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2009 SMITH-MUNDT SYMPOSIUM:
PANEL 1: HISTORY OF THE SMITH-MUNDT ACT

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MR. ARMSTRONG: All right. If I could ask the first panel to come up here. Thank you very much, Jim, for your comments. One, as the panel comes up to talk, he hit upon one of the things I didn't because I cut myself off, and that is the important issue of opacity versus transparency and the intent of the firewall. So I am sure that will come up later. So as we get settled, we have a quick transition here.

And then for those sitting in the cheap seats in the back, there are spaces around the tables up here in front and all around.

All right. If we can get settled here, so we can start on the first panel. Again, we have a tight schedule today.

LEN BALDYGA: Well, I am Len Baldyga. A lot of people here know me. But for those who don't, I spent 30 years or more in USIA as a practitioner of public diplomacy, served in India, Poland, Austria, Italy, Mexico. And I would like to point out that the panel here with exception of Matt, who is a youngster, the four of us equal more than 300 years in age – (laughter) – and about 120 years and directly with the issues of Smith-Mundt in one way or the other.

I assume that everybody here has dutifully read everything that Matt has put out. And if you had, then I assume you are immediate experts on Smith-Mundt or at least you now understand a great deal about the implications of Smith-Mundt in terms of the restrictions of dissemination of the United States and perhaps about its effects on public diplomacy overseas.

Now, before I do the intros, let me say that – I can preface it – I spent the 30 years in foreign service while I was overseas, Smith-Mundt never came up. Smith-Mundt is a Washington phenomenon in terms of the problems and discussions. There may have been one or two exceptions. And that is when Worldnet came into being. And we had some discussions and the participation of foreign correspondents – American foreign correspondents in our Worldnet programs overseas. They had access to the programs. But they could not be on video or visible.

And there is one other exception of myself. When I was in Vienna running something called a special projects office, I was doing things, which were interpreted as, perhaps, illegal. Not mostly in the question of Smith-Mundt, but because the second-ranking officer in USIA found out that I was disseminating unattributed materials to American foreign correspondents and to other correspondents based in Vienna a summary of developments – of social, economic and political developments – (inaudible) – done by a staff that we had in Vienna at that time. And the correspondents would put their names on it and file these stories. And of course, some of them would get back to the United States.

But when Hugh Ryan (sp), who was then the – supposed to be in charge of all the information, policies arrived in Vienna and found out this was going on, they closed it down upon my departure in 1970. But it was never really Smith-Mundt as much as a violation of keeping a senior leader in USIA informed of activities overseas of what he thought he was supposed to be knowledgeable about.

Now, our panel here – I think we are going to start with Barry Zorthian. Barry is, as we would say, a living legend of USIA. Barry was for 13 years at the Voice of America. Was he there before it was created or afterwards? (Laughter.) But most importantly, he spent seven years as director of – (inaudible) – in Vietnam at the height of our, you know, war there. And I think that you may want to say more about your background. I am not going to say anymore. But I would like to ask you to what extent Smith-Mundt anyway affected your operations as – (inaudible) – Vietnam or in the 13 years that you were at the Voice of America and other broadcastings, when you were at BIB and elsewhere?

BARRY ZORTHIAN: Well, it was – it wasn't seven years, Len. It just felt like it. It was only about four.

MR. BALDYGA: (Chuckles.) I thought it was seven.

MR. ZORTHIAN: Now, I am not sure what obstacles Smith-Mundt is creating here. If we want to base it on our experiences starting in '48 when the law was passed, I have never either in 13 years at the Voice of America or four years in Vietnam, felt restricted by Smith-Mundt. Those outside wanting to get information may well have been annoyed by the restrictions. But with Smith-Mundt to us, at least, was the basis for our existence. And in that sense, provided some cover for us.

The only time really it ever came up was once in testimony before Congress. Leonard Marx said with a straight face, USIA does not do any interaction with American correspondents because it is prohibited by the Smith-Mundt Act. This was while I was facing about 200 correspondents – (laughter) – 24 hours a day. But as a result in this, a bureaucratic response. I was transferred to the State Department. On their roles, they, in turn, reimbursed USIA for the money they were paying me, which wasn't much. (Laughter.)

So Smith-Mundt, in that sense, is not a, in my experience, a great obstacle. And it is only a minor chapter in that period when the whole USIA concept develops – 1948 the war over, Voice of America in existence as a wartime instrument, what do you do with – well, at one point, people forget Voice of America was handed over, as far as news programs go, to CBS and NBC. They had short-wave facilities and so on. They were providing the news. It was subject only to a periodic analysis, commentary, projection of U.S. foreign policy.

It was such a bad experience after one year, CBS and NBC said no way. We want to get out of this relationship with the government. And so we got into Smith-Mundt. Smith-Mundt was designed, in my mind – others may interpret it differently – as a means for authorizing, establishing this whole – what came to be known as public diplomacy – this whole information program of projection.

It was not the cause of, but to some extent, because of the standards it put down, it led to the troubles of the McCarthy era. We had within the Voice of America a small cell of anti-communist fanatics, if you will, who charged that news copies, commentaries, other programs were serving the Russians' purposes. And we came under very sharp attack from McCarthy and his supporters from '48 – started a little later, but early '50s. Smith-Mundt Act, by setting down standards, gave us some protection from the charges that were made.

When President Eisenhower came in as you know, he established USIA. That went on for – until 1999. And I would suggest that the record of USIA transferring from a wartime agency to a respected source of worldwide news was one that those – (inaudible) – should take pride in. Unfortunately, I think a good deal of that mantle has been lost. My greatest recommendation whether it should go into the Smith-Mundt or it is already there is to revert to the Voice of America charter put into law by President Ford setting down the standards by which the Voice of America operates and holding the Voice to those standards. It is not an instrument for domestic consumption. It is an instrument to provide the world in various languages news, developments as they are received and interpreted in the United States.

The other half of my career, media relations, took place in a very controversial setting of Vietnam. A number of lessons came out of that. Errors were made, but I would state flatly the charges that the media in Vietnam lost the war simply don't stand up. If we lost the war and there is some argument in that direction, we lost it on the ground, not because of the media. The media has got to reflect reality. It has got to reflect what it sees, what happens. Any effort by agencies of the United States to divert it from that goal, that approach is going to fail and should fail.

When the Iraq war broke out, I sent a memo to the information people at the Pentagon saying you can't divorce yourself from reality and be a – (inaudible). Don't try to put lipstick on a pig, if I may borrow Sarah Palin. I think that is all I – (inaudible) – start with, Len.

MR. BALDYGA: Well, I have another question. Nicole (sp) and I guess one of his students – Nick, are you here?

Q: No, he didn't make it.

MR. BALDYGA: Oh, unfortunately – he had somebody in Public Diplomacy 502 do a piece called "The World According to Zorthian." (Laughter.) And he is quoting you in 1968 as having said, "The society in which we live today calls for complete openness, complete access to information. I think that any effort to hold back information is an illusion today. We are simply too exposed." And I want some comment on that. Has that – might apply also to today? And to what extent do you think that complete access information should also apply to American citizens listening to VOA or any other programs produced by the United States government?

MR. ZORTHIAN: Well, what year was that?

MR. BALDYGA: In 1968, you said that. (Laughter.)

MR. ZORTHIAN: Let me repeat it and put a 2009 label on it. I do think there is openness. In the world we live in and as communications gets more advanced and more complete, I don't know how you can keep anything quiet. And going through this whole Iraq experience in the past eight years demonstrates that once again. The whole issue of intelligence on the weapons of mass destruction and so on.

