
Subject: FW: American Oversight v. USAGM, FOIA Appeal 21-1200 - Narrowed search Response
Date: Monday, February 28, 2022 at 11:18:06 AM Eastern Standard Time
From: James McLaren
To: Mehreen Rasheed
CC: FOIA

Attachments: FOIA 21-004 narrow search Biden July 21.pdf, FOIA 21-004 narrow search Biden March 21.pdf, FOIA 21-004 Narrow Search Biden.pdf, FOIA 21-004 narrow search Executive order June 2021.pdf, FOIA 21-004 narrow search Executive Order March 21.pdf, FOIA 21-004 Narrow search Executive order.pdf, FOIA 21-004 narrow search MICHIGAN 5.8.21.pdf, FOIA 21-004 narrowed search Biden May 21.pdf, FOIA 21-004 narrowed search foreign interference.pdf, FOIA 21-004 narrowed search MICHIGAN 3.8.21.pdf, FOIA 21-004 narrowed search patriot.pdf, FOIA 21-004 narrowed search rule of law.pdf, FOIA 21-004 Narrowed search Trump Campaign.pdf, Redacted documents for AO (286 pages) 20220218.pdf

EXTERNAL SENDER

To: American Oversight:

This e-mail fulfils this agency's commitment to American Oversight to produce a response to a specific narrowed search in the month of February.

I have searched all the e-mails sent to, received by, or sent by Emily Newman from the start to the finish of her tenure at USAGM. These e-mails were previously gathered and are contained in five distinct files which were responses to another FOIA requester, comprising:

3/8/21 Response (371 pages)

4/8/21 Response (508 pages)

5/8/21 Response (506 pages)

6/8/21 Response (606 pages)

7/8/21 Response (291 pages).

(All available to American Oversight if requested)

A search for the **specified individuals** indicated in the below e-mail ("item 4") produced no results.

A search for the **key terms** listed below ("item 5") produced 39 pages of specific "hits."

Only five terms produced positive results:

"Biden" – almost exclusively in connection with the broadcast of a Biden campaign ad by the Urdu service of VOA.

"Trump Campaign" – one hit on a document saying that the Biden ad was not balanced by providing a corresponding treatment of the Trump campaign.

“Executive order” which produced numerous hits.
“Rule of law” produced one hit.
“Michigan” produced several hits.

The fact that the searches worked on adobe acrobat and were thoroughly carried out was demonstrated by numerous hits for “MAGA” within the word “magazines,” and “Georgia” within the word “Georgian” (VOA service). I did not consider these responsive. I also did not consider a hit responsive for “Pennsylvania” which referred to the avenue where the law firm Morrison Foerster has its address.

The search term “Executive order” produced a “hit” on a particular page but the entire page is redacted, so it is not in the combined redacted document. The language of the context of the hit is attached in the search response documentation, as it is for every hit during my searches.

Although the hits appeared on only 39 pages, we attached that page and the e-mail string in which it appeared. Therefore we have a combined 286 page response. Original pagination has been retained, so the search findings can be used to show American Oversight where the 39 hits occur, or American Oversight can do a search of the documents using only the five terms that produced hits.

Due to the very large number of search terms and the number of different files searched for each search term, then the extraction of responsive documents, the production of this response cost the agency 15 hours of time at a cost of approximately \$1,549. This is of course not chargeable to American Oversight but is indicative of the level of effort required to produce responses to the appellant.

Respectfully submitted,

James McLaren
Acting Deputy General Counsel
US Agency For Global Media
jmclaren@usagm.gov
202 920 2442

For items 4 and 5 below, the agency may notice significant overlap between these parameters and a separate American Oversight FOIA request filed on February 15, 2021 (attached for reference). In exchange for a prompt search and production of the below, we are prepared to withdraw the February 15, 2021 request. We also ask that USAGM prioritize the production of items 4 and 5 to the extent possible.

1. All email communications (including emails, complete email chains, and email attachments), sent by Emily Newman to the following specified individuals:
 - a. Cleta Mitchell (including, but not limited to communications with the email address cmitchell@foley.com)

- b. Rudolph Giuliani, or anyone communicating on his behalf, such as Jo Ann Zafonte, Christianne Allen, Beau Wagner, or anyone communicating from an email address ending in @giulianisecurity.com, giulianipartners.com, gdcillc.com
 - c. Joseph diGenova, Victoria Toensing, or anyone communicating from an email address ending in @digenovatoensing.com
 - d. Sidney Powell, or anyone communicating from an email address ending in @federalappeals.com
 - e. Jenna Ellis, or anyone communicating from an email address ending in @falkirkcenter.com or @thomasmore.org.
 - f. Lin Wood, or anyone communicating from an email address ending in @linwoodlaw.com or @fightback.law
 - g. Jason Torchinsky (including, but not limited to, at jtorchinsky@hvjtlaw.com)
 - h. John Gore, Alex Potapov, or anyone communicating from an email address ending in @jonesday.com
 - i. Justin Clark, Nathan Groth, Stefan Passantino, or anyone communicating from an email address ending in @michaelbest.com
 - j. Kory Langhofer, Thomas Basile, or anyone communicating from an email address ending in @statecraftlaw.com
 - k. Brett Johnson, Eric Spencer, or anyone communicating from an email address ending in @swlaw.com
 - l. John Eastman, including jeastman@chapman.edu and other known email addresses
 - m. John Solomon (including, but not limited to john@solomonmedia.com, or any of his email addresses ending in @fox.com, @thehill.com, @justthenews.com, @washingtonguardian.net, or @washingtontimes.com)
 - n. David Bossie, or anyone communicating from an email address ending in @citizensunited.org
- Date range: November 3, 2020, through Emily Newman's last day of employment at USAGM 20 JAN 2021**
2. All email communications (including emails, email attachments, complete email chains, calendar invitations, and calendar invitation attachments) **sent by then-Chief of Staff Emily Newman** and that contain any of the following key terms:
- a. GOP
 - b. RNC
 - c. MAGA
 - d. "election fraud"
 - e. "voter fraud"
 - f. "stop the steal"
 - g. "Trump campaign"
 - h. Biden
 - i. "Rule of Law"
 - j. "Save America"
 - k. Patriot
 - l. "integrity of our election"

- m. "great again"
- n. "voting machines"
- o. Dominion
- p. DVS
- q. "foreign interference"
- r. "executive order"
- s. "emergency power"
- t. Raffensperger
- u. Giuliani
- v. Powell
- w. POTUS
- x. Michigan
- y. Georgia
- z. Pennsylvania

Date range: **November 3, 2020**, through Emily Newman's last day of employment at USAGM 20
JANUARY 2021

Search Results

Summary

Searched for : **Biden**

In document : **S:\gcounsel\FOIA and Privacy Act Materials\FOIA REQUESTS
2021\FOIA21-003 Lee Fang (The Intercept)\Document
Productions\7.8.2021 Production\Docs sent to plaintiff\FOIA21-003
(Newman FINAL documents) (291 pages) 202100702_Redacted.pdf**

Results : **1 document(s) with 2 instance(s)**

Saved on : **2/17/2022 3:20:23 PM**

File : [FOIA21-003 \(Newman FINAL documents\) \(291 pages\) 202100702_Redacted.pdf](#)

Title :

Subject :

Author :

Keywords :

Page: 14

 posting of the **Biden** video. Both services have openings – Urdu, replacing the web

Page: 18

 posting of the **Biden** video. Both services have openings – Urdu, replacing the web

Search Results

Summary

Searched for : **Biden**

In document : **S:\gcounsel\FOIA and Privacy Act Materials\FOIA REQUESTS 2021\FOIA21-003 Lee Fang (The Intercept)\Document Productions\3.8.2021 Production\working docs\Pack 2_v2_Redacted.pdf**

Results : 1 document(s) with 4 instance(s)

Saved on : **2/17/2022 3:39:00 PM**

File : [Pack 2_v2_Redacted.pdf](#)

Title :

Subject :

Author :

Keywords :

Page: 38

-  investigation-into-pro-**biden**-voa-content-u-s-electioninterference/ CEO Pack launches investigation into
 -  investigation into pro-**Biden** VOA content, U.S. election interference July 30, 2020 WASHINGTON,
 -  Vice President Joe **Biden**, which appeared on VOA Urdu’s website as well as on
 -  Votes,” and highlighted **Biden** making election promises to the Muslim-American community. Among other
-

Search Results

Summary

Searched for : **Biden**

In document : **S:\gcounsel\FOIA and Privacy Act Materials\FOIA REQUESTS 2021\FOIA21-003 Lee Fang (The Intercept)\Document Productions\4.8.2021 Production\FOIA 21-003 4.8.2021 production_draft redactions.pdf**

Results : 1 document(s) with 4 instance(s)

Saved on : **2/17/2022 1:10:21 PM**

File : [FOIA 21-003 4.8.2021 production_draft redactions.pdf](#)

Title :

Subject :

Author :

Keywords :

Page: 33

 FINDINGS The Obama **Biden** Administration weaponized America's P.R. arm against the U.S.

 under the Obama **Biden** Administration, USAGM violated national security protocols by failing to properly

Page: 137

 candidate Vice-President **Biden**; made no attempt to provide any perspective from President Trump

Page: 222

 be modified should **Biden** be elected. But it is useful to bring these proposals

Search Results

Summary

Searched for : **executive order**

In document : **C:\Users\jmclaren\AppData\Local\Temp\1\A91t0diqu_6bxvej_4go.tmp**

Results : **1 document(s) with 1 instance(s)**

Saved on : **2/17/2022 2:42:53 PM**

File : [A91t0diqu_6bxvej_4go.tmp](#)

Title :

Subject :

Author :

Keywords :

Page: 482

 **CFR 731 and Executive Order 12968/SEAD 4. Please let me know if you**

Search Results

Summary

Searched for : **executive order**

In document : **S:\gcounsel\FOIA and Privacy Act Materials\FOIA REQUESTS 2021\FOIA21-003 Lee Fang (The Intercept)\Document Productions\3.8.2021 Production\working docs\Pack 2_v2_Redacted.pdf**

Results : 1 document(s) with 15 instance(s)

Saved on : 2/17/2022 3:43:04 PM

File : [Pack 2_v2_Redacted.pdf](#)

Title :

Subject :

Author :

Keywords :

Page: 157

 with applicable statutes, **executive orders**, and regulations. Per 5 USC 1104, the director of

Page: 160

 DCSA). Per statute, **Executive Order**, and delegation, DCSA is the primary investigations provider for

Page: 168

 by statute or **executive order**, personnel investigations for working for or on behalf of

 the issuance of **Executive Order** 13869, “Transferring Responsibility for Background Investigations to the

 agency, including 7 **Executive Order** 13488, Granting Reciprocity on Excepted Service and Federal Contractor

 16, 2009 8 **Executive Order** 13869, Transferring Responsibility for Background Investigations to the Department

Page: 171

 7E, 7F By **executive order**, the President has directed that “[t]he Director

Page: 183

 the SF86. 38 **Executive Order** 13764, “Amending the Civil Service Rules, Executive Order

USAGM-21-0203-A-000005

 Civil Service Rules, **Executive Order** 13488, and Executive Order 13467 to Modernize Executive Branch-

 Order 13488, and **Executive Order** 13467 to Modernize Executive Branch-Wide Governance Structure and

Page: 213

 in-progress. 90 **Executive Order** 13764, “Amending the Civil Service Rules, Executive Order

 Civil Service Rules, **Executive Order** 13488, and Executive Order 13467 to Modernize Executive Branch-

 Order 13488, and **Executive Order** 13467 to Modernize Executive Branch-Wide Governance Structure and

Page: 227

 be found in **Executive Orders** (E.O.s) 10577, 13467, 13488, and 13764;

Page: 338

 follow and implement **executive orders** (EO) and directives in the same manner that

Search Results

Summary

Searched for : **executive order**

In document : **S:\gcounsel\FOIA and Privacy Act Materials\FOIA REQUESTS
2021\FOIA21-003 Lee Fang (The Intercept)\Document
Productions\4.8.2021 Production\FOIA 21-003 4.8.2021 production_draft
redactions.pdf**

Results : **1 document(s) with 1 instance(s)**

Saved on : **2/17/2022 1:20:54 PM**

File : [FOIA 21-003 4.8.2021 production_draft redactions.pdf](#)

Title :

Subject :

Author :

Keywords :

Page: 64

 does not implicate **Executive Order** 13132. It does not require information collection or recordkeeping.

Search Results

Summary

Searched for : **michigan**

In document : S:\gcounsel\FOIA and Privacy Act Materials\FOIA REQUESTS
2021\FOIA21-003 Lee Fang (The Intercept)\Document
Productions\5.8.2021 Production\FOIA21-003 5.8.2021
production_Redacted.pdf

Results : 1 document(s) with 3 instance(s)

Saved on : 2/17/2022 5:07:55 PM

File : [FOIA21-003 5.8.2021 production_Redacted.pdf](#)

Title :

Subject :

Author :

Keywords :

Page: 89

 President Trump won **Michigan** by less than 11,000 votes. The State has 150,000 Muslim

Page: 317

 President Trump won **Michigan** by less than 11,000 votes. The State has 150,000 Muslim

Page: 371

 encourage Muslims in **Michigan** to turn out for Democrats in November. "I have

Search Results

Summary

Searched for : **Biden**

In document : S:\gcounsel\FOIA and Privacy Act Materials\FOIA REQUESTS 2021\FOIA21-003 Lee Fang (The Intercept)\Document Productions\5.8.2021 Production\FOIA21-003 5.8.2021 production_Redacted.pdf

Results : 1 document(s) with 42 instance(s)

Saved on : 2/17/2022 1:43:04 PM

File : [FOIA21-003 5.8.2021 production_Redacted.pdf](#)

Title :

Subject :

Author :

Keywords :

Page: 43

 coverage of the **Biden** address to the U.S. Muslim organization constitutes a firewall

Page: 86

 for Vice President **Biden** with no balance, thus violating VOA's journalism standards and Best

 excerpts from the **Biden** outreach to Muslims, which the001775 (b) (6)

Page: 87

 excerpts from the **Biden** outreach to Muslims as part of the story. Biden did

 of the story. **Biden** did it in a news event and that's the story.

 by the group **Biden** spoke to should have run with a super that said

 have accurately corrected **Biden**: "While candidate Biden referred to the 'Muslim ban,'

 "While candidate **Biden** referred to the 'Muslim ban,' the President's immigration order

 Muslim organizations support **Biden**, some others support President Trump, so those supporting Biden's candidacy

 so those supporting **Biden**'s candidacy should not be singled out. While many women members

 Congress are supporting **Biden**, other support President Trump, so those supporting Biden's candidacy

should

 so those supporting **Biden's** candidacy should not have been singled out. The cause of

Page: 88

 italics are Joe **Biden** speaking in the video): I will end the Muslim ban

 Day One: Joe **Biden** Presidential candidate Joe Biden's address to American Muslims Hadith from

 Presidential candidate Joe **Biden's** address to American Muslims Hadith from the Prophet Muhammad instructs

 his heart. Joe **Biden** delivered the address in an online event The event was

 formally supporting Joe **Biden**. (Women) Muslim members of Congress have also joined the

Page: 89

 my administration: Joe **Biden** promises Democratic presidential candidate Joe Biden has said if he

 presidential candidate Joe **Biden** has said if he becomes the President he will incorporate

 support for Joe **Biden** in the next presidential election in a letter to the

 to our communities," **Biden** said. "If I have the honor of being your

 day one." Joe **Biden** was referring to the ban that the Trump administration imposed

 the nation," Senator **Biden** said. The Muslim member of the U.S. Congress, Alhan

 has been supporting **Biden**. The former vice president wants to mobilize Muslim voters in

Page: 313

 for Vice President **Biden** with no balance, thus violating VOA's journalism standards and Best

Page: 315

 italics are Joe **Biden** speaking in the video): I will end the Muslim ban

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 Presidential candidate Joe **Biden's** address to American Muslims Hadith from the Prophet Muhammad instructs

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Page: 316

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 to our communities," **Biden** said. "If I have the honor of being your

 day one." Joe **Biden** was referring to the ban that the Trump administration imposed

 the nation,” Senator **Biden** said. 002005

Page: 317

 has been supporting **Biden**. The former vice president wants to mobilize Muslim voters in

Page: 320

 Vice President Joe **Biden**. Only this time, Trump-appointed new USAGM CEO Michael Pack

Page: 371

 presidential nominee Joe **Biden** was translated into another language to encourage Muslims in Michigan

Page: 382

 sidelined-over-pro-biden-videoand-foreign-hiring/ [nam01.safelinks.protection.outlook.com] 2)

Page: 466

 be modified should **Biden** be elected. But it is useful to bring these proposals

Page: 471

 be modified should **Biden** be elected. But it is useful to bring these proposals

Search Results

Summary

Searched for : **foreign interference**

In document : **S:\gcounsel\FOIA and Privacy Act Materials\FOIA REQUESTS 2021\FOIA21-003 Lee Fang (The Intercept)\Document Productions\5.8.2021 Production\FOIA21-003 5.8.2021 production_Redacted.pdf**

Results : **1 document(s) with 1 instance(s)**

Saved on : **2/17/2022 1:35:02 PM**

File : [FOIA21-003 5.8.2021 production_Redacted.pdf](#)

Title :

Subject :

Author :

Keywords :

Page: 371

 agency vulnerable to **foreign interference** as it broadcast American news around the world. Pack

Search Results

Summary

Searched for : **michigan**

In document : **FOIA 21-003 _Part2_Redacted.pdf** on page 1 of FOIA 21-003
_Part2_Redacted.pdf in S:\gcounsel\FOIA and Privacy Act
Materials\FOIA REQUESTS 2021\FOIA21-003 Lee Fang (The
Intercept)\Document Productions\3.8.2021 Production\USAGM FOIA 21-
003_ 03.08.2021 Production - Part 2.pdf

Results : 1 document(s) with 2 instance(s)

Saved on : 2/17/2022 5:16:24 PM

File : [USAGM FOIA 21-003_ 03.08.2021 Production - Part 2.pdf-USAGM FOIA 21-003_ 03.08.2021 Production - Part 2.pdf-FOIA 21-003 _Part2_Redacted.pdf](#)

Title :

Subject :

Author :

Keywords :

Page: 38

 Rashida Tlaib of **Michigan** made appearances in the video. CEO Pack's investigation seeks to

 President Trump won **Michigan** with less than 11,000 votes. The number of Muslim voters

Search Results

Summary

Searched for : **patriot**

In document : **S:\gcounsel\FOIA and Privacy Act Materials\FOIA REQUESTS 2021\FOIA21-003 Lee Fang (The Intercept)\Document Productions\5.8.2021 Production\FOIA21-003 5.8.2021 production_Redacted.pdf**

Results : **1 document(s) with 1 instance(s)**

Saved on : **2/17/2022 1:39:19 PM**

File : [FOIA21-003 5.8.2021 production_Redacted.pdf](#)

Title :

Subject :

Author :

Keywords :

Page: 186

 (PDF) USA PATRIOT ACT of 2001 (PDF) – Uniting and Strengthening America

Search Results

Summary

Searched for : **rule of law**

In document : **S:\gcounsel\FOIA and Privacy Act Materials\FOIA REQUESTS 2021\FOIA21-003 Lee Fang (The Intercept)\Document Productions\5.8.2021 Production\FOIA21-003 5.8.2021 production_Redacted.pdf**

Results : **1 document(s) with 1 instance(s)**

Saved on : **2/17/2022 1:37:13 PM**

File : [FOIA21-003 5.8.2021 production_Redacted.pdf](#)

Title :

Subject :

Author :

Keywords :

Page: 383

 respect for the **rule of law** in our work at USAGM. We will take

From: [Semmel, Rachel K. EOP/OMB](#)
To: [Jonathan Bronitsky](#); [CEO2016](#); [Emily Pauline Newman](#); [Diane Cullo](#)
Subject: RE: USAGM: rollout
Date: Wednesday, July 29, 2020 12:52:24 PM
Attachments: (b) (5) - draft.docx
(b) (5) - draft.docx

Attachments follow Comms: - security - draft.dpoqx Messaging - security - draft.docx

Thanks for sending. Think this is a good start! Attached are my edits and thoughts.

(b) (5) : (b) (5)
[Redacted]

(b) (5) (b) (5)
[Redacted]

(b) (5)
[Redacted]

(b) (5)
[Redacted]

Am glad to send thoughts on the next round of edits. Will be in a posture of waiting for you to tell me which of these aspects I can execute for you on rollout.

Rachel Semmel
Director of Communications
The White House, Office of Management and Budget
(b) (6)
(b) (6) cell (Cannot receive text)

From: Jonathan Bronitsky <JBronitsky@usagm.gov>
Sent: Wednesday, July 29, 2020 11:24 AM
To: CEO2016 <CEO2016@usagm.gov>; Emily Pauline Newman <ENewman@usagm.gov>; Diane Cullo <DCullo@usagm.gov>; Semmel, Rachel K. EOP/OMB (b) (6) >
Subject: USAGM: rollout

PRE-DECISIONAL AND DELIBERATIVE PROCESS

-
Please find attached a draft timeline, comms plan, and messaging one-pager.

PRE-DECISIONAL AND DELIBERATIVE PROCESS

FRIDAY, JULY 31

- ACTIONS

- (b) (5) [Redacted]

(b) (5) [Redacted]

(b) (5) [Redacted]

MONDAY, AUGUST 3

- EVENTS

- (b) [Redacted]

(b) (5) [Redacted]

- ACTIONS

- (b) [Redacted]

PRE-DECISIONAL AND DELIBERATIVE PROCESS

(b) (5) [Redacted text block]

TUESDAY, AUGUST 4 +

[Redacted text block]

PRE-DECISIONAL AND DELIBERATIVE PROCESS

OVERVIEW

(b) (5) [Redacted text block]

[Redacted text block]

[Redacted text block]

TOPLINE FINDINGS

(b) (5) [Redacted text block]

PRE-DECISIONAL AND DELIBERATIVE PROCESS

(b) (5) [Redacted text block]

[Redacted text block]

What's next

(b) (5) [Redacted text block]

From: [CEO2016](#)
To: [Paoletta, Mark R. EOP/OMB](#)
Subject: Personal statement--NOW ATTACHED
Date: Saturday, October 24, 2020 6:44:24 PM
Attachments: (b) (5)

**Personal Declaration Civil case
102420 pages 126-141**

Sam thinks the attached personal statement (b) (5)

[REDACTED]

[REDACTED] ?

Also Sam suggested (b) (5)

[REDACTED]

Best,
Michael Pack
Chief Executive Officer
U.S. Agency for Global Media

mpack@USAGM.gov

(b) (6)

**PRIVILEGED AND CONFIDENTIAL
ATTORNEY WORK PRODUCT
ATTORNEY-CLIENT COMMUNICATION
PRE-DECISIONAL DELIBERATIVE**

Background

1. I am by profession a documentary filmmaker with experience as both a media and non-profit executive. Over my career, I have made more than twenty award-winning nationally broadcast documentaries as well as corporate and educational films.

2. In 1992, I was appointed Director of WorldNet, which is now the television component of VOA. In this role, I redirected WorldNet to focus more on the production of original broadcast-quality programs, in addition to satellite press conferences and acquisitions. Additionally, I directed the launch of the first foreign language news and public affairs program, *Window on America*. Administratively, I oversaw the restructuring of the budgeting process for greater transparency and increased senior management accountability.

3. In 1993, I was hired by the Corporation for Public Broadcasting (“CPB”) as Co-Chair with the mandate to launch the International TV Council. The Council coordinated co-productions between American public television producers and their counterparts in Central/Eastern Europe and the former Soviet Union. These programs were intended to assist the nations of the former Soviet bloc in their

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ATTORNEY-CLIENT COMMUNICATION
PRE-DECISIONAL DELIBERATIVE**

transition to democratic and free-market based societies. This role included my oversight of fundraising efforts from various sectors and building inter-governmental relations.

4. In 2004, I was named Senior Vice President for Television Programming at CPB. In this role, I oversaw all television production grants for public television's federal funder, CPB. This included directing new endeavors, such as a new program *America at a Crossroads*, a \$20 million programming initiative focused on documentaries and limited series that address the challenges facing the United States following 9/11.

5. From 2015–2017, I served as the President and CEO of the Claremont Institute, a California-based think tank dedicated to restoring the principles of the American Founding. In this capacity, I was responsible for strategic planning, branding, and fundraising. I oversaw the opening of a DC-based office and the first five-year strategic plan to build a long-term development strategy.

6. Over this career, I had tenures of operating and managing Manifold Productions, an independent film and video production company. Manifold Productions was founded in New York City in 1977,

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expanded to Los Angeles in 1988, and is currently located in Chevy

Chase, MD. This role has involved managing all aspects of the company including financial, legal, and personnel matters, as well as overseeing the creative aspects of the various productions, serving as executive producer, producer, director, and writer.

USAGM'S Mission

7. (b) (5) [REDACTED]

¹ Abraham Lincoln, Gettysburg Address (Nov. 19, 1863).

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(b) (5) [Redacted]

**PRIVILEGED AND CONFIDENTIAL
ATTORNEY WORK PRODUCT
ATTORNEY-CLIENT COMMUNICATION
PRE-DECISIONAL DELIBERATIVE**

(b) (5)

[REDACTED]

**PRIVILEGED AND CONFIDENTIAL
ATTORNEY WORK PRODUCT
ATTORNEY-CLIENT COMMUNICATION
PRE-DECISIONAL DELIBERATIVE**

c. (b) (5) [Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

A Consensus: USAGM Is Flawed

(b) (5) [Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

12. (b) (5) [Redacted]

USAGM's Current Strategic Challenges.

Security Failures

**PRIVILEGED AND CONFIDENTIAL
ATTORNEY WORK PRODUCT
ATTORNEY-CLIENT COMMUNICATION
PRE-DECISIONAL DELIBERATIVE**

14. (b) (5) [REDACTED]

PRIVILEGED AND CONFIDENTIAL
ATTORNEY WORK PRODUCT
ATTORNEY-CLIENT COMMUNICATION
PRE-DECISIONAL DELIBERATIVE

(b) (5) [Redacted]

Complaints

18. (b) (5) [Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

**PRIVILEGED AND CONFIDENTIAL
ATTORNEY WORK PRODUCT
ATTORNEY-CLIENT COMMUNICATION
PRE-DECISIONAL DELIBERATIVE**

(b) (5) [Redacted]

Addressing Bias

20. In my opinion there is widespread bias in USAGM reporting USAGM. Bias is particularly concerning to me because so much of the news in today's environment is political. I was taught that you cannot tell the political affiliation of a good reporter, but sadly that is rarely the case today.

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ATTORNEY WORK PRODUCT
ATTORNEY-CLIENT COMMUNICATION
PRE-DECISIONAL DELIBERATIVE**

21. (b) (5) [Redacted]

**PRIVILEGED AND CONFIDENTIAL
ATTORNEY WORK PRODUCT
ATTORNEY-CLIENT COMMUNICATION
PRE-DECISIONAL DELIBERATIVE**

(b) (5) [Redacted]

**PRIVILEGED AND CONFIDENTIAL
ATTORNEY WORK PRODUCT
ATTORNEY-CLIENT COMMUNICATION
PRE-DECISIONAL DELIBERATIVE**

(b) (5) [Redacted]

[Redacted]

My Reform Agenda for USAGM

(b) (5) [Redacted]

PRIVILEGED AND CONFIDENTIAL
ATTORNEY WORK PRODUCT
ATTORNEY-CLIENT COMMUNICATION
PRE-DECISIONAL DELIBERATIVE

(b) (5) [Redacted]

[Redacted]

Effects of the Requested Relief.

24. (b) (5) [Redacted]

**PRIVILEGED AND CONFIDENTIAL
ATTORNEY WORK PRODUCT
ATTORNEY-CLIENT COMMUNICATION
PRE-DECISIONAL DELIBERATIVE**

(b) (5) [Redacted]

**PRIVILEGED AND CONFIDENTIAL
ATTORNEY WORK PRODUCT
ATTORNEY-CLIENT COMMUNICATION
PRE-DECISIONAL DELIBERATIVE**

(b) (5) [Redacted]

From: [CEO2016](#)
To: [Zadrozny, John A. EOP/WHO](#)
Cc: [Emily Pauline Newman](#)
Subject: Re: [EXTERNAL] 3 pieces of good news for American workers
Date: Friday, October 30, 2020 2:42:13 PM

John:

I just spoke to Emily. I appreciate your letting us know about these problems.

I have asked Sam Dewey (and Emily) to write up our policy to deal with the J1 and other related issues ASAP.

I am always happy to talk further with you about this, maybe after they get something on paper.

Best,
Michael

Michael Pack
Chief Executive Officer
U.S. Agency for Global Media

mpack@USAGM.gov

(b) (6)

On Oct 30, 2020, at 7:58 AM, Zadrozny, John A. EOP/WHO

(b) (6) > wrote:

Emily:

I'll send you a calendar invitation momentarily for 9:30 a.m.

Looking forward to talking.

JZ

w (b) (6)

m (b) (6)

From: Emily Pauline Newman <ENewman@usagm.gov>

Sent: Friday, October 30, 2020 1:23 AM

To: CEO2016 <CEO2016@usagm.gov>; Zadrozny, John A. EOP/WHO

(b) (6) >

Subject: Re: [EXTERNAL] 3 pieces of good news for American workers

Thanks very much for flagging, John.

USAGM-21-0203-A-000038

I look forward to speaking with you tomorrow!

Let's aim for 9:30 am or 2:30 pm — whichever works best for you. USAGM cell:

(b) (6)

Best,
Emily

Get [Outlook for iOS](#)

From: CEO2016 <CEO2016@usagm.gov>

Sent: Thursday, October 29, 2020 6:13:22 PM

To: Zadrozny, John A. EOP/WHO <(b) (6)>

Cc: Emily Pauline Newman <ENewman@usagm.gov>

Subject: Re: [EXTERNAL] 3 pieces of good news for American workers

John:

All interesting stories, especially at the last one, which is just teased. Why not talk to Emily first. I too am always happy to talk.

Best,
Michael Pack
Chief Executive Officer
U.S. Agency for Global Media

mpack@USAGM.gov

(b) (6)

On Oct 29, 2020, at 5:46 PM, Zadrozny, John A. EOP/WHO

(b) (6) > wrote:

FYSA (see the highlighted portion all the way at the bottom).

Let me know if either or both of you can talk tomorrow (Friday 10/30). I have space in the morning before 11:00 a.m. and then again between 2:30-4:30 p.m.

John A. Zadrozny

Deputy Assistant to the President
Office of the Senior Advisor for Policy
Executive Office of the President

w: (b) (6)

m: (b) (6)

From: Marguerite Telford <mrt@cis.org>

Sent: Thursday, October 29, 2020 3:26 PM

To: Zadrozny, John A. EOP/WHO (b) (6)

Subject: [EXTERNAL] 3 pieces of good news for American workers

[Three Pieces of Good News on the Foreign Worker Front](#)

By [David North](#) on October 29, 2020

Three — count them, three — different pieces of good news regarding foreign workers and a potential visa mill have arrived in the last 24 hours.

The best news is that the Department of Homeland Security is proposing to drop its lottery of H-1B slots, and replace it with a de facto auction, thus running up the costs of the program to — one hopes — the extent that it will create jobs for American workers. Also:

- The Washington Post exposed how the H-1B program, in addition to favoring young Indian males, is replete with caste prejudice, imported from overseas; and
- USA Today ran a long story about how a feeble accrediting agency, long known to be overly friendly to visa mills, accredited a "university" in South Dakota that Wikipedia says "does not exist".

DHS [announced](#) last night the proposed replacement of the current lottery of the H-1B slots that allows employers to secure both ill-paid and well-paid H-1B slots with what looks like an auction system that will distribute the H-1B permissions to the employers who offer the best salaries to their potential workers.

The announcement sought to explain it this way:

Modifying the H-1B cap selection process by replacing the random selection process with a wage-level-based selection process is a better way to allocate H-1Bs when demand exceeds supply. If finalized as proposed, this new selection process would incentivize employers to offer higher wages or petition for positions requiring

higher skills and higher-skilled workers instead of using the program to fill relatively lower-paid vacancies.

As background, currently there are ceilings of 65,000 and 20,000 for new H-1B positions each year, with the former cap for those with bachelors' degrees or more, and the latter one for aliens with advanced degrees. Routinely, in recent years, more applications arrived than slots available, so DHS ran a lottery to determine how many slots were allocated to would-be employers. Often there were about three petitions for each H-1B opportunity.

The H-1B program has been criticized for years, not only because it allows (even encourages) employers to hire foreign workers rather than American (citizen and green card) ones, it has a wage-setting system that lets employers hire foreign (mostly Indian and Chinese) workers at rates that [lower wages](#) generally in the industries where they work.

Yesterday's announcement by DHS on the wage auction is not to be confused (though they both trod similar paths) with an earlier announcement by the Department of Labor that, in effect, [set minimum wages](#) for the various jobs covered by the H-1B program.

My sense of DHS's [100-page proposal](#) is not that it will create one auction, in which all the H-1B slots go to the highest bidders, but that it will create a series of smaller auctions in which the wages offered in comparison to existing wage scales will prevail, not the total wages offered. Thus a regional symphony orchestra seeking a cellist will not be in a dollar to dollar competition with, say, Microsoft's desires for some expensive IT talent.

The Labor Department's move has already been challenged in courts by the industry. The DHS auction regulation may meet a similar fate. Both proposals may be modified should Biden be elected.

But it is useful to bring these proposals into the public view, and perhaps, implementation.

Professor Ron Hira of Howard University, the country's ranking H-1B scholar, says that the new approach makes "absolute sense" for the country on the grounds that it will bring highly skilled people to the U.S., not just routine workers. He pointed out to me that the current lottery system works just fine for the big outsourcing companies. If one of them wants 3,000 new workers for routine chores, and the odds in the lottery are three to one against the employer, then the employer files for 9,000 workers, not caring which of them they actually hire.

On the other hand, the start-up that wants a particular person and files for just that person, faces two chances out of three of failure. With the proposed system, it would have the option of getting the person it wants, if it pays enough.

Caste Discrimination Exposed. On October 27, the [Washington Post](#) published a long article on the caste discrimination that Dalits (once termed "untouchables") have experienced in the U.S., notably in the high-tech industries. The general idea is that other, higher-caste Indians in the industry will not hire or promote the Dalits because of a hold-over of ancient prejudices brought here from the home country.

The reporter barely mentions the H-1B program in which most of the discrimination must be taking place, nor did she mention the overarching role of the big Indian outsourcing companies (such as Tata and Infosys) which puts so many Indians in the position of making employment decisions, but it was useful that this problem — yet another black eye for H-1B — was given some attention.

Though the article did not say so specifically, it indicated that the H-1B program allowed many of the employers in it not only to discriminate against U.S. workers, but also — as we noted earlier — to [discriminate against all but young Indian males](#) from the south of the country. Now we can add traditional caste prejudice to all the other biases tolerated within the program.

A Potential Visa Mill in South Dakota, Again. Another newspaper, this time [USA Today](#), has exposed another potential problem in the foreign student business: the existence of a potential visa mill, this time, again, in South Dakota, where it is all too easy to open a shady educational institution. (Visa mills major in foreign students and the work permits that they issue, rather than providing a plausible education program.)

In this case, the reporter is Chris Quintana, and the "educational" institution is (like the D.C. airport) named Reagan National University. The problem, however, is that the place does not exist; no classes, no students, and only the dean answering the phone, saying that everyone else at the place is sick.

What is significant in this case is that Reagan National is fully accredited by the American Council for Independent Colleges and Schools (ACICS) and the latter gets yet another, well-deserved black eye for the laxness of its standards.

What is odd is that the story of Reagan National is almost exactly like that of the [University of Northern Virginia](#), which, after being put out of business by Virginia state authorities, sought to start up again in South Dakota, only to be exposed by an AP reporter we worked with at the time.

Summer Work/Travel. In a subsequent posting we will describe a fourth piece of good news: a book-length report, written by a Russian, exposing how Russian agents, indirectly authorized by our own State Department, have exploited Russian youth on their way to jobs in the controversial [Summer Work Travel program](#) in the U.S.

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Marguerite Telford
Director of Communications
Center for Immigration Studies
1629 K Street NW, Suite 600
Washington, DC 20006
(202) (b) (6) fax: (202) 466-8076
(b) (6) >>www.cis.org<<

From: Jonathan Bronitsky
Sent: Thursday, July 30, 2020 7:28 PM
To: CEO2016; Toni DeLancey; Morvared Namdarkhan; Abby Bird; Diane Cullo; Emily Pauline Newman; Sam Dewey
Subject: USAGM: presser - investigation

<https://www.usagm.gov/2020/07/30/ceo-pack-launches-investigation-into-pro-biden-voa-content-u-s-election-interference/>



CEO Pack launches investigation into pro-Biden VOA content, U.S. election interference

July 30, 2020

WASHINGTON, D.C. — U.S. Agency for Global Media (USAGM) CEO Michael Pack has launched an investigation into Voice of America (VOA) content that transgressed the [VOA Charter](#), VOA’s [Best Practices Guide](#), VOA’s [Journalistic Code](#), and agency [standards and principles](#), and, further, might have constituted U.S. election interference and a violation of federal law.

The content at issue featured a video that can only be described as an apparent election advertisement for presumptive Democratic presidential nominee and former Vice President Joe Biden, which appeared on VOA Urdu’s website as well as on its Twitter, Instagram, and Facebook accounts. The video was branded with VOA logos for its duration.

This VOA-branded video promoted a voter mobilization campaign, “Million Muslim Votes,” and highlighted Biden making election promises to the Muslim-American community. Among other individuals, Democratic Representatives Ilhan Omar of Minnesota and Rashida Tlaib of Michigan made appearances in the video.

CEO Pack’s investigation seeks to discern who was responsible for this significant content and editorial breakdown. It also endeavors to determine whether the content violated federal law, including, among other statutes, the Hatch Act, which limits certain political activities of federal employees.

There is significant concern that the VOA content targeted potential voters in the forthcoming U.S. presidential election. To this point, an English-language translation of the revised VOA Urdu content notes, “The number of Muslim voters in several key U.S. states could play a significant role in the upcoming presidential election. In the 2016 election, President Trump won Michigan with less than 11,000 votes. The number of Muslim voters in this state is 1.5 million.”

CEO Pack issued this statement, “USAGM staff members who attempt to influence American elections will be held accountable. Our networks comprise the U.S.’s megaphone to the world, and this invaluable instrument is generously funded by the American people. To safeguard our agency’s reputation and the integrity of our content, I will continue to ensure that violations of journalistic standards and principles are dealt with swiftly and fairly. This investigation – and, indeed, every action that I have taken since starting my tenure last month –

USAGM-21-0203-A-000044

has been to repair USAGM so that, once again, U.S. government international broadcasting advances the American national interest.”

From: [Elez Biberaj](#)
To: [Michael Pack](#)
Cc: [Andre Mendes](#); [Emily Pauline Newman](#); [Diane Cullo](#); [Sam Dewey](#); [Elez Biberaj](#)
Subject: FW: the investigation of Urdu as a possible firewall violation
Date: Tuesday, August 4, 2020 8:27:21 AM
Importance: High

Michael,
I wanted to bring to your attention these concerns raised by (b) (6). We can discuss when we meet later today.
Thank you.
Elez

Dr. Elez Biberaj
Acting Director
Voice of America
330 Independence Avenue, SW
Suite 3360
Washington, D.C. 20237
(b) (6)
Mobile
(b) (6)



A Free Press Matters

From: (b) (6)
Sent: Monday, August 3, 2020 12:16 PM
To: Elez Biberaj (b) (6); Kelu Chao (b) (6)
Subject: the investigation of Urdu as a possible firewall violation
Importance: High

Dear Mr. Biberaj and Ms. Chao:

I'm writing with my concerns that the current USAGM "investigation" of the VOA Urdu Service's coverage of the Biden address to the U.S. Muslim organization constitutes a firewall violation on two grounds:

1. VOA has apparently been instructed by USAGM not to investigate the issue (source: (b) (6) phone call to (b) (6), who was mid-interview when she was instructed not to communicate with the people further and that USAGM would be the exclusive investigator of the issue – there are many emails to support this claim). While USAGM can do its own investigation, editorially, VOA needs to conduct its own independent investigation of the circumstances involved in the posting of the video. We have the mechanism to do so – Program Review – as well as a supervisory chain within the service that should be looking

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into the supervisory issues involved.

If our ability to independently assess the situation were prevented from occurring at VOA (in the form of the direct order that has been given), our editorial processes and content would be adversely impacted, because it will weaken our ability to find and fix content problems in the future. USAGM telling VOA not to investigate or speak with the individuals involved would therefore seem to constitute interference by a U.S. government employee in how VOA objectively and independently reports the news. It would also seem to undermine the ability of VOA to decide whether our journalists have developed content that reflects the highest professional standards of journalism. Both are tenets of the agency's firewall protections that seem to have been violated here.

2. USAGM has also dictated the personnel actions for four Urdu Service members involved in this issue. Those actions to me seem to violate the PSC Handbook and the PSC Contract that each has signed, and may also have left the agency open to counter-claims through the courts covering contract compliance (I believe it's called the Office of Federal Contract Compliance Programs). The normal procedure is for VOA to investigate and then take other action if warranted, with the Office of Contracts implementing directives from VOA's PSC office (and its Agency Authorized Officer, which is I). In this case, USAGM has dictated to the Office of Contracts that four individuals be immediately suspended without pay without a VOA investigation, without contacting the VOA office handling PSCs. There is also no timetable for the conclusion of the investigation and no opportunity given for the accused to answer. In the case of discipline, the PSC Handbook provides both a timetable and mechanism for appeal that has not been followed by USAGM and which seems to be interference by a U.S. government employee in how VOA objectively and independently reports the news (something our investigation would determine).

VOA, not USAGM, is the contract holder with these individuals. It would seem to me that only VOA has the authority to suspend them. It is broadly reported (sources: (b) (6) and others) that Mr. Pack's representative, Sam Dewey, demanded on behalf of Mr. Pack that the individuals be terminated even before the investigation is begun. That runs counter to normal, fair investigation process (with time for response) that the agency has promised PSCs. I know that PSC contracts can be terminated at any time and for any reason. BUT there are different procedures for that than have been used by USAGM.

It seems to me that USAGM's direct involvement in the suspension decision, taking VOA out of the process, may also be a firewall violation, in that it pulled four content-creating staff members out of VOA without VOA's involvement, directly and adversely impacting VOA's ability to develop content that reflects the highest professional standards of journalism. It seems to me that USAGM may have also breached the firewall in dictating the punishment for these journalists – the investigation it is conducting seems to be solely in search of information in support of its pre-existing decision.

I am not a lawyer, and so I do not know what our General Counsel or outside attorneys would say about my concerns. To me, these two areas of involvement by US government employees (outside

of VOA) seem to usurp VOA's authority and adversely impact our ability to develop content that reflects the highest professional standards of journalism. I cannot say whether USAGM is also driven by a motivation to politically interfere in VOA operations – I do know (b) (6) that there were inquiries made about the visa status of the four employees that may be connected to what has been reported (by media including CNBC and the Washington Post) as a larger campaign by USAGM decision to unilaterally eliminate J-1 visa employees. That is one of the other firewall prohibitions.

I believe that, to avoid firewall violations, VOA should inform USAGM of the lines it is crossing and that we will now do our own independent investigation of this incident, as we would normally do, using the resources of VOA Program Review, the VOA Standards Editor, VOA line management, and (if necessary) outside experts chosen and contracted exclusively by VOA. I also believe that, to avoid firewall violations, VOA should exclusively determine the consequences and punishment, if any, for those involved, without consultation with U.S. government employees in Mr. Pack's office. Because both activities involve my area of responsibility, I hope you will allow me to proceed.

I wanted to bring my concerns to your attention in writing, and look forward to hearing from you.

Respectfully,

(b) (6)

Deputy Director for Programming

Voice of America

330 Independence Ave. SW

Washington, DC 20237

(b) (6)

From: [Andre Mendes](#)
To: [Michael Pack](#); [Emily Pauline Newman](#); [Morvared Namdarkhan](#); [Diane Cullo](#)
Subject: FW: Urgent Requested Termination of PSCs
Date: Tuesday, July 28, 2020 11:42:26 AM
Importance: High

Michael et al;

See below. Looks like VOA is ready to execute on the summary firing of the 4 PSCs involved in the Urdu video incident.

Below, you will find a detailed timeline of the video publishing and description/translation of its contents.

They will not proceed without your approval but will be ready to act immediately upon you granting it.

Please let me know if you have any questions, I might answer on this subject.

Best regards,

André

From: Elez Biberaj (b) (6)
Sent: Tuesday, July 28, 2020 11:36 AM
To: Andre Mendes (b) (6)
Cc: Elez Biberaj (b) (6)
Subject: FW: Urgent Requested Termination of PSCs

Andre,
FYI.
Elez

From: (b) (6)
Sent: Tuesday, July 28, 2020 11:32 AM
To: (b) (6)
Cc: Elez Biberaj (b) (6); (b) (6)
(b) (6) Kelu Chao
(b) (6); (b) (6)
Subject: RE: Urgent Requested Termination of PSCs

(b) (6)

I have started the notices for termination for all parties involved. CON has determined and decided based on the information submitted in the matter regarding the actions of the Urdu PSC's to issue

the notices effective today. Unless the situation has changed I will have the notices ready for OGC review this afternoon.

If you have any questions please feel free to contact me.

Thank you

(b) (6)

From: (b) (6)
Sent: Tuesday, July 28, 2020 10:12 AM
To: (b) (6)
Cc: Elez Biberaj (b) (6); (b) (6)
Kelu Chao
(b) (6)
Subject: FW: Urgent Requested Termination of PSCs

Colleagues,

VOA requests to terminate immediately four PSCs for cause for posting on Facebook a story that resembles a campaign advertisement for Vice President Biden with no balance, thus violating VOA's journalism standards and Best Practices. If an initial suspension is required to comply with the contract, please advise.

The posting was produced and reviewed by four Urdu Service PSCs on July 22 by Digital Lead (b) (6)

<https://www.facebook.com/voaurdu/videos/603326047281871>

VOA removed the original video posting.

Please note that (b) (6) is on a J-1 Visa that expires Nov. 18, 2020.

Below is a description of the events and our response this issue for internal use only and our response.

We are dealing with this serious issue immediately and the story has been removed. This is not a training issue – it is something every journalist, whether at VOA or not, should have known. an assignment of editorial responsibility that fell through the cracks at the service level, in violation of VOA editorial standards.

While VOA believes it was correct to run excerpts from the Biden outreach to Muslims, which the

candidate did in a news event, the treatment of the story on Facebook violated our editorial standards for social media on several grounds:

1. The video of the advertisement ran too long and without context. It was correct to run excerpts from the Biden outreach to Muslims as part of the story. Biden did it in a news event and that's the story. But we crossed the line running much of the campaign ad itself. No more than 10 seconds of the campaign ad should have been included, and not as sound full. The short excerpt from the ad by the group Biden spoke to should have run with a super that said "A political action committee released advertising aimed at mobilizing Muslim voters." The excerpt from the ad should not have been from a portion that included the partisan exhortation.
2. The video should have accurately corrected Biden: "While candidate Biden referred to the 'Muslim ban,' the President's immigration order of 2017 did not ban Muslims or citizens of all predominantly-Muslim countries, only selected ones."
3. The use of the VOA logo at the end of the campaign video made it seem that VOA was part of the ad.
4. The video did not mention the Trump campaign's own outreach to Muslim voters and should have added that context.
5. The last two lines of the story should have been deleted. While some Muslim organizations support Biden, some others support President Trump, so those supporting Biden's candidacy should not be singled out. While many women members of Congress are supporting Biden, other support President Trump, so those supporting Biden's candidacy should not have been singled out.

The cause of our editorial breakdown is being investigated.

Once we have completed a thorough investigation we will take necessary disciplinary actions. For now, we are changing workflow to ensure more oversight in social media postings. The Urdu service chief, (b) (6), has taken responsibility for the breakdown. (b) returned to the service a few weeks ago from a four-month division-level assignment and is now beginning a series of changes to provide greater editorial oversight. The VOA Standards Editor, who would typically have provided election issues training for all VOA staff and stringers in July, has been on assignment with USAGM since June. (b) would have been the first contact when editorial issues arose but was not replaced in the wake of the CEO's hiring freeze and contract review, which is ongoing.

The original text version of the story failed to meet VOA standards of balance.

Below is a description of each PSCs role and translations:

- Multimedia reporter/producer (b) (6) saw the story on AP and informed the digital lead (b) (6) who gave the go ahead to do a story for social.
- (b) (6) adapted the AP script and sent it for copy editing to writer/editor (b) (6)
- (b) (6) had the final eyes on the package before publishing

- (b) (6) wrote the text story and it was copy edited by (b) (6)
- The video also appeared on TW and IG, in addition to FB. All have since been taken down.
- The text story was published on FB and on the Urdu website. (Since the website is blocked in Pakistan, Urdu uses FB to distribute text content as well.) The story has been updated adding context/corrections (standard practice is to correct text on the web not remove it).

Translation of the subtitles on the video (italics are Joe Biden speaking in the video):

I will end the Muslim ban on Day One: Joe Biden

Presidential candidate Joe Biden's address to American Muslims

Hadith from the Prophet Muhammad instructs whomever among you sees a wrong, let him change it with his hand. If he is not able, then with his tongue, if he is not able, then with his heart.

Joe Biden delivered the address in an online event

The event was organized to mobilize Muslims to vote

We all have the same fundamental beliefs

I thank you for your resolve to play your role in November

Your voice is your vote, your vote is your voice

Muslim Americans' voices matter.

I will be a president that seeks out and incorporates and listens to the ideas and concerns of Muslim Americans on everyday issues that matter most to our communities. I will include Muslims in my administration.

The Trump administration has banned people from several Muslim countries to come to the United States.

This Muslim organization is formally supporting Joe Biden.

(Women) Muslim members of Congress have also joined the organization in this support

Translation of the original text story seen on FB and website:

I will include Muslims in my administration: Joe Biden promises

Democratic presidential candidate Joe Biden has said if he becomes the President he will incorporate and listens to the ideas and concerns of Muslim Americans on everyday issues that matter most to the communities. "I will include Muslims in my administration."

He made these remarks he made while addressing an online event, titled Million Muslim Votes. The event was organized by an organization of American Muslims called Emgage Action.

It is worth mentioning that many elected American Muslims have announced their support for Joe Biden in the next presidential election in a letter to the organization. Among them are Minnesota Congressman Alhan Omar, Minnesota Attorney General Keith Ellison, and Indiana Member congressman Andre Carson.

"After Becoming President, I will try to address the suggestions and concerns of American Muslims in these everyday matters, listen to and act on what is important to our communities," Biden said. "If I have the honor of being your president, I will end the Muslim ban on day one."

Joe Biden was referring to the ban that the Trump administration imposed on citizens of certain Muslim countries coming to the United States.

"We all have the same basic beliefs. And I want to thank you for playing a key role in November elections this year. You are doing things that have never been done before. You are registering one million Muslims to vote in November. This is important. Your voice is your vote. Your vote is your voice. American Muslims' voice matters. I'm not asking for your vote because Donald Trump is not qualified for the presidency. I want to work with you in your partnership. I wish you are involved in decision making when we rebuild the nation," Senator Biden said.

