essential mechanism of democracy, for it is the means to hold officials accountable to the people. The right of citizens to inquire, to hear, to speak, and to use information to reach consensus is a precondition to enlightened self-government and a necessary means to protect it." *Citizens United v. F.E.C.*, 558 U.S. 310, 339 (2010) (internal citation omitted). The importance of a free press cannot be overstated. "Our political system and cultural life rest upon this ideal." *Turner Broad. Sys., Inc. v. F.C.C.*, 512 U.S. 622, 641 (1994). A free press serves as a cornerstone of our democracy, facilitating informed public discourse and ensuring that debate on public issues is "uninhibited, robust, and wide-open." *New York Times Co. v. Sullivan*, 376 U.S. 254, 270 (1964); *Counterman v. Colorado*, 600 U.S. 66, 78 (2023). It equips "members of the society" with the information "needed . . . to cope with the exigencies of their period," *Thornhill v. Alabama*, 310 U.S. 88, 101–02 (1940). The Founders understood freedom of speech and freedom of the press to be pillars of a free government when they enshrined those principles in the Bill of Rights, declaring that "Congress shall make no law . . . abridging the freedom of speech, or of the press . . . ." U.S. Const. amend. 1. And since then, the Supreme Court has "repeatedly" held that "expression[s] of editorial opinion on matters of public importance" are "entitled to the most exacting degree of First Amendment protection." *F.C.C. v. League of Women Voters of Cal.*, 468 U.S. 364, 375–76 (1984).

"The liberty of the press is not confined to newspapers and periodicals." *Lovell v. City of Griffin, Ga.*, 303 U.S. 444, 452 (1938). It extends also to radio journalism. National Public Radio, like other radio and television broadcasters, is "entitled under the First Amendment to exercise the widest journalistic freedom consistent with [its] public [duties]." *League of Women Voters*, 468 U.S. at 378 (internal quotations omitted). Section 326 of the Communications Act of 1934 reaffirms that the Federal Communications Commission may not censor radio communications nor promulgate regulations that "interfere with the right of free speech by means of radio communication." 47 U.S.C. § 326. And the Public Broadcasting Act of 1967, which created the Corporation for Public Broadcasting, insulates public radio stations from governmental coercion and protects their

independence: It recognizes that public broadcasting depends "on freedom, imagination, and initiative," 47 U.S.C. § 396(a)(3), provides that stations should be given the "maximum freedom from interference with or control of program content or other activities," *id.* § 396(g)(1)(D), and forbids "any department, agency, officer, or employee of the United States" from "exercis[ing] any direction, supervision, or control over educational television or radio broadcasting, or over the Corporation or any of its grantees or contractors . . . ," *id.* § 398(a), including grantee National Public Radio.

In light of these constitutional and statutory principles, any attempts to undermine the independence of the press or to coerce newsrooms into alignment with particular political views would raise grave concerns. *See, e.g.*, *Turner v. U.S. Agency for Global Media*, 502 F. Supp. 3d 333, 386 (D.D.C. Nov. 20, 2020) (preliminarily enjoining government interference in content creation and personnel decisions of government-employed and funded radio journalists). Government action requiring "the utterance of a particular message favored by the government" "rais[es] the specter that the Government may effectively drive certain ideas or viewpoints from the marketplace." *Turner Broad.*, 512 U.S. at 641 (quoting *Simon & Schuster, Inc. v. Members of State Crime Victims Bd.*, 502 U.S. 105, 116 (1991)). The First Amendment does not permit the government to "suppress unpopular ideas or information or manipulate the public debate through coercion rather than persuasion." *Id.* And the First Amendment imposes constraints on congressional inquiries that "intrude[] into the area of constitutionally protected rights of speech, press, association and petition." *Gibson v. Fla. Legislative Investigation Comm.*, 372 U.S. 539, 546 (1963); *see id.* (requiring "that the State convincingly show a substantial relation between the information sought and a subject of overriding and compelling state interest . . . to justify the substantial abridgement of associational freedom which [] disclosures [of membership information] will effect"); *Watkins v. United States*, 354 U.S. 178, 197 (1957) ("mere summoning of a witness" to testify about political associations "is a measure of governmental interference").

# # #

In closing, NPR strives to operate daily to produce journalism at the highest editorial standards and to continually earn the trust of all local communities, in partnership with our Member organizations across the nation—keeping audiences informed with impartial, independent news and information, serving the information needs of communities large and small, rural and urban, upholding great American traditions of music, culture, and the arts, and aiding the delivery of public safety alerts. Where we can improve in the delivery of that service, we commit to do so.

I thank the Congress for supporting public broadcasting and public media institutions, including NPR, that provide public interest journalism to the American public, and in doing

so protecting freedom of the press in this country. I welcome additional conversation and feedback from the Congress on how we can serve our audiences better, and I look forward to speaking with you in the near future.

Thank you for considering this statement. I ask that you make it part of the record of this hearing.

I've Been at NPR for 25 Years. Here's How We Lost America's Trust.

Uri Berliner, a veteran at the public radio institution, says the network lost its way when it started telling listeners how to think.

By Uri Berliner
April 9, 2024

You know the stereotype of the NPR listener: an EV-driving, Wordle-playing, tote bag–carrying coastal elite. It doesn't precisely describe me, but it's not far off. I'm Sarah Lawrence–educated, was raised by a lesbian peace activist mother, I drive a Subaru, and Spotify says my listening habits are most similar to people in Berkeley.