So as I say, I would double state that comment.

MR. BALDYGA: Also – (inaudible) – you're not aware of it, but last night when you called Walter Roberts, I was listening in on the phone conversation – (inaudible) – recorded. (Cross talk.) And you seemed to be – I had sent something out, which was a Kim Elliot quotation. We were dealing with something else – upon many things I put out. But on this one, you – on this point, it was said that the only presidential involvement in U.S. international broadcasting should be the nomination of members of Broadcasting Board of Governors. Content issues should be behind the BBG firewall. It is the job of public diplomacy to recast America's image abroad while international broadcasting reports the news with as much credibility as – (inaudible) – answer. Is that what you are agreeing with?

MR. ZORTHIAN: I agree. I would add the firewall the board is supposed to provide for international broadcasting, I think there is a firewall needed for the broadcasters to protect them from their board of governors. (Laughter.)

Q: (Off mike, laughter.)

UNDERSECRETARY GLASSMAN: I think everyone in this room should understand that there are only five governors today. There is no chairman. So without making a judgment about what Barry said – and I do think that the governors do have a role when it comes to – (inaudible) – not dictating it, but – I think there is a real crisis here that I wish government would address. But now I am not going to say anything else. (Inaudible) – nine governors – that is all there are right now. And that is a forum. So if one of them decides not to show up, the BBG can't do any business – no chairman.

MR. BALDYGA: Well – (inaudible) – one thing I am impressed by is the fact that the criticism of BBG comes from both the right and the left. So the Heritage Foundation calling for elimination of BBG, and you have the people on the left. So why is it that they have this problem?

UNDERSECRETARY GLASSMAN: I think you should ask any congressional folks – (inaudible) – the BBG has become a political plaything for certain – well, the composition of the board – I think that the composition of the BBG board has become a political plaything for certain members of the Senate. And that is a real shame. And I wish more people were as upset about this as I am. Because of the nature of the board, which is very active – that is what Congress wanted – the board itself is the collective CEO. There is no head of agency, but the board. The board has to be active. And there are only five governors today and that is a quorum.

And I have – I took my job at State in June. I was nominated a year ago for this job. And there is no – no one has replaced me as chair. So I think that is a big problem.

MR. BALDYGA: Well, thank you. Well, let me move on now to Mike Schneider. Mike has recently been running the Syracuse International Program here in Washington. But my experience with him in USIA that he is probably the best thinker, strategist and policy officer we have ever had. When he was working in Information Bureau and working over at State Department in global issues, I was always impressed by what he had to say or what he had to write. And let me ask you, Mike, in your long experience in both the information programs and the policy office, how did Smith-Mundt affect the operations of the I Bureau? And did USIA live up to the spirit and letter of Smith-Mundt while you were there?

MIKE SCHNEIDER: Thanks, Len. By the way, I think we might have a new problems issues coming and it's called problems of intent because a lot of Smith-Mundt has to do with intent and how it is seen. And even when you talk about the difference, the dichotomy so-called between propaganda, persuasive communication and exchange, there are huge gray areas. And I think what we have seen in the history of the agency – the gray areas being addressed as responsibly as any institution could address them. And in that respect, my time – first of all, I am a foreign-service officer – (inaudible).

I started my career overseas and then came back and spent about 30-some-odd years in Washington. So I have seen the flow and the evolution of the institution and the process of informing the rest of the world. And from the vantage of the policy intent, the policy mechanisms and the way they were translated or maybe not translated – or the way they allowed good people to do good work to provide the information that our field posts needed and that audiences around the world would benefit from.

So I think that what we see is a real contrast between the USIA of the late '50s, early '60s and public diplomacy today. In many respects – and I won't go into all of them – but one that strikes me is how influential we were in a number of key countries around the world in the '60s, courtesy of PL-480 rupees and the relative extent of our influence, of our media, of our communication capacity and the relative lack of communication capacity in those countries. And also, frankly, the lack of a large interest in American media – on the part of American media abroad? They were really focused on the market back here and not internationally.

I say that as context because folks in Washington were keenly aware of the Smith-Mundt Act. It served as an informing device, a constraint, a way of in the background – in the background of their minds of doing the right thing. I can't understate the value of Smith-Mundt, believe it or not – not that people talked about it every day. They didn't. I mean, the field offices didn't even know about it. It didn't apply in so many words. There was much more flexibility in dealing with the American media in a field post abroad.

But in Washington, the policy folks and the media folks knew that there were constraints. And I think that was an added incentive on top of their own personal and their cultural, sociopolitical predilection to do the right thing and to say it honestly.

Now having said that, it wasn't as if USIA was investigation and muckraking. The media and the agency were trying to tell America's story, express our policy, explain it, explain the underlying forces, explain the congressional and political process, explain the culture and value, but doing it in a responsible way. And the debate was really over shades – of a shading, over nuance, over how to get at something.

Very briefly, the agency for many years had daily policy meetings. They had a policy mechanism in USIA that involved the fast media and periodic meetings to deal with print and with visual media and other elements of information to provide that kind of policy direction that the institution required. Then in operational terms, the wireless file – sort of analogous to an AP file, for those who aren't acquainted. Daily production of maybe 20,000 words in the early years, and as soon as the computer revolution come, up to 50,000. We thought that was a real improvement – a day, by the way, not a second.

The folks who did the wireless file who ran the various publications that USIA had, who produced books and outlines and informational resources, and all these evolved and varied over time as technology and needs and interests and creativity in the field and in Washington would allow. They all scrupulously looked at what we should say, what we could say, what the prevailing ethos in the current administration of the day was. There was always at the outset of any new administration a rush to find the books, for example, that best reflected the administration's point of view.

And in the interaction between political leadership and career officers, you saw some very interesting and really healthy outcomes. The agency – and this is a judgment call of mine. People would disagree with this. The agency had a kind of left-of-center, slightly moderately left point of view in terms of the preferences and the interests of the career people in Washington. When Frank Shakespeare became the director of USIA in 1968, '69, after the Nixon election, he came in with the view that this was the case. It wasn't totally wrong. It was a little pejorative in his outlook. He set about to try to change our policy on books. Of all the vignettes that come to mind, I think this one says the most about the way the career service interacted with the political influences of the day.

He wanted to have kind of a checklist of acceptable books. Up to that point and overhang of the '50s, there were in the book-selection process for our libraries – (inaudible) – in Washington, by the way, not in field pretty much, there were acceptable books – a whole wide range. And then there were books that were called DDD. They were discretionary books. Anyone remembers that? And these were books that were sort of politically or culturally or socially a little controversial.

You know, you wouldn't necessarily say they were wrong or bad or anything like that. But the posts had to justify the acquisition of a book that was on the DDD list. This is a small – very small portion of the totality. I don't want to let anyone think that there was some huge struggle over what books to select. Frank came in and he was unhappy with our magazines in our libraries and our book selection. He wanted to have more influence over the selection. He sent out or had sent out a notice saying we are going to balance our collections. Balance met

introducing conservative magazines and a more conservative literature into the kind of things made available in the field.

For some reason, Mel Elfin, who is the bureau chief of Newsweek magazine, happened to be in the same building as we – picked up on that and wrote an article in Newsweek, which stirred the pot. And you had the kind of political dialogue that we love to see in Washington over Frank Shakespeare making USIA into a right-wing agency. Well, he was very clever enough to realize that is not exactly good PR for himself or the administration. And he pulled back and he asked the career people to come up with a system for selecting books, out of which came a selection that put the responsibility for book choices onto the posts in terms of what the posts needed to communicate with their audiences.