The Muslim member of the U.S. Congress, Alhan Omar, was supporting Bernie Sanders earlier. But after his presidential campaign ended in April, she has been supporting Biden. The former vice president wants to mobilize Muslim voters in the presidential election. The number of Muslim voters in many key states can play a decisive role. In the upcoming presidential election, Muslim voters can play an important role in several States. In 2016, President Trump won Michigan by less than 11,000 votes. The State has 150,000 Muslim voters.

President Trump's administration has not only banned Muslim nationals from coming to the United States, but also withheld the nuclear deal with Iran. These decisions have been criticized by American Muslim leaders.

The end!

(b) (6)

VOA

Senior Advisor to the Director

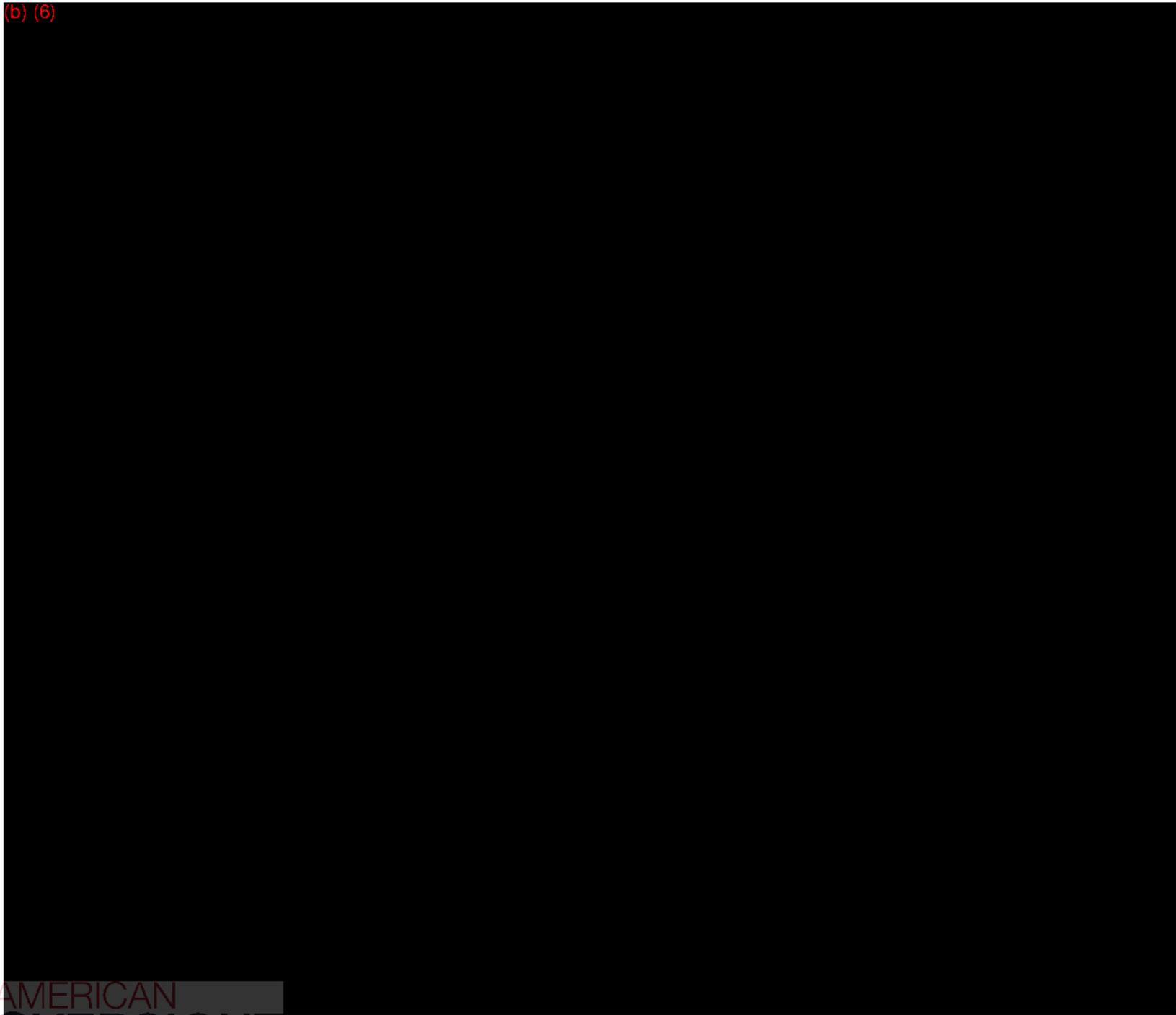
330 Independence Ave., SW

Washington, DC 20237

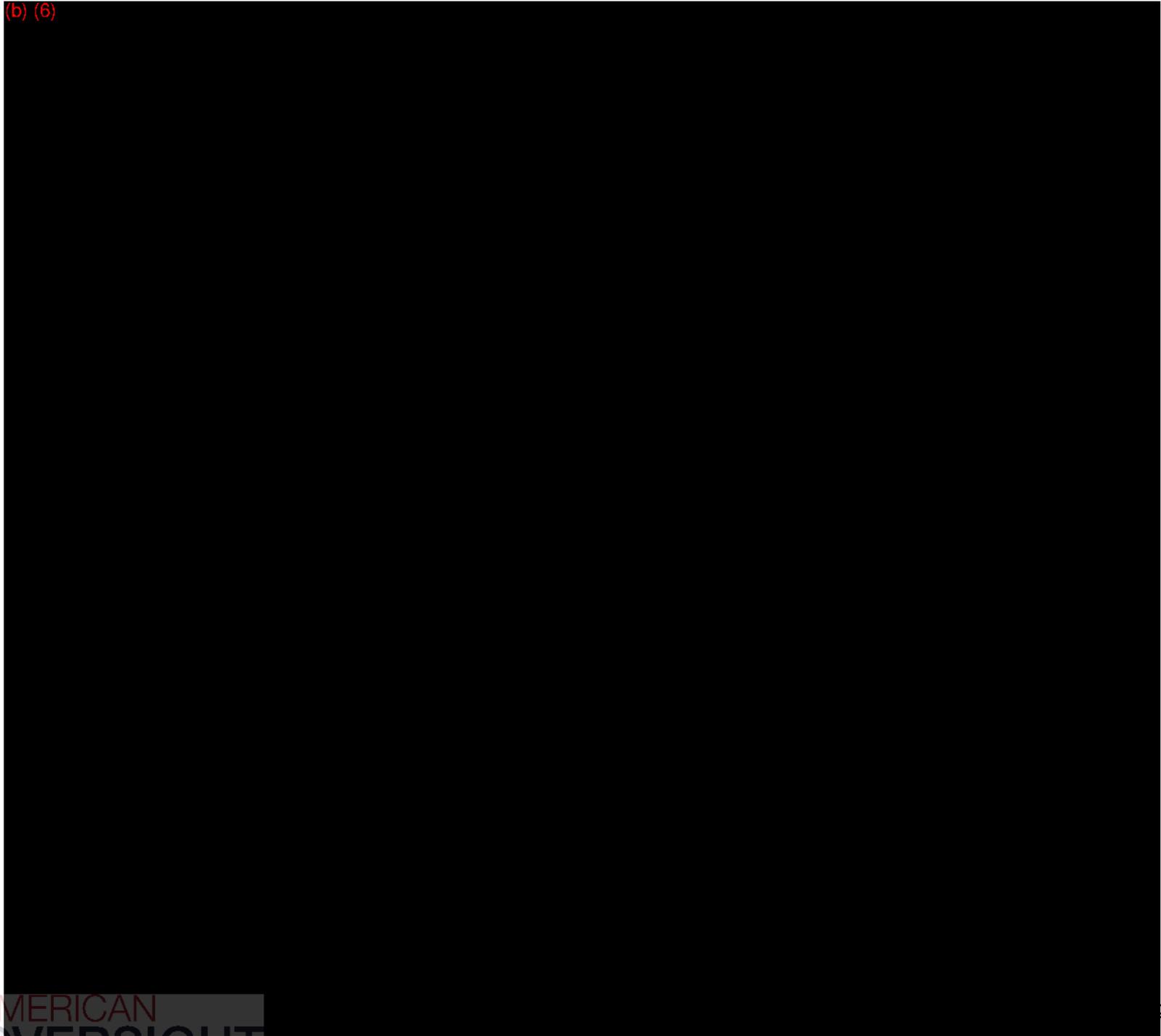
(b) (6)

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(b) (6)



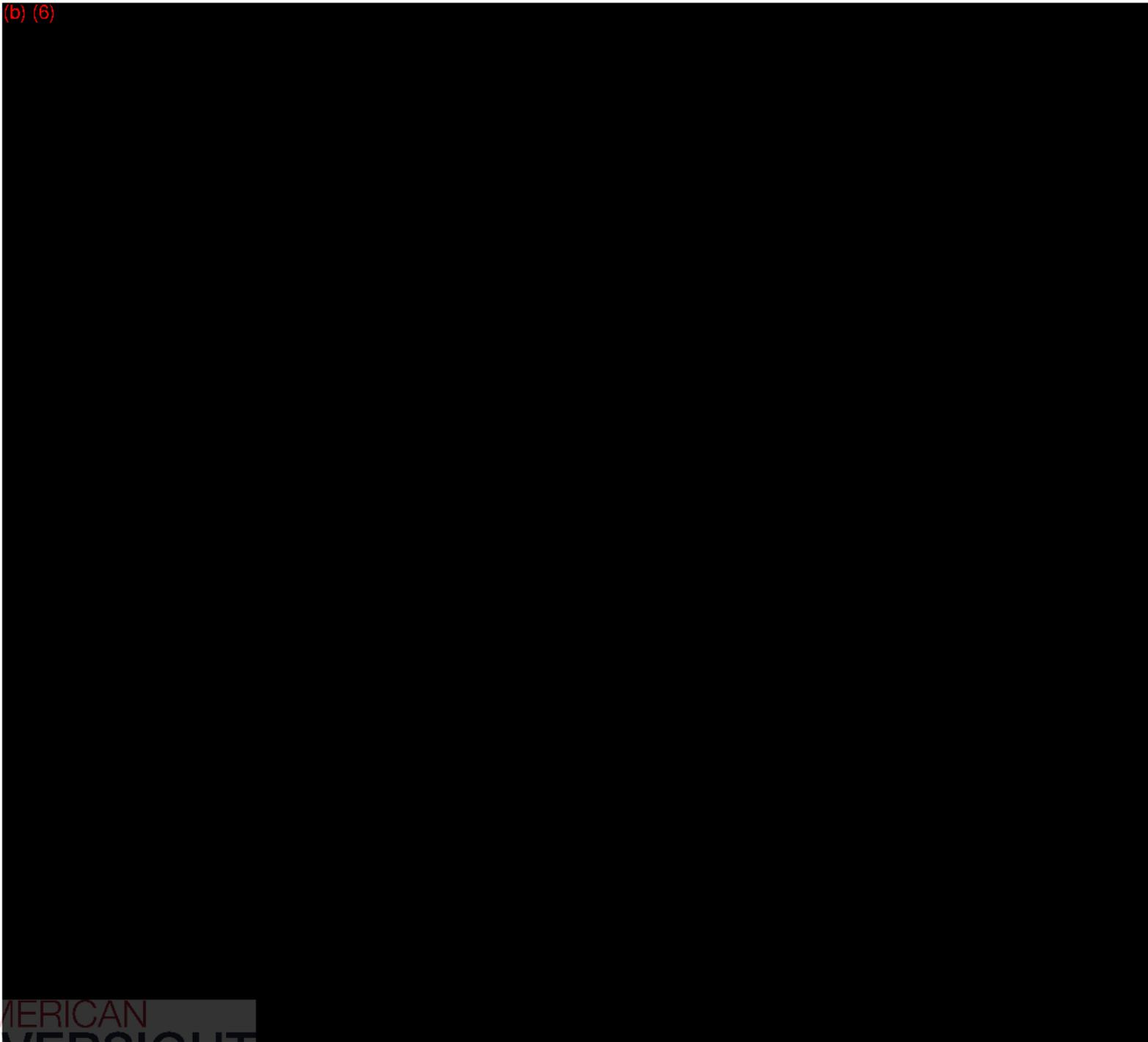
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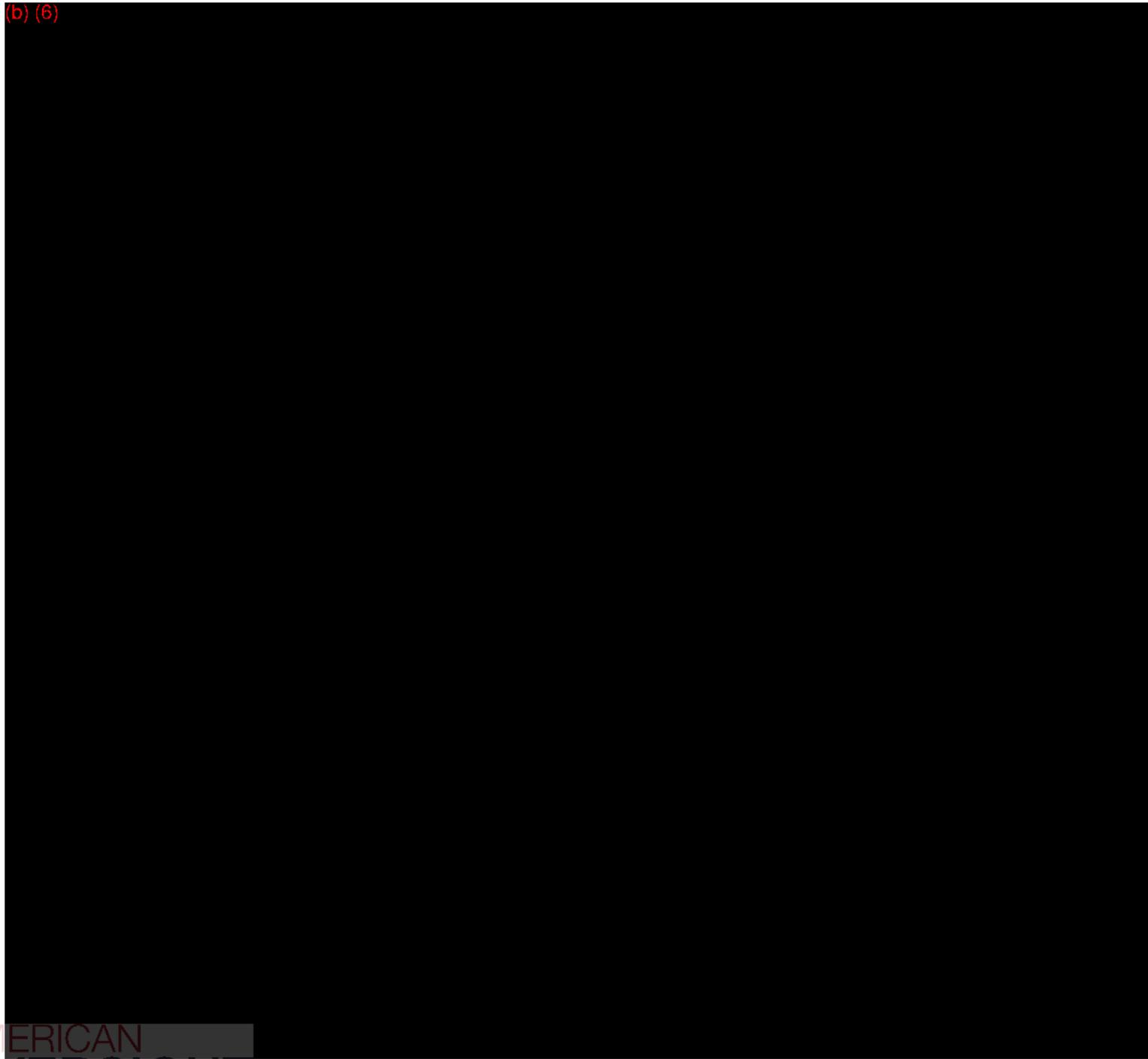
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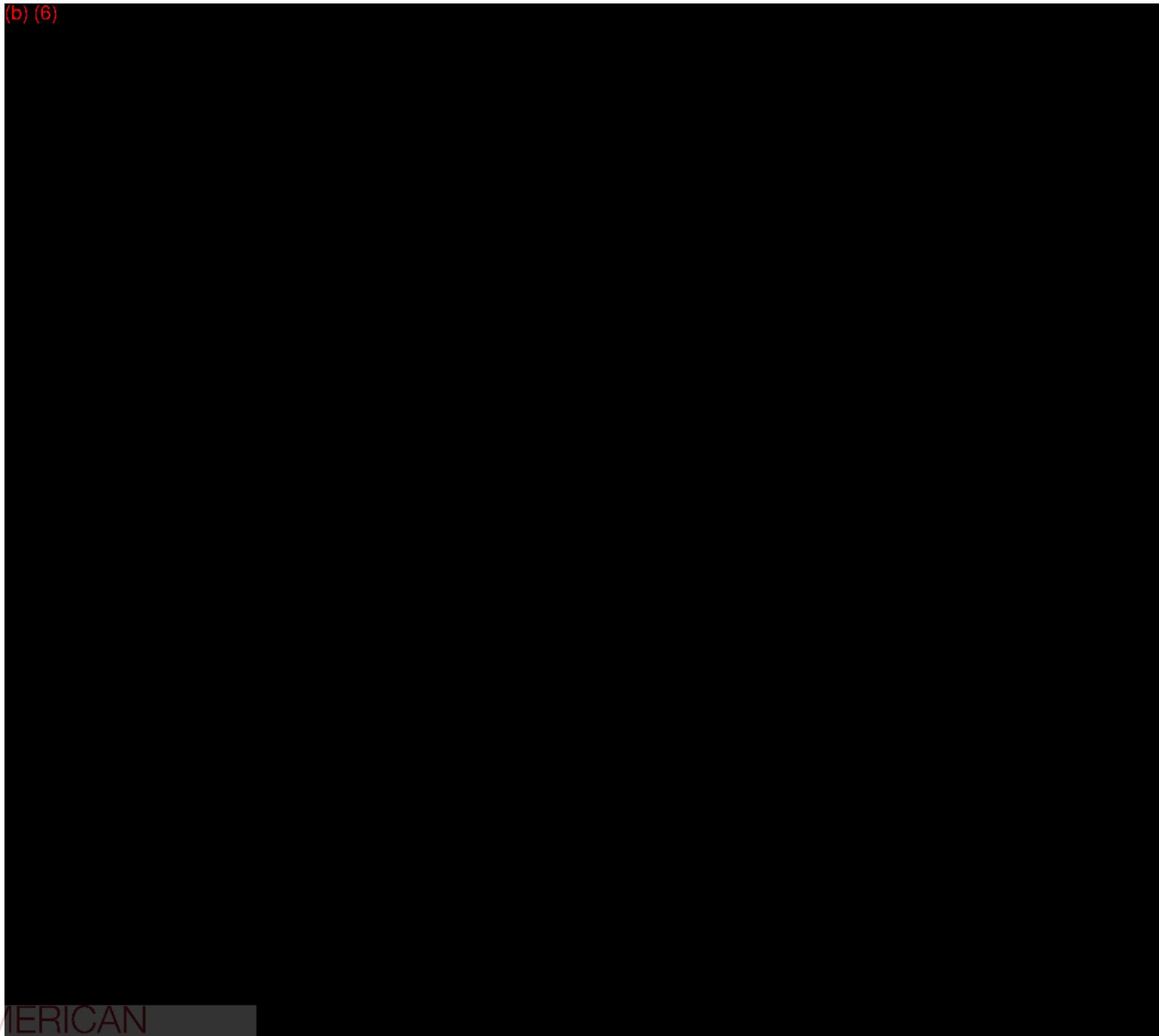
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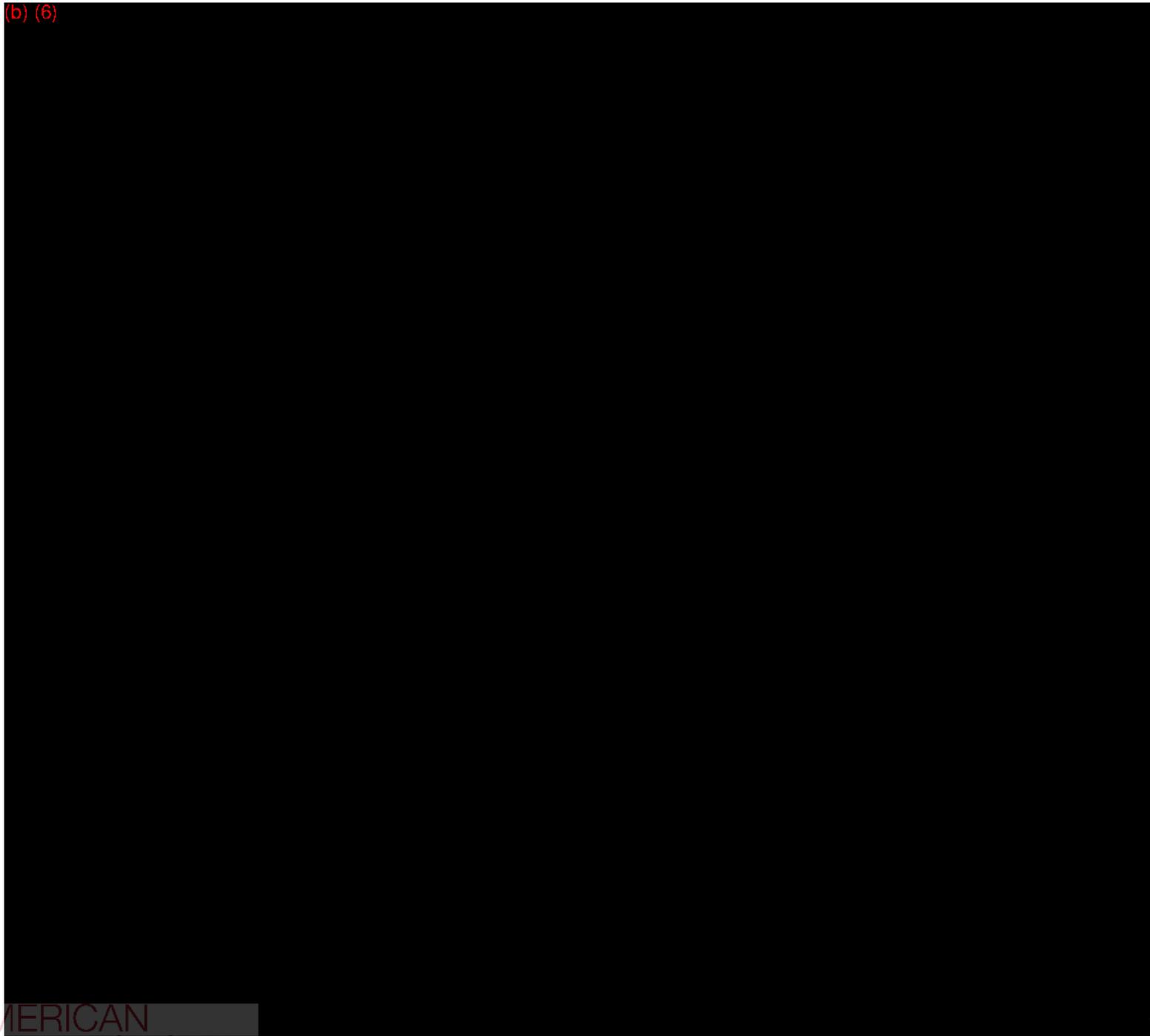
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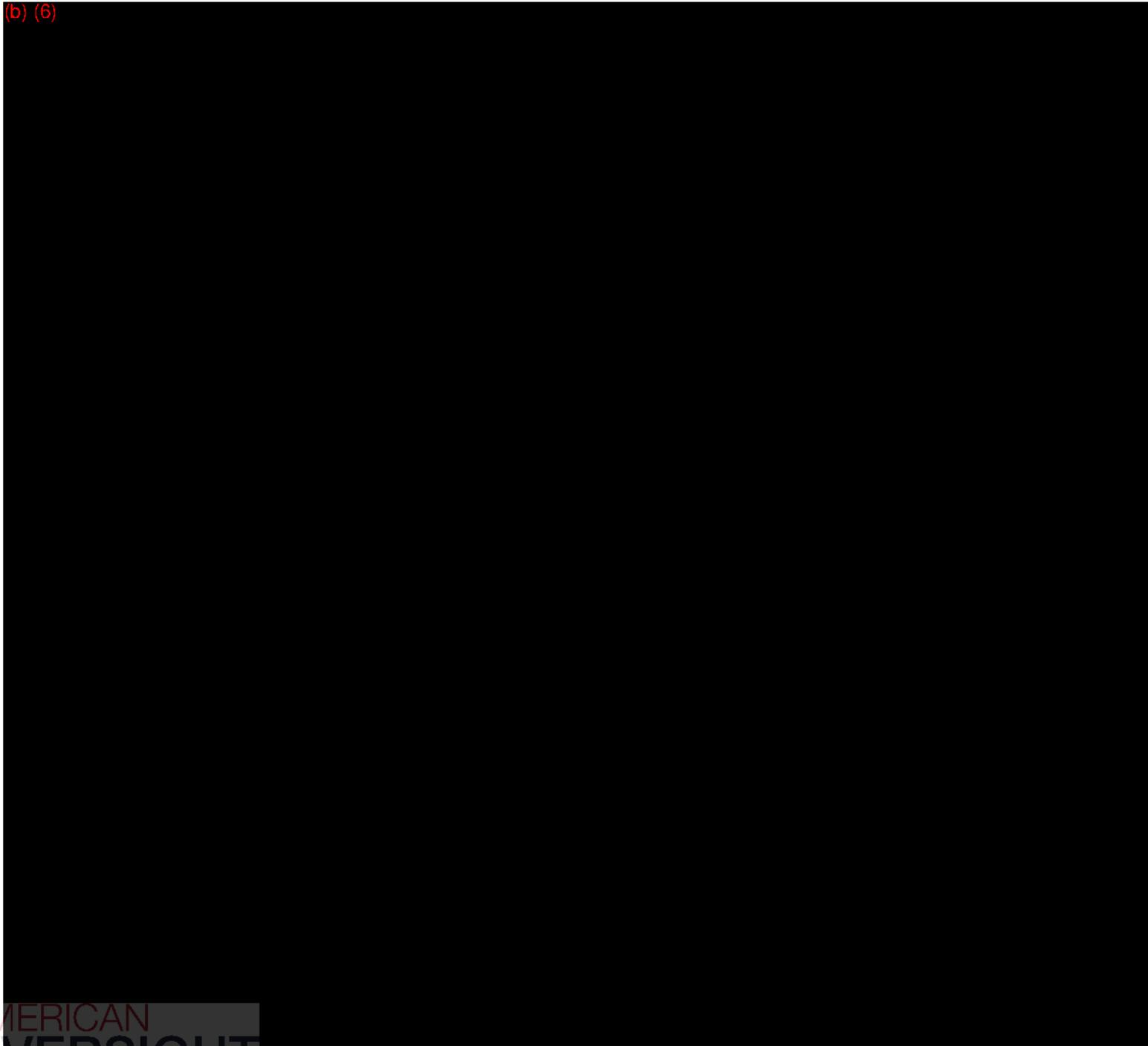
(b) (6)



(b) (6)



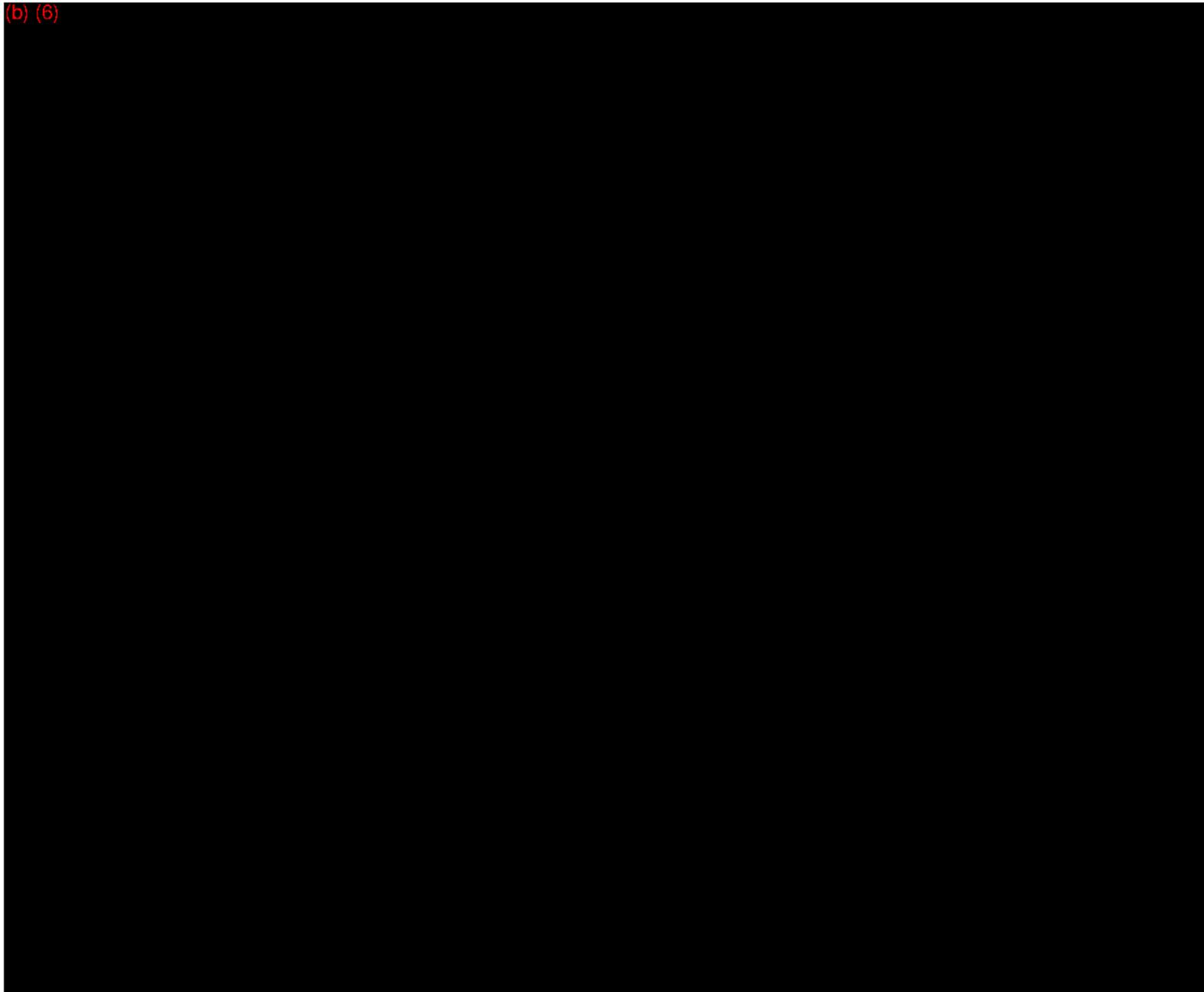
(b) (6)



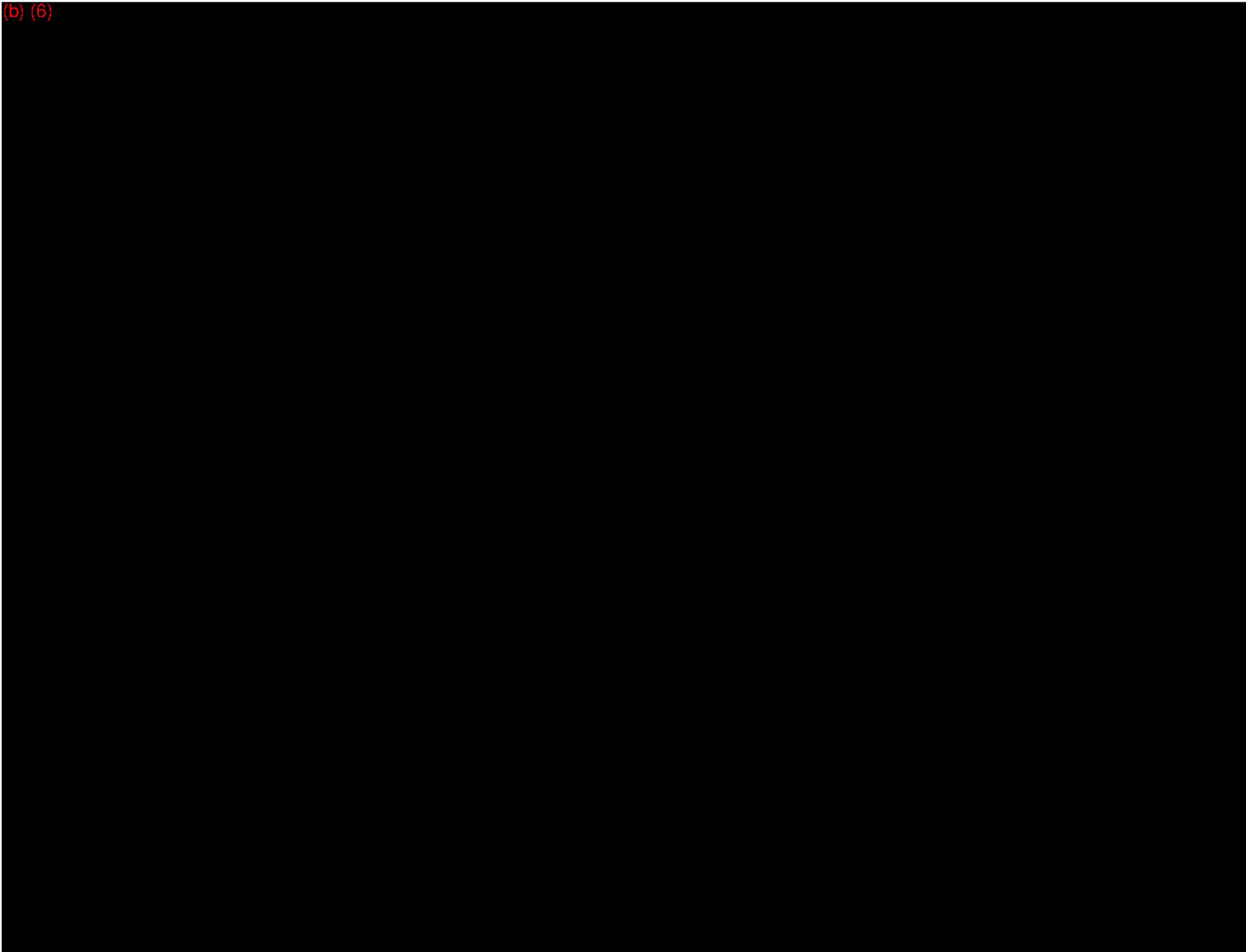
(b) (6)



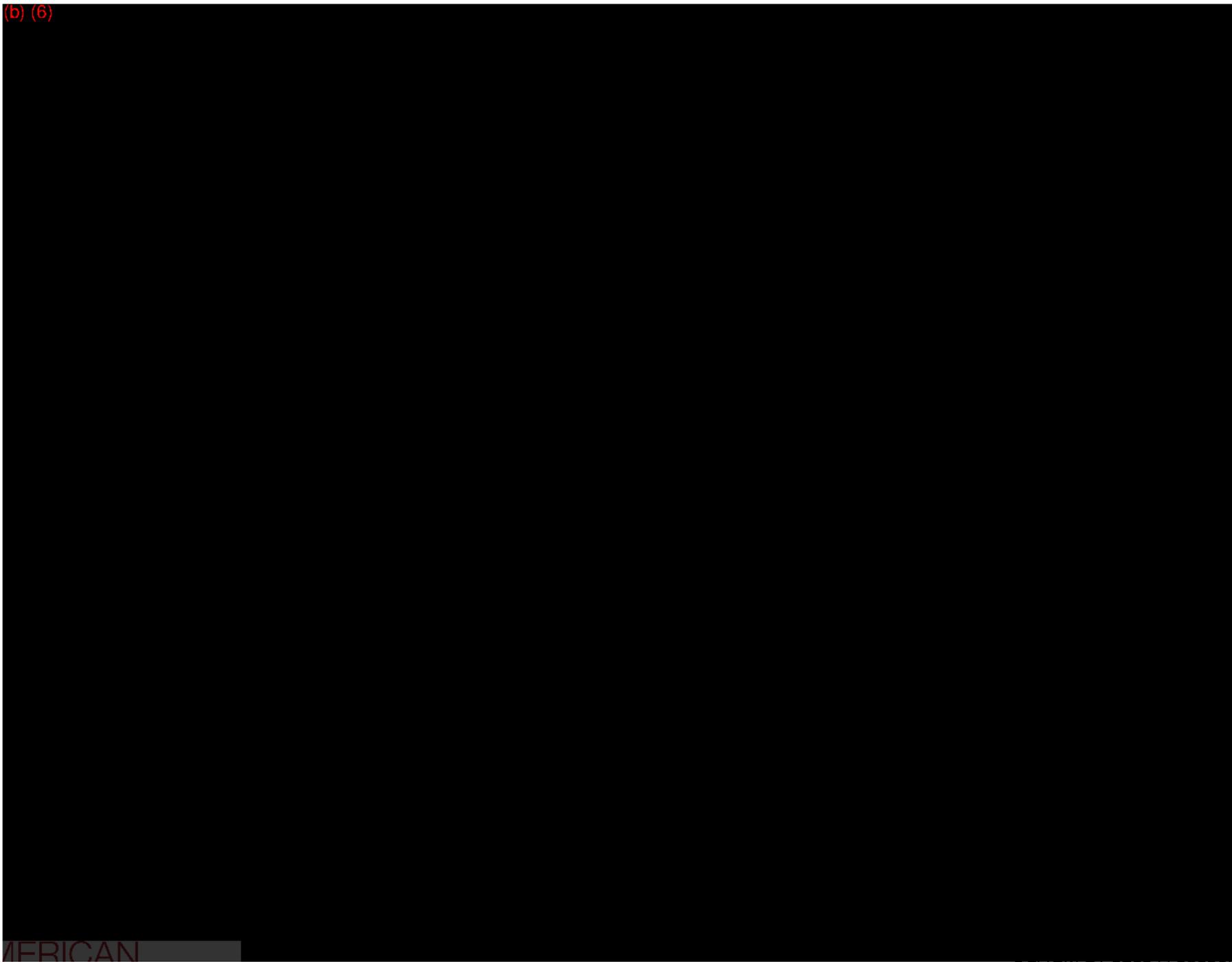
(b) (6)



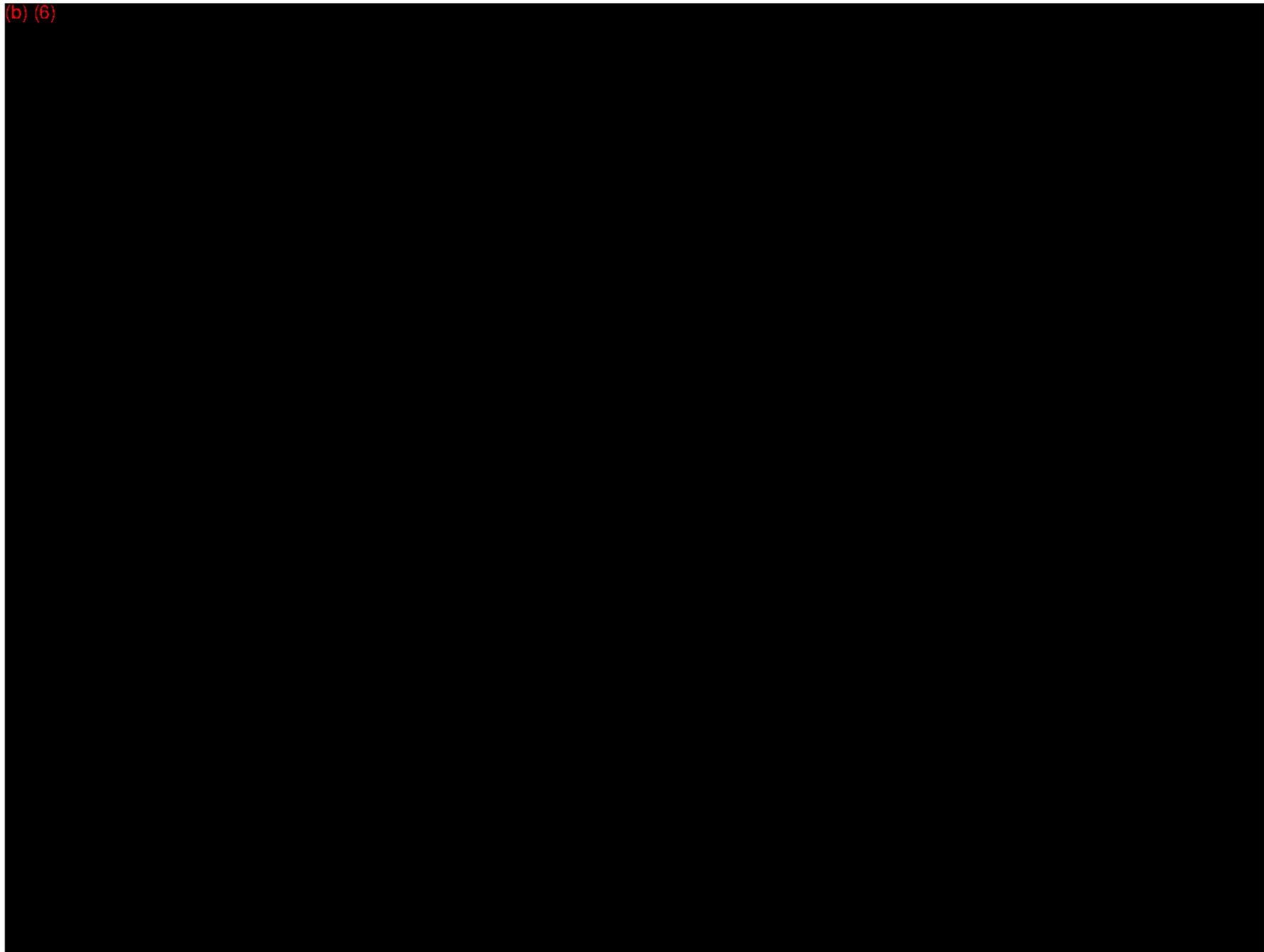
(b) (6)



(b) (6)



(b) (6)

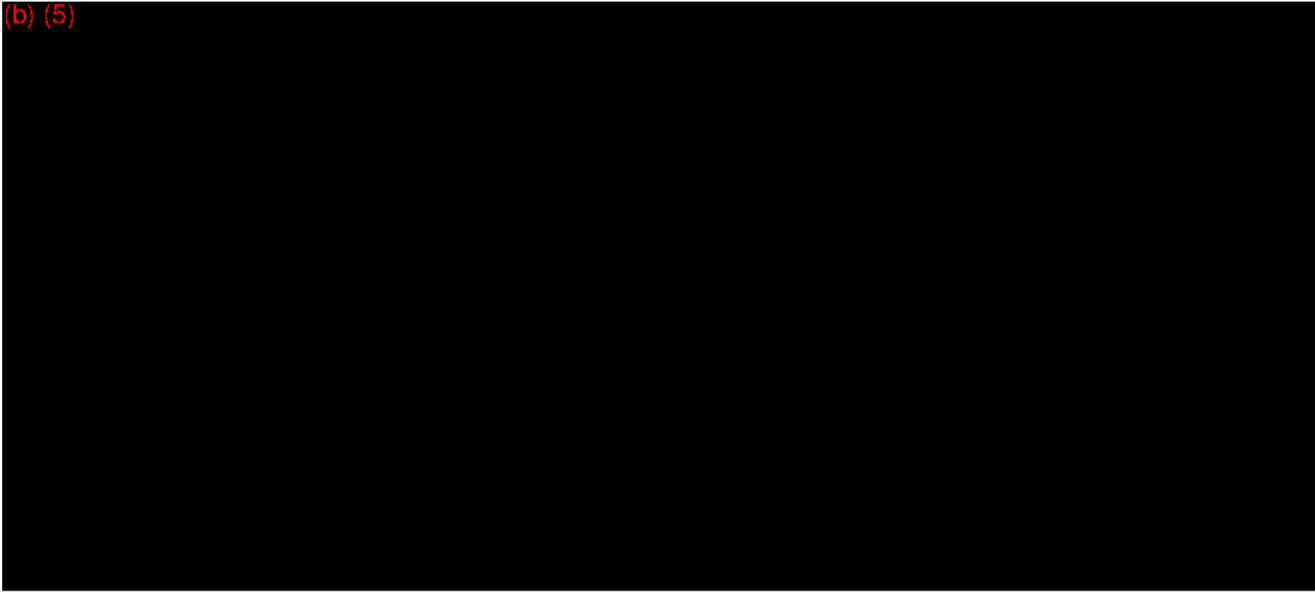


From: [Frank Wuco](#)
To: [Chris Luer](#)
Cc: [Sam Dewey](#); [Morvared Namdarkhan](#); [Emily Pauline Newman](#)
Subject: FW: Waivers for Foreigners
Date: Wednesday, October 28, 2020 5:47:06 PM
Importance: High

PRE-DECISIONAL//DELIBERATIVE
SENSITIVE INVESTIGATIVE MATERIAL
NO FOIA//NO PUBLIC RELEASE
ATTORNEY-CLIENT PRIVILEGE//ATTORNEY WORK PRODUCT
NO DISSEMINATION BEYOND RECIPIENTS AND U.S. DEPARTMENT OF STATE OFFICE OF SECURITY
AND OFFICE OF INSPECTOR GENERAL WITHOUT ORIGINATOR APPROVAL

Chris,

(b) (5)

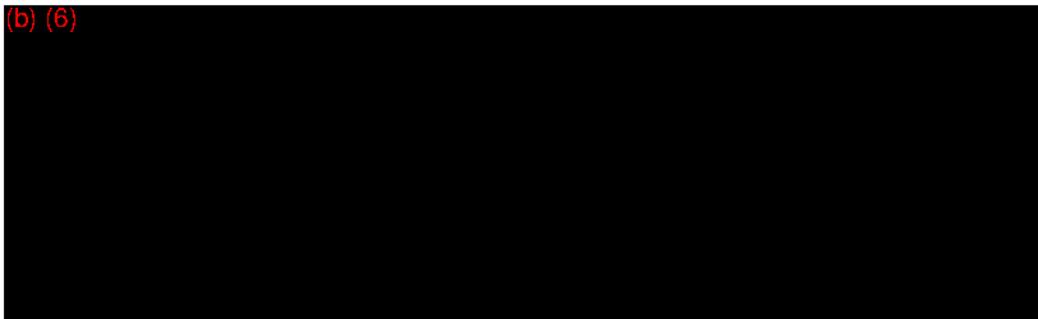


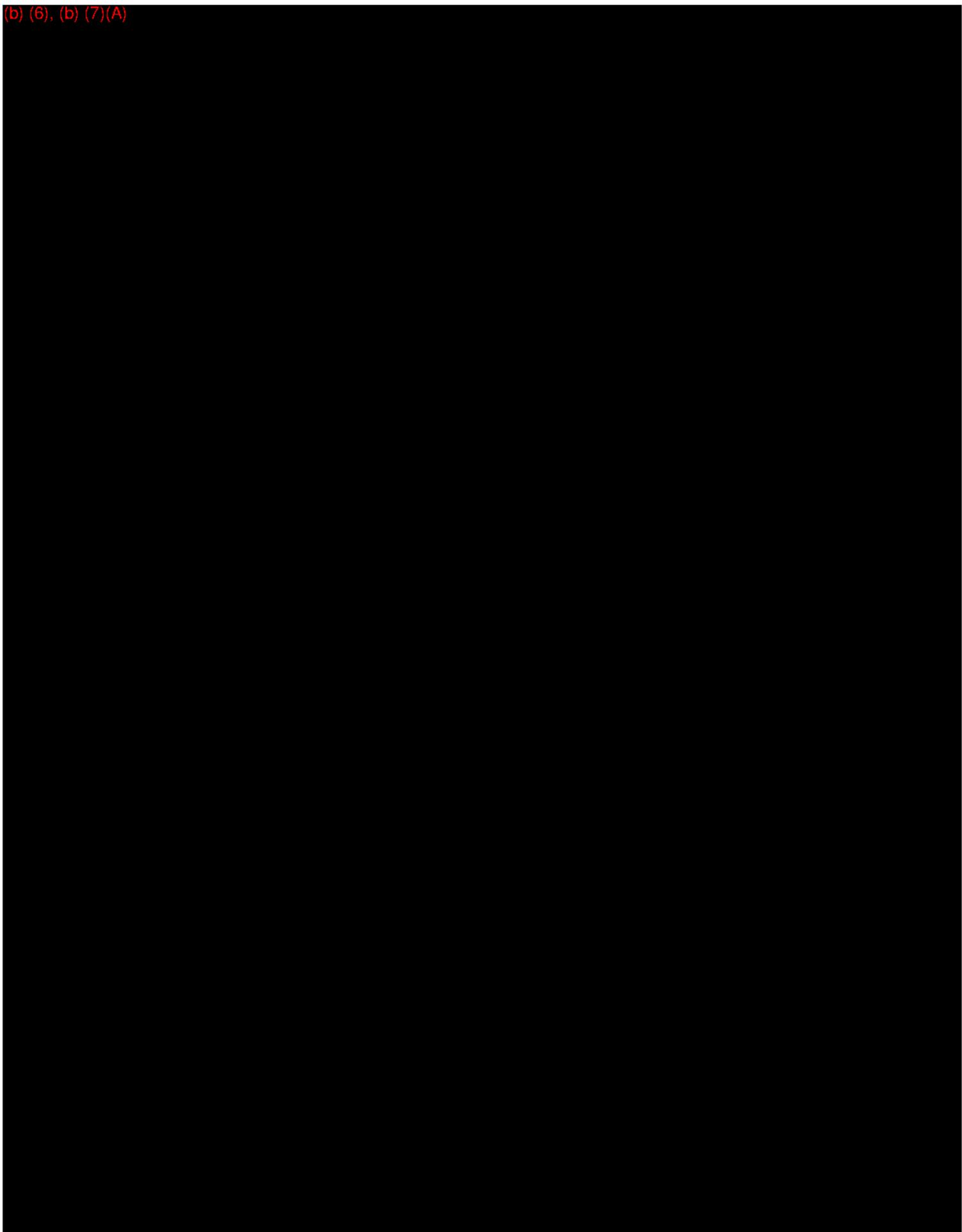
Will follow up soonest.