I fit the NPR mold. I'll cop to that.

So when I got a job here 25 years ago, I never looked back. As a senior editor on the business desk where news is always breaking, we've covered upheavals in the workplace, supermarket prices, social media, and AI.

It's true NPR has always had a liberal bent, but during most of my tenure here, an open-minded, curious culture prevailed. We were nerdy, but not knee-jerk, activist, or scolding.

In recent years, however, that has changed. Today, those who listen to NPR or read its coverage online find something different: the distilled worldview of a very small segment of the U.S. population.

If you are conservative, you will read this and say, duh, it's always been this way.

But it hasn't.

For decades, since its founding in 1970, a wide swath of America tuned in to NPR for reliable journalism and gorgeous audio pieces with birds singing in the Amazon. Millions came to us for conversations that exposed us to voices around the country and the world radically different from our own—engaging precisely because they were unguarded and unpredictable. No image generated more pride within NPR than the farmer listening to Morning Edition from his or her tractor at sunrise.

Back in 2011, although NPR's audience tilted a bit to the left, it still bore a resemblance to America at large. Twenty-six percent of listeners described themselves as conservative, 23 percent as middle of the road, and 37 percent as liberal.

By 2023, the picture was completely different: only 11 percent described themselves as very or somewhat conservative, 21 percent as middle of the road, and 67 percent of listeners said they were very or somewhat liberal. We weren't just losing conservatives; we were also losing moderates and traditional liberals.

An open-minded spirit no longer exists within NPR, and now, predictably, we don't have an audience that reflects America.

That wouldn't be a problem for an openly polemical news outlet serving a niche audience. But for NPR, which purports to consider all things, it's devastating both for its journalism and its business model.

Like many unfortunate things, the rise of advocacy took off with Donald Trump. As in many newsrooms, his election in 2016 was greeted at NPR with a mixture of disbelief, anger, and despair. (Just to note, I eagerly voted against Trump twice but felt we were obliged to cover him fairly.) But what began as tough, straightforward coverage of a belligerent, truth-impaired president veered toward efforts to damage or topple Trump's presidency.

Persistent rumors that the Trump campaign colluded with Russia over the election became the catnip that drove reporting. At NPR, we hitched our wagon to Trump's most visible antagonist, Representative Adam Schiff.

Schiff, who was the top Democrat on the House Intelligence Committee, became NPR's guiding hand, its ever-present muse. By my count, NPR hosts interviewed Schiff 25 times about Trump and Russia. During many of those conversations, Schiff alluded to purported evidence of collusion. The Schiff talking points became the drumbeat of NPR news reports.

But when the Mueller report found no credible evidence of collusion, NPR's coverage was notably sparse. Russiagate quietly faded from our programming.

It is one thing to swing and miss on a major story. Unfortunately, it happens. You follow the wrong leads, you get misled by sources you trusted, you're emotionally invested in a narrative, and bits of circumstantial evidence never add up. It's bad to blow a big story.

What's worse is to pretend it never happened, to move on with no mea culpas, no self-reflection. Especially when you expect high standards of transparency from public figures and institutions, but don't practice those standards yourself. That's what shatters trust and engenders cynicism about the media.

Russiagate was not NPR's only miscue.

In October 2020, the New York Post published the explosive report about the laptop Hunter Biden abandoned at a Delaware computer shop containing emails about his sordid business dealings. With the election only weeks away, NPR turned a blind eye. Here's how NPR's managing editor for news at the time explained the thinking: "We don't want to waste our time on stories that are not really stories, and we don't want to waste the listeners' and readers' time on stories that are just pure distractions."

But it wasn't a pure distraction, or a product of Russian disinformation, as dozens of former and current intelligence officials suggested. The laptop did belong to Hunter Biden. Its contents revealed his connection to the corrupt world of multimillion-dollar influence peddling and its possible implications for his father.

The laptop was newsworthy. But the timeless journalistic instinct of following a hot story lead was being squelched. During a meeting with colleagues, I listened as one of NPR's best and most fair-minded journalists said it was good we weren't following the laptop story because it could help Trump.

When the essential facts of the Post's reporting were confirmed and the emails verified independently about a year and a half later, we could have fessed up to our misjudgment. But, like Russia collusion, we didn't make the hard choice of transparency.

Politics also intruded into NPR's Covid coverage, most notably in reporting on the origin of the pandemic. One of the most dismal aspects of Covid journalism is how quickly it defaulted to ideological story lines. For example, there was Team Natural Origin—supporting the hypothesis that the virus came from a wild animal market in Wuhan, China. And on the other side, Team Lab Leak, leaning into the idea that the virus escaped from a Wuhan lab.

The lab leak theory came in for rough treatment almost immediately, dismissed as racist or a right-wing conspiracy theory. Anthony Fauci and former NIH head Francis Collins, representing the public health establishment, were its most notable critics. And that was enough for NPR. We became fervent members of Team Natural Origin, even declaring that the lab leak had been debunked by scientists.

But that wasn't the case.

When word first broke of a mysterious virus in Wuhan, a number of leading virologists immediately suspected it could have leaked from a lab there conducting experiments on bat coronaviruses. This was in January 2020, during calmer moments before a global pandemic had been declared, and before fear spread and politics intruded.