MR. BALDYGA: Let me – can I say something here? Is Yale Richman (ph) here? No. There is a chapter in Yale's most recent book about his dealings with fighting Shakespeare on the question of books. Five – (inaudible) – were fired on the basis of Frank Shakespeare's trip to Eastern Europe and it started in Moscow when he and Teddy Weinfeld (ph) went through to the books that were on exhibit and objected to several books present there. And from that point on, he was interested in what books – you know, what content – who were their authors and so forth.

The firings of the other – (inaudible) – were more ideological in terms of interpretation of communism and socialism in Eastern Europe. In another case – one case is probably total incompetence. But it is something – (laughter) – you know, I don't have any problems with Frank Shakespeare because I was a Cold War warrior. I served all my – basically career in Eastern Europe and that was my focus. But anyway, that is where it started with Frank Shakespeare in terms of book.

And may I ask you also, can you get into some other aspects of controversial products of, you know, the agency?

MR. SCHNEIDER: Sure. Just to very briefly conclude on the book selection, it worked out because professionals found an answer to resolve the differences over that process. There were a lot of areas that were involved. There are gray areas in the media and the relationship of policy of information services. We were – I think it was mentioned earlier that some exceptions were made from the outset, problems of communism, the English teaching forum were seen as valid and important to have, the American public – see, the VOA forum series, which, by the way, I am not sure if people remember very well. But Basic Books produced it and it was I think – I am not sure if it was actually accepted by law or not. But no one questioned the virtue or the value of having it.

Over the years, you have heard of "JFK: Years of Lightning, Day of Drums," an exception, an exhibit that we produced, which was the world's largest exhibit called "Life, Liberty and the Pursuit of Happiness." It was a packaged exhibit that could be put up all around the world. It was another – 100-some-odd cases of the exceptions being made. Each of these cases – in each of the ways the media folks asked themselves daily, weekly, monthly, are we doing it the right way? Are we expressing the truth as far as we can get at it? Are we doing the

right thing by the U.S. government's needs? Are we providing persuasive information, but open?

There was an issue always over attribution. And that came up in the '60s, which, by the way, I think were more aggressive in terms of our persuasive communication efforts than even in the '50s with campaigns that the Eisenhower administration launched on people's capitalism and so on. But with the advent of the Kennedy administration, there was a reconfiguration. And the Kennedy administration said everything we produced has to be attributable. That evolved in the late '60s, early '70s to everything we produced had to be attributed. (Laughter.)

So a gray area – we had columns produced that were produced by policy officers that were for placement and media around the world. And they used nom de plumes. That was partly a sensitivity on the part of the field posts – could they get a reception for the articles that were published if the author was genuinely – or distinctly known as a U.S. government official, so they used Benjamin West was one of the nom de plumes – noms de plume, I guess.

And that evolution from attributable to attributed is not an entirely tiny detail because it does affect this kind of stance you take and the perception on the part of the audience of what you are trying to say.

Finally, there is a whole range of relationships of a policy nature and services we rendered to other agencies that resulted in information flows. Probably the best example – and Len and I were talking about this the other day – something called Soviet Military Power. You want to mention the –

MR. BALDYGA: Well, the origins of that – I was a co-chair of something called Shaping European Attitudes, a committee that I co-chaired with Mark Palmer at State. And we would meet periodically to set up six-month strategies to dealing with public diplomacy problems in Europe – Western Europe, Eastern Europe. And at that meeting, there would be representatives of Pentagon, Defense Intelligence Agency, the CIA. And we would determine there what products would be most useful in trying to shape these European attitudes.

And at one of these meetings, I think it was a CIA guy who came up with the idea of doing something like the Soviet Military Power. But the Pentagon felt it was something they ought to be doing because actually, when we come to the military, the title belongs to them. And I won't get into the – well – (inaudible) – let me get into – Charlie Wick called a meeting, which all of us were there to discuss these issues of dealing with problems in Europe and the Soviet Union.

And Pearl – Richard Pearl announced that on Monday, they are going to be coming out with the final version of Soviet Military Power. Walt Raymond, who was at the NCS, but then still, you know, CIA, vehemently objected that he had not signed off or cleared off on particular sections of that. And I objected because there was a chapter there on exchanges programs, which would have undermined totally our exchanges with the Soviet and Eastern Europe because it was – (inaudible) – about these exchanges being a vehicle for stealing American scientific and technical secrets and that there was no gain or benefit from us conducting these exchanges.

And so – and eventually, that was all dumped into your lap.

(Laughter.)

MR. SCHNEIDER: And in our lap, we had two very talented staff people, Maria Copson (ph) and Howard Sincatta (ph). And George, were you involved? I'm not sure. They rewrote Soviet Military Power. That was the use of USIA staff funded by the government, Smith-Mundt, would it apply? I was not sure, but I did know that the service they rendered to DOD and to the U.S. government was huge. They made it into a legitimate well-written, carefully researched, fair and balanced document. It was available in the United States. I think it might have been sold – I forget whether it was sold – (cross talk) – through the – (inaudible) – thanks, Bill.

And that is an area that would be kind of a case study for someone looking at the applicability of Smith-Mundt in today's world, which is so far more porous and interactive, as Jim Glassman said with the globalization – digitization of information. But that was a genuine service.

There were other ways in which public diplomacy from the Washington vantage and public affairs interacted and overlapped. Every crisis we had, whether it would be the initiative we – (inaudible) – or with the Panama Canal or with the INF emplacement, which was largely an issue in Europe, not for the American public, or the Iran hostage taking or the Afghanistan crisis. They all involved an interaction of the U.S. Information Agency people and media with the policy in USIA with policy and policy-makers in the rest of the government.

And we are fortunate that these occurred. It is sad to say that the most active interaction of policy and media in USIA terms with the rest of the foreign-affairs, national-security community seem to occur mainly in crises rather than day to day. And, of course, a lot of us in this room share the view that the whole advisory function of public diplomacy has been historically grossly overlooked, terribly under-demanded, underplayed. And we would have helped at least – marginally helped administrations of both parties make better decisions had they had called to the public diplomacy advice from the field and from Washington that we had.

Research is a third area – a third gray area in the Smith-Mundt lexicon, I guess, that we should very briefly consider. We throw these out from the past for everyone to consider for the present and the future. What is a research product? Is it something that should be withheld from the American public? I seem to recall that the prevailing view was we didn't make our research products available. But over time, there came to be in at least the late '80s and the '90s, lists – I received lists, as an academic from Maxwell School of recent years, a list of available research – and current research, not archival.

So there was at least a period of time later in the evolution of USIA and the early part of the State Department when the research function of USIA moved under R – under research at State INR, where documents, research were made available. Now, there are some exceptions that show you why people were wary of making research available to the American public. The

famous image study in the mix of the 1959-1960 election campaign. I always thought it was – (inaudible) – maybe if he were alive, he would take a bow on that one.

USIA research did a study of the American leadership image around the world in 1959, which somehow found its way to the press in the heat of the battle. And it didn't help Richard Nixon. It painted a picture of opposition to America, a sense around the world that we weren't leading the way we should. And of course, this came in the after wash of the Sputnik launch. And the growing feeling in the United States that we were falling behind – the missile gap and other related areas – the lethargy of the late-Eisenhower administration.

So that factored into politics and people were rightly upset about that. So there were constraints placed on making research available. There were, in my experience in the '80s, a couple of attempts to make more of our research available, but they were selective and they were politically motivated. And I didn't think that was particularly kosher, so I was able to constrain it as much as I could. But the Congress has a right to acquire our research project. And so whenever the Congress asks for a particular study of public opinion in Latin America on the – (inaudible) – they got it and they read it into the record. And that made it a public document available for use in the debate domestically.