Thanks,

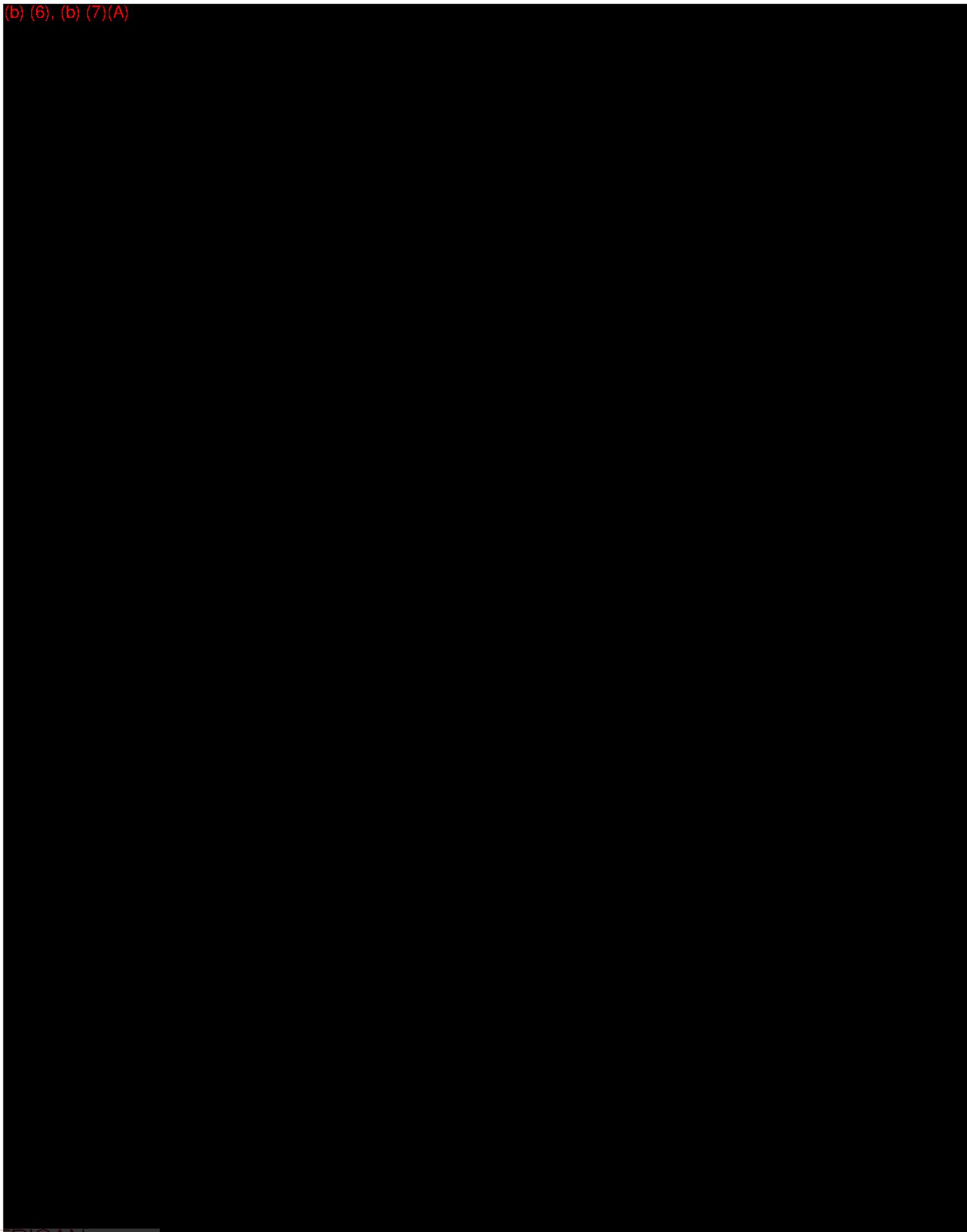
Frank

(b) (6)





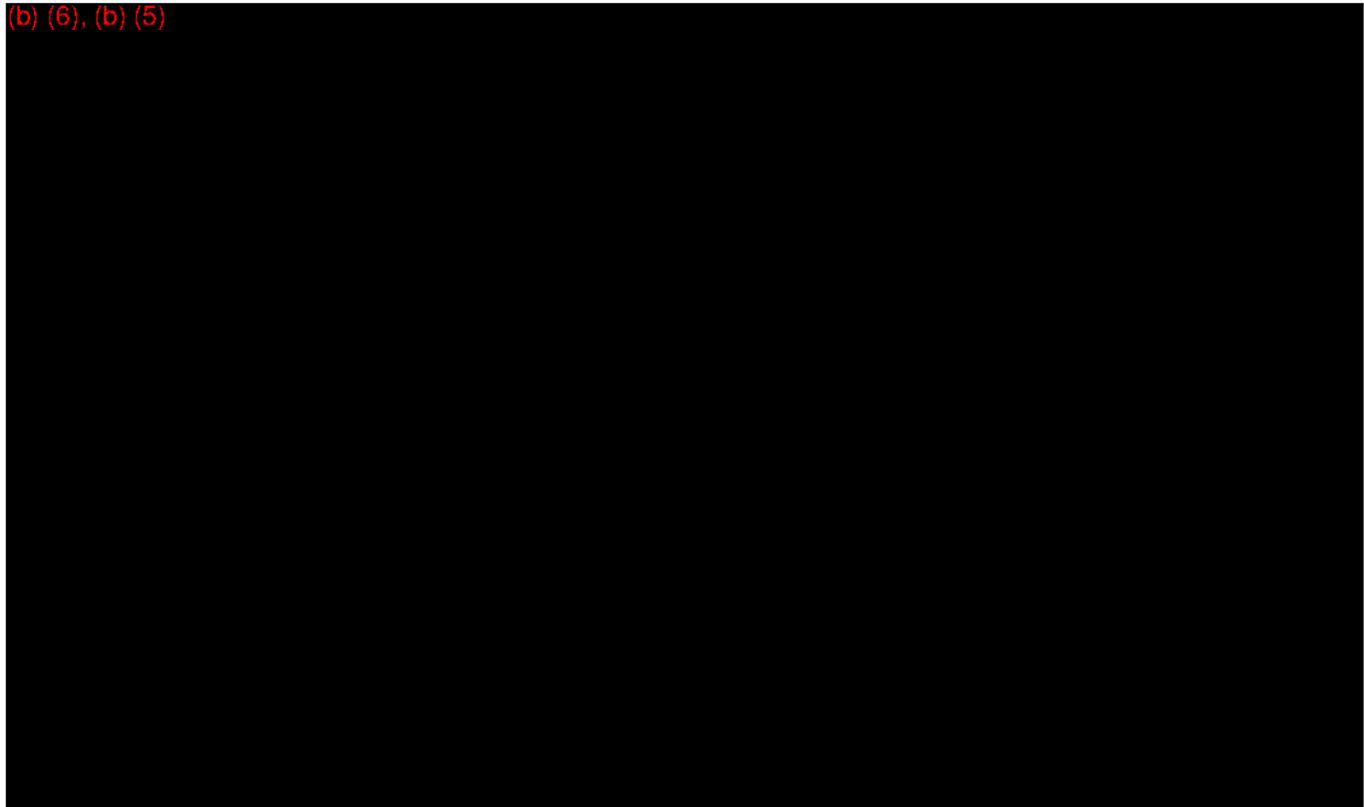
(b) (6), (b) (7)(A)



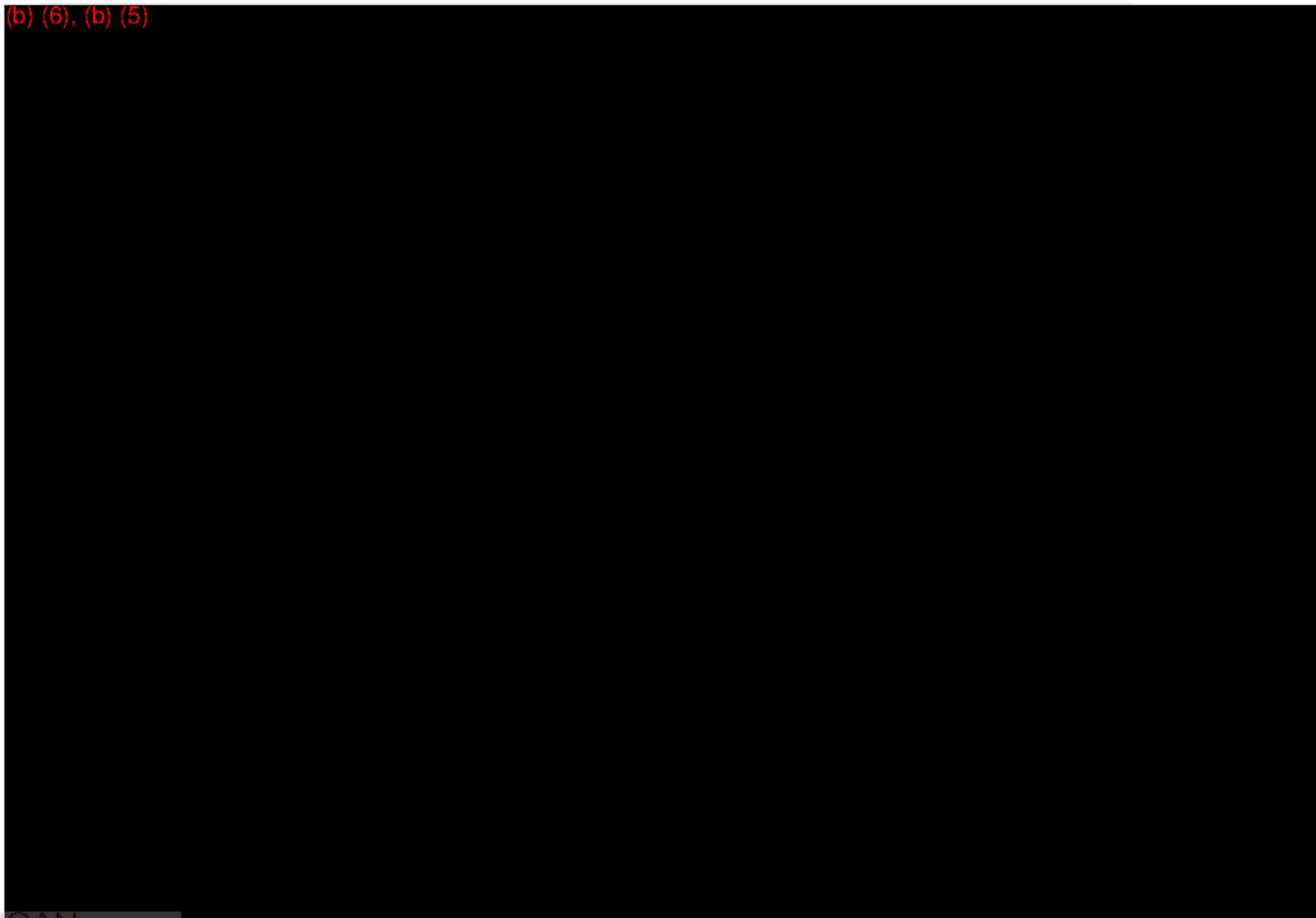
(b) (6), (b) (7)(A)



(b) (6), (b) (5)



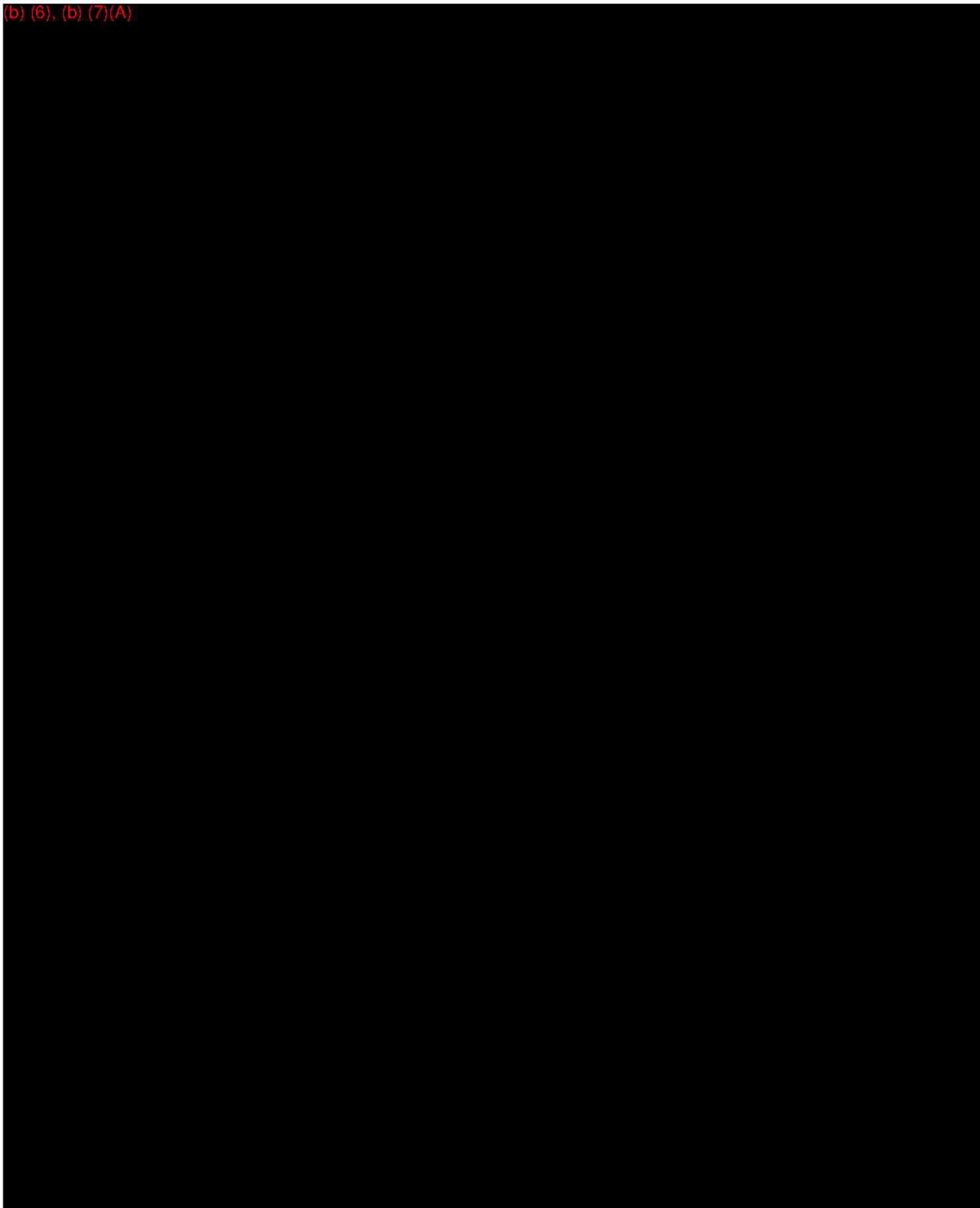
(b) (6), (b) (5)



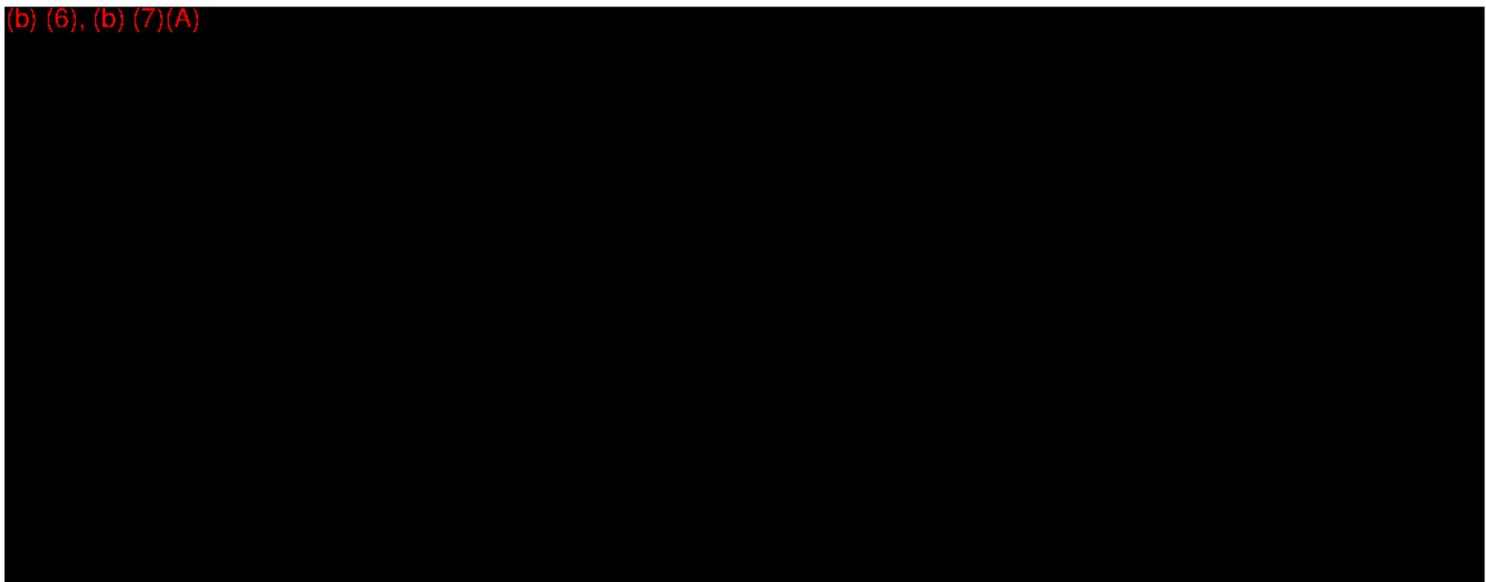
(b) (6), (b) (5)

(b) (6), (b) (7)(A)

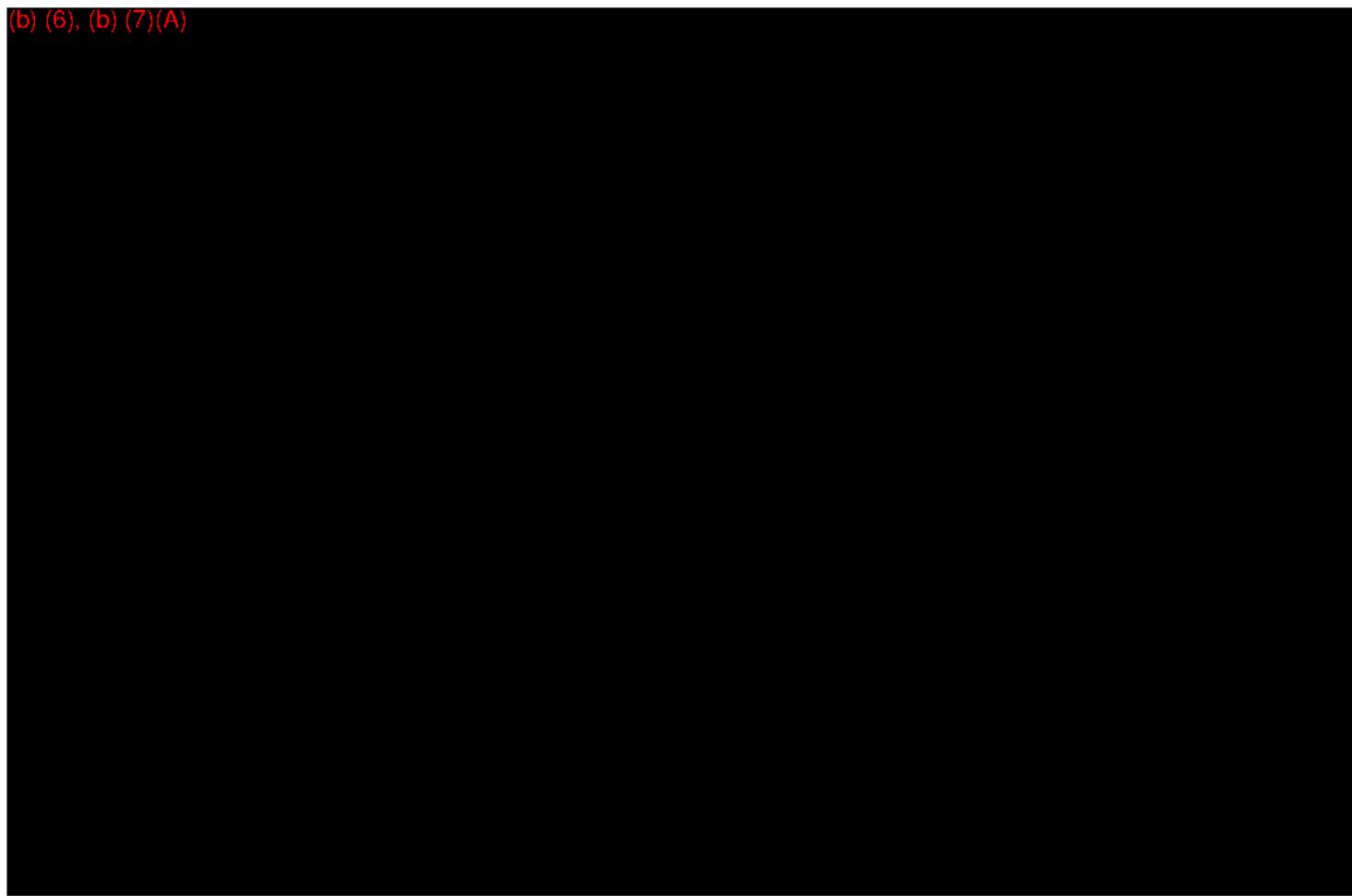
(b) (6), (b) (7)(A)



(b) (6), (b) (7)(A)



(b) (6), (b) (7)(A)



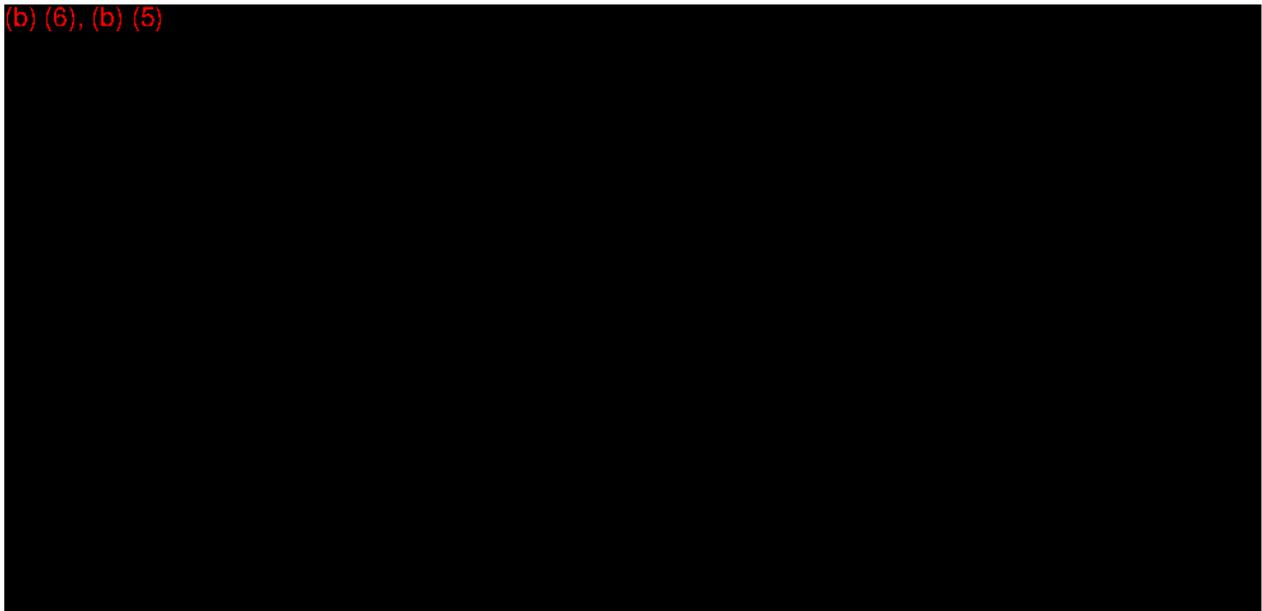
From: [Morvared Namdarkhan](#)
To: [Emily Pauline Newman](#)
Subject: Fwd:
Date: Saturday, July 25, 2020 12:16:16 AM
Attachments: [image001.png](#)
[5 CFR 1400 Waiver Article X.zip](#)

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From: (b) (6)
Sent: Saturday, July 25, 2020 12:02 AM
To: Morvared Namdarkhan
Subject: FW:

Hi Mora,

(b) (6), (b) (5)



Best,

(b) (6)
Attorney-Advisor, Policy Officer
Office of Management Services

(b) (6)



U.S. Agency for Global Media

USAGM-21-0203-A-000077

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From: (b) (6)

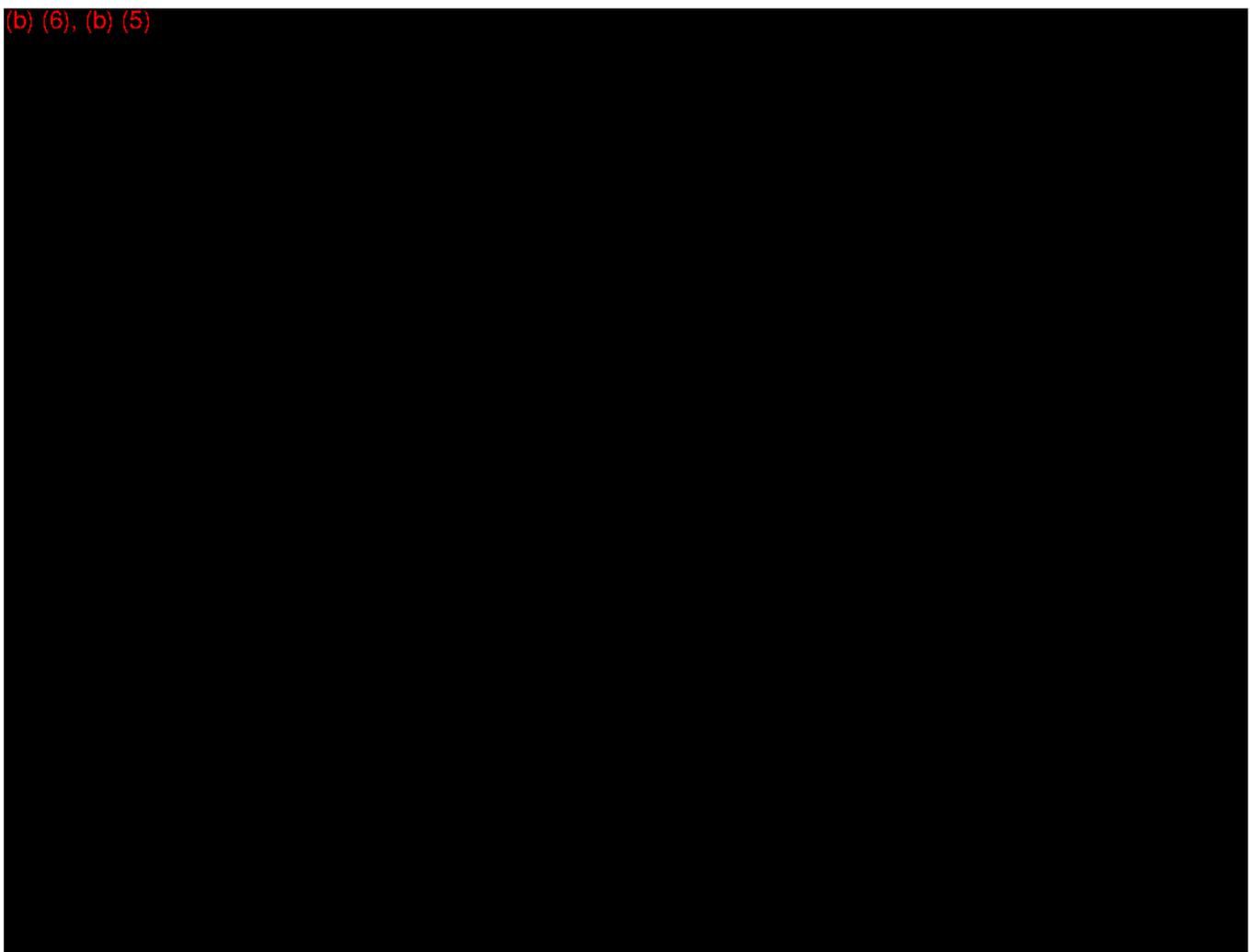
Sent: Friday, July 24, 2020 11:51 PM

To: David Kligerman (b) (6)

Subject: RE:

Hi Dave,

(b) (6), (b) (5)



(b) (5)

(b) (6)

Attorney-Advisor, Policy Officer
Office of Management Services

(b) (6)



U.S. AGENCY FOR
GLOBAL MEDIA

U.S. Agency for Global Media
330 Independence Ave. SW | Washington, DC 20237
<http://usagm.gov>

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From: David Kligerman
Sent: Friday, July 24, 2020 10:37 AM
To: (b) (6)
Subject: FW:

(b) (6) I am trying to answer Mora's question (s) below. I should have included you in this email. Spoke to (b) (6) and he said that you may have additional background that would aid my write-up.

Dave

From: David Kligerman
Sent: Friday, July 24, 2020 10:20 AM
To: Marie Lennon (b) (6); Andrew M. Jansen (b) (6); Matthew Walsh (b) (6)
Cc: Andre Mendes (b) (6); Lillian Cheng (b) (6)
Subject: FW:

All: (b) (6)

But leadership has made clear this is pressing. Lillian is the usual POC on this, but she is out as well; and I don't want to bother her on this. So please forgive me if I don't have all the background.

Anyhow, this is the first of this report that I have seen. It does say "Atch 1_" is there some master report that this is associated with. If so, it would be helpful to finalize my review.

Thank you, Dave

From: Morvared Namdarkhan

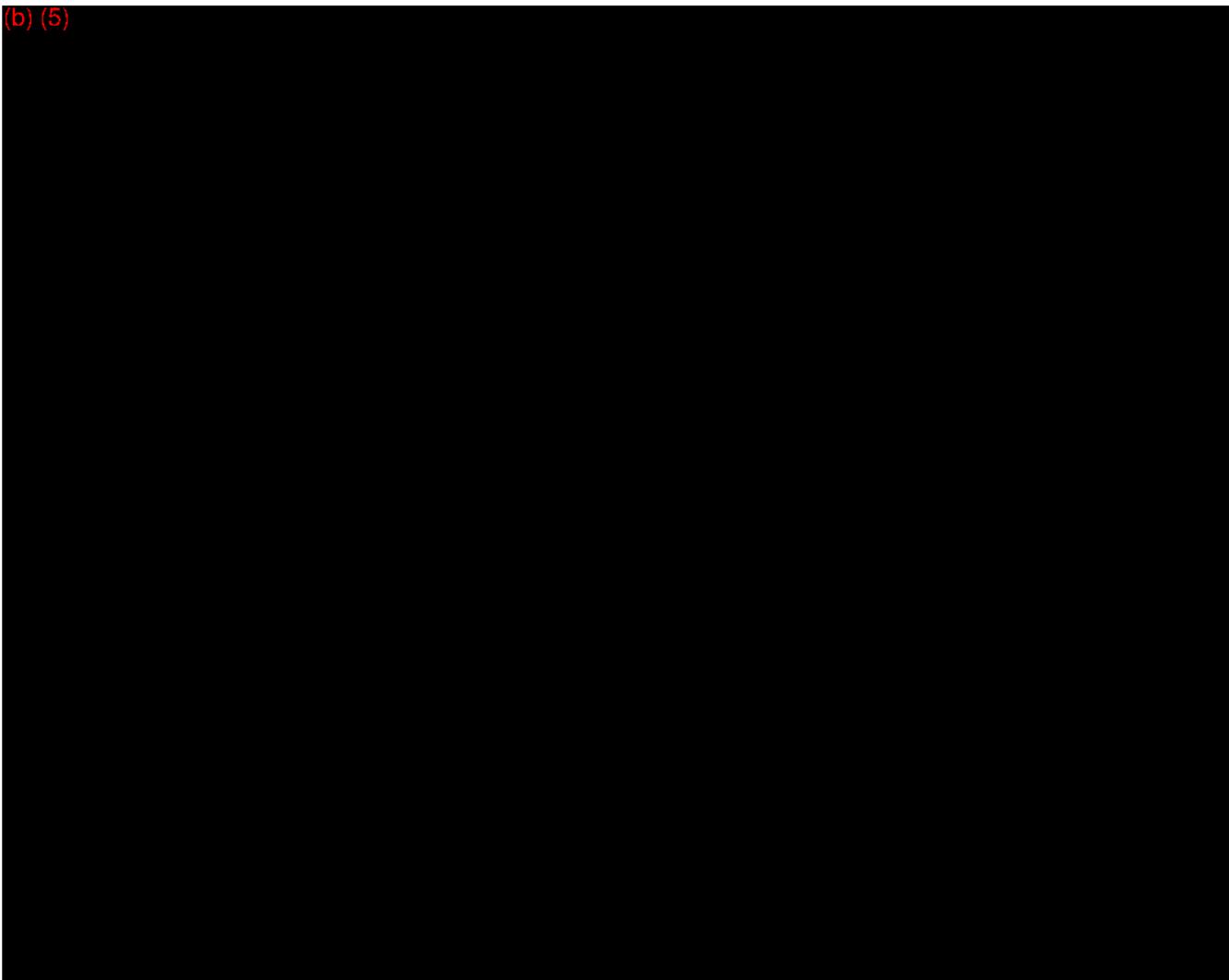
Sent: Friday, July 17, 2020 8:35 PM

To: David Kligerman (b) (6)

Subject:

Dear Dave,

(b) (5)

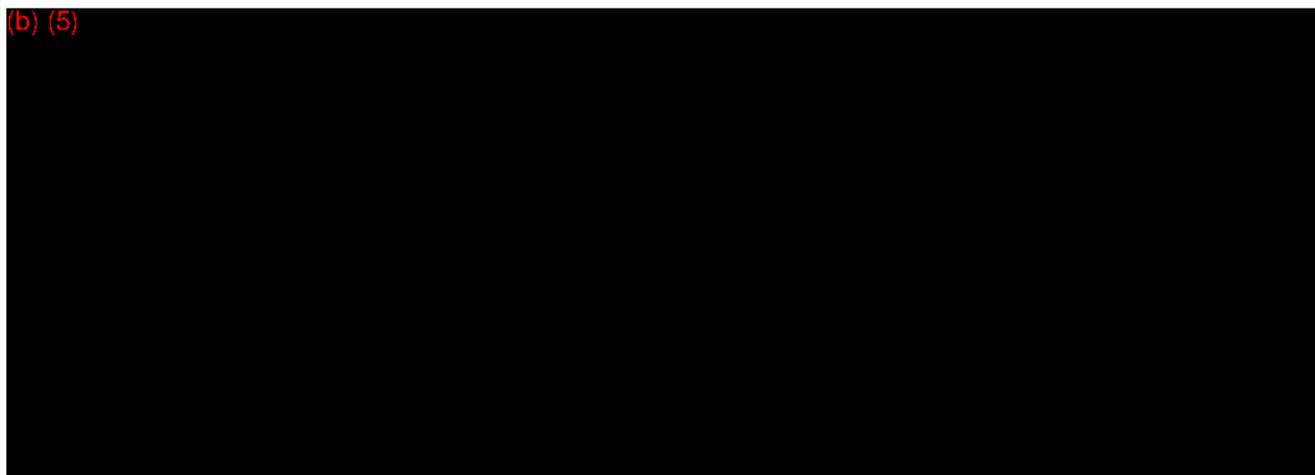


We'll keep at it until you are satisfied with the information and regret that this is such a long process. We should talk about the authorities – it was unclear to me whether you were referring to legal authorities or internal policy and procedures.

From: Emily Pauline Newman <(b) (6)>
Sent: Tuesday, June 30, 2020 8:17 PM
To: Marie Lennon <(b) (6)>; Diane Cullo <(b) (6)>
Subject: RE: Two Info Items

Hi Marie,

(b) (5)

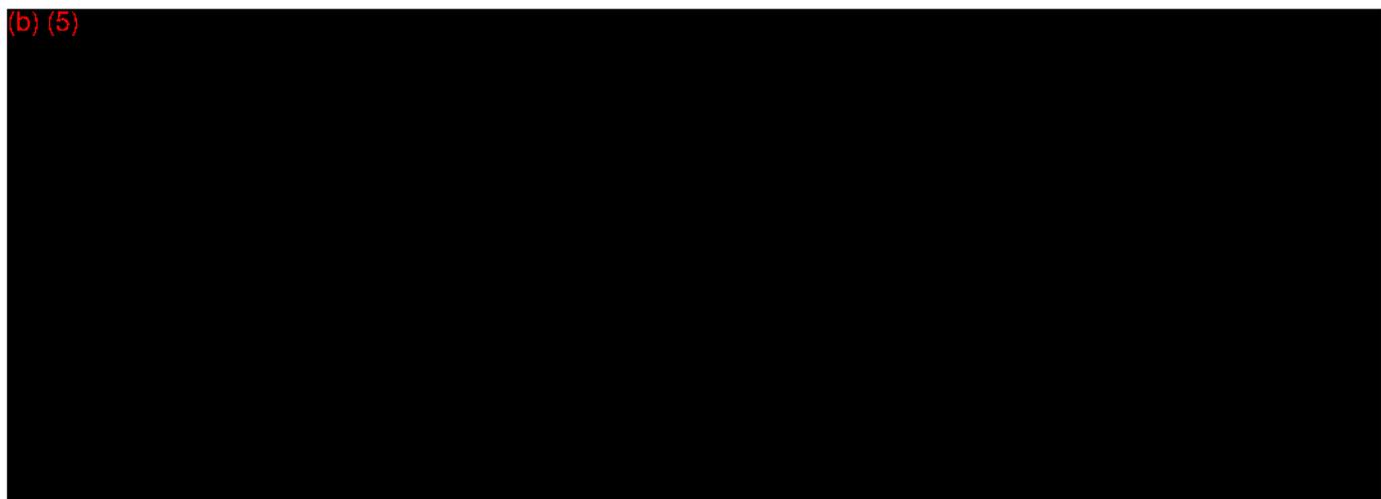


Best,
Emily

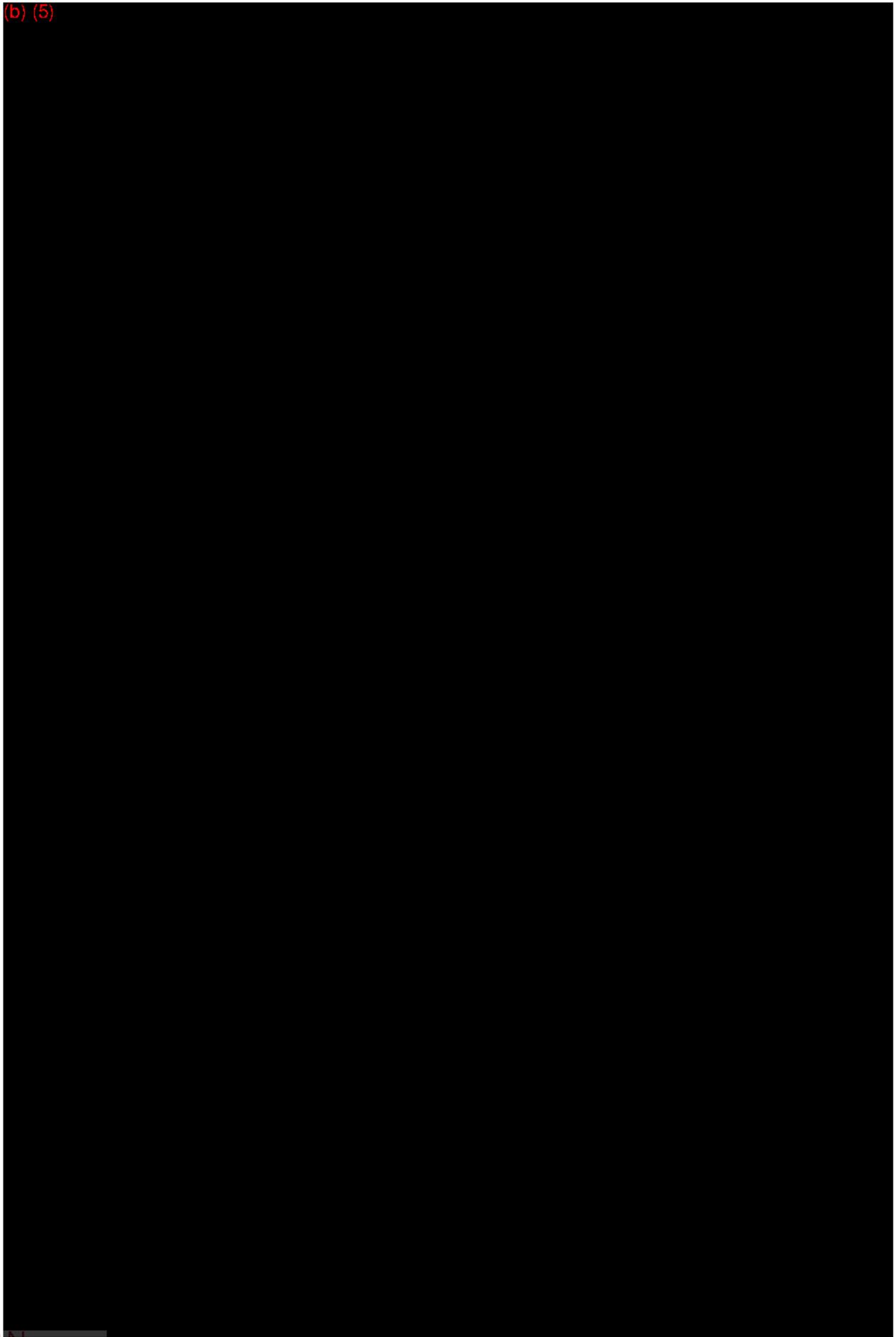
From: Marie Lennon <(b) (6)>
Sent: Tuesday, June 30, 2020 3:35 PM
To: Emily Pauline Newman <(b) (6)>; Diane Cullo <(b) (6)>
Subject: RE: Two Info Items

Emily,

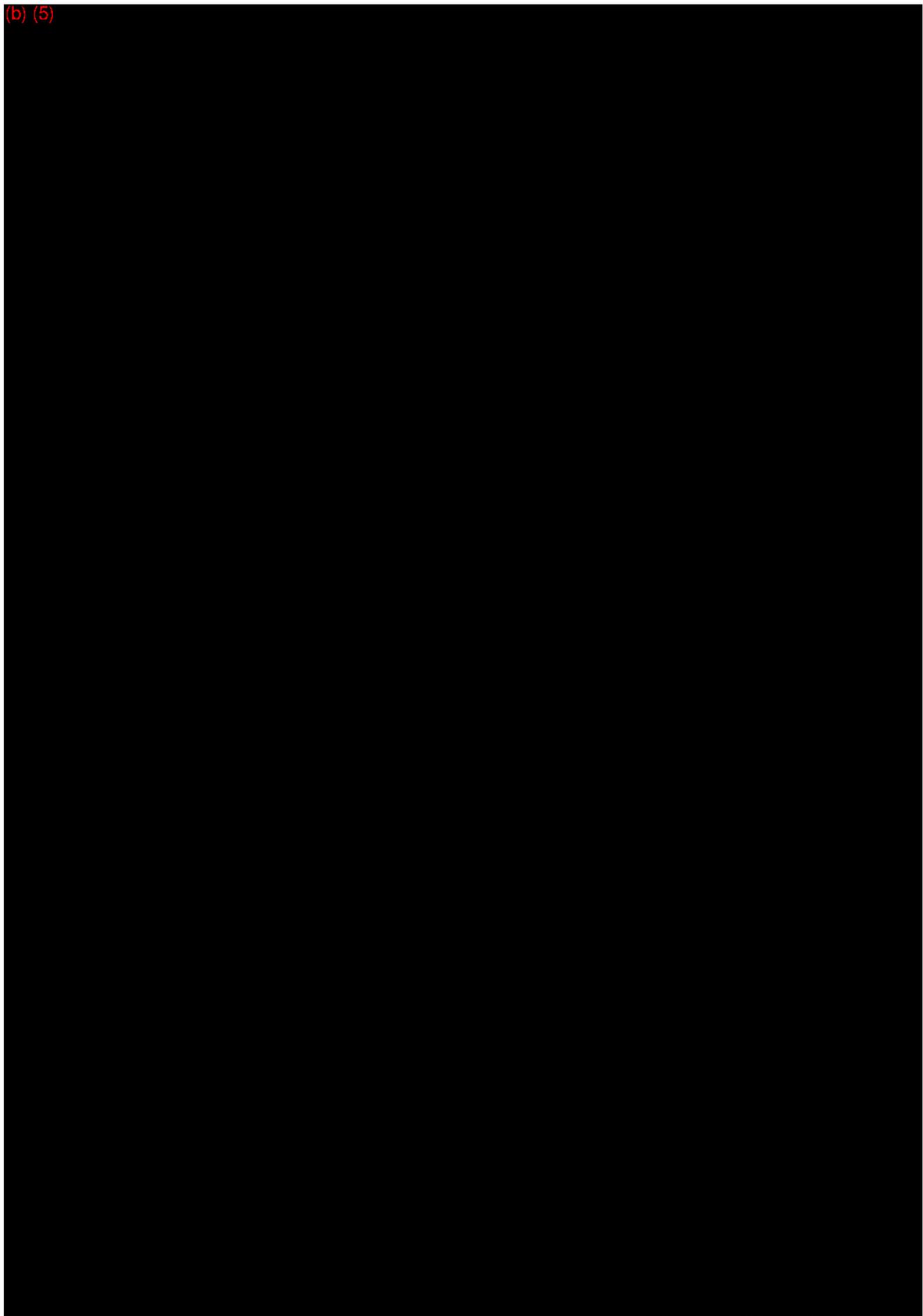
(b) (5)



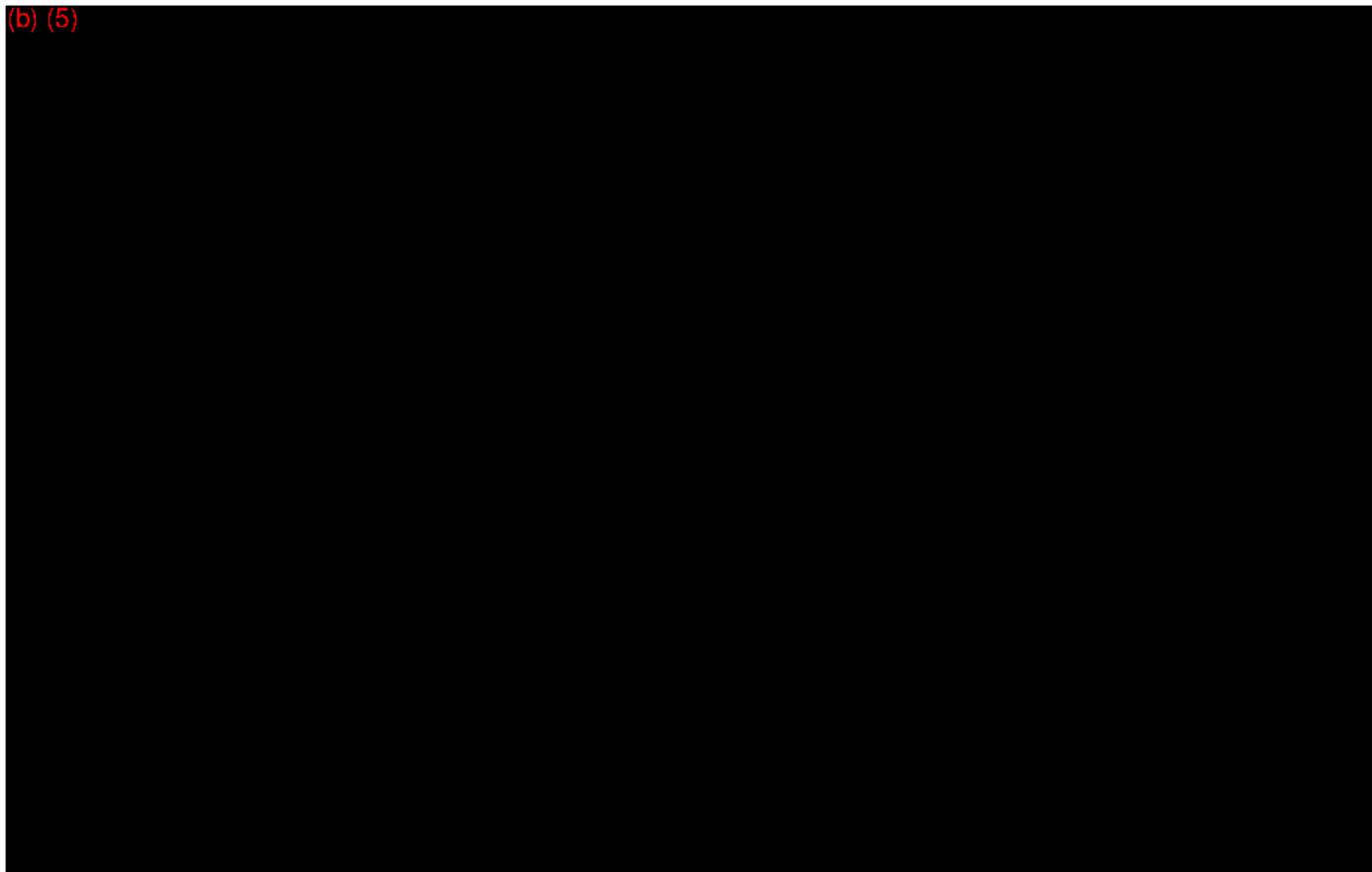
(b) (5)



(b) (5)



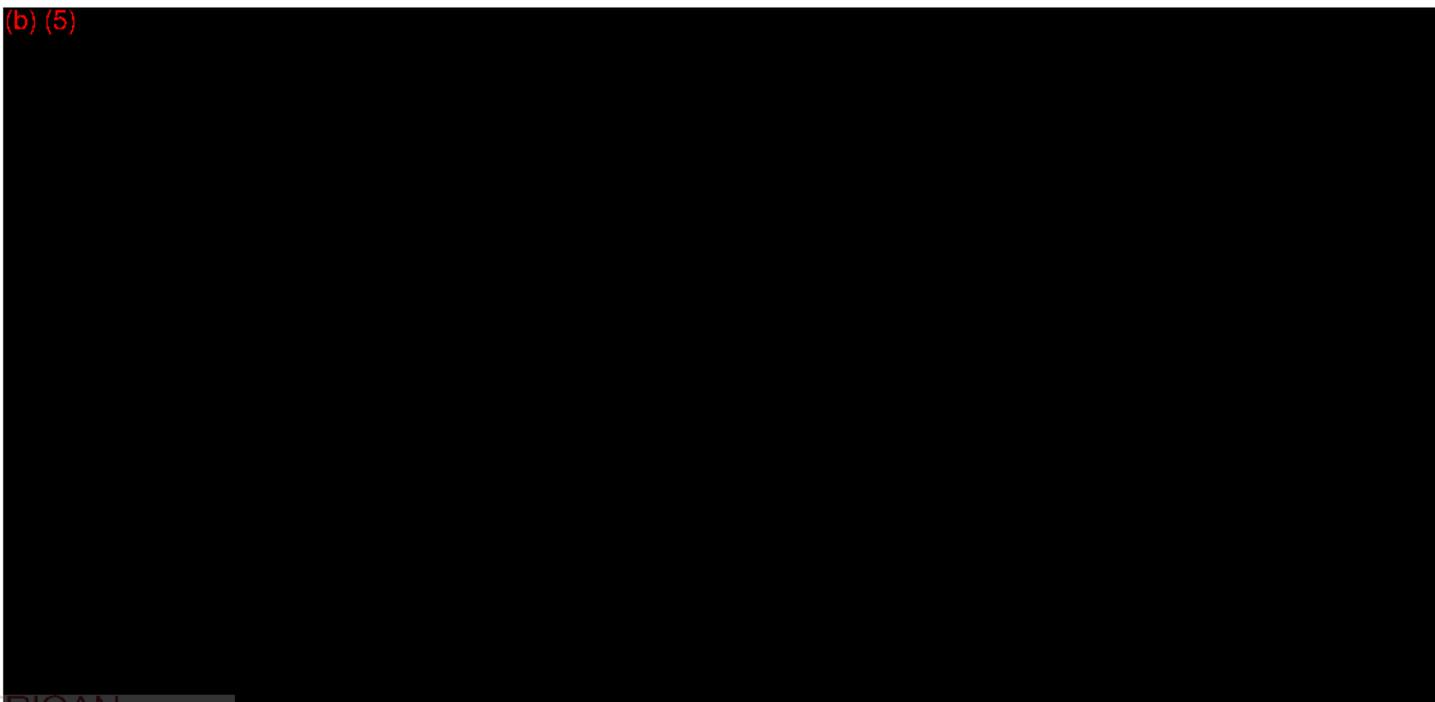
(b) (5)



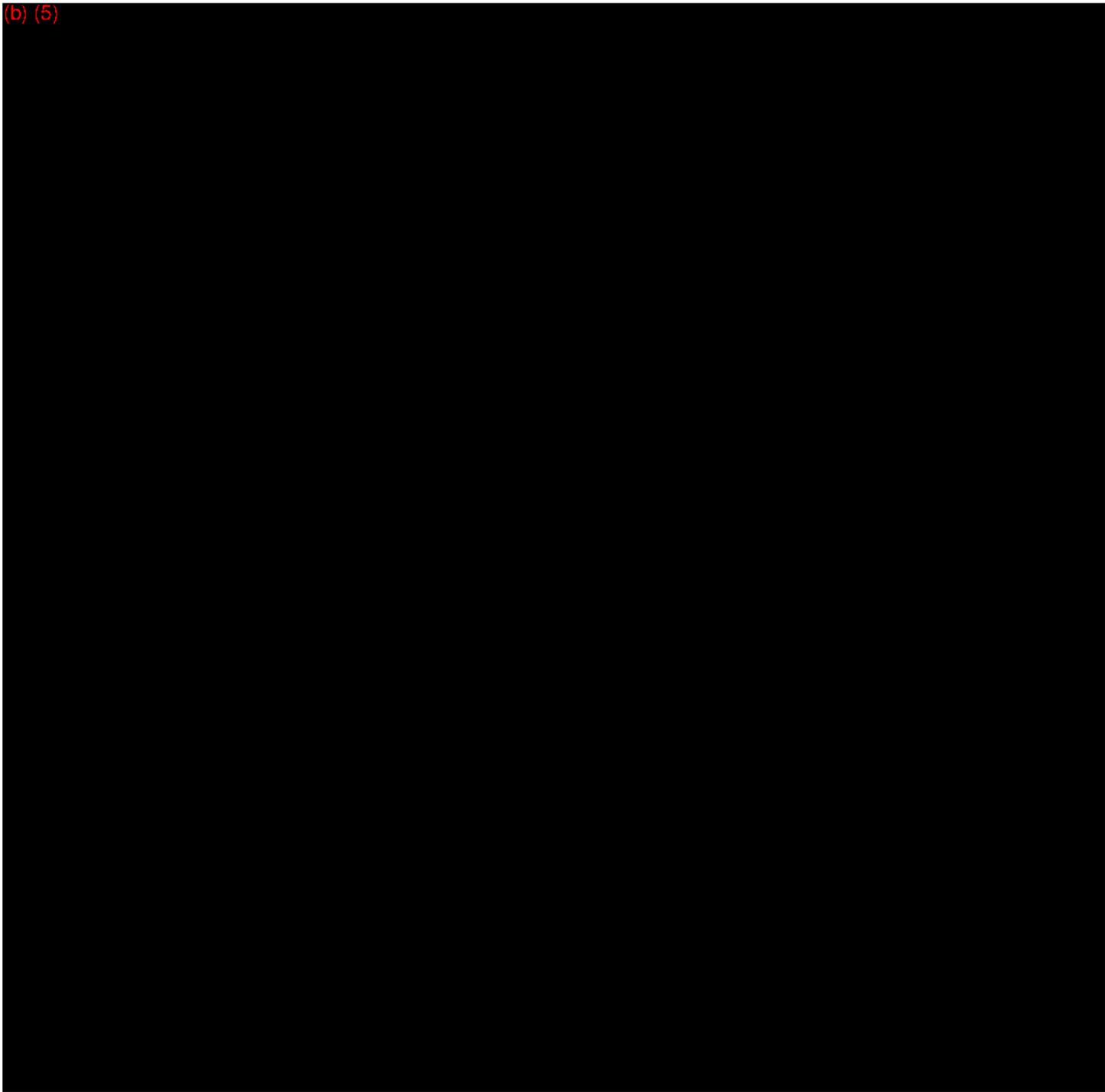
From: Emily Pauline Newman <(b) (6)>
Sent: Sunday, June 28, 2020 7:50 PM
To: Marie Lennon <(b) (6)>; Diane Cullo <(b) (6)>
Subject: RE: Two Info Items

Thank you, Marie!

