

Congress of the United States
Washington, DC 20515

25 January 2022

Kelu Chao, Acting Chief Executive Officer
U.S. Agency for Global Media
330 Independence Ave., SW
Washington, DC 20237

Dear Ms. Chao,

Over the last several months, my office has requested specific information and documentation relating to my oversight duties as a Member of Congress. On July 28, I sent a letter (attached) with Rep. Gregory Meeks, Chairman of the House Foreign Affairs Committee, asking you to provide “any and all final reports, memoranda, and/or recommendations provided by [the McGuireWoods law firm] to USAGM on any topic.”

After an initial response in August, your office has made no effort to facilitate the release of the colloquially named “McGuireWoods Report” (“the Report”). On August 4, my staff sent another oversight letter, asking for additional information (on top of the Report), to include specific information about personnel misconduct; to date, we have received nothing resembling a substantive response.

For over a decade, USAGM, and its predecessor, the Broadcasting Board of Governors, has failed to implement numerous Office of Personnel Management (OPM) recommendations, including the use of USAGM-delegated investigative authority, which expired in 2012. According to an OPM report released in August 2020, 1,500 USAGM employees and contractors between 2010 and 2020 – 40% of the Agency’s workforce – were not properly vetted before being hired. This failure exposes a critical security risk that imperils the welfare of Americans.

While your Agency has demonstrated an unwillingness to cooperate with these appropriate oversight requests, my office has been able to independently secure what we believe to be the vast majority of the Report. With other items, I submitted the Report to the Congressional Record during a House Foreign Affairs Committee Markup on September 30, 2021. You may find a compilation of the Report here (beginning Page 32, ending Page 596):

<https://docs.house.gov/meetings/FA/FA00/20210930/114085/HMKP-117-FA00-20210930-SD002.pdf>

The Report highlights the work Congress has yet to do to best support the mission of the Agency; it undoubtedly will inform future legislative and oversight actions. Given the assessments provided in the Report, it is possible that Agency employees violated federal laws and, if so, must be held accountable.

To review the findings of the Report – as well as to demonstrate your commitment to Congressional oversight of the Agency – I’m prepared to facilitate a USAGM briefing / hearing in Committee and encourage you to use me as a resource to that end. Please let me know if that would be of interest to you. I also request that you answer the following inquiries by **February 8, 2022**.

1) Does the content within the above link constitute “any and all final reports, memoranda, and/or recommendations provided by McGuireWoods to USAGM on any topic,” pursuant to the July 28 letter sent from Rep. Meeks and me? If not, please describe any other final reports, memoranda, and/or recommendations provided by McGuireWoods to USAGM on any topic.

2) Would the Agency like my assistance in facilitating transcribed interviews for Shawn Powers, Matt Walsh, Grant Turner, David Kligerman, Marie Lennon, Oanh Tran, Andrew Jansen, and anyone else cited in the McGuireWoods Report?

3) Please provide responses to each request cited in my August 4, 2021 letter (attached). Thus far, I have received no response to these questions, which are particularly important as I assess potential legislative remedies and oversight actions.

4). Pursuant to my Constitutional oversight responsibilities, I ask that you provide a detailed list of every job function performed by USAGM employees Michael Cushing and Nick Schwellenbach since the beginning of their employment with the Agency.

If I receive no satisfactory responses by **February 8**, I intend to take further steps to investigate answers to my questions, including raising (in Committee) the Agency's failure to cooperate with yet another oversight request. I appreciate your prompt attention to these matters.

Very Respectfully,

A handwritten signature in black ink, appearing to read "Scott Perry", written in a cursive style.

SCOTT PERRY
Member of Congress
10th District, Pennsylvania