My answer was and I think still is that all USIA, all State Department public-opinion research should automatically be made available to the public as soon as it can be. That eliminates the problem of selective judgment and political use or misuse of research. The research is extremely valuable. For scholars, for people who are interested, there is a goldmine. I think Nancy Snow might take about this. Others have used it. It is a goldmine of available information on public-opinion attitudes and cultural trends around the world.

So those are some of the examples from the past of areas that need to be thought of in the new context and very different contexts of where public as important as diplomacy these days. Products, whether they be electronic or in print, services that we provide, the relationship between information on a daily basis and policy, this is all good grist for the mill, and I really appreciate the fact that Matt has organized this conversation.

MR. BALDYGA: Closing comment on the question of research. When I was teaching up at Fletcher School of Law and Diplomacy, I asked for several reports dealing primarily with Egypt because I wanted to share it with some students doing some projects. And the answer to me was well, don't tell us how you want to use it because if you tell us, then we can't send it to you. So we will just send it to you, period. So it was a don't-ask-don't-tell policy. (Laughter.) Anyway, let me know.

We'll get onto Dick Arndt. Dick, as anybody knows, is the staunch defender of something called the Fulbright experience. I don't know of anybody who has more experience in dealing with cultural – (inaudible) – matters going back to 1961. Is that right, Dick?

RICHARD ARNDT: Forty-nine, if you count my Fulbright year.

MR. BALDYGA: (Chuckles.) And anybody in the agency on the information side knows that he has been a staunch warrior in protecting that side of the agency dealing with education and scholarly programs, exchanges. And I wonder, Dick, if you have anything to say on the base of what you heard from your two previous panel colleagues. I am not going to get into your long detailed resume here, bio, except that I think your recent book has a chapter that deals very effectively with the whole issue of the Smith-Mundt and how it was created.

MR. ARNDT: Yeah, thanks, Len. This is the book.

MR. BALDYGA: Oh, he has got a copy. (Laughter.) I'll tell you. It's much cheaper than Nicole's book, so I always recommend it.

(Laughter.)

MR. ARNDT: Okay. This is the book in question. It's overlong and so forth and so on, but it had to be done because halfway through it, I realized no one else would ever do it, so that it had better damn well be complete. And it is complete ad nauseam. That said, it Len has put – it is a very interesting because he points out that as a convinced cultural warrior, I have always had to deal with Smith-Mundt in one sense or another. And that is because we were on the other side of the firewall. We were the pure – as it were – operation that didn't have to really worry about this kind of thing. We did what was natural. It never occurred to us to say to a Fulbright, now, don't learn anything while you're here. (Laughter.) Certainly don't take it back home, my god, no letters. I mean, that would have been absurd and we knew it was absurd and so forth and so on.

However, I do want to say, first of all, several things about this event. First of all, I am stunned by this panel here. I don't know how they rounded up so many members of ASCOG. I don't know if you know what ASCOG is, but it is the American Society of Certified Old Geezers. (Laughter.) And –

Q: You can't include Matt in that.

(Laughter.)

MR. ARNDT: He is the guy who rounded us up is the point.

MR. BALDYGA: You are going to have to join our Monday luncheon, which is the ROMEO group – Retired Old Men Eating Out.

(Laughter.)

MR. ARNDT: The second aspect of this panel that is interesting is that Sarah Palin would be very proud of us because it makes her case. We are all a bunch of East Coast liberals. On the left, I have a Yale-NYU type. And myself, I am a Princeton-Columbia type. And Len is a Columbia type. And Mike has been all over the place.

MR. BALDYGA: Mike got only up to Syracuse.

MR. ARNDT: But it is pretty far west for us.

But on the other hand, the founder of cultural diplomacy in 1938, reminding you that that was 15 years before USIA was invented, the founder was Ben Sherrington (ph). And Ben Sherrington was a westerner if you ever knew one. Ben Sherrington, among other things, was the first football coach at Berkeley, among other things. And he was a westerner's westerner, so that there was a West Coast attitude in this thing all along.

And Ben Sherrington, when he left the job in 1942, went back to Denver and then commuted monthly – repeat monthly – by DC3, which is all there was then, to Washington to chair the GAC, the General Advisory Commission, which, in fact, ran the old CU. He managed to run CU from Denver. The meetings of the GAC were total staff meetings. Everybody in CU, as we call it then, was all herded into the same room and they all met under Ben Sherrington's benign guidance. So we had this long tradition going on beforehand. So that is the second thing about this panel. We do represent the East Coast liberals and Sarah Palin notwithstanding.

The third thing I wanted to say about the – it is about the venue here. I find it particularly appropriate, Matt, that you have put us at this peculiar juncture between the Senate and the military. And only in that in my book, I have gone to great lengths to indicate my respect for the military history in regards to public diplomacy. I won't go over it in too much detail, but there has been an astonishing history, particularly in the 19th century. And to make a rather sharp point for today, let's talk for one second about the Roberts Commission, which in 1942-43, managed to set up an astonishing operation in all parts of the world to preserve and to recover stolen artistic properties from all over the place. They anticipated exactly what happened in Baghdad and did something about it, which doesn't speak too well for today. But the military's history is remarkable in this record. And it needs to be said, it seems to me. We tend to forget that the military has a tremendous record in this regard.

That said, I think there is only one other thing to say before I launch into Smith-Mundt itself, and that is that Smith-Mundt, technically speaking, doesn't exist. It was superseded – repeat, superseded – by the express intent of the drafters and the two sponsors by the Fulbright-Hays Act of 1961. And if you want to challenge that, there are very few of the writers and drafters still alive. (Laughter.) But I have it specifically from Carl Marcy, from Fulbright himself, from Mike Cardozo (ph), from the people who wrote that act, exactly what they intended.

The point was that Smith-Mundt had a first function, which is forgotten. The Fulbright Act itself wasn't really an act. It was an amendment to military properties act and would not have survived another two or three years because surplus military properties were running out very rapidly. There needed to be another act, which stabilized and continued the program. That was Smith-Mundt. The first purpose of Smith-Mundt was that. Once it got into our strange Congress, it became a free for all because everybody loaded on their special thing. And by the time the act was through, it was a completely bicephalic – not to say schizoid – act, in which on the one hand, tremendous lip service. You would not believe some of the things that are said in

there about the firewall between cultural diplomacy and informational diplomacy. But it is all there if you want to find it.

On the other hand, the preface talked about putting out the flames that were raging in Eastern Europe and so forth and so on, so that you had all this rhetoric. But basically, inside the act, there were very, very staunch pieces of rhetoric that mattered very importantly. So the idea of the act was to prolong and to flesh out the Fulbright program and then to allow the U.S. government to carry on in that way. People like Walter Roberts recall that in those days, the question of whether it continued at all was very much in debate, very much in debate. It was a question of just wiping it out, as we had done in 1919, when the Congress, monstrously irritated by the abrasive personality of George Creel, abolished it one day without so much as a by-your-leave and left all kinds of gaping holes all over the world, which had we continued them, might have produced something roughly analogous to USIA by the mid-'20s and carried on in interesting ways.

It is also to be noted that in 1923, a man named Herbert Hoover, who then was secretary of Congress, proposed that military surplus and military loans be recycled in order to form what was later defined as a Fulbright program – program exchanges and so forth. So there were things in the '20s that never happened, unfortunately.