(b) (5)



(b) (5)



Best,
Emily

Emily Newman
Chief of Staff

(b) (6)

From: Marie Lennon <(b) (6)>

Sent: Sunday, June 28, 2020 6:05 PM

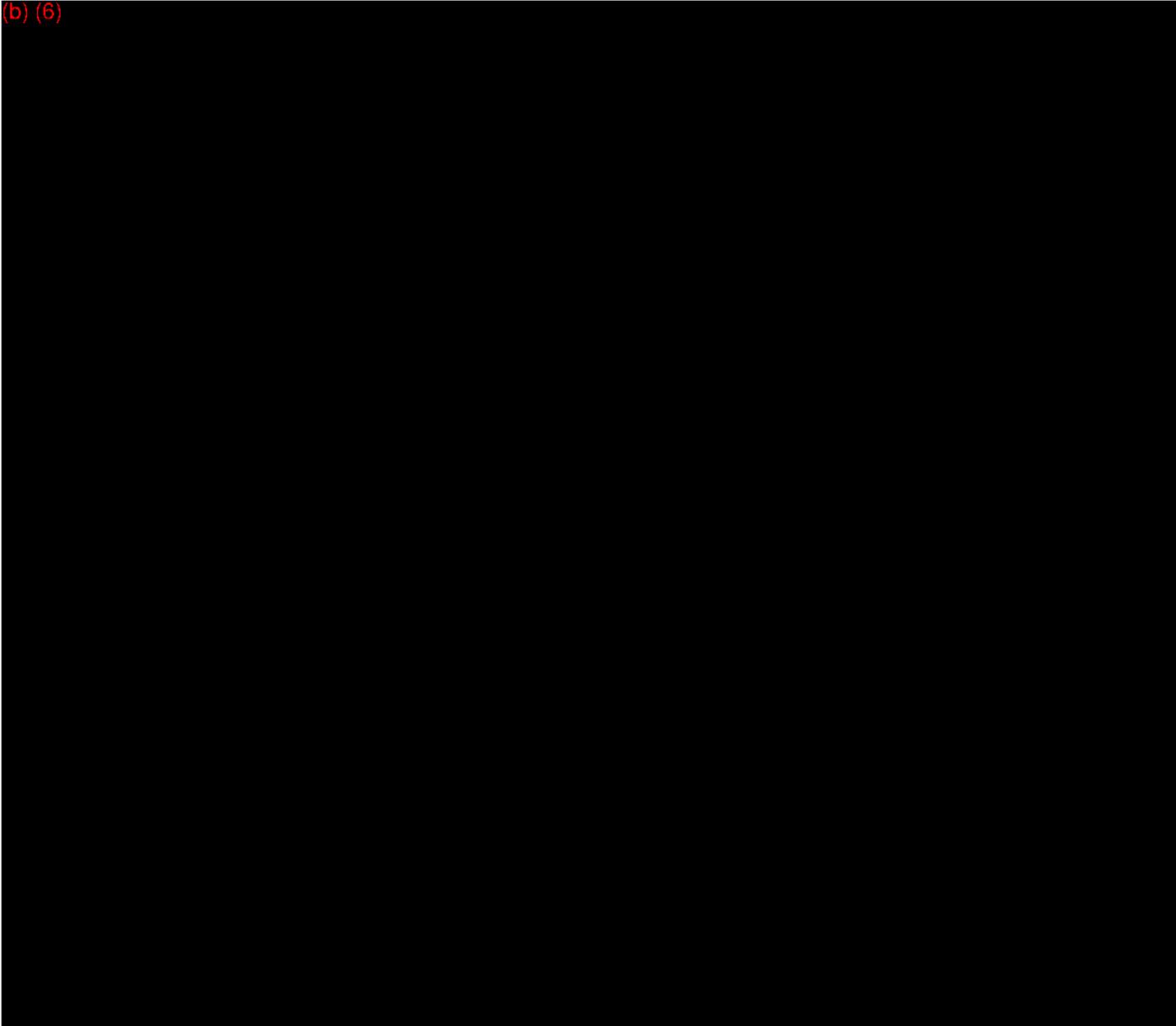
USAGM-21-0203-A-000085

From: Emily Pauline Newman
To: [Morvared Namdarkhan](#)
Subject: Fwd: Daily Update - August 10th
Date: Monday, August 10, 2020 10:52:55 PM
Attachments: [GR Removal \(b\) \(6\).pdf](#)
[Grievance \(b\) \(6\) 07.03.2020.pdf](#)
[Copy of Export of Critical Requirements List 2020.08.10.xlsx](#)
[OCB Nicaragua Assessments 7.30.2020.pdf](#)
[image001.png](#)

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From: Marie Lennon (b) (6)
Sent: Monday, August 10, 2020 9:04:32 PM
To: Diane Cullo (b) (6); Emily Pauline Newman (b) (6)
Subject: Daily Update - August 10th

(b) (6)



From: [Emily Pauline Newman](#)
To: [Diane Cullo](#)
Subject: Fwd: July 24 - Daily Report
Date: Saturday, July 25, 2020 3:38:53 AM
Attachments: [Critical Contract Requirements 7.24.2020 Past Due.xlsx](#)
[FW Warangkana"s Status J1"s.msg](#)

Let's review any outstanding contracts ASAP (sat)

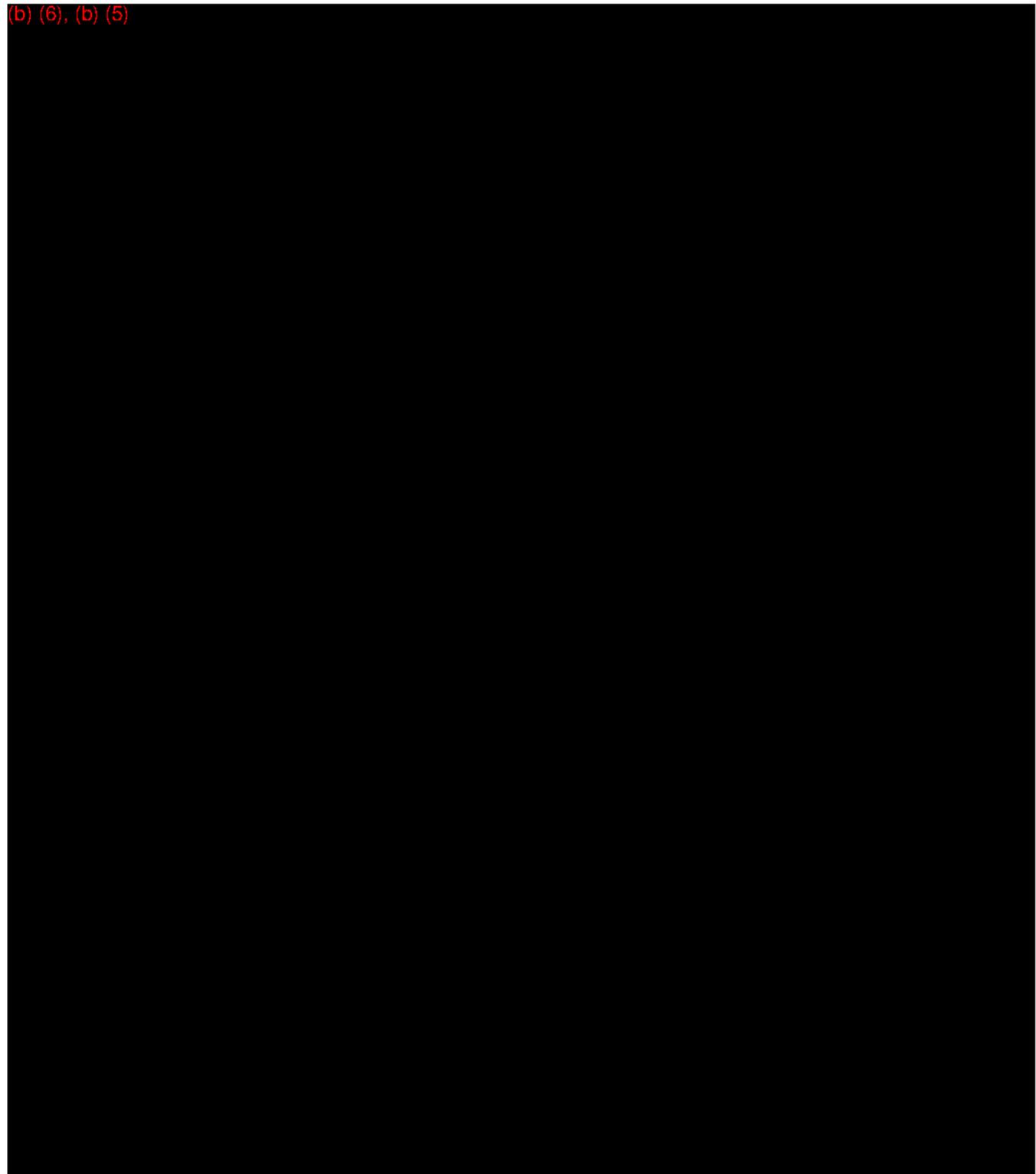
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From: Marie Lennon (b) (6)
Sent: Friday, July 24, 2020 8:41:32 PM
To: Diane Cullo (b) (6); Emily Pauline Newman (b) (6)
Subject: July 24 - Daily Report

(b) (6), (b) (5)



(b) (6), (b) (5)



Thank you.

From: [Emily Pauline Newman](#)
To: [Jonathan Bronitsky](#); [Frank Wuco](#); [Diane Cullo](#); [Toni DeLancey](#)
Subject: Fwd: Messaging: J-1 / VOA (draft)
Date: Monday, August 31, 2020 10:39:30 PM

This is much improved. Thanks for your work on this.

**HOWEVER, this email thread raises a number of concerns and questions, including:

Why is this being bounced around via email with MP before going through even the semblance of clearance?

What is the reference to extension of the J-1 visa program? I didn't see or clear an extension, and very much hope this is a typo. If not, please send background info immediately.

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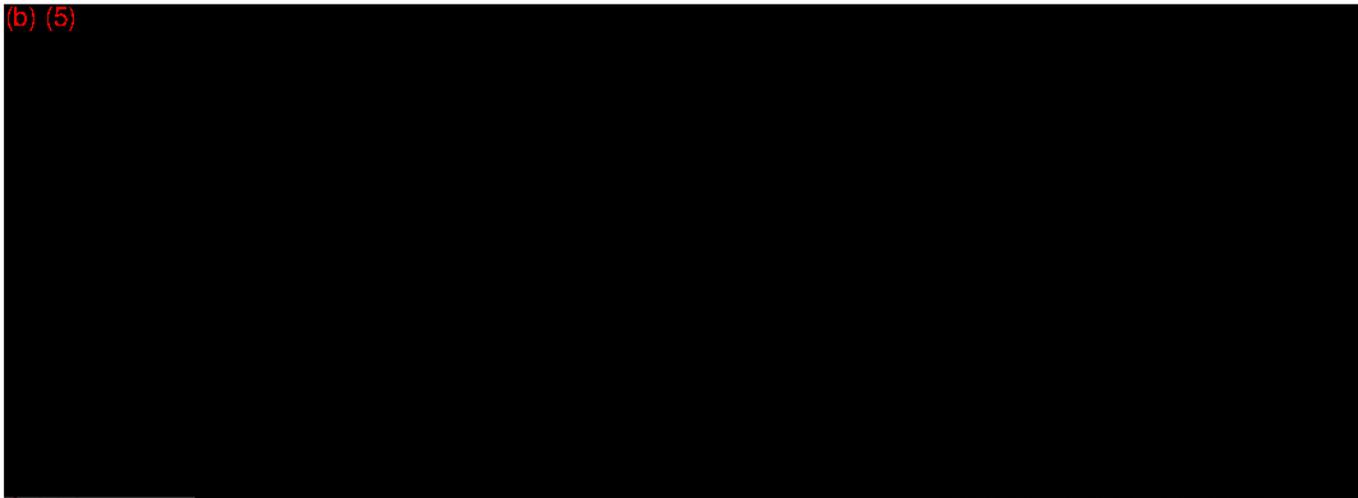
From: Jonathan Bronitsky (b) (6)
Sent: Monday, August 31, 2020 9:54 PM
To: Frank Wuco; CEO2016
Cc: Toni DeLancey; Emily Pauline Newman; Diane Cullo
Subject: Re: Messaging: J-1 / VOA (draft)

Very good. Michael?

From: Frank Wuco (b) (6)
Sent: Monday, August 31, 2020 9:22:02 PM
To: Jonathan Bronitsky (b) (6); CEO2016 (b) (6)
Cc: Toni DeLancey (b) (6); Emily Pauline Newman (b) (6); Diane Cullo (b) (6)
Subject: RE: Messaging: J-1 / VOA (draft)

Alternative, below:

(b) (5)



(b) (5)

(b) (5)

From: Jonathan Bronitsky (b) (6)
Sent: Monday, August 31, 2020 8:35 PM
To: CEO2016 (b) (6); Frank Wuco (b) (6)
Cc: Toni DeLancey (b) (6); Emily Pauline Newman (b) (6); Diane Cullo (b) (6)
Subject: Re: Messaging: J-1 / VOA (draft)

Correct, Michael, that's what I reupped above.

Team, any thoughts on the J-1 copy?

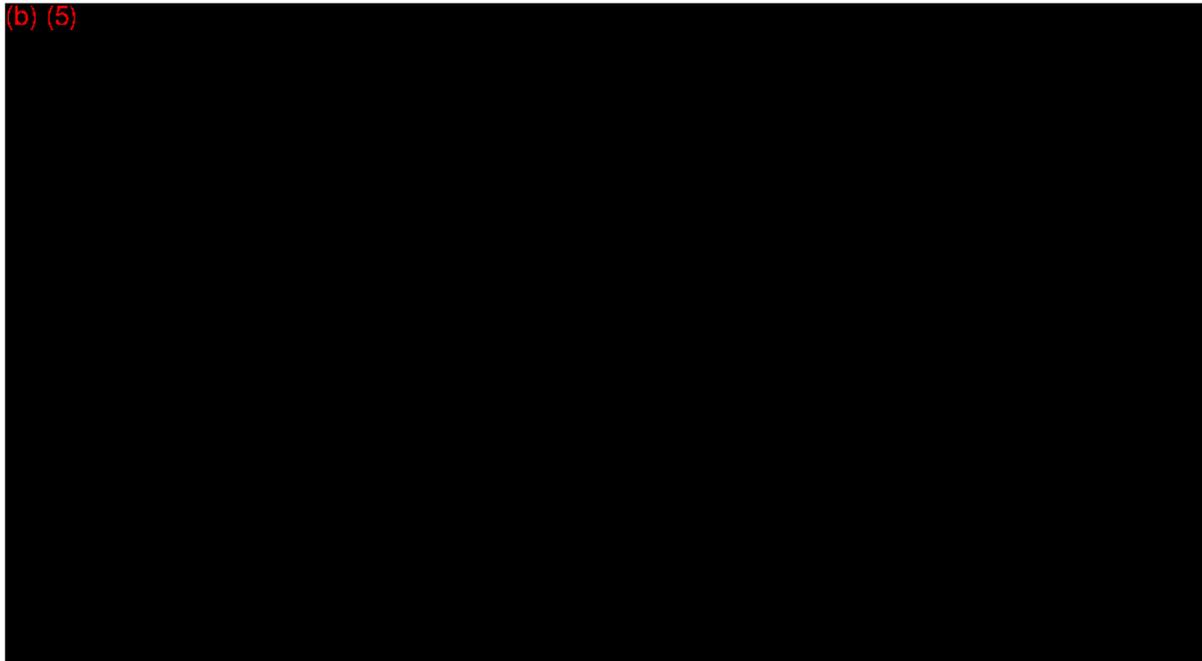
From: CEO2016 (b) (6)
Sent: Monday, August 31, 2020 8:05 PM
To: Frank Wuco
Cc: Jonathan Bronitsky; Toni DeLancey; Emily Pauline Newman; Diane Cullo
Subject: Re: Messaging: J-1 / VOA (draft)

We also need a j1 statement

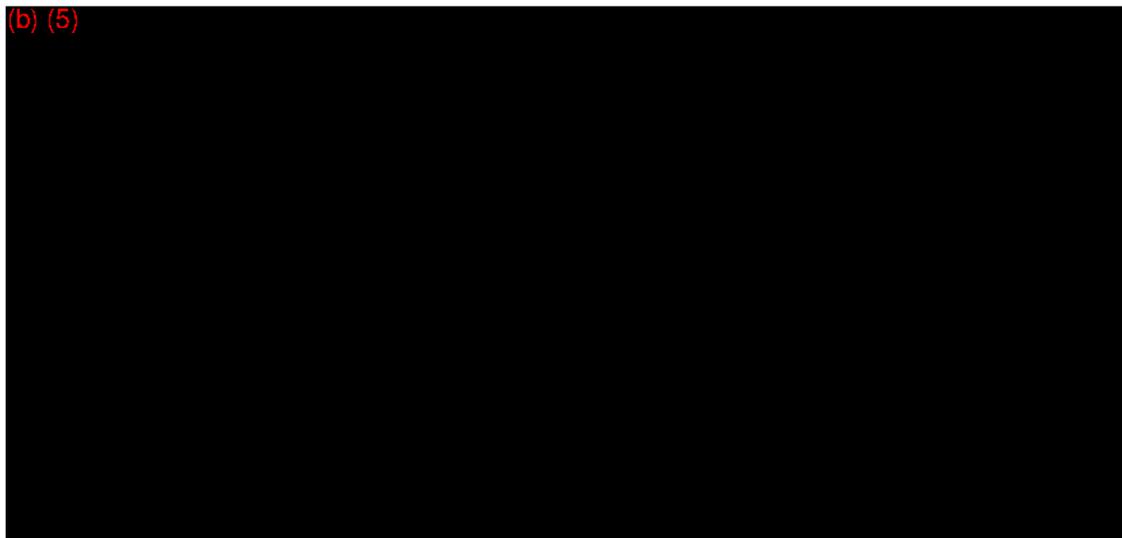
Sent from my iPhone

On Aug 31, 2020, at 5:01 PM, Frank Wuco (b) (6) wrote:

(b) (5)



(b) (5)



From: Jonathan Bronitsky (b) (6)
Sent: Monday, August 31, 2020 3:52 PM
To: CEO2016 (b) (6); Frank Wuco (b) (6); Toni DeLancey (b) (6); Emily Pauline Newman (b) (6); Diane Cullo (b) (6)
Subject: RE: Messaging: J-1 / VOA (draft)
Importance: High

PRE-DECISIONAL AND DELIBERATIVE PROCESS

Awaiting comment and clearance.

(b) (5)

From: Jonathan Bronitsky
Sent: Monday, August 31, 2020 3:14 PM
To: CEO2016 (b) (6)
Cc: Frank Wuco (b) (6); Toni DeLancey (b) (6);
Emily Pauline Newman (b) (6); Diane Cullo (b) (6)
Subject: RE: Messaging: J-1 / VOA (draft)

PRE-DECISIONAL AND DELIBERATIVE PROCESS

(b) (5)

From: CEO2016 (b) (6)
Sent: Monday, August 31, 2020 2:46 PM
To: Jonathan Bronitsky (b) (6)
Cc: CEO2016 (b) (6); Frank Wuco (b) (6); Toni
DeLancey (b) (6); Emily Pauline Newman (b) (6);
Diane Cullo (b) (6)
Subject: Re: Messaging: J-1 / VOA (draft)

Basically right. Let me see what others say. Did you want to correct specific errors in the VOA one.
Michael Pack
Chief Executive Officer
U.S. Agency for Global Media

(b) (6)

On Aug 31, 2020, at 2:24 PM, Jonathan Bronitsky (b) (6) wrote:

PRE-DECISIONAL AND DELIBERATIVE PROCESS

J-1:

(b) (5)

(b) (5)



(b) (5)



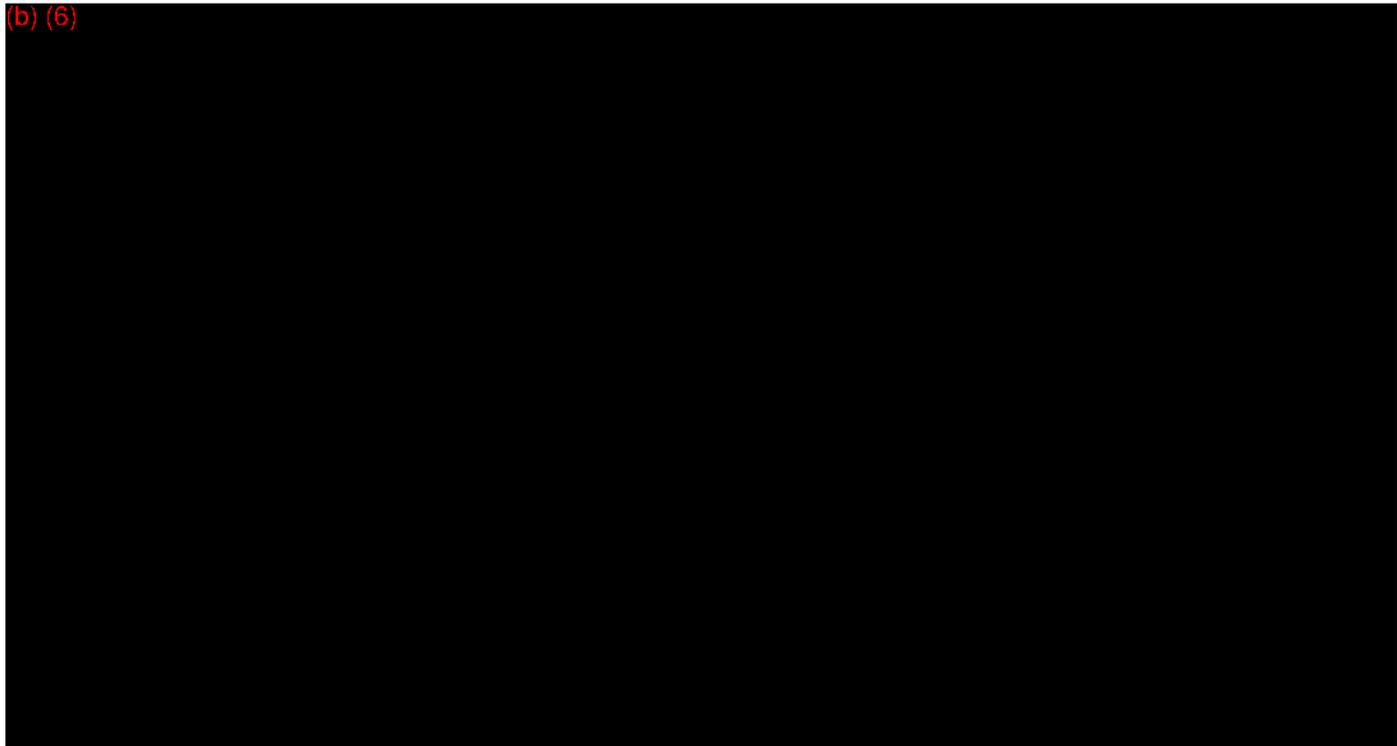
From: [Frank Wuco](#)
To: [Emily Pauline Newman](#); [Moryared Namdarkhan](#)
Subject: Fwd: OPM List
Date: Tuesday, September 15, 2020 9:14:56 PM
Attachments: [1527 Final 9.15.2020.xlsx](#)
[image003.png](#)

The list...

From: Chris Luer (b) (6)
Sent: Tuesday, September 15, 2020 9:06:38 PM
To: Frank Wuco (b) (6)
Subject: OPM List

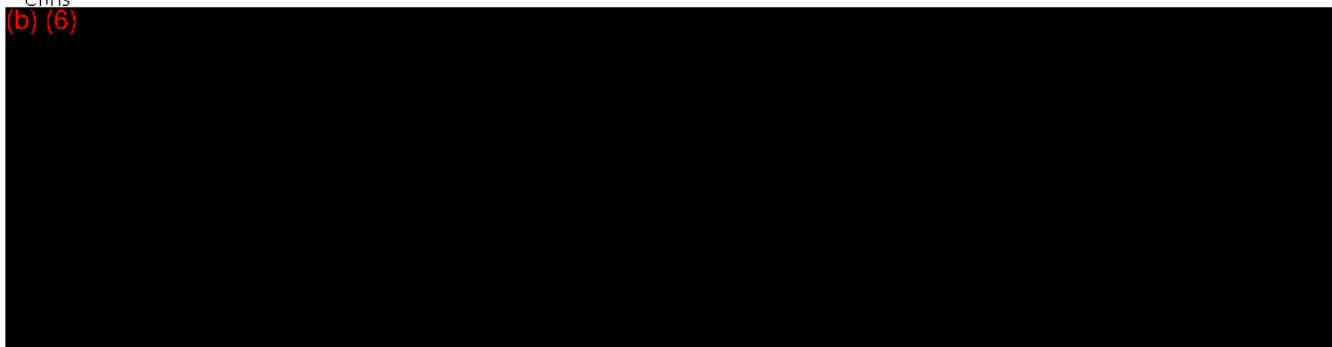
Frank,

(b) (6)



Thanks,

Chris
(b) (6)



(b) (5)



Thank you,

(b) (6)

Suitability Oversight
Office of Personnel Management
Suitability Executive Agent Programs

(b) (6)



[\[1\]](#) ODNI will report its findings separately.

(b) (5)

Thank you,

(b) (6)

Suitability Oversight
Office of Personnel Management
Suitability Executive Agent Programs

(b) (6)

[\[1\]](#) ODNI will report its findings separately.

(b) (5)

Thank you,

(b) (6)

Suitability Oversight
Office of Personnel Management
Suitability Executive Agent Programs

(b) (6)

[\[1\]](#) ODNI will report its findings separately.

(b) (5)

Thank you,

(b) (6)

Suitability Oversight
Office of Personnel Management
Suitability Executive Agent Programs

(b) (6)

[\[1\]](#) ODNI will report its findings separately.

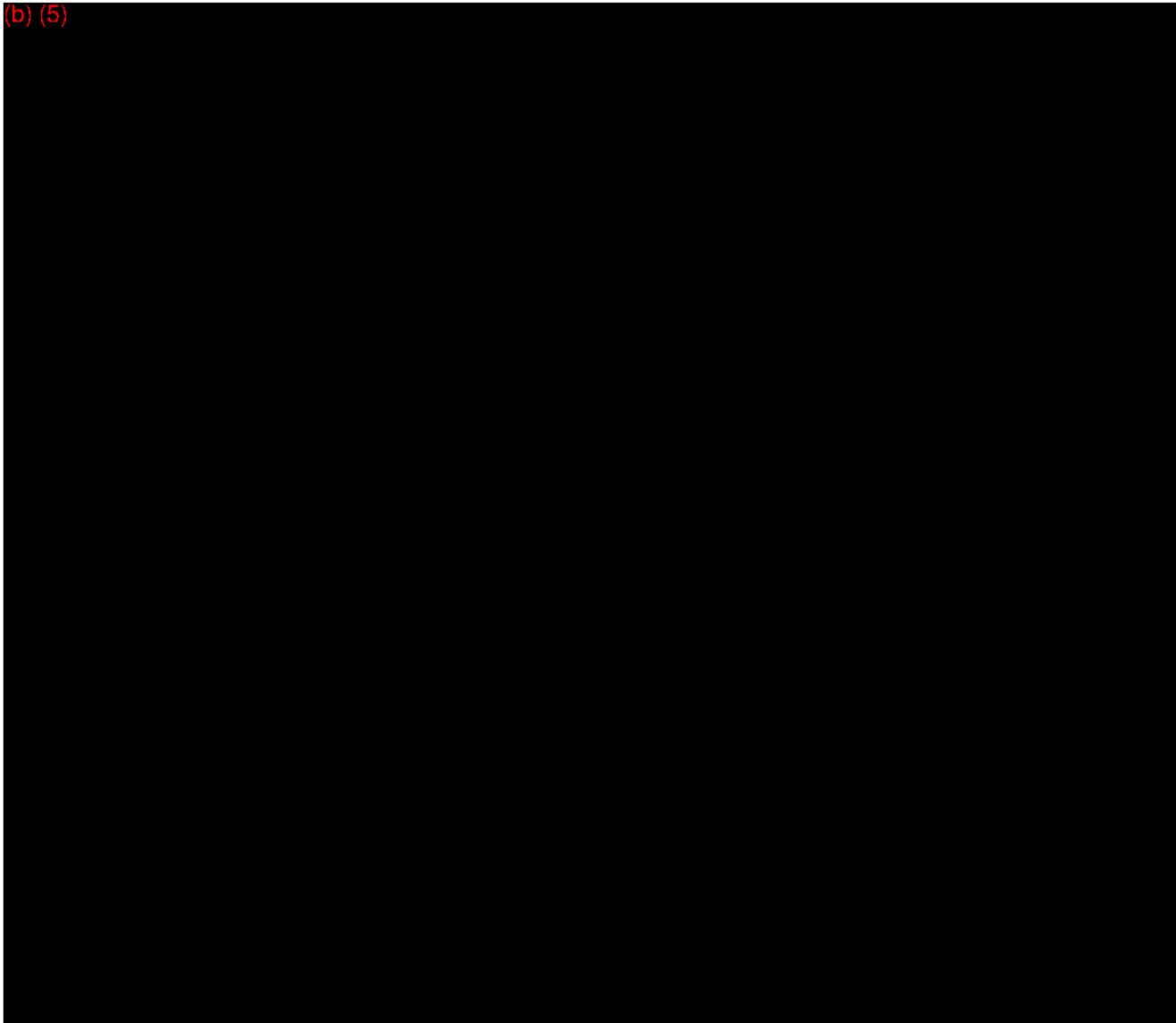
From: [Sam Dewey](#)
To: [Emily Pauline Newman](#); [Diane Cullo](#); [Morvared Namdarkhan](#)
Cc: [Frank Wuco](#)
Subject: Fwd: Request for Authorization to Pursue Extraordinary Contract Action
Date: Thursday, August 27, 2020 11:04:07 PM
Attachments: (b) (6) - Draft Departure Notice.docx
(b) (6) Offer Letter (002).pdf

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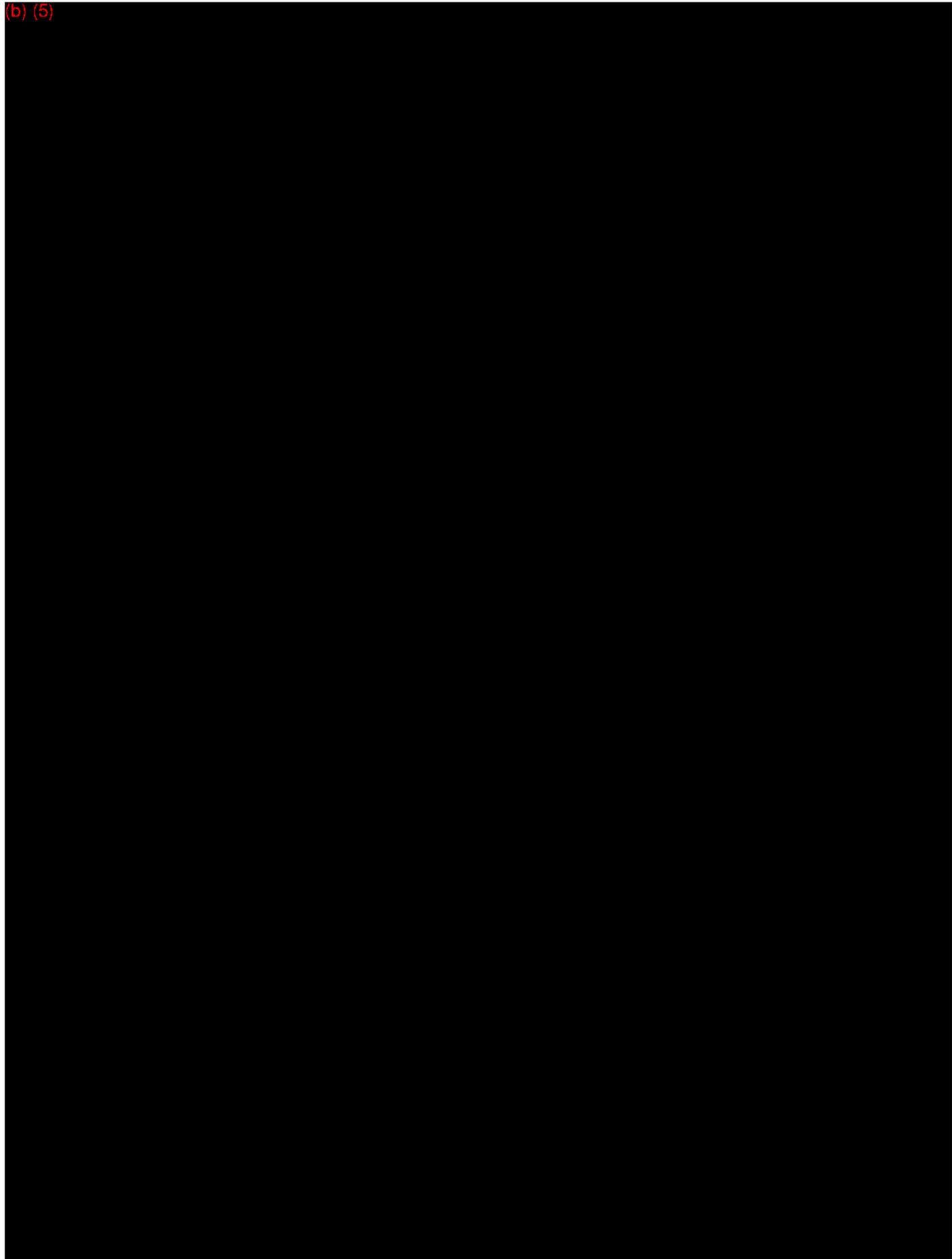
From: (b) (6)
Sent: Thursday, August 27, 2020 10:31:14 PM
To: Sam Dewey (b) (6); Frank Wuco (b) (6)
Subject: Request for Authorization to Pursue Extraordinary Contract Action

Good evening Sam and Frank,

(b) (5)



(b) (5)



From: [CEO2016](#)
To: [Morvared Namdarkhan](#); [Sam Dewey](#)
Cc: [Emily Pauline Newman](#)
Subject: Fwd: Security Issues at VOA/"Mandarin 5" matter
Date: Friday, September 4, 2020 4:16:47 PM
Attachments: [Submission to OIG and OSC 3-30-18.pdf](#)
[Letter to BBG re Security Issue.pdf](#)

Fyi

Michael Pack
Chief Executive Officer
U.S. Agency for Global Media

(b) (6)

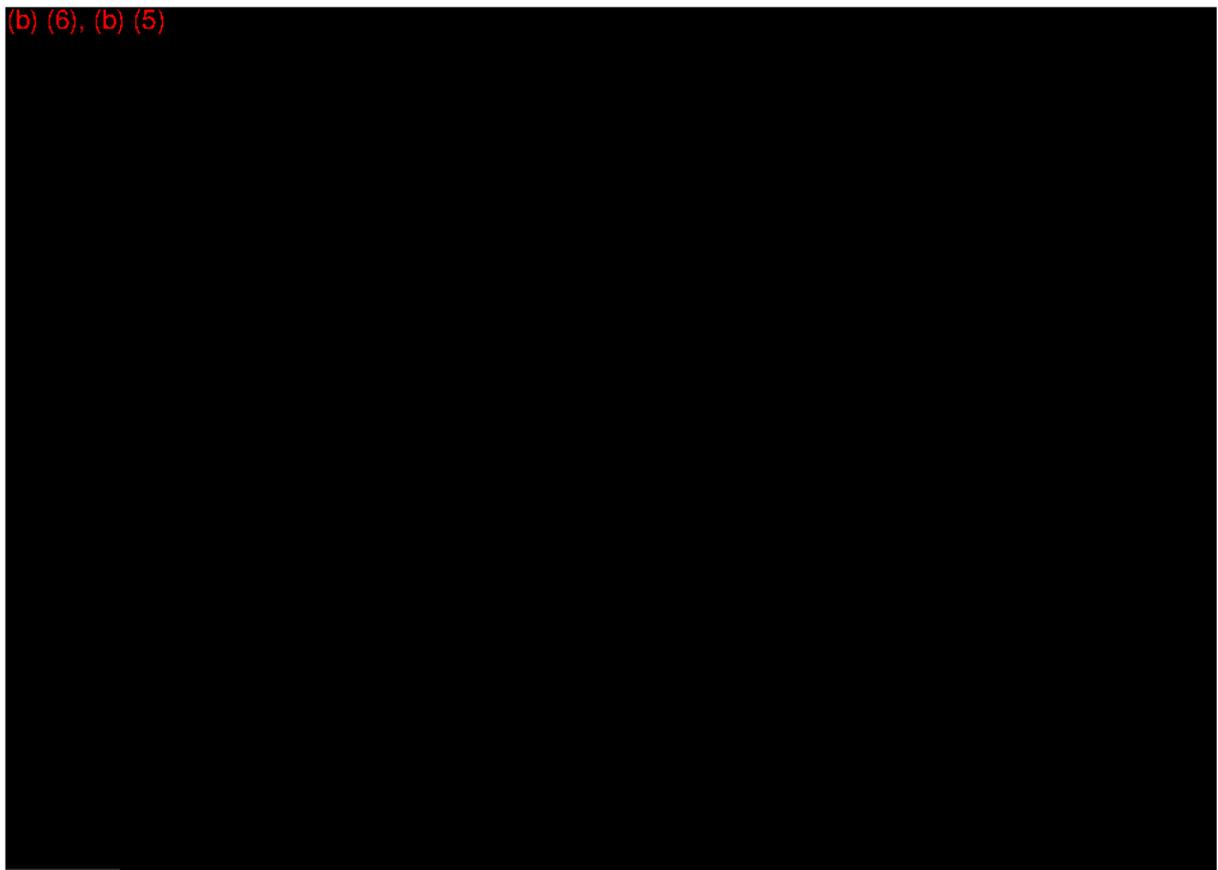


Begin forwarded message:

From: (b) (6)
Subject: Security Issues at VOA/"Mandarin 5" matter
Date: September 4, 2020 at 3:39:47 PM EDT
To: (b) (6)

Mr. Pack:

(b) (6), (b) (5)



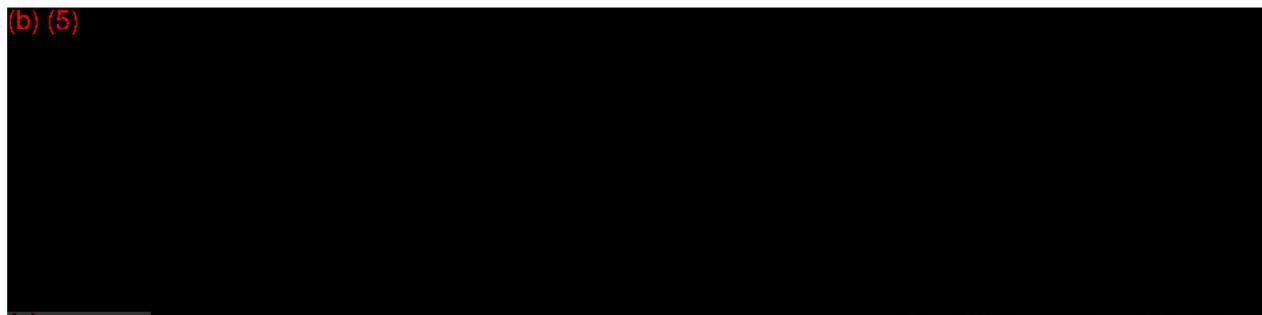
resolved, I will try and answer your questions.

(b) (6), (b) (5)



*GUIDANCE IF A VISA IS EXPIRED (from (b) (6)) [reproduced from attached email #1]

(b) (5)

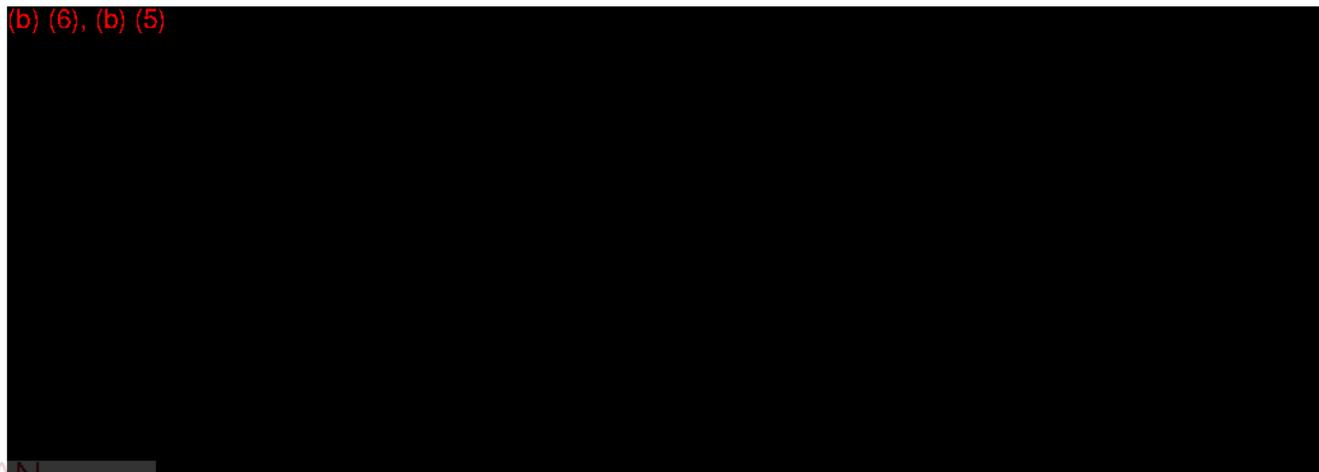


(b) (5)

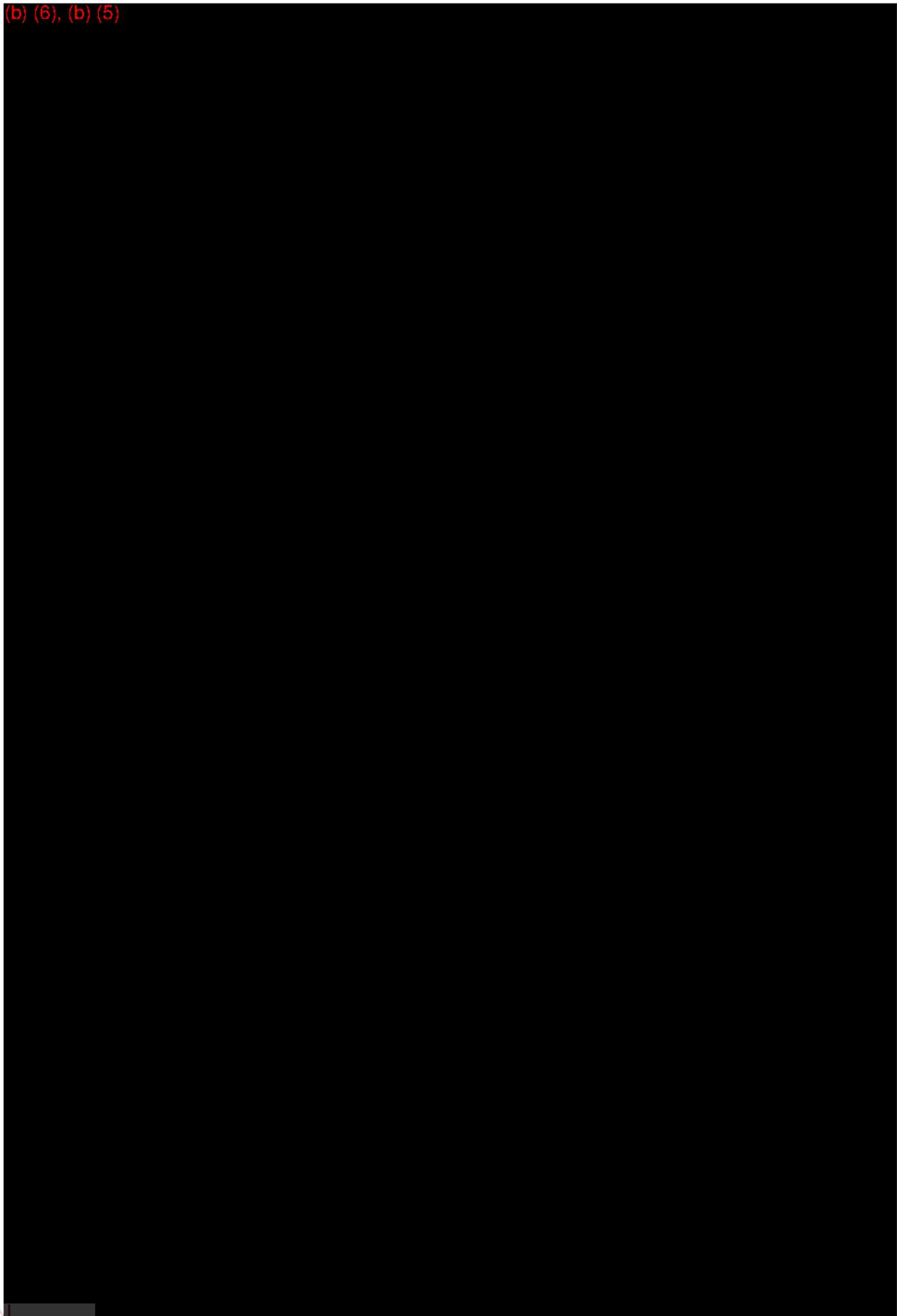


CONSOLIDATED FACTS (feel free to correct) (quoting from prior emails; not my words)

(b) (6), (b) (5)



(b) (6), (b) (5)



(b) (6), (b) (5)

From: David Kligerman
Sent: Thursday, July 9, 2020 6:47 PM
To: Elez Biberaj (b) (6)
Cc: Kelu Chao (b) (6); (b) (6) VOA Director's Office
(b) (6); Elez Biberaj (b) (6)
Subject: Re: Seeking Advice about FTE with Pending Permanent Resident Application & Pending J-1 Extension

This is one of three emails that I saw on visas.