Reporting on a possible lab leak soon became radioactive. Fauci and Collins apparently encouraged the March publication of an influential scientific paper known as "The Proximal Origin of SARS-CoV-2." Its authors wrote they didn't believe "any type of laboratory-based scenario is plausible."

But the lab leak hypothesis wouldn't die. And understandably so. In private, even some of the scientists who penned the article dismissing it sounded a different tune. One of the authors, Andrew Rambaut, an evolutionary biologist from Edinburgh University, wrote to his colleagues, "I literally swivel day by day thinking it is a lab escape or natural."

Over the course of the pandemic, a number of investigative journalists made compelling, if not conclusive, cases for the lab leak. But at NPR, we weren't about to swivel or even tiptoe away from the insistence with which we backed the natural origin story. We didn't budge when the

Energy Department—the federal agency with the most expertise about laboratories and biological research—concluded, albeit with low confidence, that a lab leak was the most likely explanation for the emergence of the virus.

Instead, we introduced our coverage of that development on February 28, 2023, by asserting confidently that "the scientific evidence overwhelmingly points to a natural origin for the virus."

When a colleague on our science desk was asked why they were so dismissive of the lab leak theory, the response was odd. The colleague compared it to the Bush administration's unfounded argument that Iraq possessed weapons of mass destruction, apparently meaning we won't get fooled again. But these two events were not even remotely related. Again, politics were blotting out the curiosity and independence that ought to have been driving our work.

I'm offering three examples of widely followed stories where I believe we faltered. Our coverage is out there in the public domain. Anyone can read or listen for themselves and make their own judgment. But to truly understand how independent journalism suffered at NPR, you need to step inside the organization.

You need to start with former CEO John Lansing. Lansing came to NPR in 2019 from the federally funded agency that oversees Voice of America. Like others who have served in the top job at NPR, he was hired primarily to raise money and to ensure good working relations with hundreds of member stations that acquire NPR's programming.

After working mostly behind the scenes, Lansing became a more visible and forceful figure after the killing of George Floyd in May 2020. It was an anguished time in the newsroom, personally and professionally so for NPR staffers. Floyd's murder, captured on video, changed both the conversation and the daily operations at NPR.

Given the circumstances of Floyd's death, it would have been an ideal moment to tackle a difficult question: Is America, as progressive activists claim, beset by systemic racism in the 2020s—in law enforcement, education, housing, and elsewhere? We happen to have a very powerful tool for answering such questions: journalism. Journalism that lets evidence lead the way.

But the message from the top was very different. America's infestation with systemic racism was declared loud and clear: it was a given. Our mission was to change it.

"When it comes to identifying and ending systemic racism," Lansing wrote in a companywide article, "we can be agents of change. Listening and deep reflection are necessary but not enough. They must be followed by constructive and meaningful steps forward. I will hold myself accountable for this."

And we were told that NPR itself was part of the problem. In confessional language he said the leaders of public media, "starting with me—must be aware of how we ourselves have benefited from white privilege in our careers. We must understand the unconscious bias we bring to our

work and interactions. And we must commit ourselves—body and soul—to profound changes in ourselves and our institutions."

He declared that diversity—on our staff and in our audience—was the overriding mission, the "North Star" of the organization. Phrases like "that's part of the North Star" became part of meetings and more casual conversation.

Race and identity became paramount in nearly every aspect of the workplace. Journalists were required to ask everyone we interviewed their race, gender, and ethnicity (among other questions), and had to enter it in a centralized tracking system. We were given unconscious bias training sessions. A growing DEI staff offered regular meetings imploring us to "start talking about race." Monthly dialogues were offered for "women of color" and "men of color." Nonbinary people of color were included, too.

These initiatives, bolstered by a $1 million grant from the NPR Foundation, came from management, from the top down. Crucially, they were in sync culturally with what was happening at the grassroots—among producers, reporters, and other staffers. Most visible was a burgeoning number of employee resource (or affinity) groups based on identity.

They included MGIPOC (Marginalized Genders and Intersex People of Color mentorship program); Mi Gente (Latinx employees at NPR); NPR Noir (black employees at NPR); Southwest Asians and North Africans at NPR; Ummah (for Muslim-identifying employees); Women, Gender-Expansive, and Transgender People in Technology Throughout Public Media; Khevre (Jewish heritage and culture at NPR); and NPR Pride (LGBTQIA employees at NPR).

All this reflected a broader movement in the culture of people clustering together based on ideology or a characteristic of birth. If, as NPR's internal website suggested, the groups were simply a "great way to meet like-minded colleagues" and "help new employees feel included," it would have been one thing.

But the role and standing of affinity groups, including those outside NPR, were more than that. They became a priority for NPR's union, SAG-AFTRA—an item in collective bargaining. The current contract, in a section on DEI, requires NPR management to "keep up to date with current language and style guidance from journalism affinity groups" and to inform employees if language differs from the diktats of those groups. In such a case, the dispute could go before the DEI Accountability Committee.

In essence, this means the NPR union, of which I am a dues-paying member, has ensured that advocacy groups are given a seat at the table in determining the terms and vocabulary of our news coverage.

Conflicts between workers and bosses, between labor and management, are common in workplaces. NPR has had its share. But what's notable is the extent to which people at every level of NPR have comfortably coalesced around the progressive worldview.