On the other hand, what also happened was that there was a fear of propaganda – call it that – built into the Congress on the nationalist side, on the jingo side, if you like, but the side that did not see overseas with particular joy of the kind of thing that even you can find in Jefferson. He didn't want his young students to go overseas to the fleshpots of those European capitals. He preferred to keep them in picturesque downtown Charlottesville. (Laughter.)

So that said, the Fulbright-Hays, in fact, superseded Smith-Mundt, so really in one sense, this is an academic discussion. On the other hand, there were two kinds of onslaught that Smith-Mundt tried to forestall. We all understand, I think, here that the management of boundaries in government is the name of the game. There is no such thing as a clear definition in government. And if there is, it invites all kinds of trouble. You deliberately make legislation gray enough, so that you can move things around as you need to. This discussion was beautifully epitomized in an exchange of letters between Milton Eisenhower, who was then the executive secretary of an item we have forgotten in the United States called UNESCO. And the other one was Ben Sherrington.

And Ben Sherrington was enouncing principle in the most flamboyant terms and said you have got to do this, you have got to do this. And Milton Eisenhower's position was leave it to the administrative wisdom. Well, you see, they were both wrong. Sherrington had, perhaps, an over-idealistic view of things pressed into further idealism by the ridiculous kinds of arguments that were being proposed on the other side. And Eisenhower had an undue faith in the wisdom of government to somehow muddle through, which probably expressed his experience in the Department of Agriculture in the 1930s and his early experience in OWI and in Washington. So that they were both wrong; they were both right. It would have been interesting if they could have made peace and come out with some kind of a consensus, but they didn't.

The other muddler in those days was Bill Benton, who was cited by Mike what's his name – Wallace – as the owner of the Encyclopedia Britannica. In fact, he bought the Encyclopedia Britannica for the University of Chicago. And it continues to be its major source of endowment today. And Benton was an ad man – Benton and Bowles, you remember. And he was basically an advertiser. And he saw things in terms of influencing media and so forth and so on, so that we have this other thing going on at the same time – not only the questions that Sherrington and Eisenhower exchanged, but those that Benton raised in his famous metaphor of the mirror on the one hand and the showcase.

Benton, by and large, was a showcase man. He said you just can't hold up the mirror to a mirror and expect everyone to get the right idea. We have got to have some people telling them what they are seeing there if we do it properly. And Sherrington and others and Fulbright and others were basically mirror people – said the more you show this country – this great country of ours, the more people will understand it.

That said, the onslaught then – or the feared onslaught in 1948 was partly from propaganda, but also partly from this interesting merger that was happening between information on the one hand and culture on the other. Culture had gone its own way up until 1948, and had, in fact, in the period '45-46, when Archibald MacLeish was the acting assistant – not the acting, but the assistant secretary of state for five months before Roosevelt died. If things had gone that way, it might well have turned out to be a Frank Stanton kind of cultural agency with an information colleague off there to one side or another. It might have been quite different. It might have been quite different. But these are all my might have beens.

Now, when you get to this bicephalic bill called Smith-Mundt, you have all kinds of gray areas. And I think Mike has done a wonderful job and so has Barry, for that matter, of showing us that it didn't really matter that there were very smart people in Washington talking out of whatever side of their mouth the Congress seemed to want. And the people in the field, by and large, didn't worry about it. We certainly never worried about it at all.

Now, the second wave of onslaught on the cultural matter, on the cultural boundaries, if you were, came basically starting with the nationalist victory of 1980 – let's call it that – Mr. Reagan's time. And by 1984-85, the agency, which by then had been put together by hubris-inflicted young people from the Carter administration with CU and was in one place. But when the nationalist regime of 1980 came in, there was a distinct effort to dynamize the agency. What was the passive kind of programs that Fulbright had advocated, the long-term stuff that grew together over time – you send a student out, 20 years later he comes back and he does something interesting. There was no time for that. We had to get on with it.

And so there was this kind of push for a dynamic approach. The push had to be against the cultural side because the resources – particularly in the Congress, there was more interest in upping the resources of the cultural side, then there was of the information side in the person of Claiborne Pell, particularly at that time.

And so you had this second effort to move in a little bit on the cultural side. And this went on and on. And it resulted in 1985, in some shenanigans – that is the only word for it –

played by some key staffers in the Bureau of Educational and Cultural Affairs, with some key staffers on the Senate Foreign Relations Committee. And the result was the Zorinsky amendment. Now, the Zorinsky amendment said in no uncertain terms, you keep your cotton-picking hands off of this program, by god. And don't mess with it. It said in quite explicit terms, now, do not allow your products to be used internally in the United States.

But it also said – and this is the funny part about Zorinsky – it says none of this applies to the Fulbright-Hays legislation. None of this applies to what we used to call the MECEA – M-E-C-E-A. I forget what that means, but Educational and Cultural Affairs is in the middle of it – the MECEA legislation. None of this applies; specifically it said, it does not apply to them. In other words, let the Fulbright learn; let him come back and teach.

And so therefore, you had this second onslaught coming on. And that is where, I think, the cognitive dissonance that we are hearing today comes up. In 1985, the pressures to move in on cultural affairs were heavy. In 2000, they became a lot heavier. And so we have seen in these last years a constant effort to make the Fulbright program shorter term, to make it more implemental in terms of its immediate uses to do all kinds of things with it that were not meant to have been done in the first place.

The beauty of American cultural diplomacy and public diplomacy for some years, for a couple of decades was that it made a more or less good balance between these two things. The cultural officers suffered under this, but they put up with it because basically, they knew they could do something useful. But there was a gray area. There was always a gray area. There will always be a gray area until someone puts up a better definition than we have so far. Thanks.

MR. BALDYGA: Thank you, Dick. I had some extra questions for you, but I think I had better move on to Matt Armstrong because I know that the next question I would have asked you, you would be also willing to talk at length.

(Laughter.)

MR. ZORTHIAN: May I throw one thought –

MR. BALDYGA: Throw something at it, please.

MR. ZORTHIAN: This exchange and presentations we have heard reinforces my growing conviction that there is no such thing as public diplomacy. (Laughter.) It is a handy label for budget people and bureaucrats and so on. International broadcasting is one thing. It has its own standards, its own – (inaudible) – operations. Culture exchanges is another thing with its own operational standards. And the third area – information projection, whether through host media or however one does is, is still an entirely different operation.

I think the bad day for this whole field was when Ed Gullion up at Tufts founded – developed the words, "public diplomacy." (Inaudible.)

MR. BALDYGA: Well, Ed Gullion, I never liked the term. He spent all night with some ex-Eisenhower speech writer trying to come up with something that would somehow bring into one phrase all the activities of the U.S. public-private governmental interaction with overseas. And he came up with this term, "public diplomacy," which really exists as Nick Hull (ph) has pointed out, elsewhere and it goes back into the 19th century, I think the term actually was used. So as I mentioned someplace else before, he is probably turning over in his grave the fact that he used this term, "public diplomacy," because it has been debated and redefined and still to this day, questioned as to what it means and how it should be conducted.

Let me – Matt, now that you have heard Barry, Mike and Dick, are you still convinced that Smith-Mundt needs changes?

MR. ARMSTRONG: Yeah, actually. (Laughter.) I agree with a lot of what they say. And I think they all – it applies – actually, everything that they say – it applies, I think, even more so to understanding the act and what it is about and not what we think it is today. Today Smith-Mundt is used as a codeword for prevention of access to content, something the undersecretary was talking about, something that kept coming up here. Then Mike talked about – Barry and Dick, as well.