I will try and consolidate everything that I have seen/received into one email and answer the questions.

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From: Elez Biberaj (b) (6)
Sent: Thursday, July 9, 2020 5:31 PM
To: David Kligerman
Cc: Kelu Chao (b) (6) VOA Director's Office; Elez Biberaj
Subject: FW: Seeking Advice about FTE with Pending Permanent Resident Application & Pending J-1 Extension

From: Kelu Chao (b) (6)
Sent: Thursday, July 9, 2020 4:28 PM
To: (b) (6)
Cc: Elez Biberaj (b) (6) VOA Director's Office (b) (6)
Subject: Re: Seeking Advice about FTE with Pending Permanent Resident Application & Pending J-1 Extension

+ David Kligerman.

Sent from my iPhone

On Jul 8, 2020, at 4:20 PM, (b) (6) wrote:

We also have the case of (b) (6) who is in China, (b) (6) has a J-1 and a PSC Offer, and is planning to fly to the US on July 12. (As a reminder, (b) (6) was a stringer who we are bringing over because (b) (6) is in trouble with the Chinese Government.) We just need approval for (b) (6) to start before we have (b) (6) fly over.

This issue has been escalated to the front Office—both Marie and Matt are involved. I'm hoping for a quick approval.

I just wanted to quickly fill you in.

Thanks,

(b) (6)

From: Kelu Chao (b) (6)
Sent: Wednesday, July 8, 2020 4:15 PM
To: Elez Biberaj (b) (6)
Cc: VOA Director's Office (b) (6)
Subject: Fwd: Seeking Advice about FTE with Pending Permanent Resident Application & Pending J-1 Extension

Just FYI. We will have more and more issues with J1, visa and green card sponsorship.

Sent from my iPhone

Begin forwarded message:

From: (b) (6)
Date: July 8, 2020 at 4:02:26 PM EDT
To: (b) (6)
Cc: (b) (6)
Kelu Chao (b) (6)
Subject: RE: Seeking Advice about FTE with Pending Permanent Resident Application & Pending J-1 Extension

My understanding is that (b) (6) extension expires on July 29, 2020 and (b) (6) expires on August 6, 2020.

Both are currently in the CEO's office awaiting signature.

(b) (6)

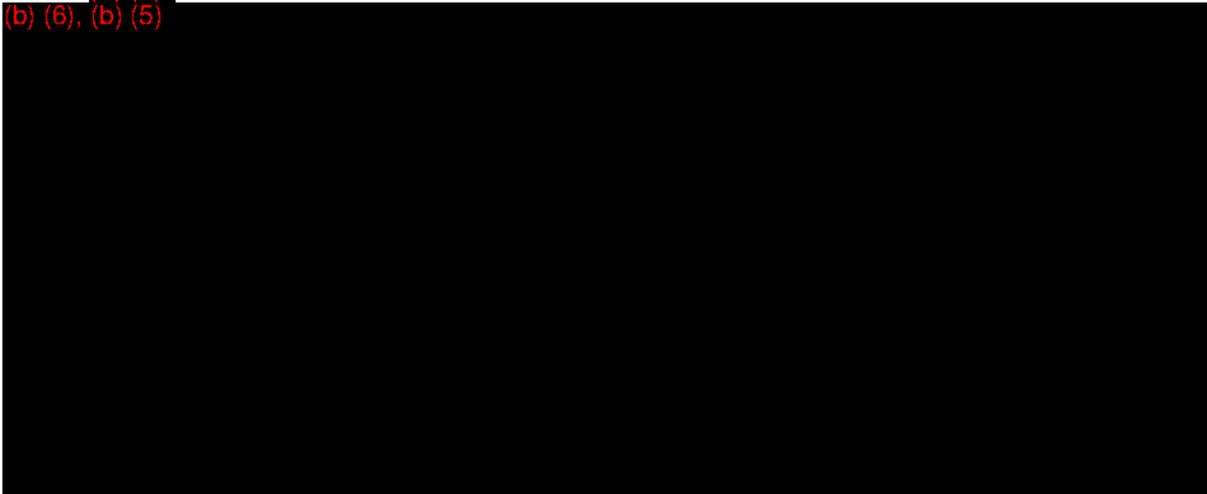
Office of Human Resources

*Voice of America
U.S. Agency for Global Media
330 Independence Avenue, SW, Washington, DC 20237
Office phone: (b) (6) ; Cell phone: (b) (6)*

This message may contain information that may be confidential and subject to the attorney-client privilege, work-product doctrine, or other applicable protection. If you have received this message in error, please advise the sender by reply e-mail and delete the message. If you are not the intended addressee, you should not use, copy, transfer, or disclose to anyone else this message, attached documents, or any information relating to this message.

From: (b) (6)
Sent: Wednesday, July 8, 2020 3:56 PM
To: (b) (6)
Cc: (b) (6)
(b) (6)
(b) (6)
(b) (6) Kelu Chao (b) (6)
Subject: Re: Seeking Advice about FTE with Pending Permanent Resident Application & Pending J-1 Extension

(b) (6)
(b) (6), (b) (5)



Thank you,

(b) (6)
East Asia and Pacific Division
P: (b) (6)
Sent from my iPhone

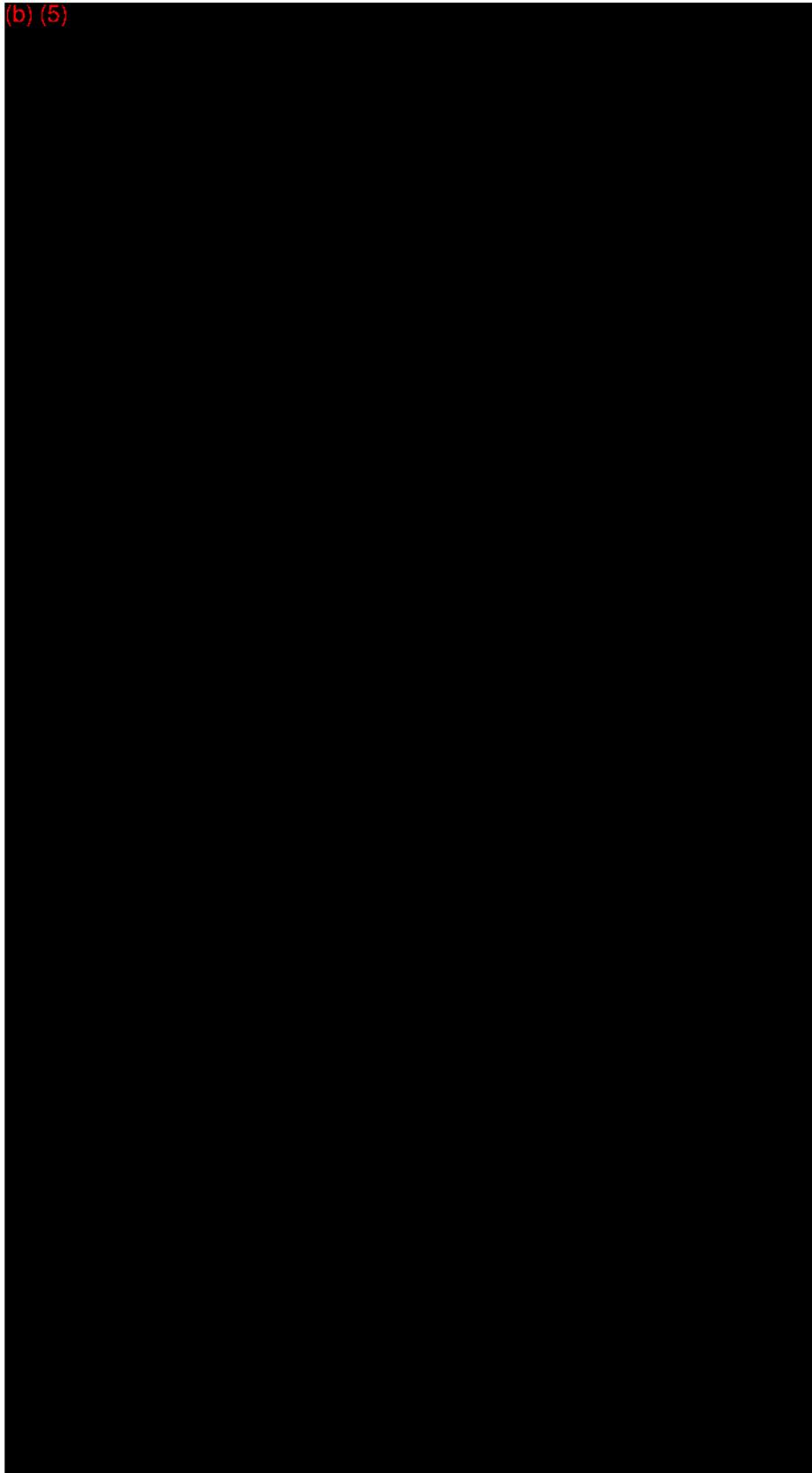
On Jul 8, 2020, at 15:32, (b) (6)

USAGM-21-0203-A-000107

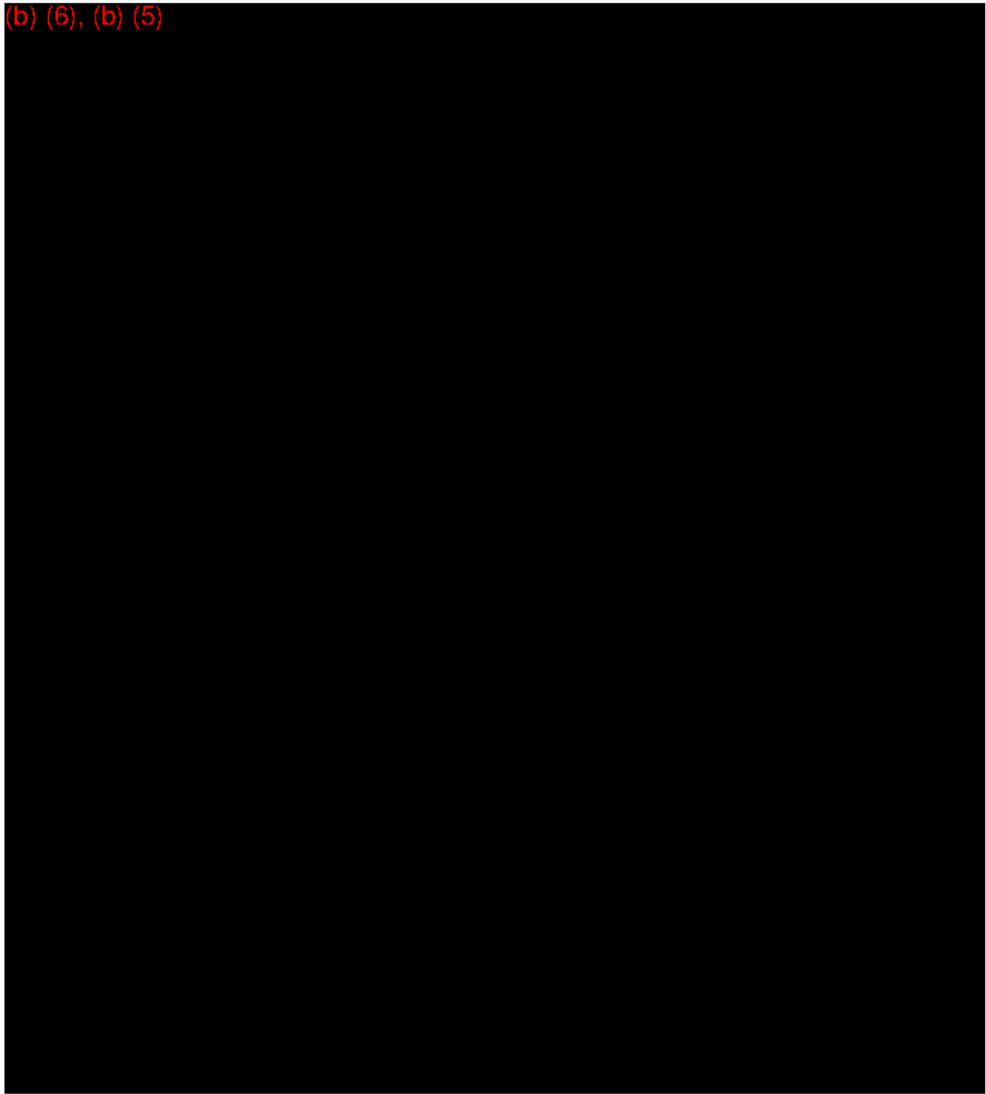
(b) (6) wrote:

HOW DOES THIS WORK?

(b) (5)



(b) (6), (b) (5)



(b) (6)

Operations Law

From: (b) (6)

Sent: Wednesday, July 8, 2020 2:37 PM

To: (b) (6)

Cc: (b) (6)

Subject: Seeking Advice about FTE with Pending Permanent Resident Application & Pending J-1 Extension

Dear (b) (6),

I'm wondering if we can get your advice on one of our FTE's immigration process. (b) (6) from the (b) (6)

From: [Diane Cullo](#)
To: [CEO2016](#)
Cc: [Emily Pauline Newman](#); [Morvared Namdarkhan](#); [Sam Dewey](#)
Subject: Fwd: Urgent Requested Termination of PSCs
Date: Tuesday, July 28, 2020 11:44:54 AM

Get [Outlook for iOS](#)

From: Andre Mendes (b) (6)
Sent: Tuesday, July 28, 2020 11:42:24 AM
To: Michael Pack (b) (6); Emily Pauline Newman (b) (6);
Morvared Namdarkhan (b) (6); Diane Cullo (b) (6)
Subject: FW: Urgent Requested Termination of PSCs

Michael et al;

See below. Looks like VOA is ready to execute on the summary firing of the 4 PSCs involved in the (b) (6) video incident.

Below, you will find a detailed timeline of the video publishing and description/translation of its contents.

They will not proceed without your approval but will be ready to act immediately upon you granting it.

Please let me know if you have any questions, I might answer on this subject.

Best regards,

André

From: Elez Biberaj (b) (6)
Sent: Tuesday, July 28, 2020 11:36 AM
To: Andre Mendes (b) (6)
Cc: Elez Biberaj (b) (6)
Subject: FW: Urgent Requested Termination of PSCs

Andre,
FYI.
Elez

From: (b) (6)
Sent: Tuesday, July 28, 2020 11:32 AM
To: (b) (6)

(b) (6)

Cc: Elez Biberaj (b) (6)

Kelu Chao

(b) (6)

Subject: RE: Urgent Requested Termination of PSCs

(b) (6)

I have started the notices for termination for all parties involved. CON has determined and decided based on the information submitted in the matter regarding the actions of the (b) (6) PSC's to issue the notices effective today. Unless the situation has changed I will have the notices ready for OGC review this afternoon.

If you have any questions please feel free to contact me.

Thank you

(b) (6)

From: (b) (6)

Sent: Tuesday, July 28, 2020 10:12 AM

To: (b) (6)

Cc: Elez Biberaj (b) (6)

Kelu Chao

(b) (6)

Subject: FW: Urgent Requested Termination of PSCs

Colleagues,

VOA requests to terminate immediately four PSCs for cause for posting on Facebook a story that resembles a campaign advertisement for Vice President Biden with no balance, thus violating VOA's journalism standards and Best Practices. If an initial suspension is required to comply with the contract, please advise.

The posting was produced and reviewed by four Urdu Service PSCs on July 22 by Digital Lead (b) (6)

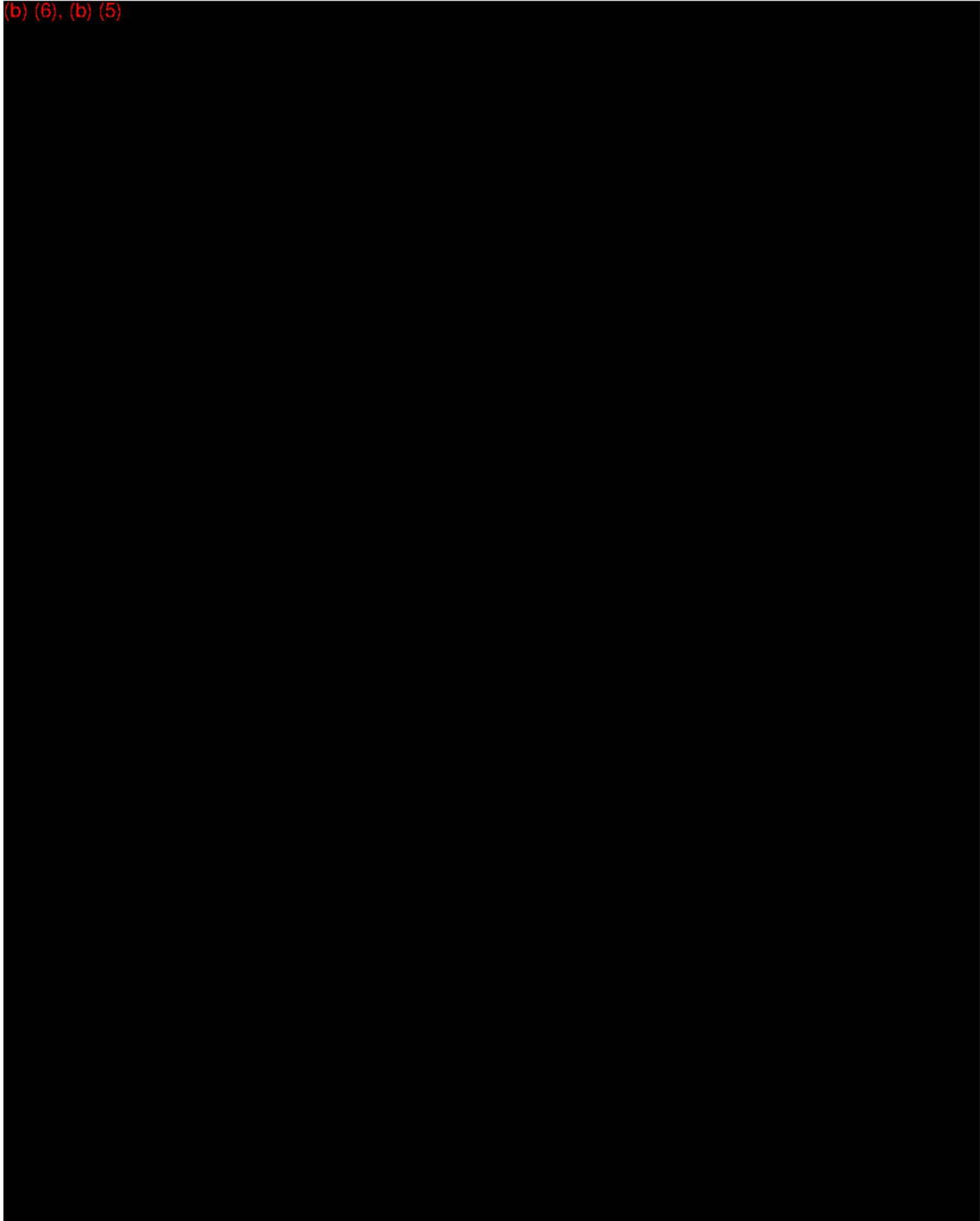
<https://www.facebook.com/voaurdu/videos/603326047281871>

VOA removed the original video posting.

Please note that (b) (6) is on a J-1 Visa that expires Nov. 18, 2020.

Below is a description of the events and our response this issue for internal use only and our response.

(b) (6), (b) (5)



The original text version of the story failed to meet VOA standards of balance.

Below is a description of each PSCs role and translations:

- Multimedia reporter/producer (b) (6) (PSC) saw the story on AP and informed the digital lead (b) (6) (PSC) who gave the go ahead to do a story for social.
- (b) (6) adapted the AP script and sent it for copy editing to writer/editor (b) (6) (PSC).
- (b) (6) had the final eyes on the package before publishing
- (b) (6) wrote the text story and it was copy edited by (b) (6) (PSC).
- The video also appeared on TW and IG, in addition to FB. All have since been taken down.
- The text story was published on FB and on the Urdu website. (Since the website is blocked in (b) (6) (b) (6) uses FB to distribute text content as well.) The story has been updated adding context/corrections (standard practice is to correct text on the web not remove it).

Translation of the subtitles on the video (italics are Joe Biden speaking in the video):

I will end the Muslim ban on Day One: Joe Biden

Presidential candidate Joe Biden's address to American Muslims

Hadith from the Prophet Muhammad instructs whomever among you sees a wrong, let him change it with his hand. If he is not able, then with his tongue, if he is not able, then with his heart.

Joe Biden delivered the address in an online event

The event was organized to mobilize Muslims to vote

We all have the same fundamental beliefs

I thank you for your resolve to play your role in November

Your voice is your vote, your vote is your voice

Muslim Americans' voices matter.

I will be a president that seeks out and incorporates and listens to the ideas and concerns of Muslim Americans on everyday issues that matter most to our communities. I will include Muslims in my administration.

The Trump administration has banned people from several Muslim countries to come to the United States.

This Muslim organization is formally supporting Joe Biden.

(Women) Muslim members of Congress have also joined the organization in this support

Translation of the original text story seen on FB and website:

I will include Muslims in my administration: Joe Biden promises

Democratic presidential candidate Joe Biden has said if he becomes the President he will incorporate and listens to the ideas and concerns of Muslim Americans on everyday issues that matter most to the communities. "I will include Muslims in my administration."

He made these remarks he made while addressing an online event, titled Million Muslim Votes. The event was organized by an organization of American Muslims called Emgage Action.

It is worth mentioning that many elected American Muslims have announced their support for Joe Biden in the next presidential election in a letter to the organization. Among them are Minnesota Congressman Alhan Omar, Minnesota Attorney General Keith Ellison, and Indiana Member congressman Andre Carson.

"After Becoming President, I will try to address the suggestions and concerns of American Muslims in these everyday matters, listen to and act on what is important to our communities," Biden said. "If I have the honor of being your president, I will end the Muslim ban on day one."

Joe Biden was referring to the ban that the Trump administration imposed on citizens of certain Muslim countries coming to the United States.

"We all have the same basic beliefs. And I want to thank you for playing a key role in November elections this year. You are doing things that have never been done before. You are registering one million Muslims to vote in November. This is important. Your voice is your vote. Your vote is your voice. American Muslims' voice matters. I'm not asking for your vote because Donald Trump is not qualified for the presidency. I want to work with you in your partnership. I wish you are involved in decision making when we rebuild the nation," Senator Biden said.

The Muslim member of the U.S. Congress, Alhan Omar, was supporting Bernie Sanders earlier. But after his presidential campaign ended in April, she has been supporting Biden. The former vice president wants to mobilize Muslim voters in the presidential election. The number of Muslim voters in many key states can play a decisive role. In the upcoming presidential election, Muslim voters can play an important role in several States. In 2016, President Trump won Michigan by less than 11,000 votes. The State has 150,000 Muslim voters.

President Trump's administration has not only banned Muslim nationals from coming to the United States, but also withheld the nuclear deal with Iran. These decisions have been criticized by American Muslim leaders.

The end!

(b) (6)

VOA

Senior Advisor to the Director

330 Independence Ave., SW

Washington, DC 20237

(b) (6)

NOTICE: This e-mail message contains confidential, privileged information intended solely for the addressee. Please do not forward this message without permission. To maintain attorney-client confidentiality, this message should be distributed only within the agency to employees having a need for this information.

Thank you for this.

It's concerning that some of the fundamental questions remain unanswered – including on what basis, and under what authority, the agency is sponsoring J1 visa holders for employment and permanent residence. While the attached “justification” document offers some helpful context, it does not answer questions 7 or 9. Additionally, a number of the other specific questions are only partially addressed and, much like the last round, the responses raise additional questions and concerns.

Diane and I will call you back shortly to discuss. No matter what, this basic information will be required.

Best,
Emily

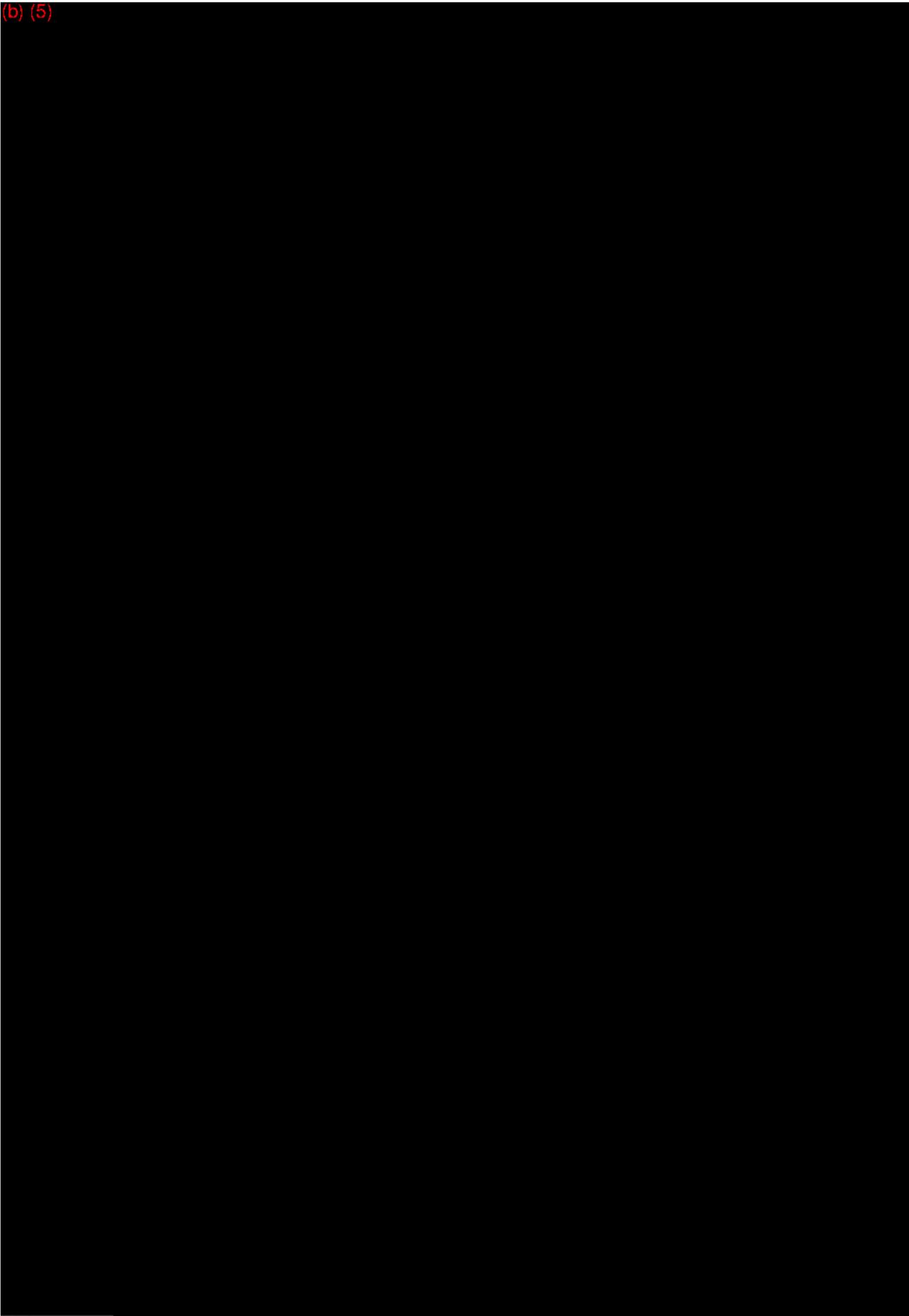
From: Marie Lennon (b) (6)
Sent: Tuesday, June 30, 2020 3:35 PM
To: Emily Pauline Newman (b) (6); Diane Cullo (b) (6)
Subject: RE: Two Info Items

Emily,

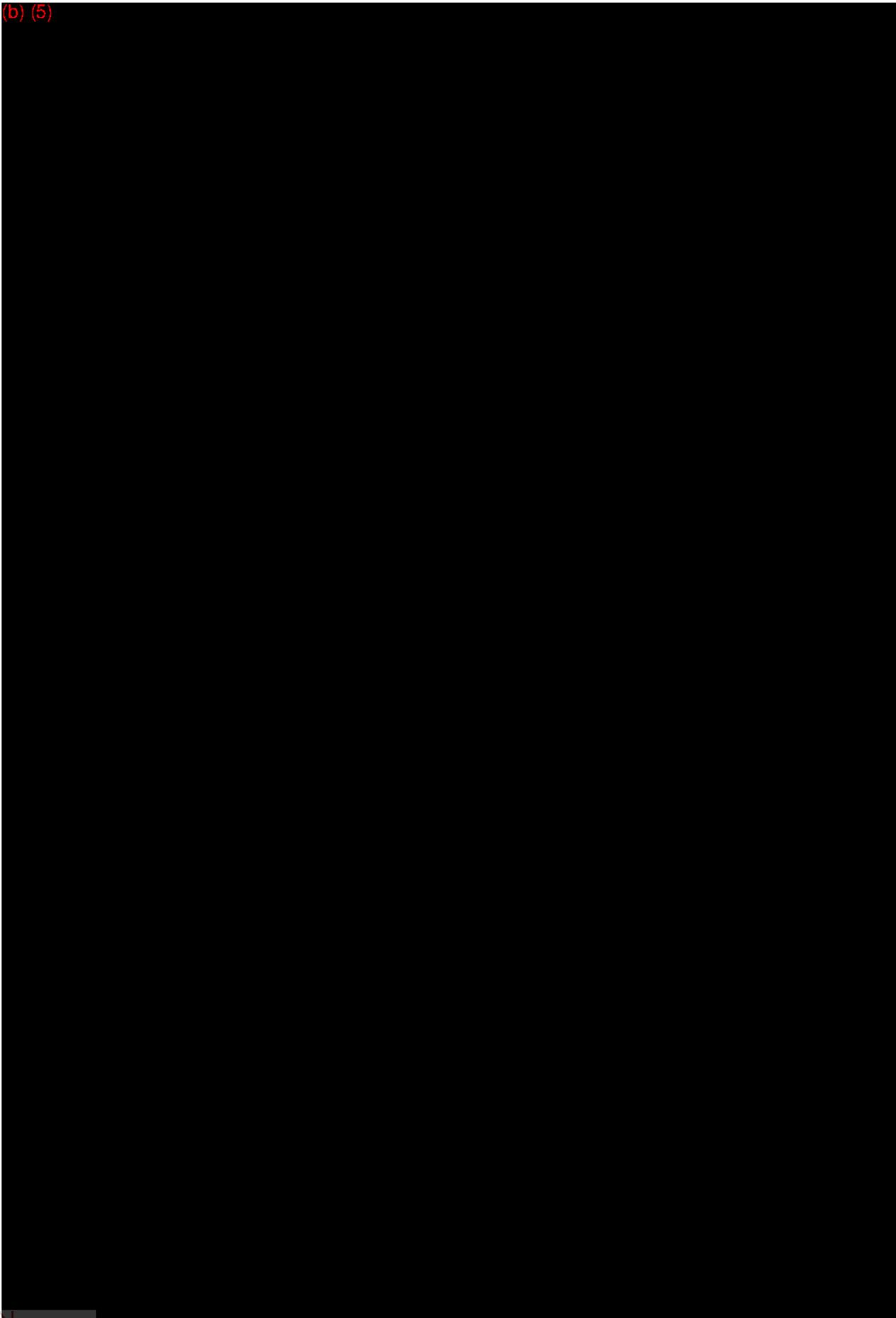
(b) (5)



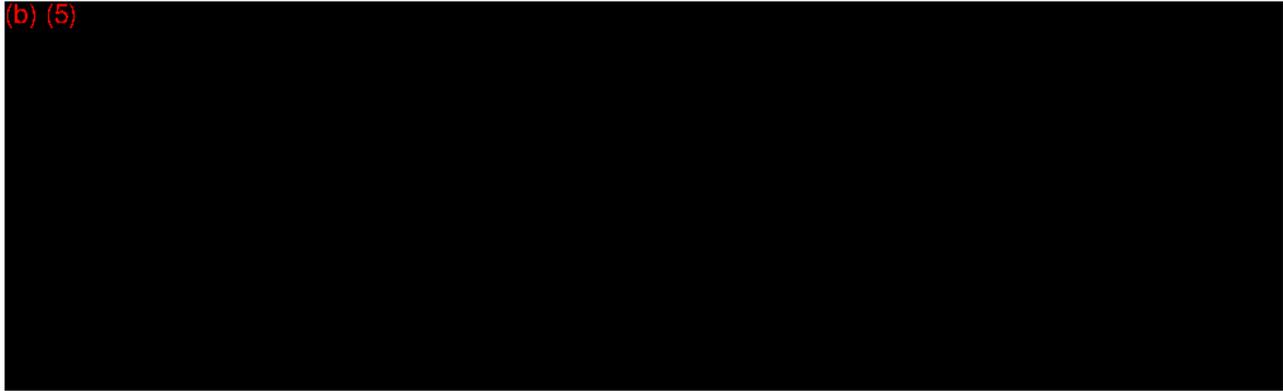
(b) (5)



(b) (5)



(b) (5)



From: Emily Pauline Newman (b) (6)

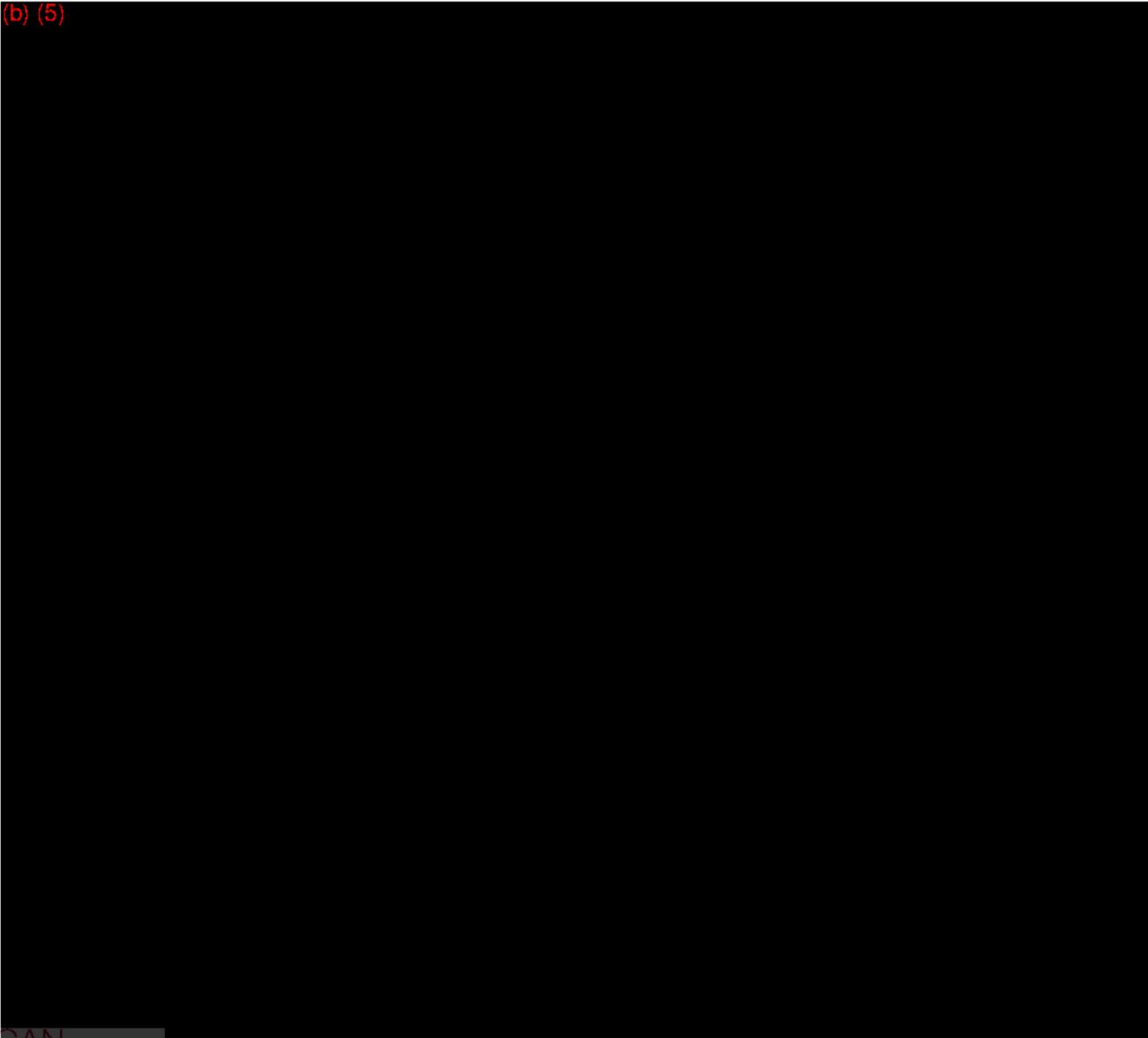
Sent: Sunday, June 28, 2020 7:50 PM

To: Marie Lennon (b) (6); Diane Cullo (b) (6)

Subject: RE: Two Info Items

Thank you, Marie!

(b) (5)



(b) (5)

Best,
Emily

Emily Newman
Chief of Staff
(b) (6)

From: Marie Lennon (b) (6)
Sent: Sunday, June 28, 2020 6:05 PM
To: Diane Cullo (b) (6); Emily Pauline Newman (b) (6)
Subject: Two Info Items

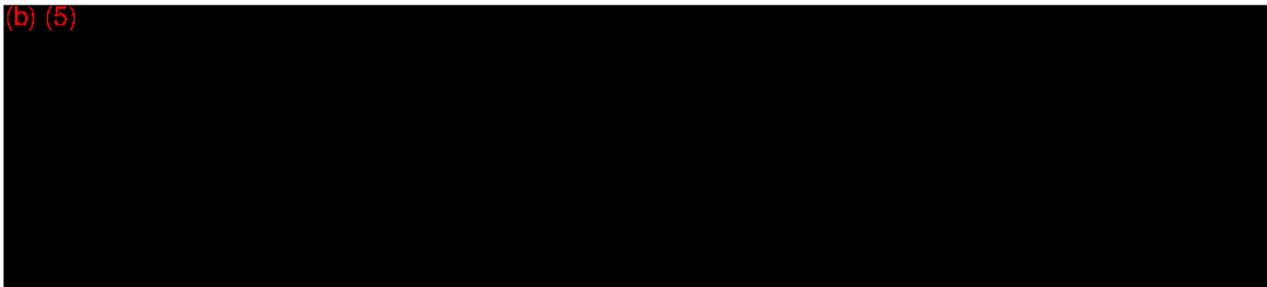
Diane & Emily,

(b) (5)

Many thanks,
Marie

Thank you for this.

(b) (5)



Diane and I will call you back shortly to discuss. No matter what, this basic information will be required.

Best,
Emily

From: Marie Lennon (b) (6)

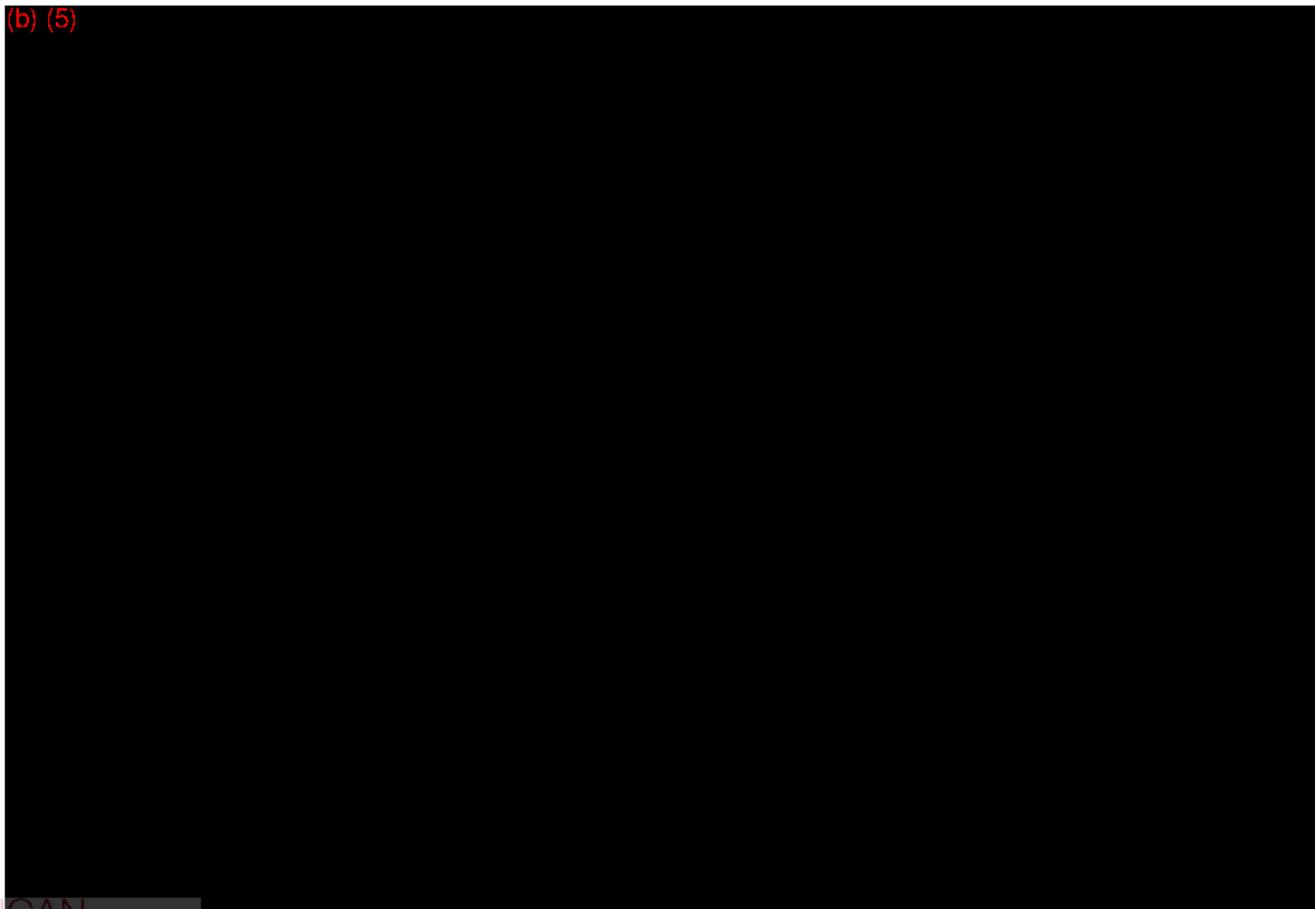
Sent: Tuesday, June 30, 2020 3:35 PM

To: Emily Pauline Newman (b) (6); Diane Cullo (b) (6)

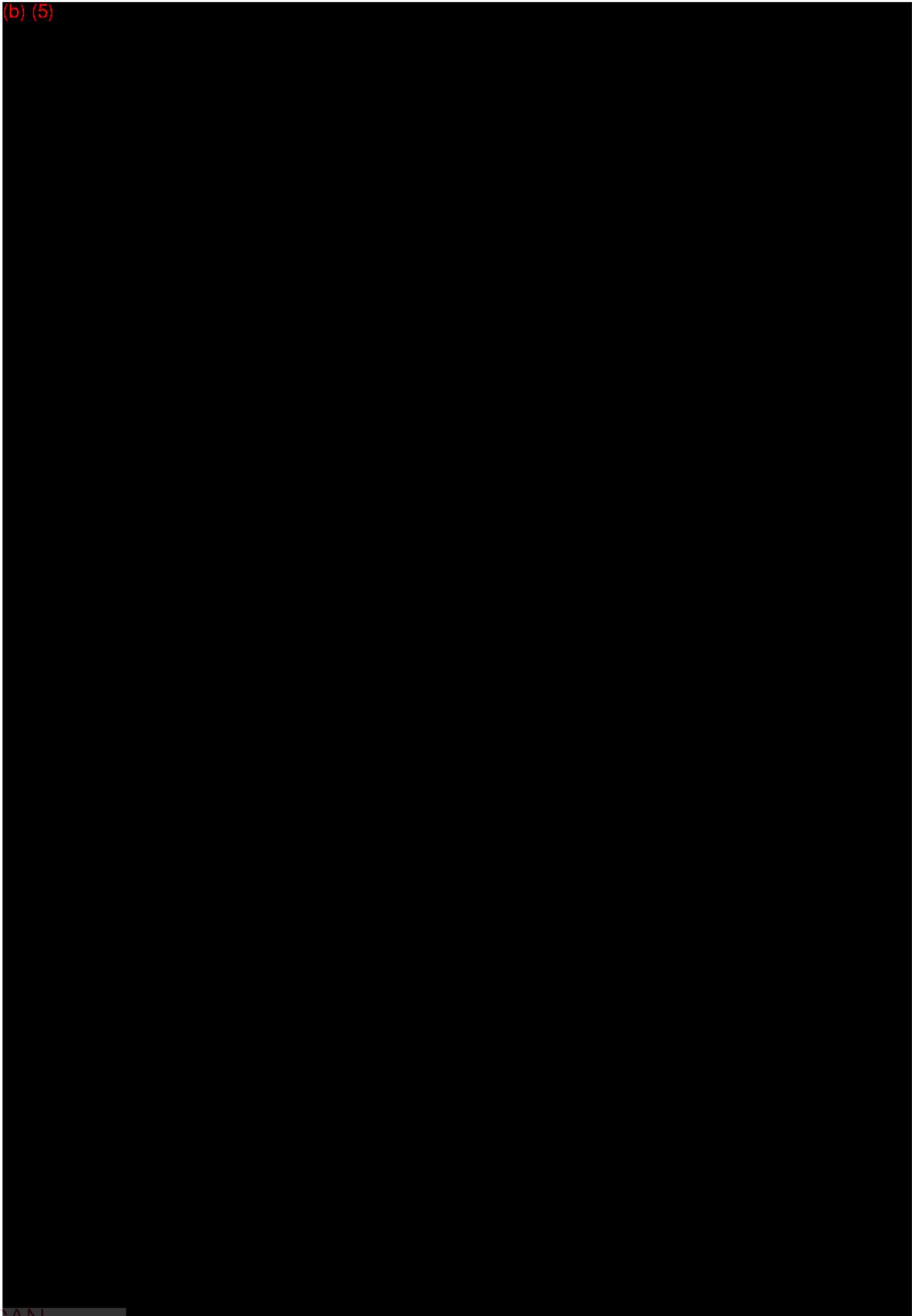
Subject: RE: Two Info Items

Emily,

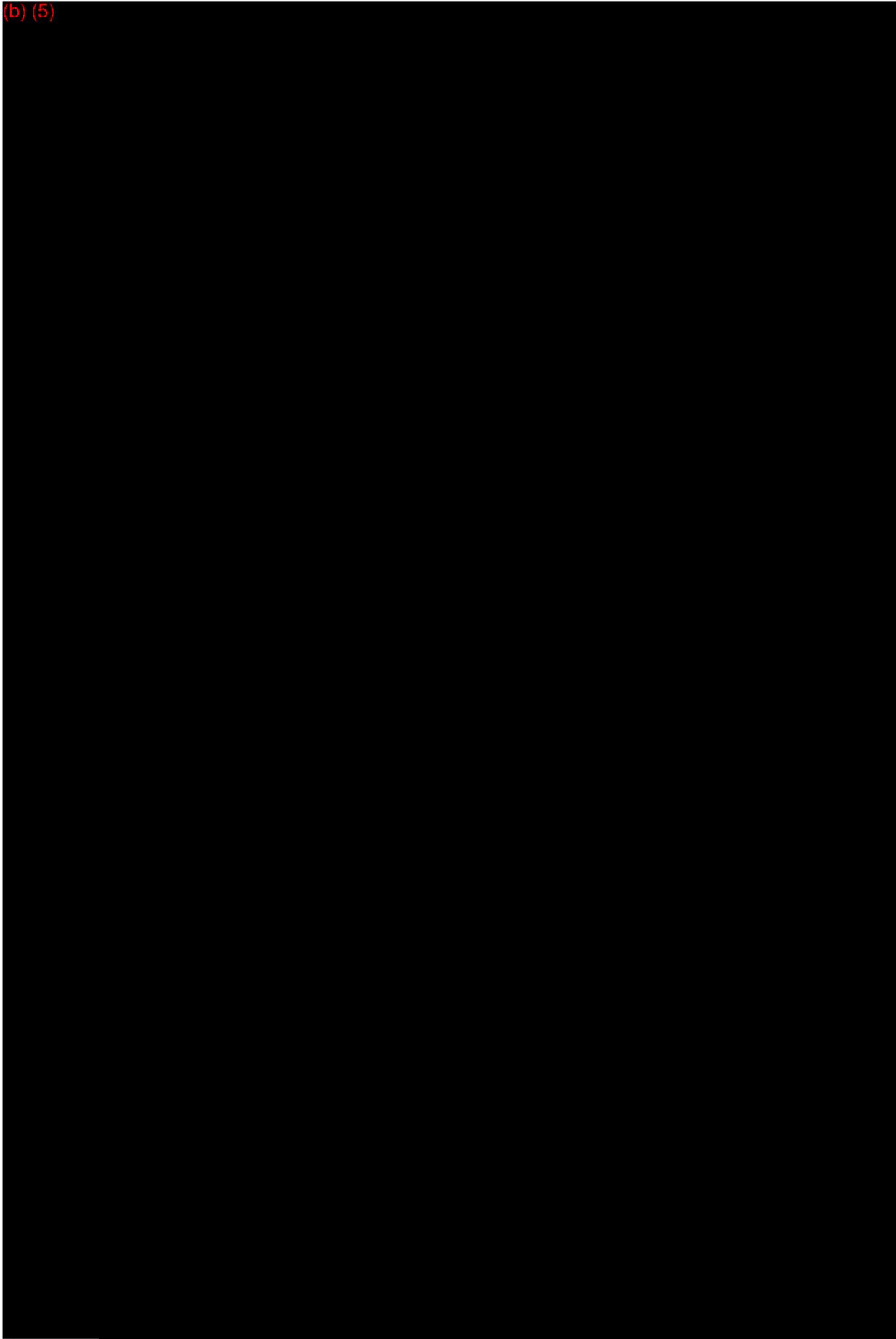
(b) (5)



(b) (5)



(b) (5)



(b) (5)



From: Emily Pauline Newman (b) (6)

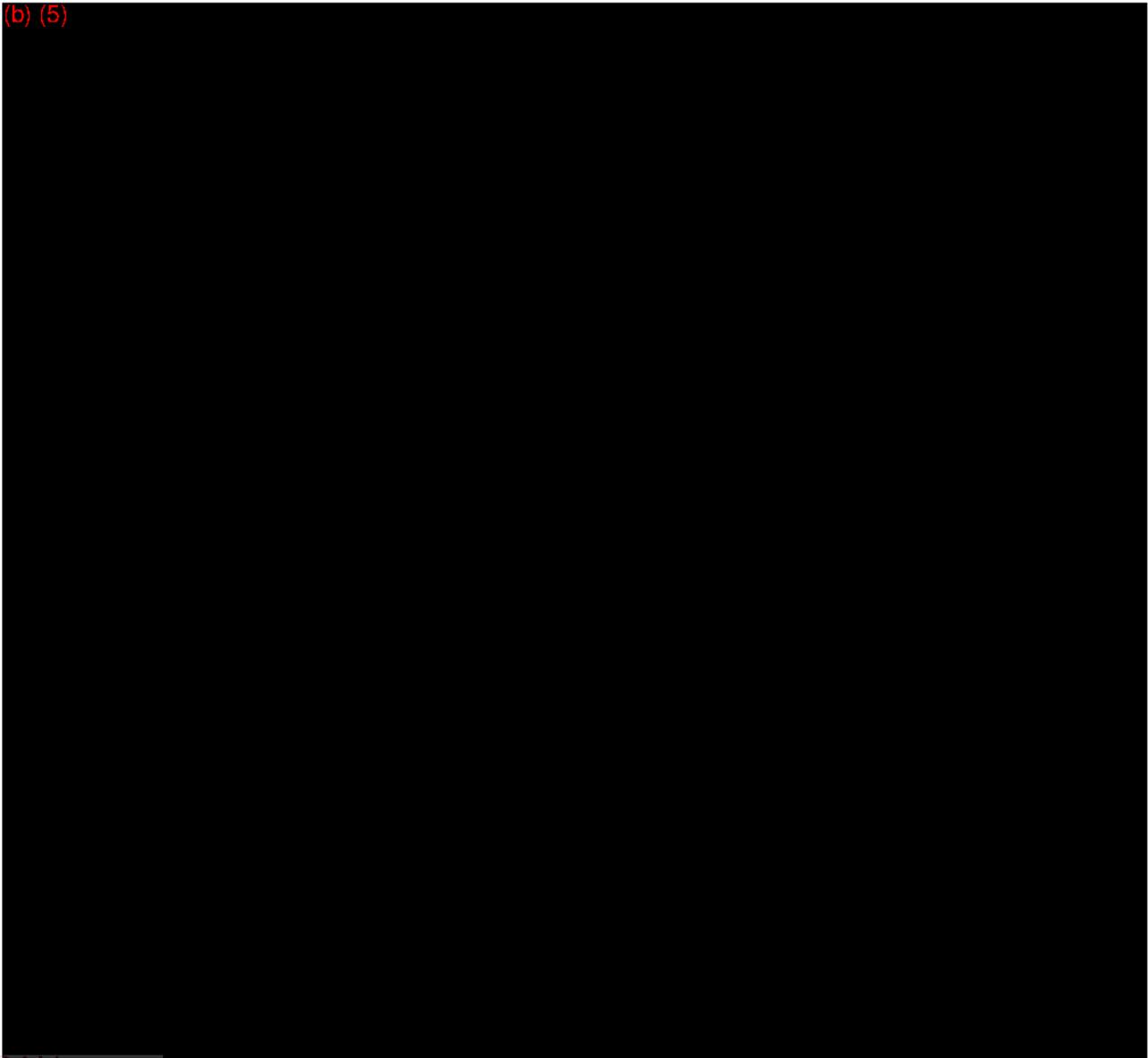
Sent: Sunday, June 28, 2020 7:50 PM

To: Marie Lennon (b) (6); Diane Cullo (b) (6)

Subject: RE: Two Info Items

Thank you, Marie!

