

## The Problem

The Senate Press Galleries have a long standing tradition of barring non-profit news organizations from membership. This is accomplished through membership criteria that include financial litmus tests. These tests require that member news organizations be chiefly supported through advertising and subscriber revenue. Non-profit news organizations are chiefly supported through donations. Thus these financial litmus tests effectively serve *de facto* to block non-profit news organizations from membership.<sup>1</sup>

At a time when non-profit news organizations are growing, and are seen as a critical and vital part of a solution for the collapse of commercial news media, this barrier to membership no longer serves the public interest.

## How critical is this issue?

Critical: according to the Pew Research Center, the number of accredited U.S. newspapers, newswires, and magazines has collapsed from 653 in the mid-1980s to approximately 182, a decline of 72%. There are 27 states that no longer have a single reporter covering their Congressional delegation in Washington.<sup>2</sup> However, the last three years has seen the incorporation of numerous non profit news organizations, including ourselves, *Pro Publica*, *The American News Project*, *MinnPost*, *Voices of San Diego*, *The St. Louis Beacon*, and *The New Haven Independent*, to name a few. These and other qualified non profit news organizations provide much needed employment to journalists, yet are impeded by these outdated rules from providing much needed coverage from Congress.

## The Solution

The Senate Press Galleries need to reform their membership criteria, to remove financial litmus tests that bar non-profit news organizations from membership. Congress has jurisdiction over the Press Galleries, and can initiate a reform process.

## What are the rules barring non-profits from membership?

There are three Press Galleries: 1) The Periodicals Press Gallery (for magazines) 2) the Daily Gallery (for newspapers) 3) the Radio and TV Gallery. In the case of the Periodicals Gallery, its Rule 2 places a financial litmus test on membership (key passage in **bold**), stating in part, “**Applicants must also be employed by a periodical that is published for profit and is supported chiefly by advertising or by subscription**, or by a periodical meeting the conditions in this paragraph but published by a nonprofit organization...”<sup>3</sup> The circular logic says that non profit news organizations must “[meet] the conditions in this paragraph,” which includes the condition that the non profit organization be “supported chiefly by advertising or by subscription.” This is a literal impossibility: a for profit non profit.

In the Daily Press Gallery, this financial litmus test is applied in a confidential “guideline” that states, “Factors to be considered...include whether its **principal revenue comes from readership support through subscriptions or advertising.**” A second guideline states, “News services applying for credentials must be in the **principal business of selling news content** to daily news publications.” These tests ensure that non-profit news organizations are ineligible.

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<sup>1</sup> NPR and PBS were admitted to the Galleries through an act of Congress.

<sup>2</sup> <http://journalism.org/node/14678>

<sup>3</sup> <http://www.senate.gov/galleries/pdcl/rules.htm>

These “guidelines” for the Daily Press Gallery were adopted by the Standing Committee of Correspondents that serve as the membership committee for the Daily Gallery. Yet these “guidelines” do not appear in print anywhere on the Daily Gallery’s web site, which lists the Rules for membership.<sup>4</sup> These guidelines differ substantially from the Rules that are made public, which do not include any financial litmus test as a condition for membership. This may be in violation of the Daily Press Gallery’s public rules, which state: “The Standing Committee of Correspondents shall propose no changes in the rules except upon **petition in writing signed by not less than 100 accredited members** of the galleries.” In addition, any Rules change requires that “the rules shall be interpreted and administered by the Standing Committee of Correspondents, **subject to the review and an approval by the Senate Committee on Rules and Administration.**” It appears these criteria for membership that include financial litmus tests were never presented to the members of the gallery for their approval, nor submitted to the Senate Committee on Rules and Administration for their review and approval.

### Does Congress have jurisdiction over the Press Galleries?

Jurisdiction over the Press Galleries is shared by the House and Senate, rotating every four years. Currently, jurisdiction over the Press Galleries falls under the jurisdiction of the Senate Committee on Rules & Administration under Rule XXXIII.<sup>5</sup> The House has jurisdiction through “Rule VI: Official Reporters and News Media Galleries.”<sup>6</sup> The by-laws of the three Press Galleries are explicit in stating changes to their rules require review and approval by Congress.

### Would admitting non-profits open the door to people masquerading as journalists?

It would not. The rules of the Galleries state that qualifying news organizations must give “their chief attention to the gathering and reporting of news.” These rules should stand. What needs to change is the arbitrary barrier to entry that blocks non profit news organizations from entry solely due to their financial operating model. From that point forward, the usual journalistic tests should continue to apply.

### About the Center for Independent Media

The Center for Independent Media is a not-for-profit news organization that publishes six news sites, in five states and Washington DC. Its reporters have won over thirty prizes for journalistic excellence, with a readership of approximately one million people monthly.

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<sup>4</sup> <http://senate.gov/galleries/daily/rules2.htm>

<sup>5</sup> <http://tiny.cc/PZNMMe>

<sup>6</sup> <http://clerk.house.gov/legislative/rules110/rule6.html>