The idea in the original act of this dissemination prohibition – and the phrase was – the State Department was prohibited from disseminating. We talked about that is because you couldn't trust the State Department. The idea was, at the time, and as we have heard from comments here was that, you know, the information should still be available – needs to have access. And Jim mentioned this about hey, why don't we just have VOA Persia, for example, available to Americans because then we have fact checkers.

Well, in our understanding of Smith-Mundt today, that is prohibited. But in the understanding of Smith-Mundt in 1947 and in '48 when it was passed and even more so in the months after it was passed, and they continued to check what we were doing in international broadcasting, it was the intent that there would be oversight into what we say. There is now opacity in what we do overseas. So you don't have a constituency in what this public diplomacy – or global engagement is my preferred term. You don't have the constituency, so Congress doesn't know. They don't know what you are doing – whether you are in the DOD realm or the State realm, so how do you protect your budget? How do you build budgets?

The American public doesn't know. They don't know what is being done in their name with their tax dollars. So one of the articles that I had posted up on the library – you had talked about Benton before. One of the vocal antagonists to the Smith-Mundt Bill was Kent Cooper of the Associated Press. And he kept coming out about how this is bad – American propaganda, government – any government news agency is propaganda. And he railed against it. And Benton and he went to blows, if you will, and the newspapers.

One thing that we don't hear today, there were public debates in the newspapers. And I just did a couple of items in the library. And I don't know if you caught one of these, but the Benton questions – it was a Benton questions attacked by Cooper. At the end of that point five from Benton – he is attacking – he is responding to Cooper. And Cooper's point was you can't

have a news agency by the government and I am not going to sell my AP feed, and UP followed along to you because if my AP feed falls into VOA, it is going to taint my brand and it is just going to be government propaganda.

And other publishers, in addition to Benton, said you don't have a problem with TASS reproducing your feed? You have a greater belief that TASS is going to protect your brand than the United States government? But ultimately, point five in this, I think, sums up the issue of this oversight – or gets to part of it. He says, you say that the American people have no way of checking up on what the State Department is saying abroad that quote, "might lead us to all catastrophe," end quote. In saying this, you underrate the rigid policing provided by our listeners and readers. You underrate Congress. You underrate your own staff both here and abroad. You underrate the thousands of American businessmen living abroad and those serving in our missions.

The idea was that what the State Department is doing, what the government was doing would have complete oversight. So as for example Jim Glassman was saying, people would check on it. Today we don't have that. The Advisory Commission – just one more point on that – the Advisory Commission for Public Diplomacy that we have today was originally this bifurcated entity of Advisory Commission on Cultural Diplomacy or Culture on Educational Exchanges and Information – just as we have today the totally bifurcated realm. In fact, the Advisory Commission on Public Diplomacy has – I am not even sure they can comment on cultural and educational exchanges.

They can? There is something – (inaudible) – in what they can do. But back in the '40s, '48, this advisory commission on information was actually a serious entity. It had Edward R. Murrow – the first instance of it, I believe. Maybe it was the second instance, but he was on there. (Inaudible) – was on it, publishers of newspapers were on there. The idea was that they would do a critical – an informed critical analysis of what we were doing overseas and make a public report. And what I find most interesting is that they issued this report every six months. This was before the computers. And they could do this analysis of serious people involved to do a critical report to make what we were doing every six months.

So I think that, coupled with what we heard before, we need to understand what really was Smith-Mundt. And it was an enabling legislation and it was an attempt to institutionalize not just the Fulbright exchanges, but the information products and to professionalize. And as I mentioned before about the loyalty checks. But you also had in the cultural area this real concern that the exchange of persons would be problematic. Why do we have to bring people into the United States that are going to infect us? The FBI questioned the State Department's ability to police this exchange of persons, so they wanted to have oversight.

I think an important point about UNESCO that you made, Dick. People don't realize UNESCO was started – we were very interested – the United States was very interested in UNESCO because that was going to be the public diplomacy apparatus of the United States in the global realm. MacLeish was very interested in that. I don't think many people would have that perspective of UNESCO today. But that was the intent.

So the other thing is that there is an extent – as you heard in these comments, the idea of Smith-Mundt was to extend the reach of private media. It was to go where private media could not go. In fact, you could argue that within Smith-Mundt and the debates around it that the act itself would go away as private media stepped up. We talked about how we tried to hand it off to NBC and CBS. And as Barry said, they said thanks, but no thanks. During the Smith-Mundt bill hearings, they explicitly said NBC, CBS, you take this over. And they said no, thank you, but continued to rent our transmitters. And we will provide content to you. You can pay us for that. But this was an issue of let's go where private media could not. And that was extended in the European Recovery Program, which was more well-known as the Marshall Plan – something called the information media guarantee, which I still want to do more research on and find out where this thing is.

Yeah, the idea was that we wanted to privatize as much as we could. As a matter of fact, it is in the act that you use private media whenever and wherever you can. But at the IMG was this device so that the cost of doing business overseas or distributing your content overseas would be offset by the government, whether that was a Disney film or a newspaper article.

MR. SCHNEIDER: Well, there is also –

(Cross talk.)

MR. SCHNEIDER: But he did it –

MR. BALDYGA: No, there is the important thing in Eastern Europe that we used IMG very effectively and getting the rights and license to American theatrical productions and films and other things for distribution in Eastern Europe. And without them, we couldn't function.

MR. ZORTHIAN: Don't forget that CIA got into this deal very actively – Radio Free Europe, Radio Liberty – (inaudible) – CIA publications in Europe, the World Youth Congress.

MR. BALDYGA: Well, let me ask you a question, Matt, I am yet not convinced at having read volumes of your materials to what extent – (inaudible) – Smith-Mundt really has any impact on the development and implementation of any programs that might come out of IIP or the State Department in public diplomacy. I don't see it. If they want to do something, they can do it overseas. So the only question here is the distribution and information provided to the American public. I don't see any impact overseas of Smith-Mundt after – (inaudible) – materials. Maybe Jim, you might answer that. But I still don't see where Smith-Mundt in any way interfered in the development of creative and imaginative and important programs for addressing audiences overseas.

MR. ARMSTRONG: I am going to answer that briefly because there is a lot of people from IIP that I think can bring some firsthand experience to that. But my view is that A, it prevents the oversight into IIP. It prevents the building of constituency, so that more funds can be provided to IIP. I think it changes some of the tone of what is said because you are sometimes afraid of bringing it back inside. But I think the bigger issues are the constituency. You prevent understanding what IIP does and the value that IIP brings and the awareness,

especially today as the domestic media has retreated from overseas, what is going on overseas. And IIP knows what is happening overseas and is informing people overseas. But how is the American public going to understand?

So I think it limits what they should be doing and how they do it. And like I said, the transparency issue – what is the oversight? But I am going to defer to IIP because one of the things that I have found as I have went through these discussions in talking to people, there is a fascinating amount of personal experiences of what it has done, what it hasn't done. George Clack (ph) was on a media –

MR. BALDYGA: Is George here?

MR. ARMSTRONG: There he is.

MR. BALDYGA: Oh, there is George, okay.

MR. ARMSTRONG: So he had some interesting examples earlier – last week at our media roundtable and I am sure other people will, as well. So mine are kind of higher-level concerns. As far as specific programs, I prefer to defer to the experts in the room.

MR. BALDYGA: George, do you want to comment on that?

MR. ARMSTRONG: I didn't mean to put you on the spot, George.

GEORGE CLACK: The State Department's Bureau of International Information Programs – I am head of the publications office, so I have had a lot of experience with Smith-Mundt in the sense that it is very frequently my office that gets asked by schoolteachers to get a copy of one of the books we produce. And I have the job of writing letters saying sorry, we can't do that because we can't give you this book.

