

# EXHIBIT A

From: **Lee Fang** <[lee.fang@firstlookmedia.net](mailto:lee.fang@firstlookmedia.net)>  
Date: Wed, Oct 7, 2020 at 11:01 AM  
Subject: FOIA Request Oct. 7, 2020  
To: <[foia@usagm.gov](mailto:foia@usagm.gov)>

U.S. Agency for Global Media

Voice of America

FREEDOM OF INFORMATION OFFICE

330 Independence Ave SW

Washington, DC 20237

[foia@usagm.gov](mailto:foia@usagm.gov)

Re: FOIA request  
Request for expedited processing  
Request for fee waiver

Dear Madam or Sir:

Pursuant to the Freedom of Information Act, 5 U.S.C. 552 (FOIA), I request that you provide to me copies of all records, for the period of January 1, 2018 to the present date, referring or relating to:

1. Whether persons hired by USAGM or Voice of America (VOA) in journalist or broadcasting positions should be hired or classified as personal service contractors, excepted service contractors, full time employees (FTEs), or another status.
2. Whether to renew, extend or terminate the personal service contracts or excepted service contracts of any one or more foreign journalists employed by, or performing services for, VOA or USAGM, or reasons or considerations relating thereto, including the consequences to USAGM, VOA, the United States or the journalists of terminating, or not renewing or extending, such contracts.

3. Whether to renew or extend, or support the renewal or extension of, visas or any other immigration status (including but not limited to J-1 visas) for foreign journalists employed by or performing services for VOA or USAGM, or reasons or considerations relating thereto, including the consequences to USAGM, VOA, the United States or the journalists of not renewing or extending, or supporting the renewal or extension of, such visas.
4. Whether to replace foreign journalists performing services for VOA or USAGM with U.S. citizens, and the reasons or considerations relating thereto.
5. USAGM's and/or VOA's consideration of whether to conduct a case-by-case review of the renewal or extension of the J-1 visas of foreign journalists employed by VOA and/or USAGM, or security risks posed by such persons.
6. USAGM's and/or VOA's conduct of case-by-case reviews of whether to renew or extend the J-1 visas of foreign journalists employed by VOA and USAGM, or security risks posed by such persons.
7. Security failures or concerns relating to foreign journalists employed by VOA or USAGM, including without limitation (i) the adequacy of security or background checks and clearances performed concerning foreign journalists, (ii) how such failures or concerns have affected USAGM or VOA, or compromised the ability of USAGM or VOA to fulfill its respective mission, and (iii) whether, and if so how, such failures or concerns have impacted U.S. national security or foreign policy.
8. Processes, policies, standards and criteria governing or pertaining to security and background checks and investigations conducted regarding USAGM and VOA employees, personal service contractors, and excepted service appointments, including the level of scrutiny and review to be applied to different classes of employees and contractors and the reasons for any such differences.
9. Documents comprising, reflecting or relating to communications between Michael Pack or any other employee of USAGM or VOA, on the one hand, and Steve Bannon, President Donald J. Trump, or any member or representative of the White House staff concerning or relating to (i) the employment, or use of the services of, foreign journalists by VOA or USAGM, (ii) the editorial policies or practices of VOA, (iii) VOA's coverage of any news item(s) or event(s), including without limitation the Covid 19 pandemic, the 2020 presidential campaign or any candidate for President of the United States, or VOA's Urdu news service, and (iv) the termination, replacement or appointment of upper management employees of VOA and/or USAGM.
10. All policies governing, and guidance to USAGM, VOA, RFR/RL, RFA, MEB and OCB employees and contractors relating to, conflicts of interest, and all communications (including emails) regarding the revision or update of such policies and/or guidance that resulted in issuance of the Memorandum from Michael Pack to The Voice of America et al. on October 2, 2020 ([CEO Policy Memo – Guidance on Conflicts of Interest](#)).

Please provide the responsive records in electronic format. In the event you withhold any responsive record or portion of record pursuant to a FOIA exemption, please (1) disclose all segregable non-exempt records or portions of records, and (2) provide me with a description of the material withheld and the legal and factual bases for their withholding. I consent to your redaction of the names of VOA journalists and their addresses, phone numbers, social security numbers or other personally identifiable information.

I request expedited processing of this request. The documents sought by these requests bear on the imminent termination of employment, expiration of authorization to remain in the United States, and expulsion from the United States, of foreign journalists employed by USAGM and/or VOA, and the legality of the actions, or inaction, of USAGM and VOA. These records are crucial to the public's understanding of the bases for such actions or inaction. Delay in production of these documents could result in the expulsion from the United States of foreign journalists who will be forced to return to countries where, because of the service they have rendered to VOA and USAGM, they may be subjected to harassment, retaliation, imprisonment or the infliction of serious harm.

I request that you waive all fees associated with this request, for the following reasons:

a. I am a representative of the news media affiliated with The Intercept, and am submitting this request as part of news gathering and not for commercial use or interest.

b. Disclosure of the records I seek is in the public interest because the records concern, and will meaningfully and significantly contribute to the public's understanding of, the operations, activities and decision-making of USAGM and VOA with respect to the hiring and firing of foreign journalists, whether such actions have been politically motivated and will violate the statutory "firewall" that is intended to protect the editorial independence of VOA and its journalists from interference by the government, and whether USAGM management has abused its powers and discretion or committed other unlawful acts.

c. The records whose disclosure I seek do not concern merely routine administrative action or information, but rather concern matters that are of significant interest to the public, as evidenced by the widespread attention the underlying issues have received in the media, from members and committees of Congress, and even in the comments of the CEO of USAGM, Michael Pack.

Sincerely,

Lee Fang

Reporter

The Intercept

(202) 394-9170