And this, I believe, is the most damaging development at NPR: the absence of viewpoint diversity.

There's an unspoken consensus about the stories we should pursue and how they should be framed. It's frictionless—one story after another about instances of supposed racism, transphobia, signs of the climate apocalypse, Israel doing something bad, and the dire threat of Republican policies. It's almost like an assembly line.

The mindset prevails in choices about language. In a document called NPR Transgender Coverage Guidance—disseminated by news management—we're asked to avoid the term biological sex. (The editorial guidance was prepared with the help of a former staffer of the National Center for Transgender Equality.) The mindset animates bizarre stories—on how The Beatles and bird names are racially problematic, and others that are alarmingly divisive; justifying looting, with claims that fears about crime are racist; and suggesting that Asian Americans who oppose affirmative action have been manipulated by white conservatives.

More recently, we have approached the Israel-Hamas war and its spillover onto streets and campuses through the "intersectional" lens that has jumped from the faculty lounge to newsrooms. Oppressor versus oppressed. That's meant highlighting the suffering of Palestinians at almost every turn while downplaying the atrocities of October 7, overlooking how Hamas intentionally puts Palestinian civilians in peril, and giving little weight to the explosion of antisemitic hate around the world.

For nearly all my career, working at NPR has been a source of great pride. It's a privilege to work in the newsroom at a crown jewel of American journalism. My colleagues are congenial and hardworking.

I can't count the number of times I would meet someone, describe what I do, and they'd say, "I love NPR!"

And they wouldn't stop there. They would mention their favorite host or one of those "driveway moments" where a story was so good you'd stay in your car until it finished.

It still happens, but often now the trajectory of the conversation is different. After the initial "I love NPR," there's a pause and a person will acknowledge, "I don't listen as much as I used to." Or, with some chagrin: "What's happening there? Why is NPR telling me what to think?"

In recent years I've struggled to answer that question. Concerned by the lack of viewpoint diversity, I looked at voter registration for our newsroom. In D.C., where NPR is headquartered and many of us live, I found 87 registered Democrats working in editorial positions and zero Republicans. None.

So on May 3, 2021, I presented the findings at an all-hands editorial staff meeting. When I suggested we had a diversity problem with a score of 87 Democrats and zero Republicans, the response wasn't hostile. It was worse. It was met with profound indifference. I got a few

messages from surprised, curious colleagues. But the messages were of the "oh wow, that's weird" variety, as if the lopsided tally was a random anomaly rather than a critical failure of our diversity North Star.

In a follow-up email exchange, a top NPR news executive told me that she had been "skewered" for bringing up diversity of thought when she arrived at NPR. So, she said, "I want to be careful how we discuss this publicly."

For years, I have been persistent. When I believe our coverage has gone off the rails, I have written regular emails to top news leaders, sometimes even having one-on-one sessions with them. On March 10, 2022, I wrote to a top news executive about the numerous times we described the controversial education bill in Florida as the "Don't Say Gay" bill when it didn't even use the word gay. I pushed to set the record straight, and wrote another time to ask why we keep using that word that many Hispanics hate—Latinx. On March 31, 2022, I was invited to a managers' meeting to present my observations.

Throughout these exchanges, no one has ever trashed me. That's not the NPR way. People are polite. But nothing changes. So I've become a visible wrong-thinker at a place I love. It's uncomfortable, sometimes heartbreaking.

Even so, out of frustration, on November 6, 2022, I wrote to the captain of ship North Star—CEO John Lansing—about the lack of viewpoint diversity and asked if we could have a conversation about it. I got no response, so I followed up four days later. He said he would appreciate hearing my perspective and copied his assistant to set up a meeting. On December 15, the morning of the meeting, Lansing's assistant wrote back to cancel our conversation because he was under the weather. She said he was looking forward to chatting and a new meeting invitation would be sent. But it never came.

I won't speculate about why our meeting never happened. Being CEO of NPR is a demanding job with lots of constituents and headaches to deal with. But what's indisputable is that no one in a C-suite or upper management position has chosen to deal with the lack of viewpoint diversity at NPR and how that affects our journalism.

Which is a shame. Because for all the emphasis on our North Star, NPR's news audience in recent years has become less diverse, not more so. Back in 2011, our audience leaned a bit to the left but roughly reflected America politically; now, the audience is cramped into a smaller, progressive silo.

Despite all the resources we'd devoted to building up our news audience among blacks and Hispanics, the numbers have barely budged. In 2023, according to our demographic research, 6 percent of our news audience was black, far short of the overall U.S. adult population, which is 14.4 percent black. And Hispanics were only 7 percent, compared to the overall Hispanic adult population, around 19 percent. Our news audience doesn't come close to reflecting America. It's overwhelmingly white and progressive, and clustered around coastal cities and college towns.

These are perilous times for news organizations. Last year, NPR laid off or bought out 10 percent of its staff and canceled four podcasts following a slump in advertising revenue. Our radio audience is dwindling and our podcast downloads are down from 2020. The digital stories on our website rarely have national impact. They aren't conversation starters. Our competitive advantage in audio—where for years NPR had no peer—is vanishing. There are plenty of informative and entertaining podcasts to choose from.

Even within our diminished audience, there's evidence of trouble at the most basic level: trust.