To answer your question, though, it is hard for me to think of a particular instance in which Smith-Mundt has hampered something that we are going to do overseas. In fact, there is a sense in which Smith-Mundt almost freezes up to, in a sense, be more objective because we know until the Internet came along, there wasn't going to be a lot of blowback from the American political scene. There are certain topics, capital punishment, for example, that have been discussed in IIP for years. And we have never been able to do it because there is a fear within IIP that the American public is so divided on this topic that anything that we publish will lead to major controversies with people looking at our stuff on the Internet, writing their congressmen and – no bureaucrats like to deal with letters from congressmen.

So to go back to your question, it is very hard for me to think of a case where it has prevented us from doing something overseas and quite the reverse. But I think there is a larger element tied up with it. And I would describe it this way. In imposing a barrier of us not distributing stuff in the United States, it makes it seem as if we are doing something tainted, something secret, something that the American public shouldn't see, something that is, indeed,

propaganda. And I think that taint is something that spreads throughout the work of well, of our agency.

And I think that that, to me, is maybe the major argument against Smith-Mundt, which I would describe it as the taint of propaganda. It doesn't prevent us from doing things, though, is what I would say. Others in IIP may have different views of that matter because as you know, there are 15 or 20 different programs in IIP. And all of these programs are sending content in various ways to audiences overseas.

MR. BALDYGA: Well, thank you, George.

MR. ARMSTRONG: Let me add to George's comment. Yesterday I was speaking with a person who is in charge with really getting VOA product onto affiliate stations. And he encounters – I don't think he is here – he encounters the Smith-Mundt issue, where the foreign – the non-U.S. broadcasters are saying well, you can't broadcast this domestically. And so there is this cognition that there is a – it is something dirty.

But the other thing – go a little bit broader answer to your question is because of the way Smith-Mundt is set up and the way we have internalized it, we have come up with this inform, but not influence idea. And I think that is informed as public-affairs-versus-everybody-else debate. It shapes how, for example, the undersecretary's office operates here in the United States. What he says and does overseas isn't communicated here in the United States very well, even though he is also in charge of public affairs. So he can't even communicate what he is doing.

MR. BALDYGA: But he is communicating more than any other previous undersecretary ever known.

MR. ARMSTRONG: Yeah, I think the fourth undersecretary was a good undersecretary. But the idea of – in DOD, I think it is a public-affairs issue. The public affairs versus everybody else is even more pronounced. And I think that is informed by this Smith-Mundt discussion where we don't understand that you can influence and you can do it and you should do it. There are limits to that influence.

MR. BALDYGA: Jim, what hat are you wearing tomorrow when you are appearing at George Washington University? You have two hats – one for public diplomacy, one for public affairs? He is gone? Oh, I'm sorry.

We might as well open it up to the floor if there are any additional questions, unless you have something – oh, Dick.

MR. ARNDT: The question of outreach from these agencies is interesting because we had a lot of it. And it doesn't bear – it just didn't come up. For example, any USIA person in any area office knew all of the organizations devoted to, let's say, Soviet studies and European studies and so forth. And they were in touch with the major university centers in Soviet studies and so forth. It just goes without saying that. When it comes to ECA, to education and cultural

affairs, the network is 10 times bigger. Sitting here with Sherry Mueller who does NCIV, National Council of International Visitors, has outlets in 50 –

Q: Ninety-two.

MR. ARNDT: Ninety-two, thank you. I was going to say 92 states, but only 50 states – 92 outlets – (laughter) – all over the country. And there is enormous creative activity going on all the time between her constituency and the Department of State today. The same was true – the problem of the old CU was that we had an American constituency that was gigantic. It was too big for us to handle. We had associations like the National Association of Foreign Student Affairs, for example, that were all over the country. And it was impossible to maintain tight relationships with those. And so therefore, we had to trust them.

We got people like Sherry Mueller to do those jobs. And they have done them brilliantly over time. But the point is there has always been a constituency, an outreach into the American public. And we have always used it. And we have used it well, but we have used it discreetly and wisely.

MR. SCHNEIDER: And it actually entered into play when the merger occurred between USIA and State Department. There was a fairly effective element of support for a separate line-item appropriation for ECA, for the cultural affairs program. So that constituency came to life at that point. And well, but it did.

MR. BALDYGA: Back there.

Q: Yeah, I'm Joe Bruns and I'm with WETA, but at one time, I was with USIA. And I guess – and I was responsible for putting Voice of America broadcasts and transcripts on the Internet in 1992, 1993, I guess it was, when I was the acting director of the Voice of America and working with USIA general counsel, we worked – maneuvered successfully through any obstacles with Smith-Mundt and developed a winning rationale for doing that knowing full well that they would be – that those transcripts and eventually audio text and now I guess video files would be available to anybody in the United States.

So, you know, I am a bit at a loss to really understand what the obstacles are presented by Smith-Mundt from doing the work of public diplomacy, for lack of better terminology. We were successful in doing that. And I don't think there was any particular objection raised. There were some bureaucratic objections raised, but ultimately, it seemed to play well in Congress and it seemed to play well in the press when we did it.

MR. ARMSTRONG: Well, the issue – that goes to the question of did Google smash Smith-Mundt? Does Google itself make it irrelevant? And to me, the idea is you are relying on a pull mechanism, if we want to stay in the Internet metaphor. And the issue is we are in an active information environment. There is a wealth of information and a poverty of attention. Unless you are engaged in this, your information is not going to matter. If you just passively put something out there, it may not reach the audience.

Putting the information up there in '92 is interesting because prior to that, the USIA material was exempted under FOIA even. And you couldn't get this information. We need to be able to, I think, distribute this information, which goes back to the point that it is an active environment. One thing I didn't mention in my opening comments was that, you know, we are not just dealing with Islamic extremists. This issue is far broader. Even the Congress in '47 – actually the National Security Council in '47 instructed the assistant secretary of state to respond to quote, "the coordinated psychological, political and economic measures designed to undermine non-communist elements in all countries."

To me, the issue of this censorship or this passive application – that was National Security Council in December of '47 – this passive play of let's put some information out there is inadequate in this active global environment. The Chinese are practicing informatized warfare, psychological warfare, perception warfare. Igor Panarin, the so-called political scientist, who got a lot of play recently about the near-future breakup of the United States. Lots of other countries – and we are focused on ideological extremism, when reality is that we need to rebuild our arsenal of persuasion. And part of it is we need to be active in this realm. And I think Smith-Mundt informs a passive, reactive reaction and sort of reinforces the public affairs versus everybody else debate.

Putting the transcripts up, I don't think is quite enough. And I don't think it is appropriate in this environment because we still do parse – you will hear other State examples of look, you can't access the content. I won't give it to you or you really have to work hard to get to it.

MR. BALDYGA: Yeah, Mike, you have a comment?

MR. SCHNEIDER: Yeah, this is just to throw out an idea, which I can't complete right now, but everyone should be talking about it today and beyond. That is, should we be involved in a war of ideas? Is there truly a clash of civilizations? Do we have to have an arsenal of persuasion? Is today's challenge – are today's challenges the same or replicable compared to the Cold War era of the early '40s?

Personal view, in some ways, yes, but in many ways, no. And we will not do our long-term interests and our efficacy service if we revert to the instrumentalities and the mental state or the culture that we had in the Cold War. I just don't see the nature of the conflicts that we are involved – I said plural, conflicts – as being the same as that we had in the past. And from that – those set of premises that I threw out, a lot of very different points of view will and should emerge.

