January 19, 2021

Dear President-elect Joe Biden,

I write as president of the Society of Professional Journalists, the oldest and most broad-based journalism organization in the country, to ask that the U.S. government end restrictions on employees in federal offices and agencies that prohibit speaking to the press without notification or oversight by authorities, often by using public information officers as gatekeepers.

These rules, exacerbated under the Trump administration, amount to extreme censorship and damage everyone’s understanding of government. They literally threaten people’s lives.

An extensive analysis from the Brechner Center for Freedom of Information says that the controls are unconstitutional and many courts have ruled this way. Surveys from 2012 to 2016 of reporters and PIOs found the chokepoints pervasive, and the problem is growing worse.

SPJ believes the nation is suffering the consequences of these controls during the COVID-19 pandemic. Agencies that the public count on, including the Centers for Disease Control and Prevention and the Food and Drug Administration, have stymied reporting for years. Often, the press is not allowed in their facilities and reporters are prohibited from contacting staff without the authorities’ oversight; in reality, reporters are often not allowed to speak to anyone.

In the midst of this crisis and even after the revelation of CDC errors that endangered lives, that agency told its media staff that certain press requests for interviews should not even be considered and stated: “Just because there are outstanding requests or folks keep getting asked to do a particular interview does not mean it has to be fulfilled.”

It is deep negligence to expect that agencies that control the public scrutiny of themselves will not develop critical weaknesses or that they will not be subjected to political interference.

Coalitions of up to 60 organizations have opposed the restrictions in letters to the Obama and Trump administrations and to Congress. In 2015 coalition representatives met with Obama
White House officials. They cautioned Press Secretary Josh Earnest and others that presidential administrations may never know certain facts if the press or public do not know them, either.

We must warn you about the same critical danger. There will be much you will not know about these closed agencies.

Journalists understand that some information is legitimately confidential. That does not justify silencing staff on matters of public business. We hope we can talk to you or members of your staff soon. Thank you for your attention.

Sincerely,

Matthew T. Hall
President, Society of Professional Journalists