In February, our audience insights team sent an email proudly announcing that we had a higher trustworthy score than CNN or The New York Times. But the research from Harris Poll is hardly reassuring. It found that "3-in-10 audience members familiar with NPR said they associate NPR with the characteristic 'trustworthy.' " Only in a world where media credibility has completely imploded would a 3-in-10 trustworthy score be something to boast about.

With declining ratings, sorry levels of trust, and an audience that has become less diverse over time, the trajectory for NPR is not promising. Two paths seem clear. We can keep doing what we're doing, hoping it will all work out. Or we could start over, with the basic building blocks of journalism. We could face up to where we've gone wrong. News organizations don't go in for that kind of reckoning. But there's a good reason for NPR to be the first: we're the ones with the word public in our name.

Despite our missteps at NPR, defunding isn't the answer. As the country becomes more fractured, there's still a need for a public institution where stories are told and viewpoints exchanged in good faith. Defunding, as a rebuke from Congress, wouldn't change the journalism at NPR. That needs to come from within.

A few weeks ago, NPR welcomed a new CEO, Katherine Maher, who's been a leader in tech. She doesn't have a news background, which could be an asset given where things stand. I'll be rooting for her. It's a tough job. Her first rule could be simple enough: don't tell people how to think. It could even be the new North Star.

Uri Berliner is a senior business editor and reporter at NPR. His work has been recognized with a Peabody Award, a Loeb Award, an Edward R. Murrow Award, and a Society of Professional Journalists New America Award, among others. Follow him on X (formerly Twitter) @uberliner.

May 7, 2024

The Honorable Morgan Griffith
Chair
Committee on Energy and Commerce
Subcommittee on Oversight and Investigations
2125 Rayburn House Office Building
Washington, DC 20515

The Honorable Kathy Castor
Ranking Member
Committee on Energy and Commerce
Subcommittee on Oversight and Investigations
2125 Rayburn House Office Building
Washington, DC 20515

Dear Chair Griffith and Ranking Member Castor,

On behalf of Reporters Without Borders (RSF), the world's largest nongovernmental organization devoted to the independence, safety, and pluralism of journalism, I am writing to express concern about the Subcommittee on Oversight and Investigations' upcoming hearing regarding "allegations of political bias at NPR."

This hearing has been announced in response to former NPR editor Uri Berliner's article from April 9, 2024 titled *"I've Been at NPR for 25 Years. Here's How We Lost America's Trust."* and the public debate it has generated. The purpose of this letter is not to refute the accusations of bias at NPR, though many of the specific accusations in the piece have been contested by Berliner's colleagues.[1] Rather, I am expressing RSF's concern that a congressional hearing room is an inappropriate venue to debate these matters in the first place.

The free press is a necessary foundation of any democracy. Editorial independence, free from official government interference or coercion, is an essential hallmark of a free press. A congressional hearing on bias is thus a very serious step for any government body to undertake, as it suggests state intervention into the editorial discretion of an independent news media organization.

To be clear, objectivity is an important cornerstone of quality journalism. Journalism's social function is to give an account of reality, to reveal it in the broadest, deepest, most relevant and most honest manner possible, in order to make it possible to exercise the right to freedom of opinion and expression. Journalism's task is not just to portray events but also to explain situations and changes in a comprehensive and inclusive manner, enabling the public to

[1] https://steveinskeep.substack.com/p/how-my-npr-colleague-failed-at-viewpoint

distinguish the important from the trivial. This necessarily entails editorial discretion that can at times be delicate and subjective.

But just as important as journalism's objectivity is its independence. Information can only be regarded as reliable when it is freely gathered, processed and disseminated according to the principles of a commitment to truth, plurality of viewpoints, and the use of rational methods to establish and verify facts. Commitment to these processes is the basis of any public trust in journalism.

This trust, however, can be easily broken by even the suggestion of the government pressing its thumb on the scales of editorial decision making, even in the defense of objectivity. Whether or not editorial bias exists at NPR–or any American media outlet–is, quite frankly, none of Congress's business. For the free press to exist, the public must be absolutely sure that the media are reporting the news free of undue government pressure.

This trust is also very delicate. According to a recent report by the Pew Research Center, 73% of U.S. adults say freedom of the press is extremely or very important to the well-being of society. Yet 83% believe that journalists are not free to report the news due to government and political influences. Congress should tread very carefully before risking exacerbating this perception.[2]

I do not mean to downplay the significance of bias in newsrooms. In 2022, RSF issued a report warning of a "media polarization fuelling divisions within countries, as well as polarization between countries at the international level."[3] The growth of opinion-based media threatens the objectivity of journalism and is enabling both widespread disinformation and distrust in the media. But political intervention also threatens the free press.

Last week on May 3, World Press Freedom Day, RSF unveiled its 2024 World Press Freedom Index, evaluating the relative level of press freedom in 180 countries and territories.[4] Of the five indicators of press freedom that RSF measures, the political indicator fell the sharpest around the world. Press freedom around the world is being threatened by the very people who should be its guarantors – political leaders. A growing number of governments and political authorities are failing in their role as guarantors of the best possible environment for journalism and for the public's right to reliable, independent, and diverse news and information. RSF sees a worrying decline in support and respect for media autonomy and an increase in pressure from the state or other political actors. The United States itself fell 10 spots to 55th in the world.