So I think what Matt has done, the service of this event is not just the technicalities of Smith-Mundt, but the broader question of where are we in the world today? What are sources of influence as they evolve? What should the role of government be? And we didn't talk about DOD's communication, efficacy or efforts these days. I call for a very different kind of game plan for the United States. No less active, no less dynamic, not passive, but far more relying on the public element of public diplomacy. And the rest will follow.

MR. ZORTHIAN: I would raise the question of – (inaudible) – or providing information in their overseas operations that should also be available domestically? Anything Voice of America or international broadcasting – (inaudible) – is already in the public realm. It is not a research product of the agency and so on. And it is available to the American public in some other broad form, some other arena. This is not a problem for broadcasting. If an oversight groups wants to see a script or a broadcast for an oversight purpose, that is one thing. But there is nothing I can think of in international broadcasting that should be provided to the American public.

Q: Yes, Ted Tzavellas, senior information policy and strategy advisor to Joint Staff deputy director, global operations. It goes on for a few more words past there, but that is all I can remember at any one time. (Laughter.)

You know, I agree with what Mr. Schneider was just conveying a few moments ago. I see the Smith-Mundt Act as less an impediment to being able to communicate, to influence, insert any number of verbs. And what I see is more the difficulty is just the bureaucracy that we have developed and the internecine politics and so on and so forth. You know, everybody says we have to do something better to communicate with the rest of the world. And we have tried, I think by my latest count, there have been 15 efforts to quote, unquote, "bring it all together." And all 15 efforts have either failed or were stillborn.

So to me, it is – I commend Matt for having this venue because it gives – using a discussion about Smith-Mundt is a springboard to a greater issue. And that is a fact that we just can't get our act together, whereas everyone else in the world, be they nation states or be they nefarious actors, have the agility, flexibility and scalability that we seem to lack.

MR. ARMSTRONG: Ted, by the way, is going to be on panel three.

MR. BALDYGA: Bill?

Q: I don't really time this to have the last question each panel, you know. It is not – well, Bill Keelaghan (ph).

MR. BALDYGA: We might be able to get another one if you keep it short.

(Laughter.)

Q: Yes, sir. Yes, boss. (Chuckles.) Matt made a good point there about this public affairs versus everybody else. But this is an issue that is part of the culture of the Defense Department. It is not a part of the culture of the State Department or the rest of the government. The problem that you see and one of the reasons that you think that Smith-Mundt needs some change is because of the cultural divide within the Department of Defense, where public affairs is so afraid of losing credibility by associating with information operations and psychological warfare that they have essentially built a wall, a real wall – not a Smith-Mundt wall, but a real wall between those two areas, I think. Could you comment on that?

MR. ARMSTRONG: I think some later discussants will comment that. And I think some people around – at least one other at your table can comment on that, but yeah, I think that is a really real issue. When the PAO of say, Fort Bragg, thinks that all that person does is inform and yet, he is going to tell the local community that the gate is closed for some reason, they are actually informing to influence. They are actually informing to change the action of the local people. They are looking to build the credibility of DOD, of the fort and of the Army. But yet, we don't think of it that way.

But I do think it is more this PA-versus-everybody-else divide is much more prevalent in DOD, but I want to try to get – squeeze one more question, so I will stop there.

MR. BALDYGA: Yeah, one more question. Where is Jill?

Q: I just at the end want to tap your 160 years of experience to ask this question from each of you. Matt is right that we are ineffective in being able to explain the benefits of public diplomacy and what goes on to the American public – Smith-Mundt – (inaudible).

Putting Smith-Mundt aside, as we go into a new administration, from each of you, what has worked in your opinion? If you, in 25 words or less, could tell a congressional panel here is what public diplomacy does and has done for this country, what would you say?

MR. BALDYGA: We'll start with Dick.

MR. ARNDT: Reeducate Germany, reeducate Japan and build a network of something like 400,000 people across this world who have all had Fulbright degrees.

MR. BALDYGA: Barry?

MR. ZORTHIAN: Well, two parts to my experience. The broadcasting part, I would say during the '50s, '60s, '70s, '80s, et cetera, provided information to peoples in other countries that was not available from their own sources. And in so doing, made those peoples better informed, a more positive influence and on their governments in leading to a more peaceful development toward a democratic future in many states.

Insofar as media relations, field operations goes, almost impossible to measure, but hopefully, the efforts made in that direction, whether completely adequate or not, provided through the medium of both media and local contacts, a better understanding of the United States and its policies and therefore, more pressure on their own governments to be responsive and cooperative in our efforts, in our country's efforts.

MR. SCHNEIDER: Yeah, that is good. In the aggregate, meaning humans on the ground, Americans and national employees of public diplomacy, media output day in and day out, month in and month out over half a century, the long-term institutional relationships that we have built through the linkages that have existed in the aggregate have helped the United States maximize cooperation and minimize conflict and create better understanding.

Where it has not worked, where it has failed, and it is no criticism of public diplomacy, is the failure of the United States' administrations over time to really demand, command, mandate, warrant public-diplomacy advice at each and every step of the policy process in Washington – not in the field.

MR. BALDYGA: In my own experience, I certainly would point to what we were able to do in Poland with the exchanges program and outreach to whether it was dissidents or even communists. I remember one time discussing the impact of Fulbright experience. And there was some criticism – the fact that we are bringing true, you know, fateful communists to the United States on exchange programs.

And when I discussed the fact that we felt that even bringing them here – once they were here and had a – (inaudible) – experience, it would change them totally in the way their outlook – not only toward the United States, but internally as to how the system functioned. And lo and behold – (inaudible) – and he says, I am one of those.

So we have to look at the programs we did in Eastern Europe – unlimited budgets under PL-480. Nobody ever asked me a question. When I asked for language labs, 10,000 books for – (inaudible) – University, film rights or play licenses – just unlimited. That is what you had to look at. You know, it is resources, outreach and getting to people even in those situations where it is extremely difficult to function.

MR. ARMSTRONG: And with that, I am going to –

MR. BALDYGA: Maybe do one more question. Jill Shooker (ph)?

MR. ARMSTRONG: I was actually going to – go ahead.

Q: Thank you. As much as I like being referred to under the name Jill Schuker, who is a good friend of mine, I am Ronna Freiberg. (Laughter.) That's all right.

MR. BALDYGA: I'm sorry.

Q: I was at USIA as director of legislative and intergovernmental affairs toward the end of the second Clinton term during the merger into State. And I wanted to make a comment referring to what Dick Arndt and Matt said about constituencies. I think it is absolutely true that ECA through Fulbright and through the many exchange programs that it has created over the years built constituencies that absolutely had an impact in maintaining the strength of ECA during that crossover into State.

But I took note of something that Matt said about the I Bureau and the restrictions of Smith-Mundt placing restrictions on the ability to build constituencies for the information programs of USIA. I think that was detrimental in the crossover into State and that it is possible that that can be linked back to Smith-Mundt that I Bureau's programs are much more limited in their ability to build constituencies for obvious reasons in this country, and that the I Bureau may have suffered in not being given a bureau during those months of deliberation. So I think it is

something to think about going forward. How do we build constituencies for information programs?

MR. BALDYGA: And you'll have to leave your replies to the next panel since we are running over. Again, I will be going to my ophthalmologist to check and see when I look at people in the audience. (Laughter.)

I think we ought to give a hand – an applause to the –

(Applause.)

And also to you, Matt – (inaudible).

MR. ARMSTRONG: Thanks, everybody. And we are going to take a brief break. Don't worry. I have got buffer built into the lunchtime. But we will take a brief break to transition the panels and be back here in five.

(END)