(b) (5)



(b) (5)

Best,
Emily

Emily Newman
Chief of Staff
(b) (6)

From: Marie Lennon (b) (6)
Sent: Sunday, June 28, 2020 6:05 PM
To: Diane Cullo (b) (6); Emily Pauline Newman (b) (6)
Subject: Two Info Items

Diane & Emily,

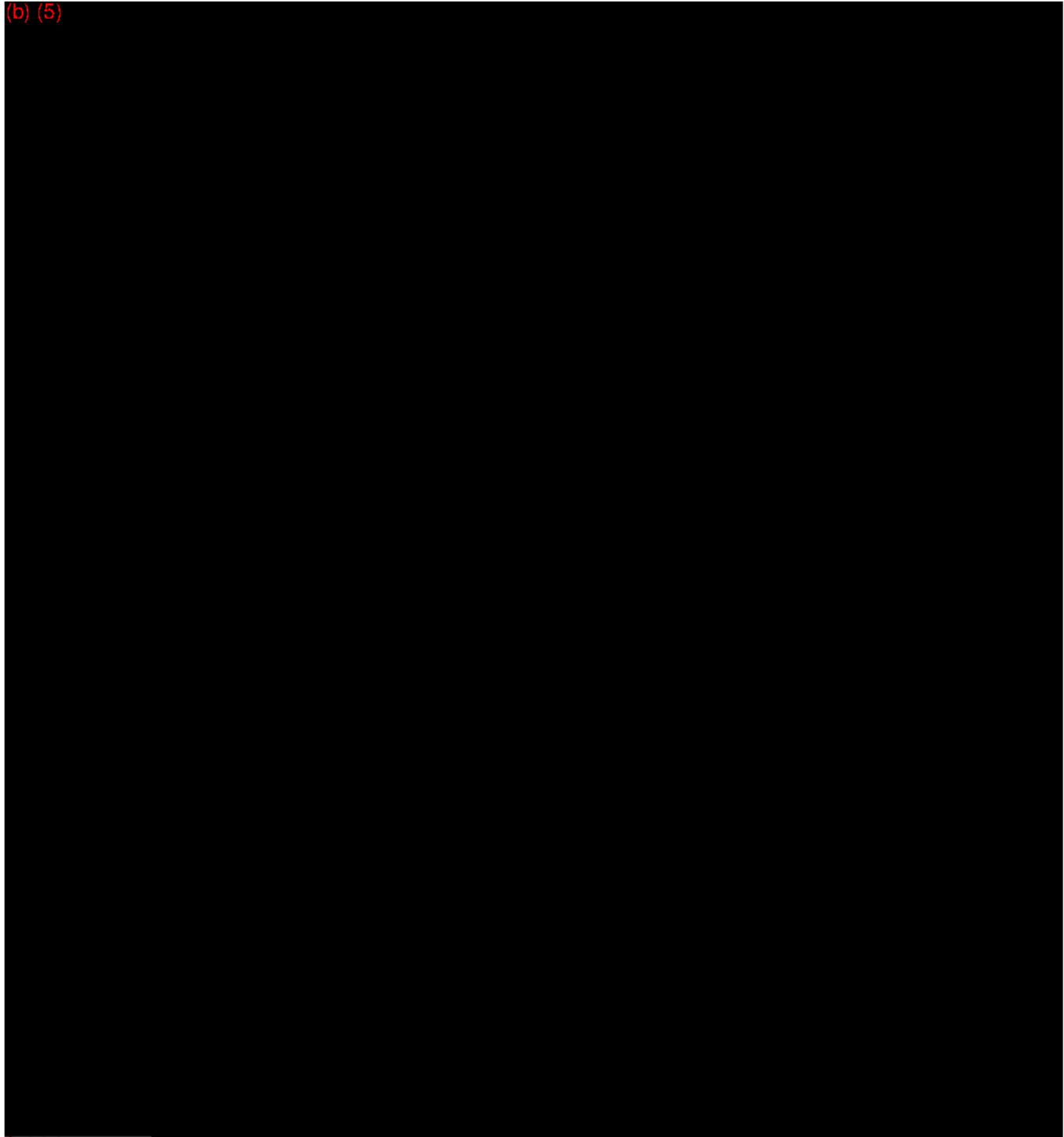
(b) (5)

Many thanks,
Marie

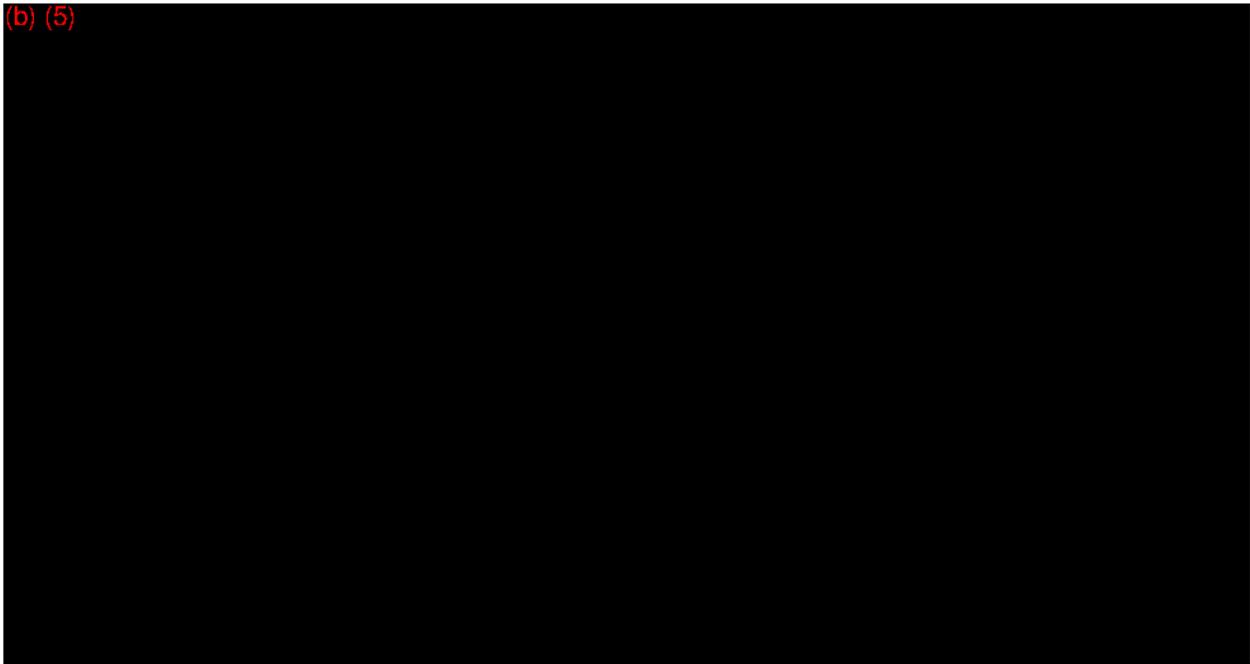
From: [Frank Wuco](#)
To: [Sam Dewey](#); [Emily Pauline Newman](#)
Subject: J1
Date: Saturday, October 17, 2020 1:57:18 PM

Privileged and Confidential
Attorney work product
Attorney client communication
Pre-decisional deliberative

(b) (5)

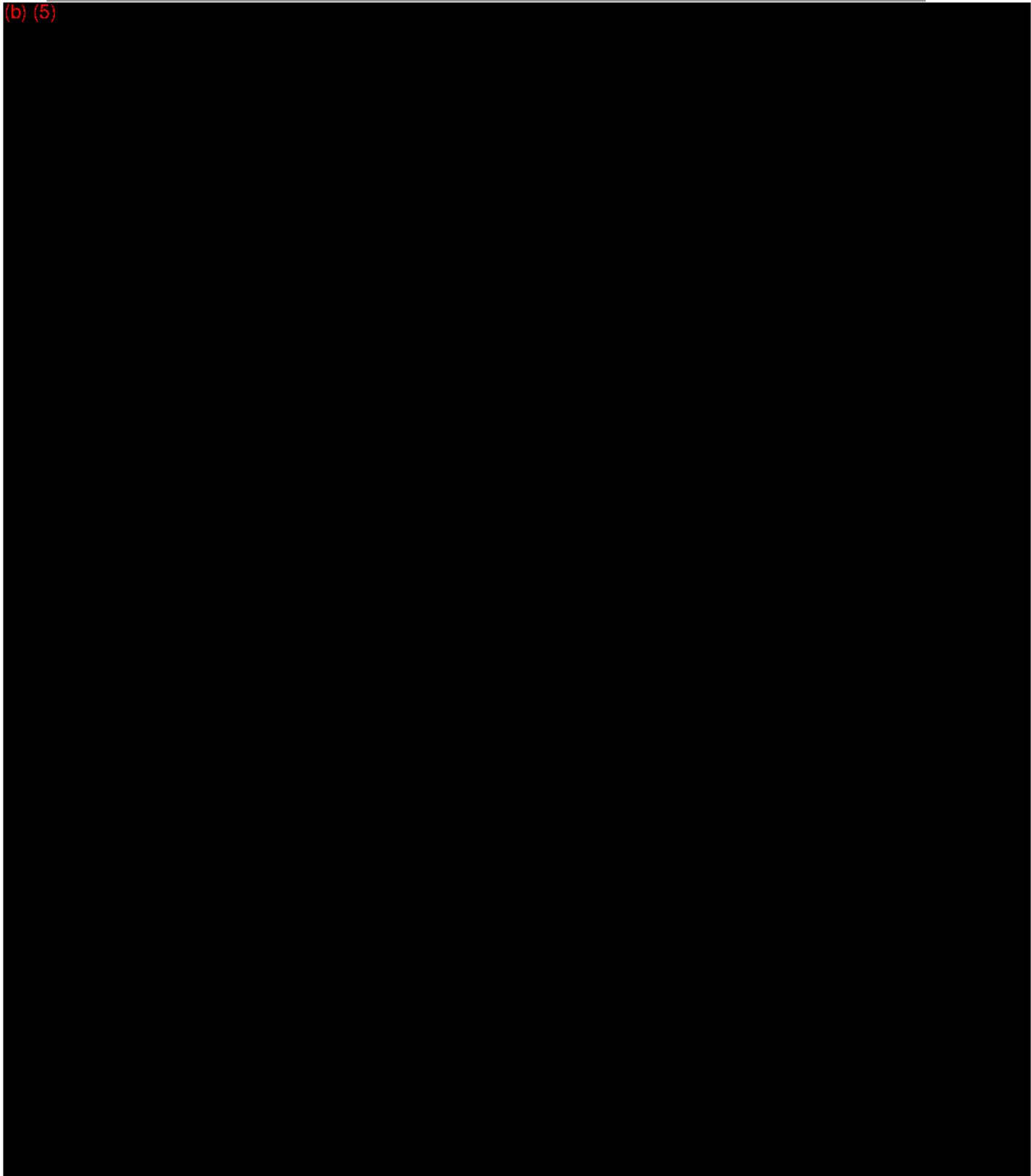


(b) (5)



From: [Marie Lennon](#)
To: [Diane Cullo](#); [Emily Pauline Newman](#)
Subject: July 24 - Daily Report
Date: Friday, July 24, 2020 8:41:47 PM
Attachments: [Critical Contract Requirements 7.24.2020 Past Due.xlsx](#)
[FW \(b\) \(6\) Status J1's.msg](#)

(b) (5)



(b) (6), (b) (5)

Thank you.

From: [Jonathan Bronitsky](#)
To: [CEO2016](#); [Morvared Namdarkhan](#); [Diane Cullo](#); [Emily Pauline Newman](#); [Frank Wuco](#); [Thad Strom](#); (b) (6)
[Sam Dewey](#); [Toni DeLancey](#)
Subject: Justice, Federalist: NPR Manipulates Federalist Interview
Date: Thursday, September 3, 2020 12:01:37 PM
Attachments: [image001.png](#)

the
FEDERALIST

NPR Manipulates Federalist Interview With VOA Executive On Behalf Of Government Employees Opposing Reform

SEPTEMBER 3, 2020 By [Tristan Justice](#)

National Public Radio (NPR) offered a platform to fellow government-funded employees at the Voice of America (VOA) Monday to amplify a letter condemning their CEO for reforms to safeguard the government agency in the interest of national security.

The article, [headlined](#) “Voice of America Journalists: New CEO Endangers Reporters, Harms U.S. Aims,” reported on a letter signed by several of VOA’s veteran journalists rebuking their new parent agency chief Michael Pack for comments during an interview with The Federalist, which National Propaganda Radio falsely characterized as a “pro-Trump outlet.”

“Voice of America journalists are compelled to express our profound disappointment with the actions and comments of the chief executive officer of the U.S. Agency for Global Media, which endanger the personal security of VOA reporters at home and abroad, as well as threatening to harm U.S. national security objectives,” several VOA staff wrote, going on to accuse Pack of executing a

“purge” of agency employees while threatening to ban face masks and unplug the air conditioning in its D.C. offices. The latter accusation was repeated by NPR, although both conceded it was merely a joke.

A clear and honest reading of the transcript between Pack and Federalist Senior Editor Chris Bedford reveals no such threats made by Pack, only sarcastic commentary from Bedford.

Here’s the transcript outlining the moment when Pack was discussing obstacles to implementing long-neglected security procedures to protect the agency. He brushed off Bedford’s unserious suggestion:

PACK: One of the challenges of taking over an agency at this moment in time is sorting all this out, especially during COVID. The headquarters building – the Cohen Building here in Washington, DC – is largely empty. We’re bringing people back as we move from Phase I...

BEDFORD: Have you considered banning masks and turning off the air conditioning? That’s my prescription for federal agencies.

PACK: [SEGUE] Yeah, well, we’ll have to look into that one. But you know it’s been hard to get to know the employees when they’re largely working from home.

Primarily at issue was Pack’s reasonable suggestion that foreign governments could deploy spies into newsrooms masquerading as journalists.

For years, Pack explained, VOA overlooked critical clearance processes, leaving the U.S. agency vulnerable to foreign interference as it broadcast American news around the world. Pack cited one instance in which an explicitly supportive ad for Democratic presidential nominee Joe Biden was translated into another language to encourage Muslims in Michigan to turn out for Democrats in November.

“I have a responsibility to make sure that the security of these agencies is maintained. The fact is that foreign intelligence agencies from the beginning – from the creation of these agencies – have been interested in penetrating them,” Pack

said, going on to offer as a cautious example one British journalist who worked as a double-agent for the Soviet Union. “To be a journalist is a great cover for a spy – famous journalists like Kim Philby who worked for the BBC... It’s just a great cover. And from the beginning of the Cold War, even earlier, they’ve been penetrated. It [the field of journalism] is a great place to put a foreign spy. I have to make sure that doesn’t happen – to stand up for the national security interests of Americans.”

Listen to Bedford’s full interview [here](#).

Tristan Justice is a staff writer at The Federalist focusing on the 2020 presidential campaigns. Follow him on Twitter at [@JusticeTristan](#) or contact him at Tristan@thefederalist.com.

From: [Jonathan Bronitsky](#)
To: [Emily Pauline Newman](#)
Date: Thursday, August 13, 2020 2:19:31 PM

From: Hsu, Spencer <Spencer.Hsu@washpost.com>

Sent: Thursday, August 13, 2020 10:14 AM

To: Toni DeLancey (b) (6); Jonathan Bronitsky (b) (6)

Subject: Washington Post deadline news query re removal of 7 USAGM executives per NY Post/Politico and 8/14 OTF response to 8/12 AGM letter demanding grantee information

Hello Toni and Jonathan,

On deadline this morning, would USAGM comment on

1) Reports that 7 USAGM executives were removed for alleged security concerns related to the agency's hiring of foreign workers, including CFO **Grant Turner**; general counsel **David Kligerman**, chief strategy officer **Shawn Powers**, deputy director for operations **Matt Walsh**, executive director **Oanh Tran** and director of management services **Marie Lennon**.

<https://www.politico.com/news/2020/08/12/trump-purge-us-agency-global-media-394403> [[nam01.safelinks.protection.outlook.com](#)]

<https://nypost.com/2020/08/12/voa-leaders-sidelined-over-pro-biden-video-and-foreign-hiring/> [[nam01.safelinks.protection.outlook.com](#)]

2) OTF's response to Mora Namdar's 8/10 letter requesting information.

Thank you.

best, Spencer

Spencer Hsu

The Washington Post

Mobile/Signal/WhatsApp: 202.557.9156

O: 202.334.7335

<https://www.washingtonpost.com/people/spencer-s-hsu/>
[[nam01.safelinks.protection.outlook.com](#)]

@hsu_spencer

=====

USAGM

Re personnel:

We took action to restore integrity to and respect for the rule of law in our work at USAGM. We will take additional steps to help return this agency to its glory days.

Re OIF/OTF:

OTF has a bad habit of lying not only to Congress, but also to the press. First, USAGM has given \$10.9 million this year to OTF, including \$1.6 million last month. Yet OTF continues to spread the falsehood that USAGM has withheld "\$20 million." Second, OTF has refused to cooperate with reasonable requests for security-related information, and it has repeatedly threatened USAGM personnel who are trying to do their jobs and serve the American people.

USAGM is fully committed to funding internet freedom projects, as it was doing even prior to the inception of OTF. USAGM's Office of Internet Freedom, which precedes OTF by several years, is fully capable of funding a variety of firewall circumvention technologies. It performed the same task but far more efficiently, saving millions of taxpayer dollars by avoiding unnecessary overhead expenses. OIF and USAGM intend to continue the work of advancing human rights and freedom of expression for those living in closed regimes, and that is despite OTF leadership's attempts to line its own pockets with U.S. taxpayer dollars while insisting upon no oversight.

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From: Daniel Lippman <dlippman@politico.com>

Sent: Thursday, August 13, 2020 12:06 PM

To: Public Affairs (b) (6); Jonathan Bronitsky (b) (6)

Subject: Time-sensitive request for comment

Hi,

Do you have a comment? My deadline is 2 pm EST today. My cell is (b) (6)

Thanks!

I plan to report that USAGM has hired Frank Wuco, a controversial former conspiracy-theory spreading talk radio host who once called President Barack Obama a Kenyan and said Nancy Pelosi was a Botox-using Nazi, three USAGM officials told me.

I plan to report that Wuco recently started as an adviser in the front office of USAGM. One of his responsibilities so far has been to audit USAGM's office of policy and research.

I plan to report that Wuco's hire has raised eyebrows among USAGM employees, who are surprised that an agency devoted to promoting fact-based news to audiences around the world would hire someone who has spread conspiracy theories with no basis in reality.

USAGM-21-0203-A-000135

I plan to report that USAGM's front office also has hired Toni DeLancey, who was previously the chief operating officer of socially conservative group Concerned Women of America, as a senior adviser. This is Delancey's second stint in the administration. From September 2017 to April 2019, she was deputy director of congressional and public affairs at the Farm Credit Administration. Earlier in her career, she worked for the U.S. Postal Service for seven years, Fox News for a year, and is a graduate of West Point.

I plan to report that a few months ago, USAGM's front office, at the direction of chief of staff Emily Newman, asked a new political appointee to try to find dirt on Kligerman, but he didn't feel comfortable doing that and soon left for another part of the Trump administration, according to three people familiar with the matter.

The front office then put in former State Department official Mora Namdar as acting vice president for legal affairs, risk and compliance, she did what the first appointee wasn't willing to do, according to two of the people.

I plan to report that Grant Turner, who was ousted as CFO on Wednesday, is exploring all legal options related to his firing, according to a USAGM employee.

I also plan to report that three current and former officials of USAGM or BBG raised questions about why USAGM COO André Mendes wasn't among the officials removed on Wednesday given that he served in senior leadership roles at a time when there were questions raised later about the proper vetting of foreign nationals who were hired during those years to be journalists for USAGM's broadcast networks.

"More than any of the folks fired on Wednesday, COO André Mendes who was interim CEO in 2015 and interim COO in 2014 should have been fired," one former BBG official said. "Security was one of his key portfolios -- and he was at the agency long before several of the people terminated."

I plan to report that earlier this week, the USAGM front office also asked the Middle East Broadcasting Networks, Radio Free Asia and Radio Free Europe to return internet freedom funding back to USAGM. MBN provided a paper check of \$500,000, and RFA provided a check worth \$2.9 million, money that was supposed to go to the Open Technology Fund, according to the employee.

I plan to report that USAGM wants to give out the money for other internet freedom projects, and USAGM officials have been in touch in recent months with Ultrasurf.

For the last several years, USAGM has refused to provide money to Ultrasurf because they haven't allowed their software to be subjected to a thorough audit of the code, and USAGM and OTF prefer to fund open source technologies, in part to prevent the insertion of back doors into the code.

====

USAGM

Re Front Office:

CEO Pack has chosen an elite leadership team comprised of subject-matter experts as well as former members of the U.S. Armed Forces who are committed to fulfilling USAGM's mission, protecting U.S. national security, and serving the American people.

Re Mr. Kligerman:

Members of CEO Pack's senior leadership team have never even met the people who are lodging attacks against them. This team has been directed to protect U.S. national security, and it is dedicated to addressing over a decade of severe and systemic security catastrophes that it inherited from the agency's prior failed leadership. There is a lot of disinformation and misinformation being propagated by certain individuals who desire U.S. taxpayer dollars but want no oversight on how those funds are spent.

Re OTF:

USAGM is fully committed to funding internet freedom projects, as it was doing even prior to the inception of OTF. USAGM's Office of Internet Freedom, which precedes OTF by several years, is fully capable of funding a variety of firewall circumvention technologies. It performed the same task but far more efficiently, saving millions of taxpayer dollars by avoiding unnecessary overhead expenses. OIF and USAGM intend to continue the work of advancing human rights and freedom of expression for those living in closed regimes, and that is despite OTF leadership's attempts to line its own pockets with U.S. taxpayer dollars while insisting upon no oversight.

PRE-DECISIONAL AND DELIBERATIVE PROCESS

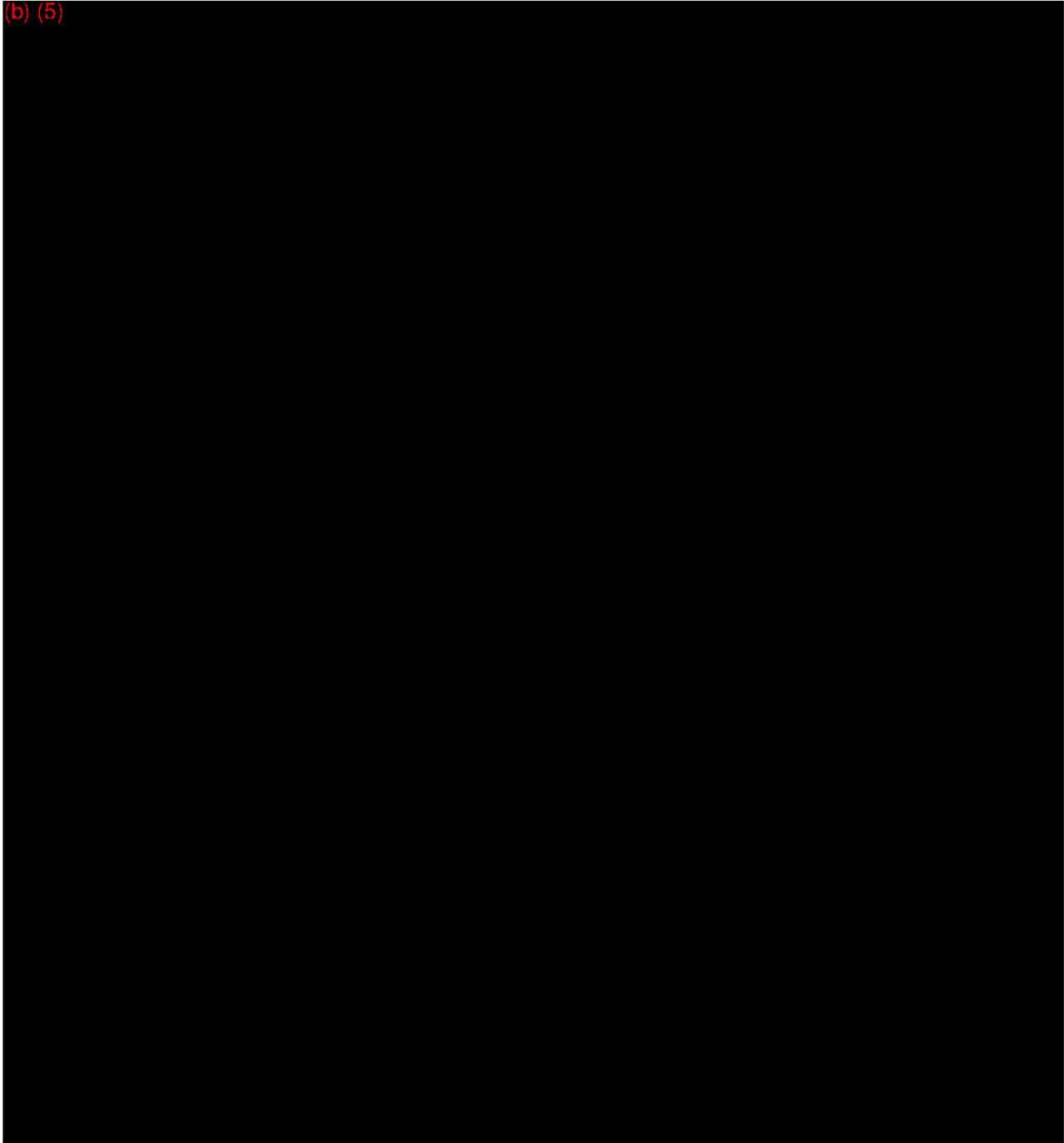
(b) (5)



From: [Jonathan Bronitsky](#)
To: [CEO2016](#); [Frank Wuco](#); [Toni DeLancey](#); [Emily Pauline Newman](#); [Diane Cullo](#)
Subject: Messaging: J-1 / VOA (draft)
Date: Monday, August 31, 2020 2:24:15 PM

PRE-DECISIONAL AND DELIBERATIVE PROCESS

(b) (5)



From: [Jonathan Bronitsky](#)
To: [CEO2016](#); [Frank Wuco](#); [Toni DeLancey](#); [Emily Pauline Newman](#); [Diane Cullo](#)
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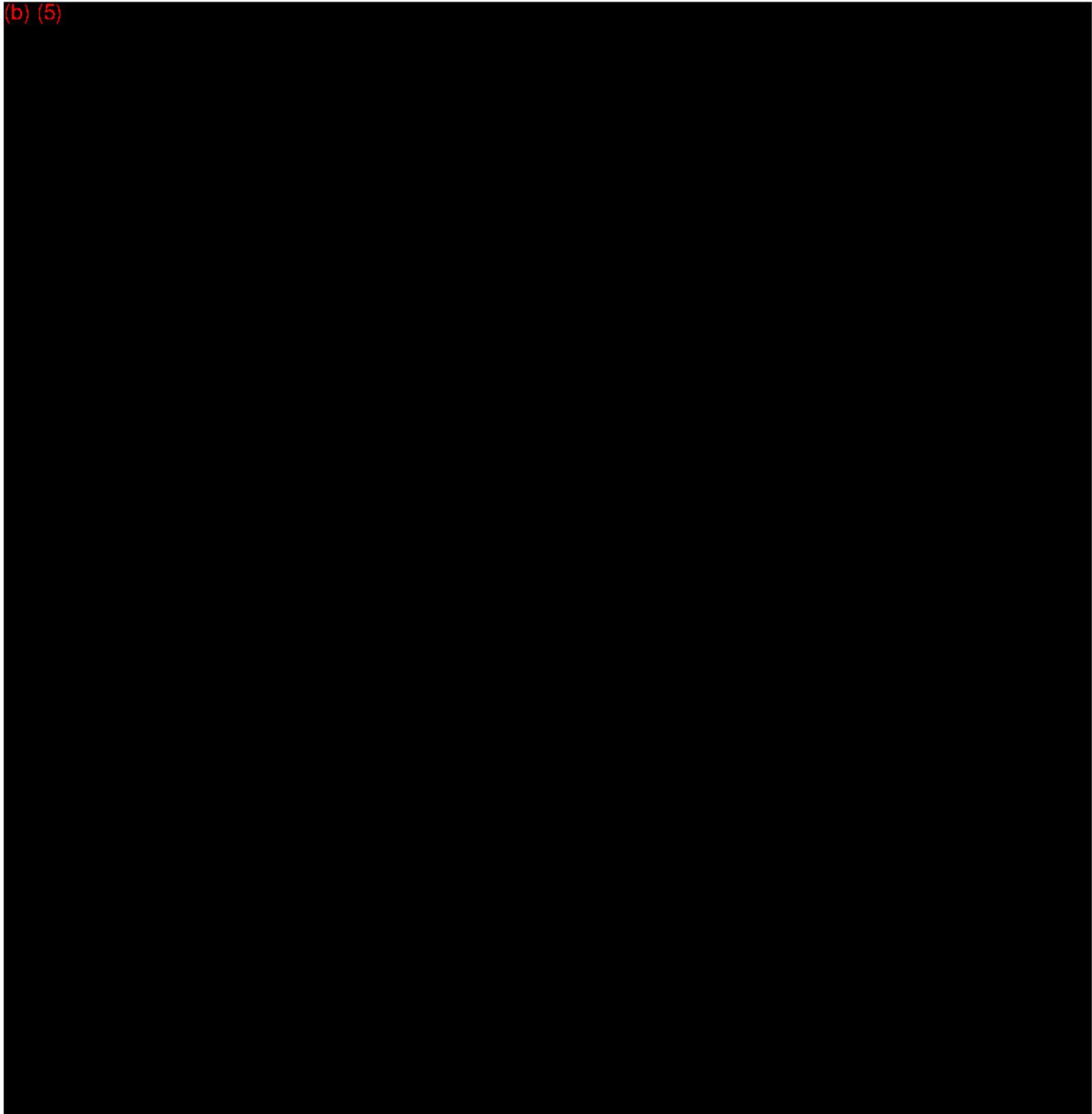
(b) (5)



From: [Jonathan Bronitsky](#)
To: [CEO2016; Emily Pauline Newman](#)
Subject: Messaging: J-1 visas (draft)
Date: Saturday, July 11, 2020 4:51:57 PM
Attachments: [Messaging - personnel 4.0 - draft.docx](#)

PRE-DECISIONAL AND DELIBERATIVE PROCESS

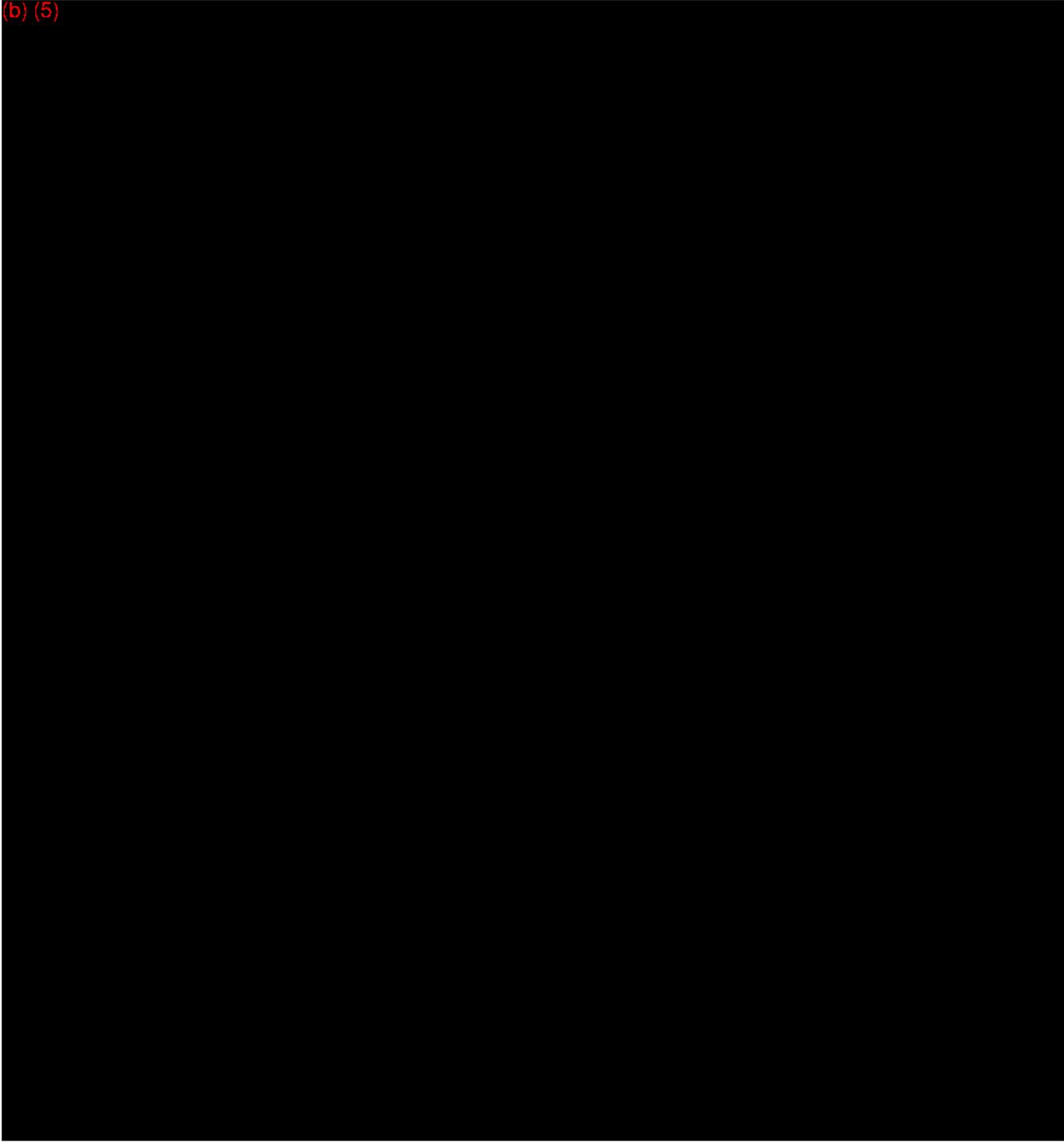
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Date: Saturday, July 11, 2020 4:51:57 PM
Attachments: [Messaging - personnel 4.0 - draft.docx](#)

PRE-DECISIONAL AND DELIBERATIVE PROCESS

(b) (5)



From: CEO2016
To: (b) (6)
Cc: [Emily Pauline Newman](#)
Subject: Re: [EXTERNAL] 3 pieces of good news for American workers
Date: Thursday, October 29, 2020 6:13:23 PM
Importance: High

(b) (6)

All interesting stories, especially at the last one, which is just teased. Why not talk to Emily first. I too am always happy to talk.

Best,
Michael Pack
Chief Executive Officer
U.S. Agency for Global Media

(b) (6)
(b) (6)

On Oct 29, 2020, at 5:46 PM, (b) (6) wrote:

FYSA (see the highlighted portion all the way at the bottom).

Let me know if either or both of you can talk tomorrow (Friday 10/30). I have space in the morning before 11:00 a.m. and then again between 2:30-4:30 p.m.

(b) (6)
Office of the Senior Advisor for Policy
Executive Office of the President

(b) (6)

From: (b) (6)
Sent: Thursday, October 29, 2020 3:26 PM
To: (b) (6) (b) (6)
Subject: [EXTERNAL] 3 pieces of good news for American workers

[Three Pieces of Good News on the Foreign Worker Front](#)

By [David North](#) on October 29, 2020

Three — count them, three — different pieces of good news regarding foreign workers and a potential visa mill have arrived in the last 24 hours.

The best news is that the Department of Homeland Security is proposing to drop its lottery of H-1B slots, and replace it with a de facto auction, thus running up the costs of the program to — one hopes — the extent that it will create jobs for American workers. Also:

- The Washington Post exposed how the H-1B program, in addition to favoring young Indian males, is replete with caste prejudice, imported from overseas; and
- USA Today ran a long story about how a feeble accrediting agency, long known to be overly friendly to visa mills, accredited a "university" in South Dakota that Wikipedia says "does not exist".

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The announcement sought to explain it this way:

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As background, currently there are ceilings of 65,000 and 20,000 for new H-1B positions each year, with the former cap for those with bachelors' degrees or more, and the latter one for aliens with advanced degrees. Routinely, in recent years, more applications arrived than slots available, so DHS ran a lottery to determine how many slots were allocated to would-be employers. Often there were about three petitions for each H-1B opportunity.

The H-1B program has been criticized for years, not only because it allows (even encourages) employers to hire foreign workers rather than American (citizen and green card) ones, it has a wage-setting system that lets employers hire foreign (mostly Indian and Chinese) workers at rates that [lower wages](#) generally in the industries where they work.

Yesterday's announcement by DHS on the wage auction is not to be confused (though they both trod similar paths) with an earlier announcement by the Department of Labor that, in effect, [set minimum wages](#) for the various jobs covered by the H-1B program.

My sense of DHS's [100-page proposal](#) is not that it will create one auction, in which all the H-1B slots go to the highest bidders, but that it will create a series of smaller auctions in which the wages offered in comparison to existing wage scales will prevail, not the total wages offered. Thus a regional symphony orchestra seeking a cellist will not be in a dollar to dollar competition with, say, Microsoft's desires for some expensive IT talent.

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But it is useful to bring these proposals into the public view, and perhaps, implementation.

Professor Ron Hira of Howard University, the country's ranking H-1B scholar, says that the new approach makes "absolute sense" for the country on the grounds that it will bring highly skilled people to the U.S., not just routine workers. He pointed out to me that the current lottery system works just fine for the big outsourcing companies. If one of them wants 3,000 new workers for routine chores, and the odds in the lottery are three to one against the employer, then the employer files for 9,000 workers, not caring which of them they actually hire.

On the other hand, the start-up that wants a particular person and files for just that person, faces two chances out of three of failure. With the proposed system, it would have the option of getting the person it wants, if it pays enough.

Caste Discrimination Exposed. On October 27, the [Washington Post](#) published a long article on the caste discrimination that Dalits (once termed "untouchables") have experienced in the U.S., notably in the high-tech industries. The general idea is that other, higher-caste Indians in the industry will not hire or promote the Dalits because of a hold-over of ancient prejudices brought here from the home country.

The reporter barely mentions the H-1B program in which most of the discrimination must be taking place, nor did she mention the over-arching role of the big Indian outsourcing companies (such as Tata and Infosys) which puts so many Indians in the position of making employment decisions, but it was useful that this problem — yet another black eye for H-1B — was given some attention.

Though the article did not say so specifically, it indicated that the H-1B program allowed many of the employers in it not only to discriminate against U.S. workers, but also — as we noted earlier — to [discriminate against all but young Indian males](#) from the south of the country. Now we can add traditional caste prejudice to all the other biases tolerated within the program.

A Potential Visa Mill in South Dakota, Again. Another newspaper, this time [USA Today](#), has exposed another potential problem in the foreign student business: the existence of a potential visa mill, this time, again, in South Dakota, where it is all too easy to open a shady educational institution. (Visa mills major in foreign students and the work permits that they issue, rather than providing a

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--

(b) (6)

Director of Communications
Center for Immigration Studies
1629 K Street NW, Suite 600
Washington, DC 20006

(b) (6)

>www.cis.org<

From: [CEO2016](#)
To: (b) (6)
Cc: [Emily Pauline Newman](#)
Subject: Re: [EXTERNAL] 3 pieces of good news for American workers
Date: Friday, October 30, 2020 2:42:15 PM

(b) (6)

I just spoke to Emily. I appreciate your letting us know about these problems.

I have asked Sam Dewey (and Emily) to write up our policy to deal with the J1 and other related issues ASAP.

I am always happy to talk further with you about this, maybe after they get something on paper.

Best,
Michael

Michael Pack
Chief Executive Officer
U.S. Agency for Global Media

(b) (6)

On Oct 30, 2020, at 7:58 AM, (b) (6) wrote:

Emily:

I'll send you a calendar invitation momentarily for 9:30 a.m.

Looking forward to talking.

(b) (6)

(b) (6)

From: Emily Pauline Newman (b) (6)
Sent: Friday, October 30, 2020 1:23 AM
To: CEO2016 (b) (6); (b) (6)
(b) (6)
Subject: Re: [EXTERNAL] 3 pieces of good news for American workers

Thanks very much for flagging, (b) (6)

I look forward to speaking with you tomorrow!

Let's aim for 9:30 am or 2:30 pm — whichever works best for you. USAGM cell:

(b) (6)

Best,
Emily

Get [Outlook for iOS](#)

From: CEO2016 (b) (6)
Sent: Thursday, October 29, 2020 6:13:22 PM
To: (b) (6)
Cc: Emily Pauline Newman (b) (6)
Subject: Re: [EXTERNAL] 3 pieces of good news for American workers

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Office of the Senior Advisor for Policy
Executive Office of the President

(b) (6)

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Sent: Thursday, October 29, 2020 3:26 PM

To: (b) (6) (b) (6)

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--

(b) (6)

Director of Communications
Center for Immigration Studies
1629 K Street NW, Suite 600
Washington, DC 20006

(b) (6)

www.cis.org

From: [Frank Wuco](#)
To: (b) (6)
Cc: [Diane Cullis](#); [Emily Pauline Newman](#)
Subject: RE: Two contract matters we hope you can grease
Date: Wednesday, August 26, 2020 6:00:09 PM

(b) (6)

Are you in the building?

R,

Frank

From: (b) (6)
Sent: Wednesday, August 26, 2020 9:51 AM
To: Frank Wuco (b) (6)
Subject: RE: Two contract matters we hope you can grease

Hi Frank,

A good story killed by actually checking: although I had been told that funding for the four English newscasters needed attention, I learned today that, unbeknownst to the people who run Central News, the division's executive officer had added money to their expiring contracts already (pre-freeze). They are now covered through the projected conversion from POV to PSC in mid-October (something to discuss another day).

I apologize for the fire drill and for my confusion. As you know, it sometimes happens in a big organization where there are too many silos. I'm all about getting information clearly and without drama, as I think you are. In this case, it didn't occur.

With the newscasters now handled, the issue that I know you can help with is that of the Technical Cleaners. Did my note give you the information you needed about them? Please let me know if we can bring them in.

Beyond that, I still am interested in finding the right contact for the issue with the two people VOA hired but who can't get a signature to start work. I keep hearing third hand that it's being handled by the CEO directly, but I can't believe that, since there has been no communication to either the involved staff or public about the specific concerns. In the case of these two, they're not J-1 issues. One might argue that they are "security issues," but their hiring came after the DCSA began handling agency background checks and the USAGM security office cleared them and so that concern should be answered.

Who is handling the issue of those two people? I'll work my way through the food chain to try to help clarify the issue, if you can point me in the right direction.

Thanks again for your willingness to help out on behalf of VOA.

Regards,

(b) (6)

From: (b) (6)

Sent: Tuesday, August 25, 2020 8:01 PM

To: Frank Wuco (b) (6)

Subject: Two contract matters we hope you can grease

Hi Frank,

Nice speaking with you just now. Here's the information on the two classes of contract we hope to have quickly approved, plus one other matter that *may* fall into your bucket.

1. TECHNICAL CLEANERS – THREE NEW PERSONAL SERVICES CONTRACTORS: The position is predicated on an “abundance of caution” – the need to prevent the potential spread of COVID-19 in the Cohen Building. We want to bring on three temporary Personal Services Contractor level 1 (trainee-level technical position) “technical cleaners” to clean studio electronic equipment between live broadcasts in VOA eight television and 20+ radio studios and control rooms. After VOA broadcasters and technical personnel do their programs each day (including weekends), the cleaners will go from studio to studio to clean the technical equipment, computers, and microphones that were used by the just-departed production team and anchors and make the facility ready for the next production, which will generally occur a half-hour after. We have chosen not to have studio or production personnel do the cleaning because of the risk of the cross-contamination we are working so hard to avoid (through construction of studio barriers and physical separation).

The positions are for six months but, like other PSC positions at VOA, they are at-will and can be ended at any time and for any reason. We advertised the position on our website and received a number of applications. The three people we have selected are all at the beginning of their careers (though each has technical experience). They're all U.S. citizens.

They are:

a. (b) (6)

b. (b) (6)

c. (b) (6)

We need the cleaners to be on board before we move to phase 1 of VOA's “reoccupation” plan, which we're ready to begin (the CEO apparently ok'd it yesterday). Each of the three received and accepted “tentative offers” pending review of their documents by USAGM Security. Meantime, they will not require access to sensitive agency computer systems (although they will be in the building under intermittent supervision). As an intern, Ley had a security clearance to enter the building, was given access to computer systems, and went through the required security screens. The other two are new to VOA but have been

interviewed with an eye toward their work habits and dependability and have been given a pre-suitability examination by USAGM Security.

Authorization of the new positions by you will allow us to bring them on and reoccupy the building while their deeper background check (a process that takes months) proceeds.

2. RADIO NEWS ANCHORS – CONTRACT EXTENSIONS: VOA does hourly English language radio newscasts with one GS employee and six part-time Purchase Order Vendors (contractors). The newscasts are a central part of our English language radio streams to Africa and elsewhere, and we have to be 24/7 because it is “drive time” all around the clock and our format is news at the top of the hour. Four of the POV contracts are up this month, and it would be impossible to staff them all with the remaining three people. We would like to extend the expiring radio newscaster contracts through mid-October, when the English language central newsroom is scheduled to convert from POVs to PSCs. The expiring POVs are:
 - a. (b) (6)
 - b. (b) (6)
 - c. (b) (6)
 - d. (b) (6)

All are U.S. citizens and existing contractors working for our Central News operation.

There is one other thing I should have included this morning when we talked. They involve two “Start Work” orders for contracts for people whose paperwork and background investigations are already in place. Both were hired in the spring and have visas and have completed their pre-suitability examination by USAGM Security.

- The first is a man named (b) (6) has been a contractor “news assistant” for VOA’s Beijing bureau for four years. This year, in a move by China to pressure VOA, (b) (6) was repeatedly hassled by Chinese authorities, who (b) (6) to quit under threat of being investigated by “other agencies of the state.” The agency offered (b) (6) a job as a (b) (6) in Washington DC and the Embassy in Beijing arranged an expedited J-1 visa for (b) (6) is still in Beijing, no longer at VOA but still feeling there is a target on his back. All the paperwork is done but no one will sign (b) (6) “start work” paperwork, which is otherwise routinely done by VOA’s (b) (6) group. (b) (6) been checked out and cleared by USAGM Security during their last visit to Beijing two years ago. We already have (b) (6) plane ticket. More importantly, (b) (6) skillset as a writer, reporter, and translator and (b) (6) knowledge of the threat China’s government holds for its own citizens would make him an important contributor to VOA’s Mandarin language broadcasts and websites.
- The second person for whom we have all the paperwork done but need clearance to sign is (b) (6) named (b) (6). In April, (b) (6) was hired in a civil service position as the Internet Managing Editor for VOA’s Urdu Service. We advertised the position and (b) (6) was selected, having found no U.S. citizen applicants to be as well qualified. (b) (6) has the strong journalistic content credentials, language skills, and Pakistan country knowledge that is needed in the

position, especially now that the Urdu Service is such a mess. (b) also has a J-1 and a Social Security card. June 11, (b) arrived in Washington from Pakistan, brought here at VOA's expense (a requirement of the J-1 program). But the hiring freeze hit that Monday and (b) has been in DC, sitting, ever since.

Both these individuals are "contracts" (one as PSC and the other as government employee) and so seem to be in your area. Both involve people already vetted and cleared by USAGM Security. One has worked for us loyally and under Communist pressure. The other is part of the strategy that will prevent recurrence of the Urdu horror: not having her as had been expected and using less qualified "subs" to fill-in played a significant part in the posting of the Biden video. Both services have openings – Urdu, replacing the web staff that violated policy, and Mandarin, replacing expired J-1 visa holders who have now left the country. Can you help?