Even more worrying, the Index finds that more than half of the world's population lives in countries with no press freedom to speak of. In these countries, the media are neither safe nor

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2 https://www.pewresearch.org/short-reads/2024/04/23/most-americans-say-a-free-press-is-highly-important-to-society/

3 https://rsf.org/en/rsf-s-2022-world-press-freedom-index-new-era-polarisation

4 https://rsf.org/en/2024-world-press-freedom-index-journalism-under-political-pressure?data_type=general&year=2024

free to report. The governments of these countries routinely dictate editorial lines, tightly controlling newsroom ideology. Congress surely does not intend for the United States to join their company.

Press freedom is a nonpartisan, core American value. Focusing on “fair and objective news reporting that both considers and reflects the views of the larger U.S. population and not just a niche audience” as the Subcommittee’s letter to NPR CEO Katherine Maher puts it, is a laudable objective for any media outlet. It is, however, not for the state to enforce it. After all, no American wants the government to put itself in the position to decide what is newsworthy, or worse, what is true and what isn’t.

At a time when public confidence in the news media is waning, Congress should not be stoking the flames of distrust. Particularly now in an election year, we need independent journalism more than ever.

Sincerely,

Clayton Weimers
Executive Director, Reporters Without Borders (RSF USA)

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[1] https://steveinskeep.substack.com/p/how-my-npr-colleague-failed-at-viewpoint

distinguish the important from the trivial. This necessarily entails editorial discretion that can at times be delicate and subjective.

But just as important as journalism's objectivity is its independence. Information can only be regarded as reliable when it is freely gathered, processed and disseminated according to the principles of a commitment to truth, plurality of viewpoints, and the use of rational methods to establish and verify facts. Commitment to these processes is the basis of any public trust in journalism.

This trust, however, can be easily broken by even the suggestion of the government pressing its thumb on the scales of editorial decision making, even in the defense of objectivity. Whether or not editorial bias exists at NPR–or any American media outlet–is, quite frankly, none of Congress's business. For the free press to exist, the public must be absolutely sure that the media are reporting the news free of undue government pressure.

This trust is also very delicate. According to a recent report by the Pew Research Center, 73% of U.S. adults say freedom of the press is extremely or very important to the well-being of society. Yet 83% believe that journalists are not free to report the news due to government and political influences. Congress should tread very carefully before risking exacerbating this perception.[2]

I do not mean to downplay the significance of bias in newsrooms. In 2022, RSF issued a report warning of a "media polarization fuelling divisions within countries, as well as polarization between countries at the international level."[3] The growth of opinion-based media threatens the objectivity of journalism and is enabling both widespread disinformation and distrust in the media. But political intervention also threatens the free press.

Last week on May 3, World Press Freedom Day, RSF unveiled its 2024 World Press Freedom Index, evaluating the relative level of press freedom in 180 countries and territories.[4] Of the five indicators of press freedom that RSF measures, the political indicator fell the sharpest around the world. Press freedom around the world is being threatened by the very people who should be its guarantors – political leaders. A growing number of governments and political authorities are failing in their role as guarantors of the best possible environment for journalism and for the public's right to reliable, independent, and diverse news and information. RSF sees a worrying decline in support and respect for media autonomy and an increase in pressure from the state or other political actors. The United States itself fell 10 spots to 55th in the world.

Even more worrying, the Index finds that more than half of the world's population lives in countries with no press freedom to speak of. In these countries, the media are neither safe nor

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2 https://www.pewresearch.org/short-reads/2024/04/23/most-americans-say-a-free-press-is-highly-important-to-society/

3 https://rsf.org/en/rsf-s-2022-world-press-freedom-index-new-era-polarisation

4 https://rsf.org/en/2024-world-press-freedom-index-journalism-under-political-pressure?data_type=general&year=2024

free to report. The governments of these countries routinely dictate editorial lines, tightly controlling newsroom ideology. Congress surely does not intend for the United States to join their company.

Press freedom is a nonpartisan, core American value. Focusing on “fair and objective news reporting that both considers and reflects the views of the larger U.S. population and not just a niche audience” as the Subcommittee’s letter to NPR CEO Katherine Maher puts it, is a laudable objective for any media outlet. It is, however, not for the state to enforce it. After all, no American wants the government to put itself in the position to decide what is newsworthy, or worse, what is true and what isn’t.

At a time when public confidence in the news media is waning, Congress should not be stoking the flames of distrust. Particularly now in an election year, we need independent journalism more than ever.

Sincerely,

Clayton Weimers
Executive Director, Reporters Without Borders (RSF USA)

The New York Times

https://www.nytimes.com/1979/02/24/archives/files-of-nixon-white-house-show-bid-to-control-public-broadcasting.html

Files of Nixon White House Show Bid to Control Public Broadcasting

By Les Brown Special to The New York Times

Feb. 24, 1979


The New York Times

LATE CITY EDITION

CHINESE INCREASING PRESSURE ON TOWN IN VIETNAM ATTACK

NEW SURGE IN PRICES THREATENING PLANS TO FIGHT INFLATION

Files of Nixon White House Show Bid to Control Public Broadcasting

LEFTISTS IN TEHERAN HOLD DEFIANT RALLY

U.S. and China Open Ports to 2-Way Trade Under Private Accord

City Officials to Help Drive Handicapped to School

About the Archive

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Efforts by the Nixon Administration to control public broadcasting, purge it of commentators considered hostile to the President and reorganize it so it might serve the Administration's aims are detailed in newly disclosed doctiments from files of the White House Office of Telecommunications Policy for 1969 to 1974.

The documents are chiefly memorandums exchanged between Clay T. Whitehead, director of the office, and a number of White House officials, including Peter Flanigan, assistant to the President; Charles W. Colson, special counsel to the President; John D. Ehrlichman, chief domestic affairs adviser, and H.R. Haldeman, the chief of staff. The documents were obtained by The New York Times under the Freedom of Information Act.

The papers, part of an inventory of hundreds of documents in the files, portray an executive branch convinced of public broadcasting's liberal political tilt and determined to rid it permanently of news, commentary and public-affairs programming.

A recurring phrase in the memorandums, reflecting President Nixon's concern with noncommercial programming, is “anti-Administration content.” Attempts to reach Mr. Nixon for comment Were futile.

The papers confirm suspicions that had been aroused by White House actions during that period that the Administration was tampering with the board of directors of the Corporation for Public Broadcasting and was using Federal appropriations as the device to force a reorganization of the system along lines prescribed by the White House. The Corporation for Public Broadcasting is the statutory organization created to distribute Federal funds for programming and, ironically, to protect the system from Government influence.

While no single memo in the file artjculates a master plan, the documents, taken together, trace a pattern of concentration on the following strategies:

¶Gaining control of the board of the Corporation for Public Broadcasting through the Presidential appointment process. "The best alternative would be to take over the management and' hereby determine what management decisions are going to be made," Mr. E.hrlichznan recommended in a. memo. The Administration was to have achieved control when eight seats on the 15-member board were filled with Nixon "loyalists."

¶Banishing national news, commentary and public-affairs programs by breaking up the then-emerging network and increasing the autonomy of the stations by channeling a large share of the Federal funds directly to them. The sharp reduction in funds to the Corporation for Public Broadcasting would cause It to concentrate on cultural and educational fare for national programming.

¶Exploiting the division in public broadcasting over the issue of national versus local station control. The network entities - the original Public Broadcasting Service and the National PUblic Affairs Center for Television, or NPACT were considered to be politically liberal. Mr. Whitehead wrote in a memo to the President on Nov. 15, 1971: "We stand to gain substantially from an increase in the relative power of the local stations. They are generally less liberal and more concerned with education than with controVersial national affairs. Further, a decentralized system would have far less influence and be far less attractive to social activists." Exploiting the divisive issue in the industry, he said, "provides an opportunity to further our philosophical and political objectives for public broadcasting without appearing to be politically motivated."

¶Cutting off Federal funds to National Educational Television, the national programming source that has since merged with WNET/13 in New York. National Educational Television had derived most of its financing from the

Ford Foundation and was regarded by the Administration as a prime source of liberal-slanted programming.

¶Making an issue of the fact that Sander Vanocur and Robert MacNeil, the system's premier journalists at the time, ,were receiving larger salaries than the Vice President, the Chief Justice and other Government officials. Mr. Vanocur was being paid $85,000 a year and Mr. MacNeil $65,000. As it happened, the focus was put on the issue by Representative Lionel Van Deerlin, a liberal Democrat from California, who questioned the propriety of a federally funded system paying such high salaries. Mr. Van Deerlin apparently was unaware that his convictions were serving the White House plan.

Carnegie Panel Got Papers

These memorandums may serve to strengthen the contentions in the recent report of the Carnegie Commission on the Future of Public Broadcasting that the present noncommercial system,needs to be redesigned, by legislation, in ways that would insulate it from Government interference. The commission has also received these documents under a similar Freedom of Information Act request.

The public broadcasting industry consists of 280 noncommerical television stations affiliated with PBS, of which WNET is the New York outlet, and more than 200 noncommercial FM-radio stations linked together as National Public Radio.

Among other things, the memorandums make it clear that the. chairman and president of the Corporation for Public Broadcasting — referred to in some of the memos as C.P.B. — were effectively ousted, and their successors were handpicked by the White House inner circle. In -this, the Administration flouted the statute requiring those decisions to be made by the Corporation for Public Broadcasting board alone.

Reached by phone in Los Angeles, where he is now president of the Hughes Satellite Corporation, Mr. Whitehead, said: “It's probably instructive that all this get out.”

Concerning the role of his office, which was intended to be nonpolitical, Mr. Whitehead said: “It would be wrong to suggest that we were the impetus to what was going on, or even piivy to what was going on. There was a lot going on I didn't agree with. But I did'what I had to do in a very imperfect world to bring some resolution to the conflict.”

He continued: “The impetus was coming from the political side, which wanted to zero out the funding for public broadcasting because President Nixon disliked it. The reason was simple. It never did anything for him.” To “zero out” the funding would be to eliminate it.

Mr. Whitehead added in the interview: “What we did was to try to change the institution, and in the end I think we did it in a principled and above-board way.”

2 Alternatives for President

Mr. Flanigan, assistant to the President, set the stage for the Administration's actions in a memo to Mr. Nixon dated June 18,1971:

“There are two alternative courses which we may pursue in our future action with respect to C.P.B.: either (1) attempt to kill it or (2) attempt to shape its future organization and direction.

“(1) Elimination of C.P.B. This alternative would be politically difficult in view of the strong educatiohal support and generally favorable image C.P.B. has developed.