I appreciate your consideration. I hope you will let us 1) hire the technical cleaners, 2) extend for another six weeks the four radio news anchors, and 3) start the contracts for the Urdu in DC and the Mandarin still in China. Doing that shows that the system of due consideration that the CEO has established indeed works.

Ideally, you will find these as easy to give a "yes" to these things as it was for me to write this up. Just give me the ok via email and I'll handle things at our end and with CON and/or HR. And let me know when you want to talk about the world of PSCs (a lovely world, in my opinion).

Best regards,

(b) (6)

Deputy Director for Programming
Voice of America

(b) (6) (o)

(b) (6) (m)

From: (b) (6)
To: [Frank Wuco](#)
Cc: [Diane Cullo](#); [Emily Pauline Newman](#)
Subject: Re: Two contract matters we hope you can grease
Date: Wednesday, August 26, 2020 6:34:46 PM

Sorry. Just saw this. I am not in the building this week. Happy to talk with you whenever, however.

John

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(b) (6)

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Frank

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Subject: Two contract matters we hope you can grease

Hi Frank,

Nice speaking with you just now. Here's the information on the two classes of contract we hope to have quickly approved, plus one other matter that *may* fall into your bucket.

<!--[if !supportLists]-->1. <!--[endif]-->TECHNICAL CLEANERS – THREE NEW PERSONAL SERVICES CONTRACTORS: The position is predicated on an "abundance of caution" – the need to prevent the potential spread of COVID-19 in the Cohen Building. We want to bring on three temporary Personal Services Contractor level 1 (trainee-level technical position) "technical cleaners" to clean studio electronic equipment between live broadcasts in VOA eight television and 20+ radio studios and control rooms. After VOA broadcasters and technical personnel do their programs each day (including weekends), the cleaners will go from studio to studio to clean the technical equipment, computers, and microphones that were used by the just-departed production team and anchors and make the facility ready for the next production, which will generally occur a half-hour after. We have chosen not to have studio or production personnel do the cleaning because of the risk of the cross-contamination we are working so hard to avoid (through construction of studio barriers and physical separation).

The positions are for six months but, like other PSC positions at VOA, they are at-will and can be ended at any time and for any reason. We advertised the position on our website and received a number of applications. The three

people we have selected are all at the beginning of their careers (though each has technical experience). They're all U.S. citizens. They are:

- <!--[if !supportLists]-->a. <!--[endif]-->(b) (6)
[REDACTED]
- <!--[if !supportLists]-->b. <!--[endif]-->(b) (6)
[REDACTED]
- <!--[if !supportLists]-->c. <!--[endif]-->(b) (6)
[REDACTED]

We need the cleaners to be on board before we move to phase 1 of VOA's "reoccupation" plan, which we're ready to begin (the CEO apparently ok'd it yesterday). Each of the three received and accepted "tentative offers" pending review of their documents by USAGM Security. Meantime, they will not require access to sensitive agency computer systems (although they will be in the building under intermittent supervision). As an intern, Ley had a security clearance to enter the building, was given access to computer systems, and went through the required security screens. The other two are new to VOA but have been interviewed with an eye toward their work habits and dependability and have been given a pre-suitability examination by USAGM Security.

Authorization of the new positions by you will allow us to bring them on and reoccupy the building while their deeper background check (a process that takes months) proceeds.

<!--[if !supportLists]-->2. <!--[endif]-->RADIO NEWS ANCHORS – CONTRACT EXTENSIONS: VOA does hourly English language radio newscasts with one GS employee and six part-time Purchase Order Vendors (contractors). The newscasts are a central part of our English language radio streams to Africa and elsewhere, and we have to be 24/7 because it is "drive time" all around the clock and our format is news at the top of the hour. Four of the POV contracts are up this month, and it would be impossible to staff them all with the remaining three people. We would like to extend the expiring radio newscaster contracts through mid-October, when the English language central newsroom is scheduled to convert from POVs to PSCs. The expiring POVs are:

- <!--[if !supportLists]-->a. <!--[endif]-->(b) (6)
[REDACTED]
- <!--[if !supportLists]-->b. <!--[endif]-->(b) (6)
[REDACTED]
- <!--[if !supportLists]-->c. <!--[endif]-->(b) (6)
[REDACTED]
- <!--[if !supportLists]-->d. <!--[endif]-->(b) (6)
[REDACTED]

All are U.S. citizens and existing contractors working for our Central News operation.

There is one other thing I should have included this morning when we talked. They involve two “Start Work” orders for contracts for people whose paperwork and background investigations are already in place. Both were hired in the spring and have visas and have completed their pre-suitability examination by USAGM Security.

• The first is a (b) (6) named (b) (6) has been a contractor “news assistant” for VOA’s Beijing bureau for four years. This year, in a move by China to pressure VOA, (b) (6) was repeatedly hassled by Chinese authorities, who (b) (6) to quit under threat of being investigated by “other agencies of the state.” The agency offered (b) (6) a job as a PSC in Washington DC and the Embassy in Beijing arranged an expedited J-1 visa for (b) (6) (b) (6) is still in Beijing, no longer at VOA but still feeling there is a target on (b) (6) back. All the paperwork is done but no one will sign (b) (6) “start work” paperwork, which is otherwise routinely done by VOA’s PSC group. (b) (6) been checked out and cleared by USAGM Security during their last visit to Beijing two years ago. We already have (b) (6) plane ticket. More importantly, (b) (6) skillset as a writer, reporter, and translator and his knowledge of the threat China’s government holds for its own citizens would make (b) (6) an important contributor to VOA’s Mandarin language broadcasts and websites.

• The second person for whom we have all the paperwork done but need clearance to sign is (b) (6) named (b) (6). In April, (b) (6) was hired in a civil service position as the Internet Managing Editor for VOA’s Urdu Service. We advertised the position and (b) (6) was selected, having found no U.S. citizen applicants to be as well qualified. (b) (6) has the strong journalistic content credentials, language skills, and Pakistan country knowledge that is needed in the position, especially now that the Urdu Service is such a mess. (b) (6) also has a J-1 and a Social Security card. June 11, (b) (6) arrived in Washington from Pakistan, brought here at VOA’s expense (a requirement of the J-1 program). But the hiring freeze hit that Monday and (b) (6) has been in DC, sitting, ever since.

Both these individuals are “contracts” (one as PSC and the other as government employee) and so seem to be in your area. Both involve people already vetted and cleared by USAGM Security. One has worked for us loyally and under Communist pressure. The other is part of the strategy that will prevent recurrence of the Urdu horror: not having (b) (6) as had been expected and using less qualified “subs” to fill-in played a significant part in the posting of the Biden video. Both services have openings – Urdu, replacing the web staff that violated policy, and Mandarin, replacing expired J-1 visa holders who have now left the country. Can you help?

I appreciate your consideration. I hope you will let us 1) hire the technical cleaners, 2)

extend for another six weeks the four radio news anchors, and 3) start the contracts for the Urdu in DC and the Mandarin still in China. Doing that shows that the system of due consideration that the CEO has established indeed works.

Ideally, you will find these as easy to give a “yes” to these things as it was for me to write this up. Just give me the ok via email and I’ll handle things at our end and with CON and/or HR. And let me know when you want to talk about the world of PSCs (a lovely world, in my opinion).

Best regards,

(b) (6)

Deputy Director for Programming

Voice of America

(b) (6) (o)

(b) (6) (m)

From: [Emily Pauline Newman](#)
To: [Morvared Namdarkhan](#)
Subject: Fwd: Broadcasting Board: J1 Visas, new agency USAGM
Date: Wednesday, August 19, 2020 3:28:47 AM
Attachments: [image001.png](#)

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From: (b) (6)
Sent: Sunday, July 5, 2020 7:52:07 AM
To: Emily Pauline Newman <(b) (6)>; Diane Cullo (b) (6) >
Subject: Broadcasting Board: J1 Visas, new agency USAGM

Emily and Diane,

Not sure the facts you have on the ground there --- about the prior agency practices --- can possibly mate to the laws and regs, so sending cites to you, and your GC can decide. Perhaps a program that time has decided to let expire...

I would perhaps question State Department why no closer scrutiny, but one might guess, though I could not possibly say that. They own it there in total.

Respectfully,

(b) (6)
Associate Director, Employee Services
Office: (b) (6)
Direct: (b) (6)
Cell: (b) (6)

From: (b) (6)
Sent: Thursday, July 2, 2020 5:18 PM
To: (b) (6)
Subject: RE: J1 Visas

(b) (6) I have compiled the following. If you need detail in any area, let me know. I'm at your disposal.

The "Cultural Exchange Visa Program" commonly referred to as J-1, is authorized and governed by the Mutual Educational and Cultural Exchange Act of 1961 as amended, [22 U.S.C. 2451 et seq](#) (1988), also known as the Fulbright-Hays Act.

Additional related legislation:

[Summer Work Travel Statutory Authority \(Public Law 105-277\)](#) (PDF)

[Au Pair Statutory Authority \(Public Law 105-48\)](#) (PDF)

[USA PATRIOT ACT of 2001](#) (PDF) – Uniting and Strengthening America by Providing

Appropriate Tools Required to Intercept and Obstruct Terrorism Act of 2001 (Public Law 107-56)
[Enhanced Border Security and Visa Entry Reform Act of 2002](#) (PDF) (Public Law 107-173),
Section 501 Foreign Student Monitoring Program (SEVIS)

Related CFR provisions:

- [22 CFR 62 Exchange Visitor Program](#)
- [22 CFR 22 Schedule of Fees for Consular Services](#)
- [8 CFR 214 Nonimmigrant Classes](#)

Also, person on an J-1 visa is deemed to be an “[Exchange Visitor](#)” based upon the Form [DS-2019](#) issued by the sponsor.

From: (b) (6)
Sent: Thursday, July 2, 2020 11:00 AM
To: (b) (6)
Subject: RE: J1 Visas

(b) (6)

I want my legal talent to check out the J 1 issues, as think we are missing the actual legal citations and regulations, so want to acquire and put in front of you, Sir.

Respectfully,

(b) (6)
Associate Director, Employee Services
Office: (b) (6)
Direct: (b) (6)
Cell: (b) (6)

From: (b) (6)
Sent: Thursday, July 2, 2020 10:10 AM
To: (b) (6)
Subject: FW: J1 Visas

Let’s discuss this afternoon.

From: Emily Pauline Newman <(b) (6)>
Sent: Thursday, July 2, 2020 10:00 AM
To: (b) (6)
Subject: FW: J1 Visas

Hi (b) (6)

As discussed, please see explanations below and attached.

Best,
Emily

Emily Newman
Chief of Staff
(b) (6)

From: Marie Lennon <(b) (6)>
Sent: Wednesday, July 1, 2020 3:54 PM
To: Diane Cullo <(b) (6)>; Emily Pauline Newman <(b) (6)>
Subject: J1 Visas

1. Extension Request. I asked one of our HR Deputies to talk to our contact at the State Department. Her name is (b) (6) and she works in the Bureau of Educational and Cultural Exchanges, Academic and Government Programs Division. She is understanding about our situation but she cannot provide additional time to us as it's not within her authority. USCIS provided the two-month extension to J1 visa holders in consideration of the pandemic but State cannot change the law behind the mandate that permission to work is only good for one year and if that permit is not extended, the employee must return to their home country. As I mentioned previously, it is our Agency's policy to provide 30 days following the expiration of the permission to work before sending the employee back home. We are on day 1 of 30.

I asked my HR Deputy to go back to the State Department and ask for any policies and procedures that they have put into place with regard to the management of the J1 program at State. Looking for best practices and guidance in order for us to update our own policies and procedures.

2. General – J1 Visa Program. Our internal policy document on J1 visas has not been updated in a long time, and does not include criteria to be applied with regard to making determinations about continuation of employment nor sponsorship for citizenship. In my experience those determinations are based on the job performance of the employee and their role within the language service. If they are high-performing, possess excellent journalistic and language skills as well as their experience both at VOA and in previous positions, they are most often sponsored for citizenship. Language services would argue that it's in the best interests of the mission to retain such an employee.

I've attached a brief summary of the legal authorities surrounding non-citizen employment and the J1 visa program.

As always, happy to discuss further.

Thanks,

Marie

From: Diane Cullo <(b) (6)>
Sent: Wednesday, July 1, 2020 12:55 PMA
To: Marie Lennon <(b) (6)>; Emily Pauline Newman <(b) (6)>
Subject: RE: Two Info Items

Thx.

From: Marie Lennon <(b) (6)>
Sent: Wednesday, July 1, 2020 12:49 PM
To: Diane Cullo <(b) (6)>; Emily Pauline Newman <(b) (6)>
Subject: RE: Two Info Items

Checking my info with the legal team now. Stay tuned.

From: Diane Cullo <(b) (6)>
Sent: Wednesday, July 1, 2020 12:20 PM
To: Emily Pauline Newman <(b) (6)>; Marie Lennon <(b) (6)>
Subject: RE: Two Info Items

Greetings!

Don't see a response to this. Any update on the legal authorities and internal policies/procedures? If it's taking time to compile internal documents, please send legal citation in the interim.

Thanks much!

Diane

From: Emily Pauline Newman <(b) (6)>
Sent: Tuesday, June 30, 2020 8:41 PM
To: Marie Lennon <(b) (6)>; Diane Cullo <(b) (6)>
Subject: Re: Two Info Items

Thanks, Marie. I'm referring to both legal authorities and internal policies and procedures.

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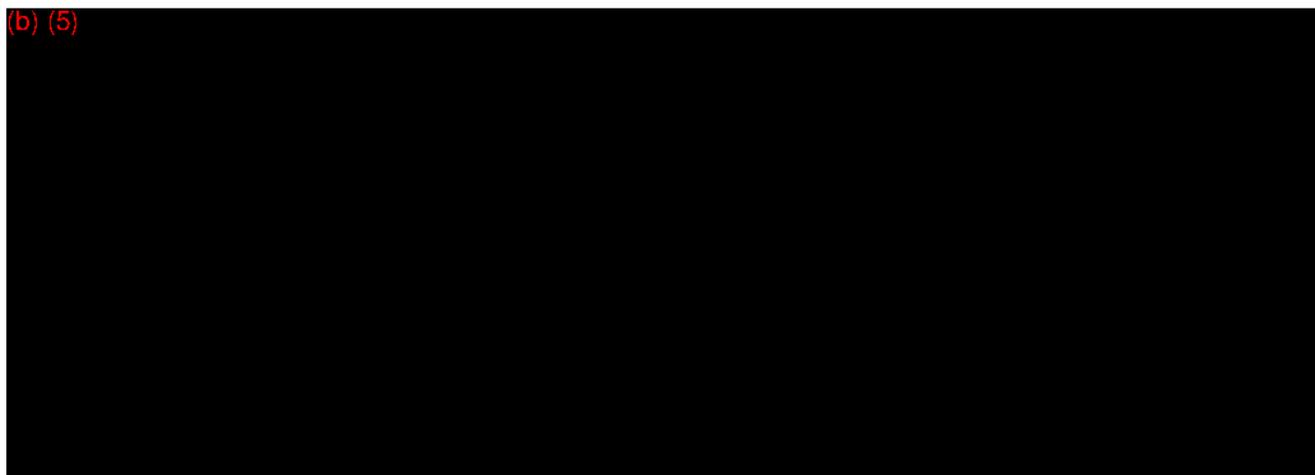
From: Marie Lennon <(b) (6)>
Sent: Tuesday, June 30, 2020 8:30:39 PM
To: Emily Pauline Newman <(b) (6)>; Diane Cullo <(b) (6)>
Subject: RE: Two Info Items

We'll keep at it until you are satisfied with the information and regret that this is such a long process. We should talk about the authorities – it was unclear to me whether you were referring to legal authorities or internal policy and procedures.

From: Emily Pauline Newman <(b) (6)>
Sent: Tuesday, June 30, 2020 8:17 PM
To: Marie Lennon <(b) (6)>; Diane Cullo <(b) (6)>
Subject: RE: Two Info Items

Hi Marie,

(b) (5)

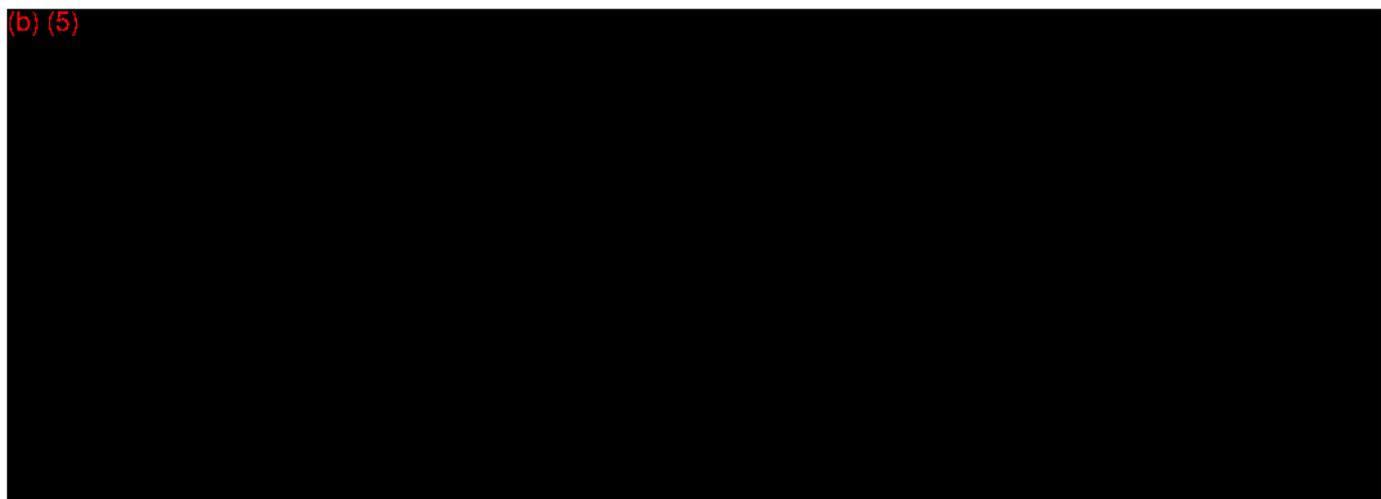


Best,
Emily

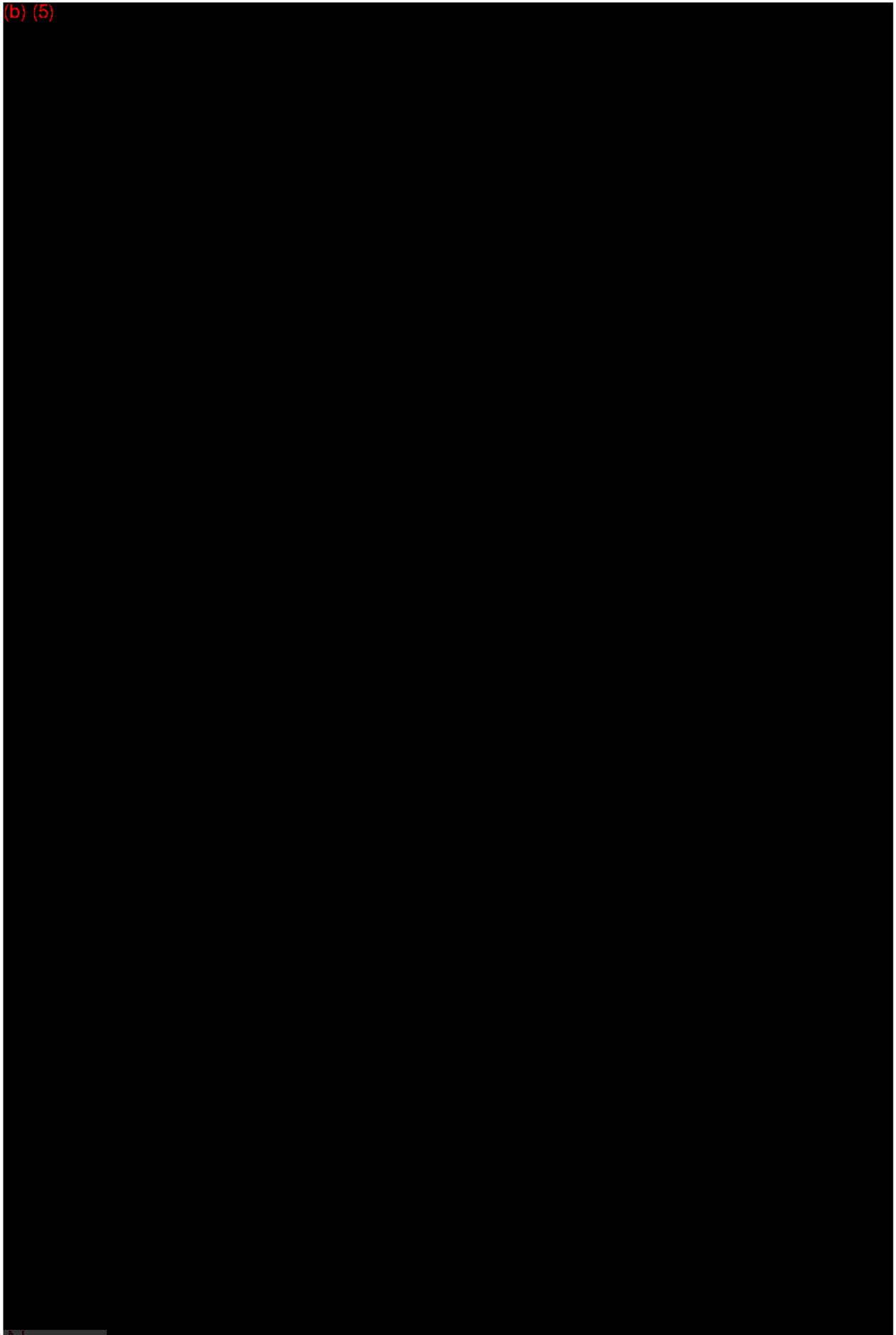
From: Marie Lennon <(b) (6)>
Sent: Tuesday, June 30, 2020 3:35 PM
To: Emily Pauline Newman <(b) (6)>; Diane Cullo <(b) (6)>
Subject: RE: Two Info Items

Emily,

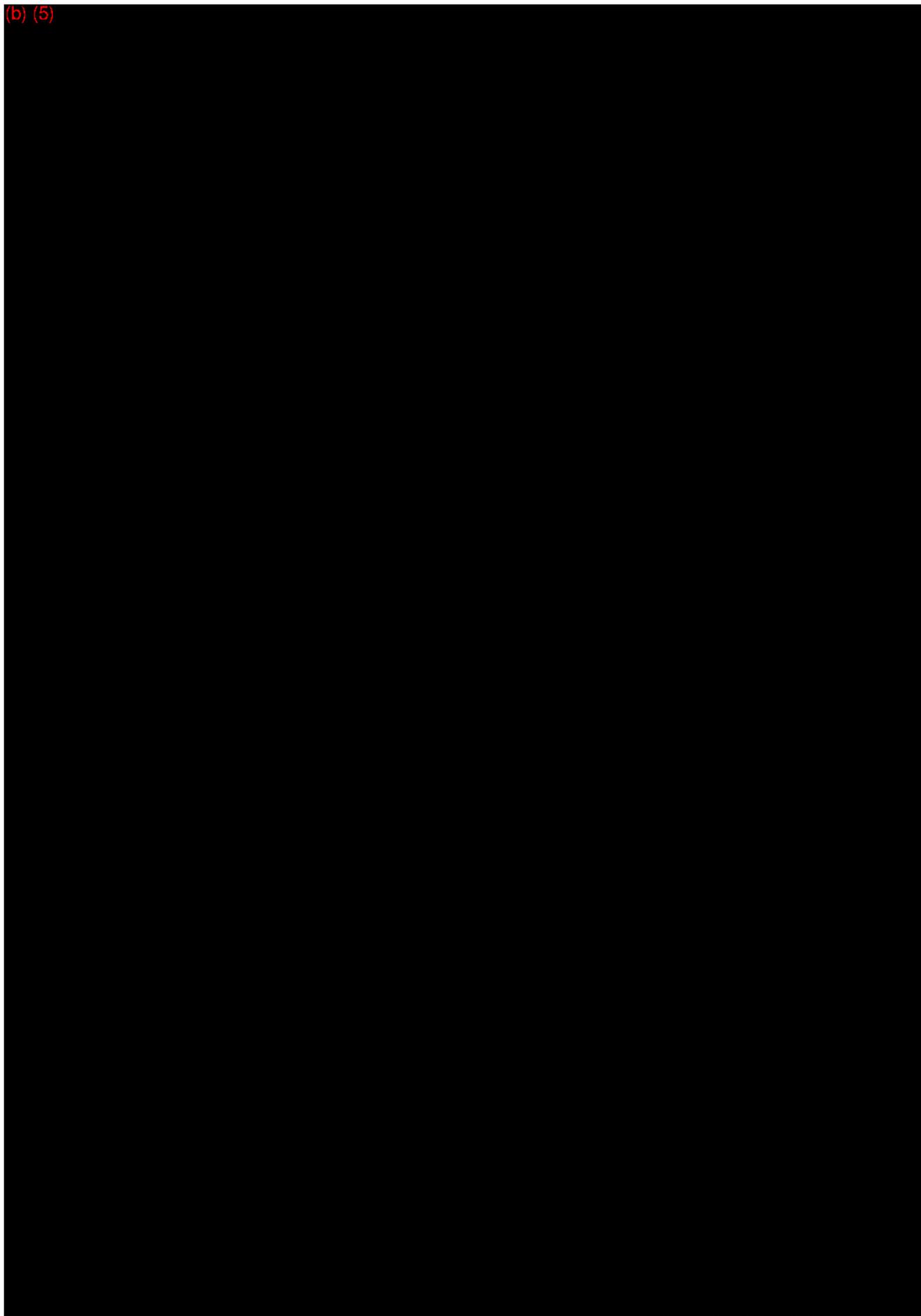
(b) (5)



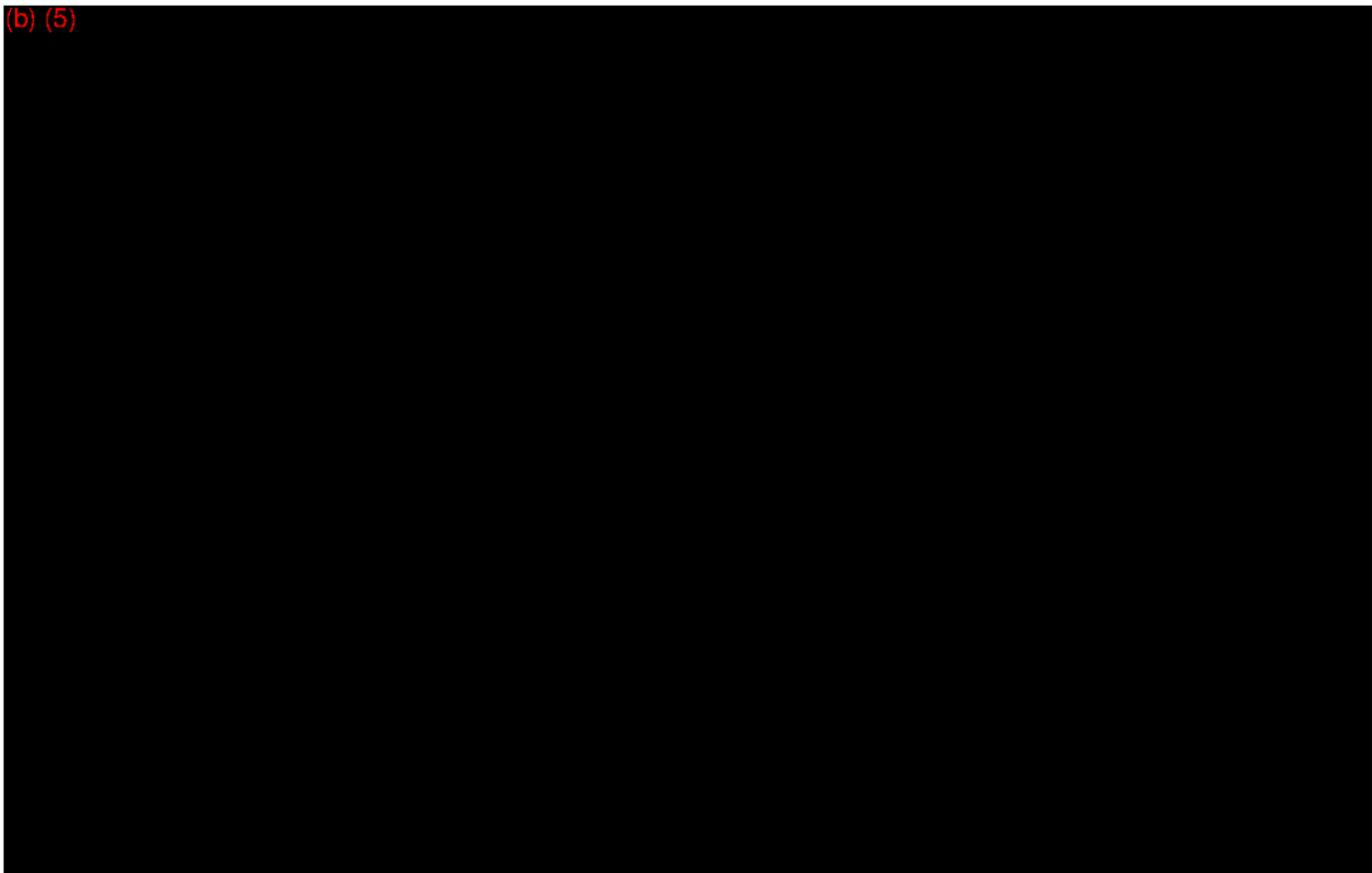
(b) (5)



(b) (5)



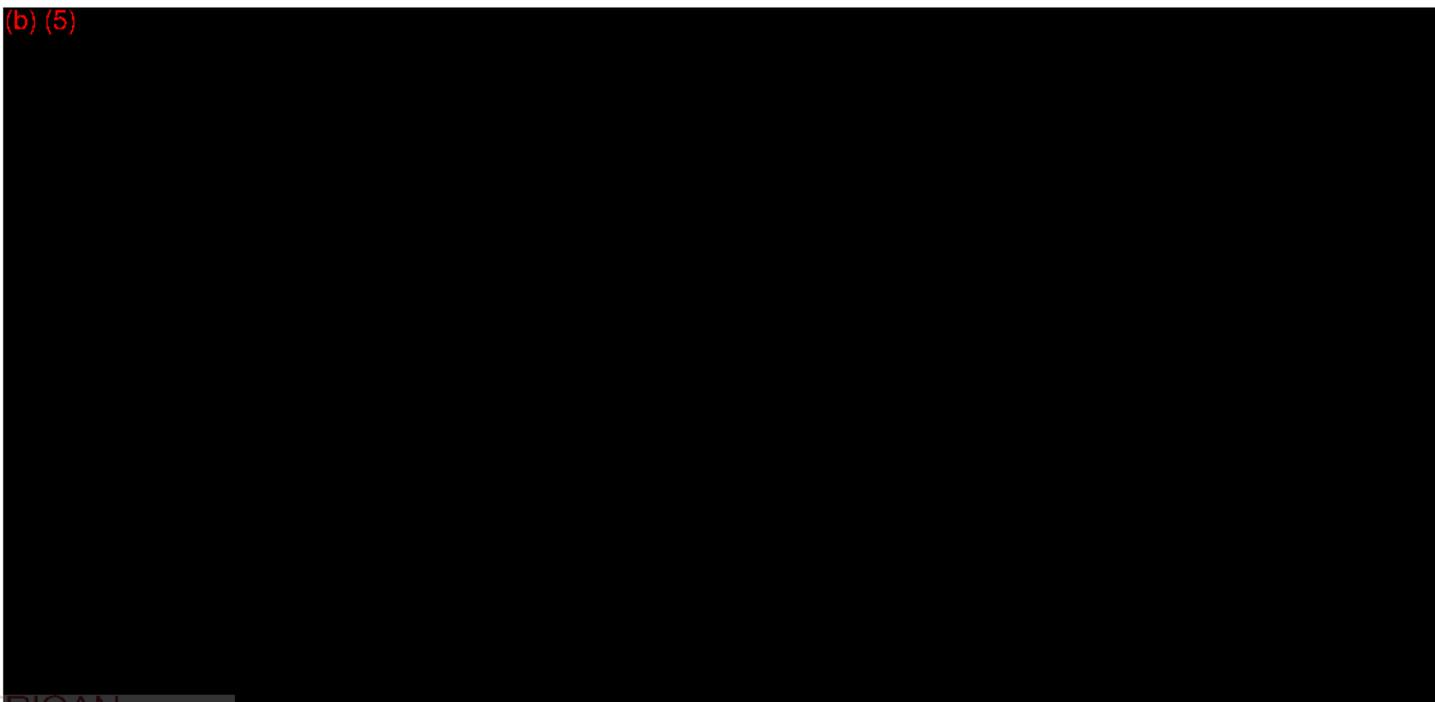
(b) (5)



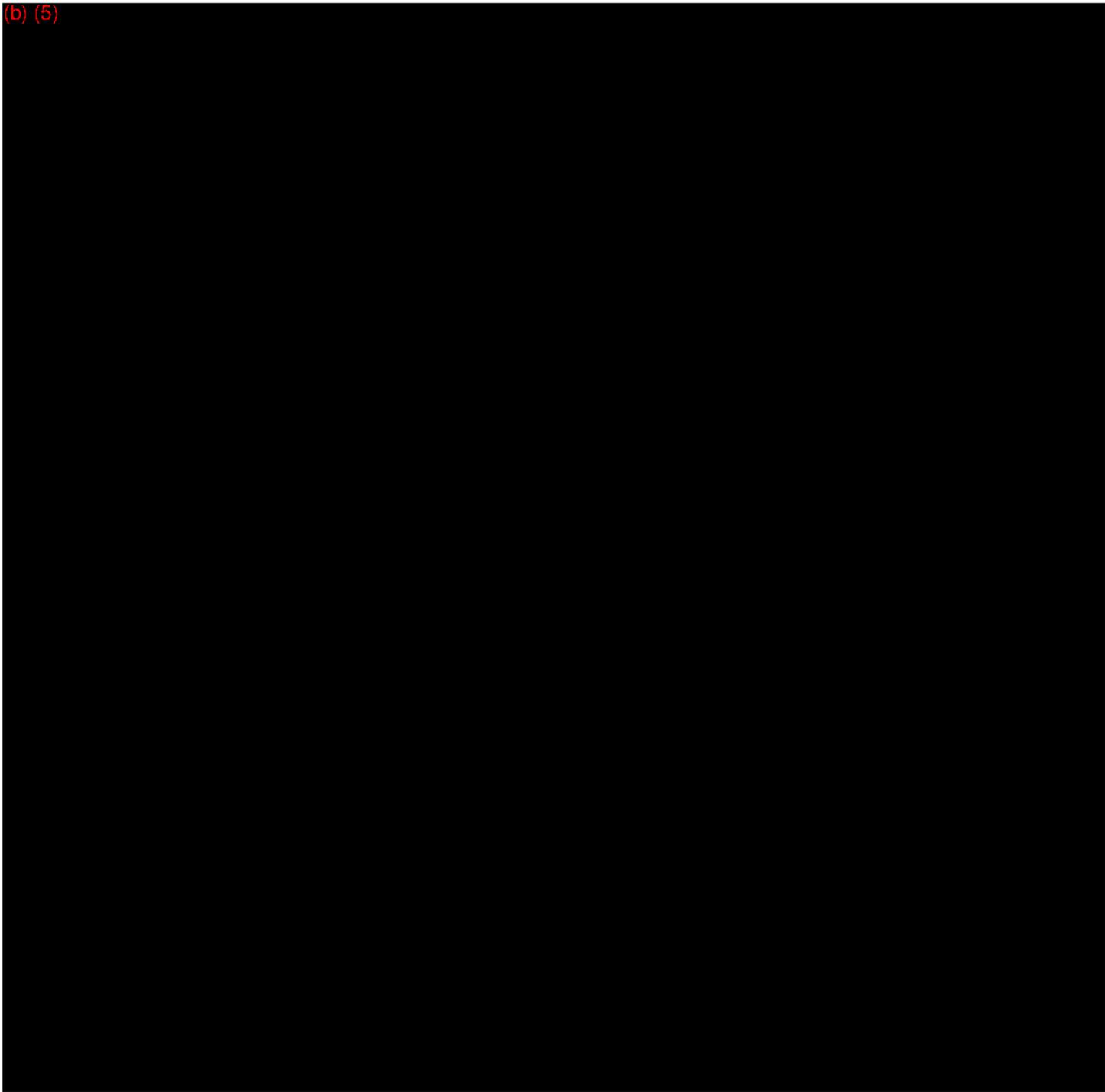
From: Emily Pauline Newman <(b) (6)>
Sent: Sunday, June 28, 2020 7:50 PM
To: Marie Lennon <(b) (6)>; Diane Cullo <(b) (6)>
Subject: RE: Two Info Items

Thank you, Marie!

(b) (5)



(b) (5)



Best,
Emily

Emily Newman
Chief of Staff

(b) (6)

From: Marie Lennon <(b) (6)>

Sent: Sunday, June 28, 2020 6:05 PM

USAGM-21-0203-A-000170

To: Diane Cullo (b) (6) >; Emily Pauline Newman <(b) (6) >
Subject: Two Info Items

Diane & Emily,

(b) (5)

Many thanks,
 Marie

Employee On-Board Counts by Organization June 2020				
Appointment Type	Organizational Element			
	USAGM	TSI	VOA	OCB
PAS	1			
SES	8	3	3	
Senior Level	2			
Consultant	2			
General Schedule	169	135	846	93
Non-Citizens			87	
Foreign Service		11	3	
Wage Board			44	
Totals	182	149	983	93
Agency On-Board Total: 1,238				

Marie Lennon
 Director of Management Services
 U.S. Agency for Global Media (USAGM)

USAGM-21-0203-A-000171

Teams: (b) (6)

Mobile: (b) (6)

(b) (6)



From: [Jonathan Bronitsky](#)
To: [Emily Pauline Newman](#)
Date: Thursday, August 13, 2020 2:19:31 PM

From: Hsu, Spencer <Spencer.Hsu@washpost.com>

Sent: Thursday, August 13, 2020 10:14 AM

To: Toni DeLancey (b) (6); Jonathan Bronitsky (b) (6)

Subject: Washington Post deadline news query re removal of 7 USAGM executives per NY Post/Politico and 8/14 OTF response to 8/12 AGM letter demanding grantee information

Hello Toni and Jonathan,

On deadline this morning, would USAGM comment on

1) Reports that 7 USAGM executives were removed for alleged security concerns related to the agency's hiring of foreign workers, including CFO **Grant Turner**; general counsel **David Kligerman**, chief strategy officer **Shawn Powers**, deputy director for operations **Matt Walsh**, executive director **Oanh Tran** and director of management services **Marie Lennon**.

<https://www.politico.com/news/2020/08/12/trump-purge-us-agency-global-media-394403> [[nam01.safelinks.protection.outlook.com](#)]

<https://nypost.com/2020/08/12/voa-leaders-sidelined-over-pro-biden-video-and-foreign-hiring/> [[nam01.safelinks.protection.outlook.com](#)]

2) OTF's response to Mora Namdar's 8/10 letter requesting information.

Thank you.

best, Spencer

Spencer Hsu

The Washington Post

Mobile/Signal/WhatsApp: 202.557.9156

O: 202.334.7335

<https://www.washingtonpost.com/people/spencer-s-hsu/>
[[nam01.safelinks.protection.outlook.com](#)]

@hsu_spencer

From: [Jonathan Bronitsky](#)
To: [CEO2016](#); [Morvared Namdarkhan](#); [Diane Cullo](#); [Emily Pauline Newman](#); [Frank Wuco](#); [Thad Strom](#); (b) (6)
[Sam Dewey](#); [Toni DeLancey](#)
Subject: Justice, Federalist: NPR Manipulates Federalist Interview
Date: Thursday, September 3, 2020 12:01:37 PM
Attachments: [image001.png](#)

the
FEDERALIST

[NPR Manipulates Federalist Interview With VOA Executive On Behalf Of Government Employees Opposing Reform](#)

SEPTEMBER 3, 2020 By [Tristan Justice](#)

National Public Radio (NPR) offered a platform to fellow government-funded employees at the Voice of America (VOA) Monday to amplify a letter condemning their CEO for reforms to safeguard the government agency in the interest of national security.

The article, [headlined](#) “Voice of America Journalists: New CEO Endangers Reporters, Harms U.S. Aims,” reported on a letter signed by several of VOA’s veteran journalists rebuking their new parent agency chief Michael Pack for comments during an interview with The Federalist, which National Propaganda Radio falsely characterized as a “pro-Trump outlet.”

“Voice of America journalists are compelled to express our profound disappointment with the actions and comments of the chief executive officer of the U.S. Agency for Global Media, which endanger the personal security of VOA reporters at home and abroad, as well as threatening to harm U.S. national security objectives,” several VOA staff wrote, going on to accuse Pack of executing a

“purge” of agency employees while threatening to ban face masks and unplug the air conditioning in its D.C. offices. The latter accusation was repeated by NPR, although both conceded it was merely a joke.

A clear and honest reading of the transcript between Pack and Federalist Senior Editor Chris Bedford reveals no such threats made by Pack, only sarcastic commentary from Bedford.

Here’s the transcript outlining the moment when Pack was discussing obstacles to implementing long-neglected security procedures to protect the agency. He brushed off Bedford’s unserious suggestion:

PACK: One of the challenges of taking over an agency at this moment in time is sorting all this out, especially during COVID. The headquarters building – the Cohen Building here in Washington, DC – is largely empty. We’re bringing people back as we move from Phase I...

BEDFORD: Have you considered banning masks and turning off the air conditioning? That’s my prescription for federal agencies.

PACK: [SEGUE] Yeah, well, we’ll have to look into that one. But you know it’s been hard to get to know the employees when they’re largely working from home.

Primarily at issue was Pack’s reasonable suggestion that foreign governments could deploy spies into newsrooms masquerading as journalists.

For years, Pack explained, VOA overlooked critical clearance processes, leaving the U.S. agency vulnerable to foreign interference as it broadcast American news around the world. Pack cited one instance in which an explicitly supportive ad for Democratic presidential nominee Joe Biden was translated into another language to encourage Muslims in Michigan to turn out for Democrats in November.

“I have a responsibility to make sure that the security of these agencies is maintained. The fact is that foreign intelligence agencies from the beginning – from the creation of these agencies – have been interested in penetrating them,” Pack

said, going on to offer as a cautious example one British journalist who worked as a double-agent for the Soviet Union. “To be a journalist is a great cover for a spy – famous journalists like Kim Philby who worked for the BBC... It’s just a great cover. And from the beginning of the Cold War, even earlier, they’ve been penetrated. It [the field of journalism] is a great place to put a foreign spy. I have to make sure that doesn’t happen – to stand up for the national security interests of Americans.”

Listen to Bedford’s full interview [here](#).

Tristan Justice is a staff writer at The Federalist focusing on the 2020 presidential campaigns. Follow him on Twitter at [@JusticeTristan](#) or contact him at Tristan@thefederalist.com.

From: [Andre Mendes](#)
To: [Michael Pack](#); [Emily Pauline Newman](#); [Morvared Namdarkhan](#); [Diane Cullo](#)
Subject: FW: Urgent Requested Termination of PSCs
Date: Tuesday, July 28, 2020 11:42:26 AM
Importance: High

Michael et al;

See below. Looks like VOA is ready to execute on the summary firing of the 4 PSCs involved in the Urdu video incident.

Below, you will find a detailed timeline of the video publishing and description/translation of its contents.

They will not proceed without your approval but will be ready to act immediately upon you granting it.

Please let me know if you have any questions, I might answer on this subject.

Best regards,

André

From: Elez Biberaj (b) (6)
Sent: Tuesday, July 28, 2020 11:36 AM
To: Andre Mendes (b) (6)
Cc: Elez Biberaj (b) (6)
Subject: FW: Urgent Requested Termination of PSCs

Andre,
FYI.
Elez

From: (b) (6)
Sent: Tuesday, July 28, 2020 11:32 AM
To: (b) (6)
Cc: Elez Biberaj (b) (6); (b) (6)
(b) (6) Kelu Chao
(b) (6); (b) (6)
Subject: RE: Urgent Requested Termination of PSCs

(b) (6)

I have started the notices for termination for all parties involved. CON has determined and decided based on the information submitted in the matter regarding the actions of the Urdu PSC's to issue

the notices effective today. Unless the situation has changed I will have the notices ready for OGC review this afternoon.

If you have any questions please feel free to contact me.

Thank you

(b) (6)

From: (b) (6)
Sent: Tuesday, July 28, 2020 10:12 AM
To: (b) (6)
Cc: Elez Biberaj (b) (6); (b) (6)
Kelu Chao
(b) (6)
Subject: FW: Urgent Requested Termination of PSCs

Colleagues,

VOA requests to terminate immediately four PSCs for cause for posting on Facebook a story that resembles a campaign advertisement for Vice President Biden with no balance, thus violating VOA's journalism standards and Best Practices. If an initial suspension is required to comply with the contract, please advise.

The posting was produced and reviewed by four Urdu Service PSCs on July 22 by Digital Lead (b) (6)

<https://www.facebook.com/voaurdu/videos/603326047281871>

VOA removed the original video posting.

Please note that (b) (6) is on a J-1 Visa that expires Nov. 18, 2020.

Below is a description of the events and our response this issue for internal use only and our response.

We are dealing with this serious issue immediately and the story has been removed. This is not a training issue – it is something every journalist, whether at VOA or not, should have known. an assignment of editorial responsibility that fell through the cracks at the service level, in violation of VOA editorial standards.

While VOA believes it was correct to run excerpts from the Biden outreach to Muslims, which the

candidate did in a news event, the treatment of the story on Facebook violated our editorial standards for social media on several grounds:

1. The video of the advertisement ran too long and without context. It was correct to run excerpts from the Biden outreach to Muslims as part of the story. Biden did it in a news event and that's the story. But we crossed the line running much of the campaign ad itself. No more than 10 seconds of the campaign ad should have been included, and not as sound full. The short excerpt from the ad by the group Biden spoke to should have run with a super that said "A political action committee released advertising aimed at mobilizing Muslim voters." The excerpt from the ad should not have been from a portion that included the partisan exhortation.
2. The video should have accurately corrected Biden: "While candidate Biden referred to the 'Muslim ban,' the President's immigration order of 2017 did not ban Muslims or citizens of all predominantly-Muslim countries, only selected ones."
3. The use of the VOA logo at the end of the campaign video made it seem that VOA was part of the ad.
4. The video did not mention the Trump campaign's own outreach to Muslim voters and should have added that context.
5. The last two lines of the story should have been deleted. While some Muslim organizations support Biden, some others support President Trump, so those supporting Biden's candidacy should not be singled out. While many women members of Congress are supporting Biden, other support President Trump, so those supporting Biden's candidacy should not have been singled out.

The cause of our editorial breakdown is being investigated.

Once we have completed a thorough investigation we will take necessary disciplinary actions. For now, we are changing workflow to ensure more oversight in social media postings. The Urdu service chief, (b) (6), has taken responsibility for the breakdown. (b) returned to the service a few weeks ago from a four-month division-level assignment and is now beginning a series of changes to provide greater editorial oversight. The VOA Standards Editor, who would typically have provided election issues training for all VOA staff and stringers in July, has been on assignment with USAGM since June. (b) would have been the first contact when editorial issues arose but was not replaced in the wake of the CEO's hiring freeze and contract review, which is ongoing.

The original text version of the story failed to meet VOA standards of balance.

Below is a description of each PSCs role and translations:

- Multimedia reporter/producer (b) (6) saw the story on AP and informed the digital lead (b) (6) who gave the go ahead to do a story for social.
- (b) (6) adapted the AP script and sent it for copy editing to writer/editor (b) (6)
- (b) (6) had the final eyes on the package before publishing

- (b) (6) wrote the text story and it was copy edited by (b) (6)
- The video also appeared on TW and IG, in addition to FB. All have since been taken down.
- The text story was published on FB and on the Urdu website. (Since the website is blocked in Pakistan, Urdu uses FB to distribute text content as well.) The story has been updated adding context/corrections (standard practice is to correct text on the web not remove it).

Translation of the subtitles on the video (italics are Joe Biden speaking in the video):

I will end the Muslim ban on Day One: Joe Biden

Presidential candidate Joe Biden's address to American Muslims

Hadith from the Prophet Muhammad instructs whomever among you sees a wrong, let him change it with his hand. If he is not able, then with his tongue, if he is not able, then with his heart.

Joe Biden delivered the address in an online event

The event was organized to mobilize Muslims to vote

We all have the same fundamental beliefs

I thank you for your resolve to play your role in November

Your voice is your vote, your vote is your voice

Muslim Americans' voices matter.

I will be a president that seeks out and incorporates and listens to the ideas and concerns of Muslim Americans on everyday issues that matter most to our communities. I will include Muslims in my administration.

The Trump administration has banned people from several Muslim countries to come to the United States.

This Muslim organization is formally supporting Joe Biden.

(Women) Muslim members of Congress have also joined the organization in this support

Translation of the original text story seen on FB and website:

I will include Muslims in my administration: Joe Biden promises

Democratic presidential candidate Joe Biden has said if he becomes the President he will incorporate and listens to the ideas and concerns of Muslim Americans on everyday issues that matter most to the communities. "I will include Muslims in my administration."

He made these remarks he made while addressing an online event, titled Million Muslim Votes. The event was organized by an organization of American Muslims called Emgage Action.

It is worth mentioning that many elected American Muslims have announced their support for Joe Biden in the next presidential election in a letter to the organization. Among them are Minnesota Congressman Alhan Omar, Minnesota Attorney General Keith Ellison, and Indiana Member congressman Andre Carson.

"After Becoming President, I will try to address the suggestions and concerns of American Muslims in these everyday matters, listen to and act on what is important to our communities," Biden said. "If I have the honor of being your president, I will end the Muslim ban on day one."

Joe Biden was referring to the ban that the Trump administration imposed on citizens of certain Muslim countries coming to the United States.

"We all have the same basic beliefs. And I want to thank you for playing a key role in November elections this year. You are doing things that have never been done before. You are registering one million Muslims to vote in November. This is important. Your voice is your vote. Your vote is your voice. American Muslims' voice matters. I'm not asking for your vote because Donald Trump is not qualified for the presidency. I want to work with you in your partnership. I wish you are involved in decision making when we rebuild the nation," Senator Biden said.

The Muslim member of the U.S. Congress, Alhan Omar, was supporting Bernie Sanders earlier. But after his presidential campaign ended in April, she has been supporting Biden. The former vice president wants to mobilize Muslim voters in the presidential election. The number of Muslim voters in many key states can play a decisive role. In the upcoming presidential election, Muslim voters can play an important role in several States. In 2016, President Trump won Michigan by less than 11,000 votes. The State has 150,000 Muslim voters.

President Trump's administration has not only banned Muslim nationals from coming to the United States, but also withheld the nuclear deal with Iran. These decisions have been criticized by American Muslim leaders.

The end!