“(2). Shaping the Corpdration. Probably no amount of restructuring will entirely eliminate the tendency of the Corporation to support liberal causes. On the other hand, this-Administration does have an opportunity to establish, by

legislation or otherwise, structures and counterbalances which will restrain this tendency in future years and which, as a political matter, it will be difficult for other administrations to alter. It is in this direction that we have thus far been proceeding."

In a later memo, Mr. Ehrlichman, commenting on a proposal to seek a revision of tax laws to prohibit foundations from supporting news and political .commentary, stated: "I don't think-you can get from there to here via legislation."

Total Funding Cut Sought

While White House Officials had been exchanging ideas about publicbroadcasting for two years, they did not begin carrying them out them in a systematic way until September 1971, when Mr. Nixon expressed his displeasure with the system and ordered all funds for public broadcasting immediately cut.

This came in the form of a "Confidential, Eyes Only" memorandum prepared by Jon M. Huntsman, White House staff secretary, dated Sept. 23, 1971. It said that the President was disturbed by an announcement that Mr. Vanocur and Mr. MacNeil, two former NBC journalists, had been selected to anchor a weekly political program on public television. Mr. Nixon, the memo said, considered this "the last straw."

The carrying out was done with considerable success and had some lasting consequences.

On Nov. 24, 1971, Mr. Whitehead sent a memo to Mr. Haldeman, the White House chief of staff, reporting on activities:

Use of Trade Press

“After Vanocur and MacNeil were announced in late September, we planted with the trade press the idea that their obvious liberal bias would reflect adversely on public television. We encouraged other trade journals and the general press to focus attention on the Vanocur appointment. Public television stations throughout the country were unhappy that once again they were being given programs from Washington and New York without participating in the decisions. My speech criticizing the increasing centralization of public television received wide coverage and has widened the credibility gap between the local stations and C.P.B. It has also brought more attention to the acknowledged liberal bias of C.P.B. and NPACT.”

He went on to tell of the next plan to “quietly solicit critical articles regarding Vanocur's salary corning from public funds.” A corollary to the plan was to “quietly encourage station managers throughout the country to put pressure on NPACT and C.P.B. to put balance in their programming or risk the possibility of local stations not carrying these programs. Our credibility on funding with the local stations is essential to this effort.”

The device used by the Administration to disrupt harmony in public broadcasting and to bring about a reorganization stressing localism was Mr. Nixon's veto in 1972 of a proposal to substantially increase funding.

In the fall of 1971, Mr. Whitehead delivered a speech to the public broadcasting industry in which he stated that an institution receiving Federal support had no business dealing in news and public affairs. He also decried the “creeping networkism” in public broadcasting, an industry that he said was meant to be built on the “bedrock of localism.”

The public television industry immediately began a reorganization that changed P.B.S. from a national network to a representative organization of the stations and that created, in its place, the Station Program Cooperative as a means by which the stations vote for national programs.

While the Administration fell short of its goal of controlling a majority of the corporation's board by the time Mr. Nixon resigned in 1974, it nevertheless established close ties to four board members who met frequently with White House officials and kept them apprised of the board's policy inclinations as well as of the program proposals under consideration.

The four were Albert L. Cole, a director of The Reader's Digest and Mr. Nixon's first appointee to the board; Jack Wrather, a television and film producer best known for the “Lassie” series; Thomas W. Moore, a former president of ABC-TV and later head of a television production company; and Thomas B. Curtis, a former Republican Congressman from Missouri who became chairman of the Corporation for Public Broadcasting as the Administration's choice. Mr. Curtis resigned in April 1973 after a disagreement with the board and the White House.

Mr. Moore, the board member who was perhaps the most cooperative with the Administration, made contributions to the strategies of the White House inner circle as though he were one of them and pledged to spearhead the adoption of resolutions by the Corporation for Public Broadcasting board to cease funding news and public-affairs programming.

Henry Loomis, the president of the Corporation for Public Broadcasting, also cooperated, making a practice of meeting with Mr. Whitehead before every board meeting. On Nov. 7, 1972, he sent Mr. Whitehead the C.P.B.'s staff recommendations for the major series to be funded the following season. The note attached to the document read: “This is our ‘burn before reading’ document. No one here knows you have it. HL.”

In a progress report to President Nixon dated April 27, 1972, Mr. Whitehead noted that the public attention focused on Mr. Vanocur had served to reduce, but not eliminate, “anti-Administration bias” in public broadcasting; that Federal funds to N.E.T. and N PACT were substantially cut, and that the local

stations were increasingly making their influence felt. These he identified as the short-range goals. “Taking over control of the Board and replacing the management is the only way to achieve our long-run goals,” he said.

The progress made by Mr. Whitehead's office in carrying out plans and formulating policy rationale for them were not sufficient for Mr. Nixon. In a “Memorandum For the Record” dated March 27, 1973, Mr. Whitehead wrote: “We were advised by the White House today that the President still sees serious dangers in the existence of a Federally funded broadcasting network.”

Associated Press

FIRE AT OIL STORAGE FACILITY: Firemen battling a spectacular blaze at the Charlottesville Oil Company in Charlottesville, Va., early yesterday. The fire, fed by thousands of gallons of gasoline and fuel oil, destroyed two tanker trucks, but was prevented from spreading to nearby storage tanks. There were no injuries reported.