(b) (6)

VOA

Senior Advisor to the Director

330 Independence Ave., SW

Washington, DC 20237

(b) (6)

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From: [Andre Mendes](#)
To: [Michael Pack](#); [Emily Pauline Newman](#); [Morvared Namdarkhan](#); [Diane Cullo](#)
Subject: FW: Urgent Requested Termination of PSCs
Date: Tuesday, July 28, 2020 11:42:26 AM
Importance: High

Michael et al;

See below. Looks like VOA is ready to execute on the summary firing of the 4 PSCs involved in the Urdu video incident.

Below, you will find a detailed timeline of the video publishing and description/translation of its contents.

They will not proceed without your approval but will be ready to act immediately upon you granting it.

Please let me know if you have any questions, I might answer on this subject.

Best regards,

André

From: Elez Biberaj (b) (6)
Sent: Tuesday, July 28, 2020 11:36 AM
To: Andre Mendes (b) (6)
Cc: Elez Biberaj (b) (6)
Subject: FW: Urgent Requested Termination of PSCs

Andre,
FYI.
Elez

From: (b) (6)
Sent: Tuesday, July 28, 2020 11:32 AM
To: (b) (6)
Cc: Elez Biberaj (b) (6); (b) (6)
(b) (6) Kelu Chao
(b) (6); (b) (6)
Subject: RE: Urgent Requested Termination of PSCs

(b) (6),

I have started the notices for termination for all parties involved. CON has determined and decided based on the information submitted in the matter regarding the actions of the Urdu PSC's to issue

the notices effective today. Unless the situation has changed I will have the notices ready for OGC review this afternoon.

If you have any questions please feel free to contact me.

Thank you

(b) (6)

From: (b) (6)
Sent: Tuesday, July 28, 2020 10:12 AM
To: (b) (6)
Cc: Elez Biberaj (b) (6); (b) (6)
Kelu Chao
(b) (6)
Subject: FW: Urgent Requested Termination of PSCs

Colleagues,

VOA requests to terminate immediately four PSCs for cause for posting on Facebook a story that resembles a campaign advertisement for Vice President Biden with no balance, thus violating VOA's journalism standards and Best Practices. If an initial suspension is required to comply with the contract, please advise.

The posting was produced and reviewed by four Urdu Service PSCs on July 22 by Digital Lead (b) (6)

<https://www.facebook.com/voaurdu/videos/603326047281871>

VOA removed the original video posting.

Please note that (b) (6) is on a J-1 Visa that expires Nov. 18, 2020.

Below is a description of the events and our response this issue for internal use only and our response.

We are dealing with this serious issue immediately and the story has been removed. This is not a training issue – it is something every journalist, whether at VOA or not, should have known. an assignment of editorial responsibility that fell through the cracks at the service level, in violation of VOA editorial standards.

While VOA believes it was correct to run excerpts from the Biden outreach to Muslims, which the

candidate did in a news event, the treatment of the story on Facebook violated our editorial standards for social media on several grounds:

1. The video of the advertisement ran too long and without context. It was correct to run excerpts from the Biden outreach to Muslims as part of the story. Biden did it in a news event and that's the story. But we crossed the line running much of the campaign ad itself. No more than 10 seconds of the campaign ad should have been included, and not as sound full. The short excerpt from the ad by the group Biden spoke to should have run with a super that said "A political action committee released advertising aimed at mobilizing Muslim voters." The excerpt from the ad should not have been from a portion that included the partisan exhortation.
2. The video should have accurately corrected Biden: "While candidate Biden referred to the 'Muslim ban,' the President's immigration order of 2017 did not ban Muslims or citizens of all predominantly-Muslim countries, only selected ones."
3. The use of the VOA logo at the end of the campaign video made it seem that VOA was part of the ad.
4. The video did not mention the Trump campaign's own outreach to Muslim voters and should have added that context.
5. The last two lines of the story should have been deleted. While some Muslim organizations support Biden, some others support President Trump, so those supporting Biden's candidacy should not be singled out. While many women members of Congress are supporting Biden, other support President Trump, so those supporting Biden's candidacy should not have been singled out.

The cause of our editorial breakdown is being investigated.

Once we have completed a thorough investigation we will take necessary disciplinary actions. For now, we are changing workflow to ensure more oversight in social media postings. The Urdu service chief, (b) (6), has taken responsibility for the breakdown. (b) returned to the service a few weeks ago from a four-month division-level assignment and is now beginning a series of changes to provide greater editorial oversight. The VOA Standards Editor, who would typically have provided election issues training for all VOA staff and stringers in July, has been on assignment with USAGM since June. (b) would have been the first contact when editorial issues arose but was not replaced in the wake of the CEO's hiring freeze and contract review, which is ongoing.

The original text version of the story failed to meet VOA standards of balance.

Below is a description of each PSCs role and translations:

- Multimedia reporter/producer (b) (6) saw the story on AP and informed the digital lead (b) (6) who gave the go ahead to do a story for social.
- (b) (6) adapted the AP script and sent it for copy editing to writer/editor (b) (6)
- (b) (6) had the final eyes on the package before publishing

- (b) (6) wrote the text story and it was copy edited by (b) (6)
- The video also appeared on TW and IG, in addition to FB. All have since been taken down.
- The text story was published on FB and on the Urdu website. (Since the website is blocked in Pakistan, Urdu uses FB to distribute text content as well.) The story has been updated adding context/corrections (standard practice is to correct text on the web not remove it).

Translation of the subtitles on the video (italics are Joe Biden speaking in the video):

I will end the Muslim ban on Day One: Joe Biden

Presidential candidate Joe Biden's address to American Muslims

Hadith from the Prophet Muhammad instructs whomever among you sees a wrong, let him change it with his hand. If he is not able, then with his tongue, if he is not able, then with his heart.

Joe Biden delivered the address in an online event

The event was organized to mobilize Muslims to vote

We all have the same fundamental beliefs

I thank you for your resolve to play your role in November

Your voice is your vote, your vote is your voice

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I will be a president that seeks out and incorporates and listens to the ideas and concerns of Muslim Americans on everyday issues that matter most to our communities. I will include Muslims in my administration.

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Democratic presidential candidate Joe Biden has said if he becomes the President he will incorporate and listens to the ideas and concerns of Muslim Americans on everyday issues that matter most to the communities. "I will include Muslims in my administration."

He made these remarks he made while addressing an online event, titled Million Muslim Votes. The event was organized by an organization of American Muslims called Emgage Action.

It is worth mentioning that many elected American Muslims have announced their support for Joe Biden in the next presidential election in a letter to the organization. Among them are Minnesota Congressman Alhan Omar, Minnesota Attorney General Keith Ellison, and Indiana Member congressman Andre Carson.

"After Becoming President, I will try to address the suggestions and concerns of American Muslims in these everyday matters, listen to and act on what is important to our communities," Biden said. "If I have the honor of being your president, I will end the Muslim ban on day one."

Joe Biden was referring to the ban that the Trump administration imposed on citizens of certain Muslim countries coming to the United States.

"We all have the same basic beliefs. And I want to thank you for playing a key role in November elections this year. You are doing things that have never been done before. You are registering one million Muslims to vote in November. This is important. Your voice is your vote. Your vote is your voice. American Muslims' voice matters. I'm not asking for your vote because Donald Trump is not qualified for the presidency. I want to work with you in your partnership. I wish you are involved in decision making when we rebuild the nation," Senator Biden said.

The Muslim member of the U.S. Congress, Alhan Omar, was supporting Bernie Sanders earlier. But after his presidential campaign ended in April, she has been supporting Biden. The former vice president wants to mobilize Muslim voters in the presidential election. The number of Muslim voters in many key states can play a decisive role. In the upcoming presidential election, Muslim voters can play an important role in several States. In 2016, President Trump won Michigan by less than 11,000 votes. The State has 150,000 Muslim voters.

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(b) (6)

Cc: Elez Biberaj (b) (6)

Kelu Chao

(b) (6)

Subject: RE: Urgent Requested Termination of PSCs

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From: (b) (6)

Sent: Tuesday, July 28, 2020 10:12 AM

To: (b) (6)

Cc: Elez Biberaj (b) (6)

Kelu Chao

(b) (6)

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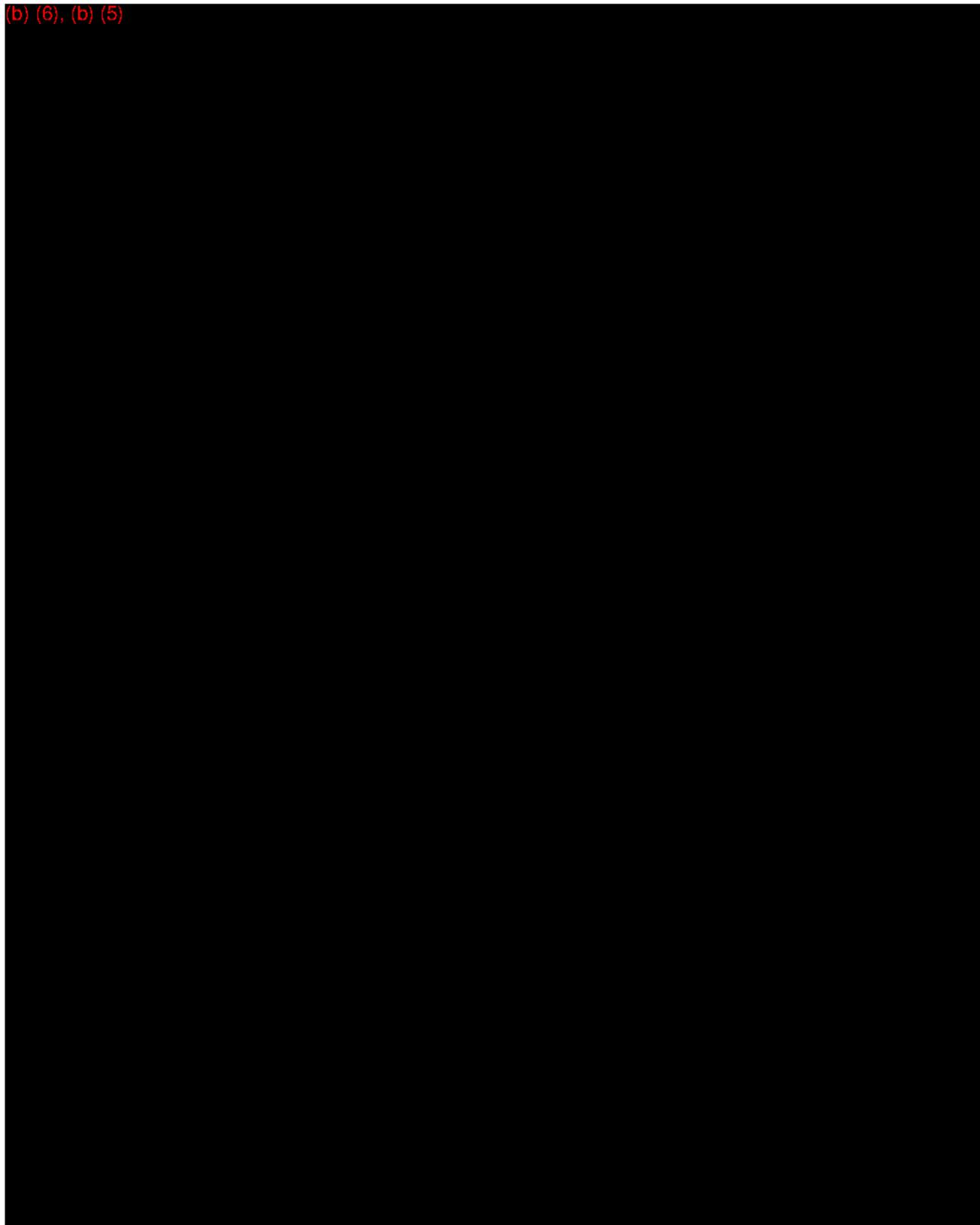
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(b) (6), (b) (5)



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From: [Jonathan Bronitsky](#)
To: [CEO2016](#); [Morvared Namdarkhan](#); [Diane Cullo](#); [Emily Pauline Newman](#); [Frank Wuco](#); [Thad Strom](#); (b) (6)
[Sam Dewey](#); [Toni DeLancey](#)
Subject: Justice, Federalist: NPR Manipulates Federalist Interview
Date: Thursday, September 3, 2020 12:01:37 PM
Attachments: [image001.png](#)

the
FEDERALIST

[NPR Manipulates Federalist Interview With VOA Executive On Behalf Of Government Employees Opposing Reform](#)

SEPTEMBER 3, 2020 By [Tristan Justice](#)

National Public Radio (NPR) offered a platform to fellow government-funded employees at the Voice of America (VOA) Monday to amplify a letter condemning their CEO for reforms to safeguard the government agency in the interest of national security.

The article, [headlined](#) “Voice of America Journalists: New CEO Endangers Reporters, Harms U.S. Aims,” reported on a letter signed by several of VOA’s veteran journalists rebuking their new parent agency chief Michael Pack for comments during an interview with The Federalist, which National Propaganda Radio falsely characterized as a “pro-Trump outlet.”

“Voice of America journalists are compelled to express our profound disappointment with the actions and comments of the chief executive officer of the U.S. Agency for Global Media, which endanger the personal security of VOA reporters at home and abroad, as well as threatening to harm U.S. national security objectives,” several VOA staff wrote, going on to accuse Pack of executing a

“purge” of agency employees while threatening to ban face masks and unplug the air conditioning in its D.C. offices. The latter accusation was repeated by NPR, although both conceded it was merely a joke.

A clear and honest reading of the transcript between Pack and Federalist Senior Editor Chris Bedford reveals no such threats made by Pack, only sarcastic commentary from Bedford.

Here’s the transcript outlining the moment when Pack was discussing obstacles to implementing long-neglected security procedures to protect the agency. He brushed off Bedford’s unserious suggestion:

PACK: One of the challenges of taking over an agency at this moment in time is sorting all this out, especially during COVID. The headquarters building – the Cohen Building here in Washington, DC – is largely empty. We’re bringing people back as we move from Phase I...

BEDFORD: Have you considered banning masks and turning off the air conditioning? That’s my prescription for federal agencies.

PACK: [SEGUE] Yeah, well, we’ll have to look into that one. But you know it’s been hard to get to know the employees when they’re largely working from home.

Primarily at issue was Pack’s reasonable suggestion that foreign governments could deploy spies into newsrooms masquerading as journalists.

For years, Pack explained, VOA overlooked critical clearance processes, leaving the U.S. agency vulnerable to foreign interference as it broadcast American news around the world. Pack cited one instance in which an explicitly supportive ad for Democratic presidential nominee Joe Biden was translated into another language to encourage Muslims in Michigan to turn out for Democrats in November.

“I have a responsibility to make sure that the security of these agencies is maintained. The fact is that foreign intelligence agencies from the beginning – from the creation of these agencies – have been interested in penetrating them,” Pack

said, going on to offer as a cautious example one British journalist who worked as a double-agent for the Soviet Union. “To be a journalist is a great cover for a spy – famous journalists like Kim Philby who worked for the BBC... It’s just a great cover. And from the beginning of the Cold War, even earlier, they’ve been penetrated. It [the field of journalism] is a great place to put a foreign spy. I have to make sure that doesn’t happen – to stand up for the national security interests of Americans.”

Listen to Bedford’s full interview [here](#).

Tristan Justice is a staff writer at The Federalist focusing on the 2020 presidential campaigns. Follow him on Twitter at [@JusticeTristan](#) or contact him at Tristan@thefederalist.com.

From: Jonathan Bronitsky
Sent: Thursday, July 30, 2020 7:28 PM
To: CEO2016; Toni DeLancey; Morvared Namdarkhan; Abby Bird; Diane Cullo; Emily Pauline Newman; Sam Dewey
Subject: USAGM: presser - investigation

<https://www.usagm.gov/2020/07/30/ceo-pack-launches-investigation-into-pro-biden-voa-content-u-s-election-interference/>



CEO Pack launches investigation into pro-Biden VOA content, U.S. election interference

July 30, 2020

WASHINGTON, D.C. — U.S. Agency for Global Media (USAGM) CEO Michael Pack has launched an investigation into Voice of America (VOA) content that transgressed the [VOA Charter](#), VOA’s [Best Practices Guide](#), VOA’s [Journalistic Code](#), and agency [standards and principles](#), and, further, might have constituted U.S. election interference and a violation of federal law.

The content at issue featured a video that can only be described as an apparent election advertisement for presumptive Democratic presidential nominee and former Vice President Joe Biden, which appeared on VOA Urdu’s website as well as on its Twitter, Instagram, and Facebook accounts. The video was branded with VOA logos for its duration.

This VOA-branded video promoted a voter mobilization campaign, “Million Muslim Votes,” and highlighted Biden making election promises to the Muslim-American community. Among other individuals, Democratic Representatives Ilhan Omar of Minnesota and Rashida Tlaib of Michigan made appearances in the video.

CEO Pack’s investigation seeks to discern who was responsible for this significant content and editorial breakdown. It also endeavors to determine whether the content violated federal law, including, among other statutes, the Hatch Act, which limits certain political activities of federal employees.

There is significant concern that the VOA content targeted potential voters in the forthcoming U.S. presidential election. To this point, an English-language translation of the revised VOA Urdu content notes, “The number of Muslim voters in several key U.S. states could play a significant role in the upcoming presidential election. In the 2016 election, President Trump won Michigan with less than 11,000 votes. The number of Muslim voters in this state is 1.5 million.”

CEO Pack issued this statement, “USAGM staff members who attempt to influence American elections will be held accountable. Our networks comprise the U.S.’s megaphone to the world, and this invaluable instrument is generously funded by the American people. To safeguard our agency’s reputation and the integrity of our content, I will continue to ensure that violations of journalistic standards and principles are dealt with swiftly and fairly. This investigation – and, indeed, every action that I have taken since starting my tenure last month –

USAGM-21-0203-A-000197

has been to repair USAGM so that, once again, U.S. government international broadcasting advances the American national interest.”

**U.S. Office of Personnel Management
Suitability Executive Agent Programs**

**Follow-Up Review of the
U.S. Agency for Global Media
Suitability Program**

July 2020



CAUTION-- This report has been distributed to Federal officials who are responsible for the administration of the reviewed program. This report is not to be released to the public or other personnel who do not have a valid "need-to-know" without prior approval of an authorized OPM or agency official.

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Executive Summary

The heads of agencies that make suitability determinations must conduct their suitability programs in accordance with applicable statutes, executive orders, and regulations.

Per 5 USC 1104, the director of the U.S. Office of Personnel Management may delegate personnel management functions to the heads of agencies in the executive branch and other agencies employing persons in the competitive service. OPM has established standards that apply to the delegated functions, and OPM has established and maintains an oversight program to ensure that delegated activities are conducted in accordance with those standards. Per the statute, when OPM makes a written finding, on the basis of information obtained as part of its oversight program or otherwise, that any action taken by an agency pursuant to delegated authority is contrary to any law, rule, or regulation, or is contrary to the standards established by OPM, the agency involved shall take any corrective action OPM may require.

OPM's oversight program conducted by OPM's Suitability Executive Agent Programs (SuitEA) conducts program reviews of Executive Branch agencies' personnel suitability and vetting programs. These reviews are conducted on, among others, agencies to which OPM has granted delegated investigative authority to conduct their own investigations and/or adjudications and agencies with a documented history of performance concerns. The Office of the Director of National Intelligence (ODNI), which has similar oversight responsibility for national security programs, has established the Security Executive Agent National Assessment Program (SNAP). OPM and ODNI may jointly conduct their assessments to provide for onsite validation of metrics, policy, practices, and agency compliance with regulatory requirements regarding the personnel security and suitability programs. The reviews identify any deficiencies which may negatively impact the efficiency or integrity of the Federal service or are inconsistent with or may weaken the interests of National Security.

In 2012, OPM's Agency Oversight program notified USAGM, then known as the U.S. Broadcasting Board of Governors (BBG), that OPM's 2010 assessment of BBG's personnel security and suitability program reflected the program needed improvement. OPM provided a listing of fourteen recommendations to improve the program.

In 2014, OPM's Agency Oversight program and ODNI's Security Executive Agent National Assessment Program (SNAP) conducted a review of the U.S. Agency for Global Media (USAGM) security and suitability program. OPM issued its draft report in September of 2015 and detailed a series of critical recommendations that required USAGM's immediate corrective action. Many of these were recommendations to which OPM had alerted USAGM in 2012, for which USAGM had not taken corrective action. In USAGM's response, it indicated it would comply with the OPM's recommendations. In OPM's final report, issued in 2017, OPM

informed USAGM that failure to address the recommendations could serve as grounds to revoke USAGM's delegated authority.

In 2018, OPM's Suitability Executive Agent Programs (SuitEA) team initiated another review, again conducted jointly with ODNI's SNAP, to assess USAGM's corrective efforts on deficiencies identified in past program reviews (2010 and 2014), to assess compliance with current suitability regulations and supplemental guidance, and to determine if USAGM has effectively implemented and maintained the performance goals and measures identified by the Performance Accountability Council (PAC). The review found USAGM staff had not made required corrective efforts based on the prior reviews and further identified multiple new deficiencies. Corrective action was required due to deficiencies in USAGM's program relating to position designation, background investigations processing, Homeland Security Presidential Directive 12 credentialing, background investigations quality, adjudications, and internal controls. The review also noted potential concerns with USAGM's safeguarding of classified national security information.

USAGM responded to OPM's draft report on November 20, 2018 and agreed with all recommendations. In OPM's final report, issued to USAGM Chief Operating Officer and Director John Lansing by then OPM Acting Director Margaret Weichert in August of 2019, OPM identified 37 recommendations requiring corrective action and provided USAGM 90 days to bring all program areas into compliance. OPM informed USAGM that failure to do so could result in OPM and ODNI taking additional steps, to include revoking USAGM's delegated adjudicative authority.

In February 2020, OPM's SuitEA and ODNI's SNAP conducted follow-up activity regarding the status of corrective actions required as a result of the 2019 report. The objective of the follow-up was to determine if USAGM had made all required corrections and had successfully brought their security and suitability program into compliance.

To answer our objective, we reviewed applicable program operation manuals, policies, documentation, and OPM data. We also interviewed USAGM managers and employees.

This report includes the findings and recommendations from our 2018 inspection, which were based on data covering a specific measurement period of investigative and adjudicative activities that occurred January 1, 2016 through December 31, 2017. All results from our current 2020 follow-up review activities are included under the "Current Status" heading in each section of this report and cover a specific measurement period of investigative and adjudicative activities that occurred November 1, 2018 through January 3, 2020, unless otherwise noted.

OPM found USAGM has taken corrective action on 18 of OPM's 37 recommendations and has failed to take corrective action on 19 of OPM's 37 recommendations made in OPM's 2019 final report. Additionally, OPM identified 6 new recommendations based on data collected covering our follow-up measurement period.

OPM will take steps to revoke USAGM's adjudicative and other delegated authorities until such a time as USAGM can demonstrate to OPM's satisfaction that USAGM has taken all corrective actions. OPM does not intend to grant delegated investigative authority to USAGM.

Summary of Recommendations

Areas for Improvement

Delegation of Investigative Authority

- Previous Recommendation 1: USAGM must immediately cease all investigative activities and must immediately transfer all investigative work to the National Background Investigations Bureau (NBIB).¹
 - Previous Recommendation 1 is CLOSED.

Designation of Position Risk and Sensitivity

- Previous Recommendation 2: USAGM must ensure that all covered positions are designated for both risk and sensitivity using OPM's Position Designation System (PDS).
 - Previous Recommendation 2 is OPEN and UNRESOLVED.
- Previous Recommendation 3: USAGM must maintain a Position Designation Record (PDR) (or equivalent) for each covered agency position, per OPM's Suitability Processing Handbook.
 - Previous Recommendation 3 is CLOSED.
- Previous Recommendation 4: USAGM must ensure all USAGM employees tasked with position designation responsibilities are operating in a fair, consistent, and reliable manner.
 - Previous Recommendation 4 is CLOSED.
- Previous Recommendation 5: USAGM must re-designate all positions in accordance with 5 CFR part 1400.
 - Previous Recommendation 5 is CLOSED.
- Previous Recommendation 6: USAGM must request the correct level of investigation based on the accurate position designation, per 5 CFR part 1400, OPM's PDS, OPM issuances and Federal Investigation Notices, and the Federal Investigative Standards.
 - Previous Recommendation 6 is OPEN and UNRESOLVED.

Investigation Processing – Electronic Questionnaire for Investigations Processing (e-QIP)

- Previous Recommendation 7: USAGM must immediately begin using e-QIP for all investigation requests.
 - Previous Recommendation 7 is CLOSED.

¹ NBIB's investigative function has been transferred to the Defense Counterintelligence and Security Agency (DCSA). Per statute, Executive Order, and delegation, DCSA is the primary investigations provider for federal agencies.

- Previous Recommendation 8: USAGM must immediately begin using the current SF86 and must not allow applicants or employees to complete outdated versions of the form.
 - Previous Recommendation 8 is CLOSED.
- Previous Recommendation 9: USAGM must immediately begin using the correct security forms (to include the SF85) for any position which does not require the use of the SF86.
 - Previous Recommendation 9 is CLOSED.

Investigation Processing – Pre-Appointment Screening

- Previous Recommendation 10: USAGM staff tasked with pre-screening responsibilities must use 5 CFR part 731 criteria when making pre-screening determinations, as required by the CFR and OPM's Suitability Processing Handbook.
 - Previous Recommendation 10 is OPEN and UNRESOLVED.
- Previous Recommendation 11: USAGM must ensure all staff tasked with pre-screening responsibilities receive training and are familiar with the criteria found in 5 CFR part 731.
 - Previous Recommendation 11 is OPEN and UNRESOLVED.
- Previous Recommendation 12: USAGM must immediately discontinue use of the SF 86 (or any other security form) prior to making an offer of employment, in accordance with 5 CFR §330.1300, unless and until USAGM is granted an exception.
 - Previous Recommendation 12 is CLOSED.

Investigation Processing – Referral

- Previous Recommendation 13: USAGM must refer all cases with potential material, intentional false statement, or deception or fraud in the examination or appointment process to OPM, as required by 5 CFR part 731 and the Suitability Processing Handbook.
 - Previous Recommendation 13 is CLOSED.

Investigation Processing – Reciprocity

- Previous Recommendation 14: USAGM must update internal processes to eliminate the practice of initiating all applicants and employees into e-QIP prior to checking for reciprocity, in accordance with E.O.s 13467 and 13488.
 - Previous Recommendation 14 is CLOSED.
- Previous Recommendation 15: USAGM must work with their NBIB liaison to obtain access to all appropriate investigation databases.
 - Previous Recommendation 15 is OPEN and UNRESOLVED.
- New Recommendation A: USAGM must eliminate all duplicate investigation requests.

Investigation Processing – Investigation Request Timeliness

- Previous Recommendation 16: USAGM must ensure the e-QIP “Approver” user role is held by a Federal employee. The e-QIP Agency Administrator must immediately remove the Approver access for the Contractors currently holding that role.
 - Previous Recommendation 16 is CLOSED.
- Previous Recommendation 17: USAGM must immediately cease having applicants and employees re-sign security form releases upon Entry On Duty (EOD), in support of accurate timeliness metrics.
 - Previous Recommendation 17 is CLOSED.
- Previous Recommendation 18: USAGM must ensure background investigations are initiated no more than 14 days after the applicant’s initial certification of the investigative forms.
 - Previous Recommendation 18 is OPEN and UNRESOLVED.
- Previous Recommendation 19: USAGM must update its policies, manuals, and employee training practices to ensure all USAGM staff with a role in the initiation process are aware of the 14 day initiation timeliness standard.
 - Previous Recommendation 19 is CLOSED.

Investigation Processing – Investigation Request Quality

- New Recommendation B: USAGM must establish and implement processes to reduce the unacceptable submission rate for investigation requests to 5% or less.

Homeland Security Presidential Directive 12 (HSPD-12) Credentialing

- Previous Recommendation 20: USAGM must ensure every individual has a favorably adjudicated fingerprint before being issued a Personal Identity Verification (PIV) credential, as required by HSPD-12 and FIPS 201-2.
 - Previous Recommendation 20 is OPEN and UNRESOLVED.
- Previous Recommendation 21: USAGM must cease revoking and destroying PIV credentials when employees undergo re-investigation.
 - Previous Recommendation 21 is CLOSED.
- Previous Recommendation 22: USAGM must update its processes and implement the use of PIV cards for logical access.
 - Previous Recommendation 22 is CLOSED.
- Previous Recommendation 23: USAGM must update processes, procedures, and employee training requirements to reciprocally accept PIV credentials for physical access, in accordance with HSPD-12.
 - Previous Recommendation 23 is CLOSED.

- New Recommendation C: USAGM must develop a mechanism to track PIV expiration dates.
- New Recommendation D: USAGM must update their PIV issuance process to identify staff responsible for uploading credentialing determinations into CVS.

Suitability Investigation Quality

- Previous Recommendation 24: USAGM must work with NBIB to immediately initiate new investigations for all individuals investigated by USAGM since the expiration of USAGM's delegated investigative authority in 2012.
 - Previous Recommendation 24 is OPEN and UNRESOLVED.
- New Recommendation E: USAGM must add a "Please Call" notice in CVS for each investigation USAGM conducted after the expiration of USAGM's delegation of investigative authority.

Adjudication – Reporting Adjudicative Determinations

- Previous Recommendation 25: USAGM must perform and document a distinct suitability adjudication on every closed investigation, in accordance with 5 CFR part 731.
 - Previous Recommendation 25 is OPEN and UNRESOLVED.
- Previous Recommendation 26: USAGM should consider making arrangements to ensure OS staff are not responsible for adjudicating their direct-report employees' investigations.
 - Previous Recommendation 26 is OPEN and UNRESOLVED.
- Previous Recommendation 27: USAGM must report all suitability determinations to OPM as soon as possible, and in no event later than 90 days after receipt of the final report of investigation.
 - Previous Recommendation 27 is OPEN and UNRESOLVED.
- New Recommendation F: In lieu of reporting pending adjudications for any investigations USAGM conducted after the expiration of their delegated investigative authority, USAGM must discontinue these investigations and initiate new investigations through DCSA.

Internal Control Activities – Records of Investigation

- Previous Recommendation 28: USAGM must request the required background investigation on any USAGM appointee or employee where a record of investigation cannot be verified.
 - Previous Recommendation 28 is OPEN and UNRESOLVED.

Internal Control Activities – Record Retention

- Previous Recommendation 29: USAGM must ensure the Certification of Investigation or similar agency form is included in the eOPF, as required by OPM's Guide to Personnel Recordkeeping.
 - Previous Recommendation 29 is CLOSED.

Internal Control Activities – Physical Safeguards

- Previous Recommendation 30: Ensure all physical space containing sensitive information, including investigative and adjudicative information and PII, is properly secured and not accessible to those without a need to know.
 - Previous Recommendation 30 is OPEN and UNRESOLVED.
- Previous Recommendation 31: Update policies and procedures to implement immediate measures to ensure PII and sensitive and/or classified information will not be compromised.
 - Previous Recommendation 31 is OPEN and UNRESOLVED.

Internal Control Activities – Adjudicator Training

- Previous Recommendation 32: USAGM must ensure the personnel who perform adjudicative work receive suitability adjudications training in accordance with the National Training Standards.
 - Previous Recommendation 32 is CLOSED.
- Previous Recommendation 33: USAGM must ensure adjudicative staff is able to demonstrate a sufficient knowledge and understanding of suitability adjudications requirements and criteria.
 - Previous Recommendation 33 is OPEN and UNRESOLVED.

Internal Control Activities – Adjudicator Qualifications

- Previous Recommendation 34: USAGM must ensure personnel who perform adjudicative work maintain a favorable determination based on the results of the appropriate level of investigation.
 - Previous Recommendation 34 is OPEN and UNRESOLVED.

Internal Control Activities – Policies and Procedures

- Previous Recommendation 35: USAGM must ensure the manuals, forms, directives, and policies that govern its personnel suitability operations are in compliance with all applicable E.O.s, OPM requirements, and current investigative products.
 - Previous Recommendation 35 is OPEN and UNRESOLVED.
- Previous Recommendation 36: USAGM must ensure security and suitability staff operates in accordance with all SOPs and written guidelines.
 - Previous Recommendation 36 is OPEN and UNRESOLVED.
- Previous Recommendation 37: USAGM must immediately stop requesting information for background investigations which goes beyond the scope of the Federal Investigative Standards.
 - Previous Recommendation 37 is OPEN and UNRESOLVED.

Background

The USAGM was created when the U.S. Information Agency was consolidated in accordance with the International Broadcasting Act on April 30, 1994. The Act established the International Broadcasting Bureau (IBB) within the U.S. Information Agency and created a Broadcasting Board of Governors. On October 1, 1999, the USAGM became an independent government entity responsible for oversight of the IBB, and is responsible for all U.S. government and government-sponsored non-military international broadcasting.² Ultimately, the mission of the USAGM is to inform, engage, and connect people around the world in support of freedom and democracy.³

USAGM's personnel security and suitability functions are divided between the Office of Security (OS) and the Office of Human Resources (OHR), both located within IBB's Office of Management Services (OMS).

OS consists of two divisions: Personnel Security and Physical Security. The Personnel Security Division (PSD) is responsible for all personnel security functions and includes one Chief, three Personnel Security Specialists, three Security Specialists, and four Security Assistants.

Physical Security is responsible for issuing PIV credentials.⁴

In addition to their standard OHR responsibilities, one Senior Human Resources (HR) Program Specialist, four federal HR Specialists, and two contractor HR Specialists are directly involved in OS activities. These staff members are responsible for position designation.⁵

Chart 1 reflects a condensed version of USAGM's organizational chart, highlighting the offices with a role in the suitability program (shown in bold).

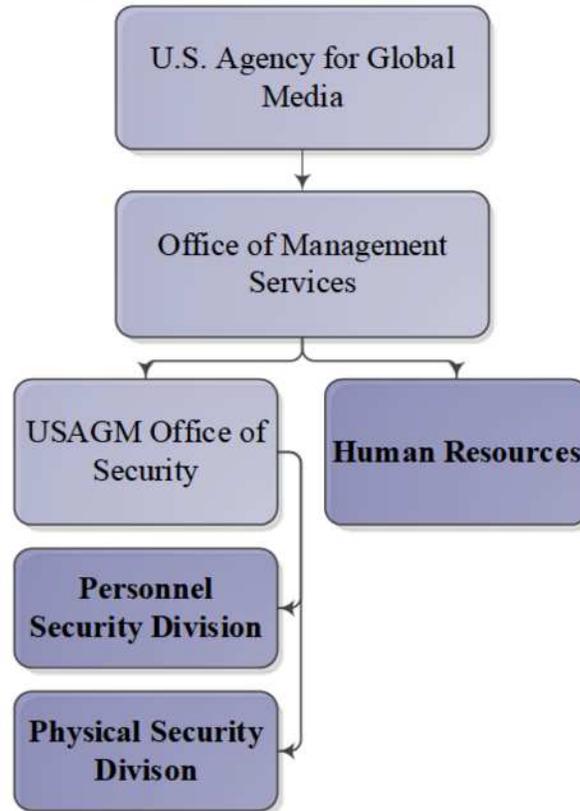
² <https://www.usagm.gov/who-we-are/history/>

³ <https://www.usagm.gov/who-we-are/>

⁴ In addition to other physical security-related duties, which we will not cover during this report.

⁵ Agency structure current as of the time of our 2020 onsite activities.

Chart 1
USAGM Organizational Chart



Source: USAGM

USAGM consists of approximately 1,412 employees, with approximately 1,067 in the competitive service.⁶

⁶ Fedscope, June 2019

Findings

Delegation of Investigative Authority

At the time of our original review, under Civil Service Rule V, 5 CFR § 5.2(a), the President delegated to OPM the authority for “[i]nvestigating the qualifications, suitability, and fitness of applicants for positions in the competitive service, positions in the excepted service where the incumbent can be noncompetitively converted to the competitive service, career appointments to positions in the Senior Executive Service, and any other positions in the excepted service of the executive branch for which the Director has standard-setting responsibility under Civil Service Rule II.” Further, except as otherwise provided by statute or executive order, personnel investigations for working for or on behalf of the United States were the responsibility of OPM’s NBIB under E.O. 13764, Amending the Civil Service Rules, E.O. 13488, and E.O. 13467, To Modernize the Executive Branch-Wide Governance Structure and Processes for Security Clearances, Suitability and Fitness for Employment, and Credentialing, and Related Matters.

Per this order, NBIB was to “serve as the primary executive branch service provider for background investigations for eligibility for access to classified information; eligibility to hold a sensitive position; suitability or, for employees in positions not subject to suitability, fitness for Government employment; fitness to perform work for or on behalf of the Government as a contractor; fitness to work as a non-appropriated fund employee, as defined in E.O. 13488 of January 16, 2009,⁷ as amended; and authorization to be issued a Federal credential for logical and physical access to federally controlled facilities or information systems.”

With the issuance of Executive Order 13869, “Transferring Responsibility for Background Investigations to the Department of Defense,”⁸ NBIB’s investigative functions were transferred to the Department of Defense’s Defense Counterintelligence and Security Agency (DCSA).

Under 5 U.S.C. §1104(a)(2), OPM may delegate its investigative authority to other agencies. Agencies seeking such delegation must request⁹ and receive approval from OPM prior to beginning investigative activities, and must stay in compliance with all performance and investigative standards established by OPM. OPM “shall, pursuant to section 1104 of title 5, United States Code, prescribe performance standards and a system of oversight for any suitability or fitness function delegated by the Director to the head of another agency, including

⁷ Executive Order 13488, *Granting Reciprocity on Excepted Service and Federal Contractor Employee Fitness and Reinvestigating Individuals in Positions of Public Trust*, January 16, 2009

⁸ Executive Order 13869, *Transferring Responsibility for Background Investigations to the Department of Defense*, April 24, 2019

⁹ OPM has prescribed basic requirements for requesting delegated investigative authority for competitive service positions in 5 CFR, part 736.

uniform and consistent policies and procedures to ensure the effective, efficient, timely, and secure completion of delegated functions” and “shall make a continuing review of agency programs for suitability and fitness vetting to determine whether they are being implemented according to this order.”¹⁰

Previous Finding: During the course of our 2014 review, we determined USAGM was operating without the proper delegated authority. The last valid MOU between USAGM and OPM was signed in 2010 and expired in December 2012. When we asked the then-Chief of Security about the existence of any current MOUs, he stated OPM staff did not provide an updated version for signature, and told him the 2010 MOU was automatically renewed and remained in effect.

However, we found that OPM sent a proposed MOU to USAGM in January 2013. USAGM asked for modifications to the signature block and requested the omission of the requirement to use e-QIP. OPM updated the signature block and provided an explanation to USAGM regarding the e-QIP requirement. The updated, proposed MOU was emailed directly to the then-Chief of Security in April 2013, and again in June 2013. USAGM did not execute the MOU. Therefore, USAGM had been operating without the proper delegated authority since December 2012.

We included this information in our prior draft report, issued September 2015, which was sent to the then-Chief of Staff of USAGM, Director of Security, and Director of Human Resources. This information was also included in the final report for our 2014 review, issued July 20, 2017, which was sent to the then-Director of Management Services, International Broadcasting Bureau, USAGM; Director of Security; Chief of the Investigations Branch; and -Chief of the Adjudications Branch.

The Director of Management Services, the Chief of the Investigations Branch (now the Director of Security), and the Chief of the Adjudications Branch still occupied these positions at the time of our 2018 review. Despite receiving our prior reports and our discussion of USAGM’s lack of authority to act as its own ISP, the Director of Security and the Chief of the Adjudications Branch (Adjudications Chief) claimed “nobody knew” of the expired MOU during our 2018 onsite activities.

The Director of Security stated he discovered the expired MOU in July of 2017 and tried to contact OPM to resolve the issue, with no results.

OPM, as the Suitability Executive Agent, found USAGM to be out of compliance and operating without any proper delegation of investigative authority, despite repeated notification from the

¹⁰ E.O. 13467, as amended, §§ 2.5(b)(v), (vii)

Suitability Executive Agent. Given the severity and quantity of the errors we identified in USAGM's security and suitability program during our 2014 review, and the ongoing nature of those errors (as identified during our April 2018 onsite activities), OPM was unwilling to consider signing a new Delegation of Investigative Authority until such a time as USAGM corrected all errors identified later in this report. In the absence of a delegation agreement, USAGM lacked the authority to conduct background investigations.

We informed USAGM that failure to comply with this recommendation would result in further action, to include referral to the Office of Inspector General of the Department of State and revocation of adjudicative authority.

Previous Recommendation 1: USAGM must immediately cease all investigative activities, and must immediately transfer all investigative work to NBIB.

Current Status: Corrective action IMPLEMENTED.

In February 2019 the Director stated USAGM discontinued all cases in progress and transferred all investigations to the Defense Counterintelligence and Security Agency (DCSA), and were fully compliant with this recommendation by January 2019. We also spoke to both USAGM Inspectors, who stated they have been assigned new duties and no longer perform investigatory work.

OPM data covering the follow-up measurement period of November 1, 2018 through January 3, 2020 reflected USAGM did not report initiating any background investigations under its own investigations program. While this information is strictly self-reported, during our onsite we found no indications that USAGM has continued to operate an investigations program without the proper delegation.

Previous Recommendation 1 is CLOSED.

Designation of Position Risk and Sensitivity¹¹

Proper position designation is the foundation of an effective and consistent suitability program. It determines what type of investigation is required and how closely an individual is screened for a position.

¹¹ Position designation is outlined in Civil Service Rule V, E.O.s 13467 and 13488, as amended, and 5 CFR §731.106 and part 1400.

By executive order, the President has directed that “[t]he Director [of OPM] may cause positions to be designated based on risk to determine the appropriate level of investigation, and may prescribe investigative standards, policies, and procedures.”¹² The President has separately directed that “[w]ith respect to the Suitability Executive Agent functions, the Director... shall, pursuant to sections 1103 and 1104 of title 5, United States Code, and the Civil Service Rules, be responsible for suitability and fitness by...prescribing position designation requirements with regard to the risk to the efficiency and integrity of the service;” and that “Contractor employee fitness or non-appropriated fund employee fitness is subject to the same position designation requirements... as prescribed by the Office of Personnel Management under the Civil Service Rules.”¹³

The suitability regulation¹⁴ requires all covered¹⁵ positions to be designated at the high, moderate, or low risk level. In addition, proper position designation is required to support many of the Joint Security and Suitability reform initiatives. The Position Designation System (PDS) is required for all positions in the competitive service, positions in the excepted service where the incumbent can be non-competitively converted to competitive service, and career appointments in the Senior Executive Service.

To clarify the requirements and procedures agencies should observe when designating positions, OPM and ODNI issued 5 CFR 1400 on June 5, 2015 and implementation guidance to executive agencies, including, specifically, to USAGM, in May 2016 explaining the regulatory requirements regarding the designation of National Security positions in the competitive service, and describing the requirements to use the PDT, to review the designation of covered positions.

The joint OPM and ODNI regulation provides guidance to assist agency heads in evaluating and designating sensitive positions. Agencies had 24 months from July 6, 2015, to review positions and determine whether or not certain positions impact National Security under the new definition and make the appropriate designation change.

Finally, in addition to using the PDS, the agency must complete and maintain the Position Designation Record (PDR) or its equivalent for each agency position, as described in the Suitability Processing Handbook.¹⁶

¹² Civil Service Rule V, 5 CFR § 5.2(a)(ii)

¹³ E.O. 13467, as amended, § 2.5(b)(i); E.O. 13488, as amended, § 3(b)

¹⁴ 5 CFR 731.106 (a)

¹⁵ Pursuant to 5 CFR 731.101(b), a “covered position” means a position in the competitive service, a position in the excepted service that can non-competitively convert to the competitive service, and a career appointment to a position in the Senior Executive Service.

¹⁶ OPM Suitability Processing Handbook, Appendix B

The Position Designation Tool (PDT) is recommended for all positions. The PDT will help to ensure a systematic, dependable, and uniform way of making position designations and maintaining the PDR or its equivalent.

Previous Finding: USAGM failed to take corrective action on a finding related to position designation following our 2014 review and as of 2018 still did not use the PDS to designate all covered positions, as required.

According to the Adjudications Chief, OHR was responsible for position designation. The Adjudications Chief stated OS was aware of the requirement to use OPM's PDS to accurately designate positions, but that OHR had been unwilling to use the system as required.

The OHR Operations Branch Chief stated they did not use the PDS, and would not use it, due to the uniqueness of USAGM's mission and the fact they employed non-citizens. The Operations Branch Chief stated OHR staff designated positions based on the duties performed, who the employee would have contact with, and whether the employee would have access to sensitive or classified information. The Operations Branch Chief stated each classifier made their own decisions and relied "more or less" on their personal judgment rather than any sort of standardized designation system. He added classifiers usually designated positions based on what the hiring manager wanted, and may have upgraded the position upon request.

The Operations Branch Chief stated USAGM recorded designations on the Optional Form (OF) 8¹⁷ and did not maintain any sort of PDR. USAGM had no policy to re-designate positions when vacant.

The Director stated position designation and meeting the requirements of 5 CFR part 1400 had been a "shaky situation." He stated USAGM's Office of General Counsel (OGC) believed USAGM was exempt from re-designation requirements because of the agency's mission and staffing patterns. The Director stated he had been aware of the requirement to use OPM's PDS since we issued the report of our 2014 review, but added that senior leadership were unwilling to comply.¹⁸

At the time of our 2018 onsite USAGM had not properly requested an extension from the Suitability and Security Executive Agents to extend the position designation review period, which ended in July 2017.

¹⁷ OF-8 Position Description

¹⁸ ODNI's report will provide further information about USAGM's compliance with 5 CFR part 1400.

In 2018 we obtained position descriptions (PDs) for 10 of the positions in our file sample and used the PDT to designate the positions, to determine if USAGM’s designations were roughly in line with OPM’s analysis of the PD.¹⁹ Table 1 reflects any discrepancies between the two designations.

Table 1
USAGM Position Designation Discrepancies, 2018

PD #	Position Title	USAGM Designation and Required Investigation	OPM Designation and Required Investigation
PD 2	Senior Advisor	Critical Sensitive/ ANACI	High Risk Public Trust/ T4 ²⁰
PD 3	Director for Broadcast Operations	Unknown ²¹	High Risk Public Trust / T4
PD 6	International Broadcaster (Radio) (Creole)	Non-Critical Sensitive/ NACLC	High Risk Public Trust / T4
PD 7	Investigative Writer	Non-Critical Sensitive/ T3	High Risk Public Trust / T4
PD 8	International Broadcaster (English)	Unknown/ T3	High Risk Public Trust / T4
PD 13	International Broadcaster (Urdu)	Non-Critical Sensitive/ T3	High Risk Public Trust (minimum) ²² / T4
PD 15	Deputy for Technology Support Services	Non-Critical Sensitive/ ANACI	High Risk Public Trust (minimum)/ T4
PD 17	General Manager, Persian News Network	Critical-Sensitive/ T3	High Risk Public Trust (minimum)/ T4

¹⁹ We consulted with a representative from OPM’s Adjudications and Clearance Processing group to obtain accurate designations for these positions. Staff in this group is responsible for designating OPM positions for risk and sensitivity, and therefore have extensive experience in accurately using the OPM PDS and the PDT.

²⁰ Refer to OPM *Federal Investigation Notices (FINs)* 15-03, 16-02, and 16-07 for information regarding how OPM’s new tiered investigations relate to prior investigative types.

²¹ USAGM provided an incomplete OF-8 for this position, so we were unable to determine how USAGM’s designation compared to OPM’s designation.

²² USAGM’s PDs were not sufficiently detailed to allow OPM staff to properly designate these positions. Based on any National Security impacts, these positions could be designated at higher levels.

Privileged under Law Enforcement Privilege; Exempt from Disclosure under FOIA Exemptions 7E, 7F

PD 19	Coverage Editor (Africa)	Non-Sensitive/ T3	High Risk Public Trust (minimum)/ T4
PD 20	Supervisory International Broadcaster (Russian)	Non-Critical Sensitive/ ANACI	High Risk Public Trust (minimum)/ T4

Source: USAGM and OPM

OPM designated PDs 2, 6, 7, and 8 at the High Risk Public Trust level, and individuals should have been subject to a T4 investigation (based on a completed SF85P). USAGM's designations for these positions necessitated applicants filling out a more intrusive national security questionnaire, the SF86. PDs 13, 15, 17, 19, and 20 did not provide sufficient detail for OPM classifiers to make more than a minimum designation of a High Risk Public Trust.

In addition, while reviewing the USAGM -provided designations, we noted several instances where USAGM did not conduct the correct investigation required by their own designation. PDs 2 and 17 were designated as Critical Sensitive and should have undergone a T5 investigation, and PD 19 was designated as Non-Sensitive and should have undergone a T1 or T2 investigation, based on the position's risk level.²³ These are the investigation levels required by the government-wide Federal Investigative Standards jointly promulgated by OPM and ODNI pursuant to executive order.²⁴

Proper position designation allows agencies to achieve accuracy and consistency in all positions, to include aligning with the correct investigative levels. Maintaining the PDR provides proof of compliance and eliminates a duplication of efforts for the agency.

Failure to consistently designate agency positions at the proper level using established standards may result in investigating employees at a higher level than required, subjecting them to unnecessary scrutiny and placing undue financial burden on the agency. It may also allow individuals access to information they are not properly vetted for, placing the agency and the federal government at risk.

Failure to designate all agency positions using current criteria, in accordance with 5 CFR 1400, may allow individuals access to information they are not properly vetted for, placing the agency and the Federal government at risk.

²³ PDs 2 and 17 were subject to a lower investigation than required, PD 19 was subject to a higher investigation than required.

²⁴ See Civil Service Rule V, 5 CFR § 5.2(a)(ii); E.O. 13488, as amended, § 3(b); E.O. 13467, as amended, §§ 1.1(d), 2.5(b)(i), 2.5(c)(i), 3(c); E.O. 12968, as amended, §§ 3.2(b), 3.4(c).

Requesting and/or conducting a higher-level investigation than required wastes agency funds and subjects applicants or employees to an undue level of scrutiny. Requesting and/or conducting a lower level investigation than required may place the agency and the Federal Government at risk by allowing individuals access to information they are not properly vetted for.

Previous Recommendation 2: USAGM must ensure that all covered positions are designated for both risk and sensitivity using OPM's PDS.

Current Status: Corrective action PARTIALLY IMPLEMENTED.

According to USAGM's Senior HR Program Specialist six HR Specialists are tasked with position designation responsibilities.²⁵ After an HR Specialist receives a PD from a classifier, they run the PD against the PDS, attach the newly created PDR to the PD, and then provide both documents to PSD. PDRs are also saved in a SharePoint library accessible by the HR Specialists and PSD.

As part of our follow-up activities we asked for a PDR for the positions in our original sample roster (Table 1) as well as for 21 positions in a new follow-up sample roster. USAGM provided an updated PDR for each position in our original roster. All positions were designated at or higher than the OPM-suggested designation made in 2018.

To further verify the accuracy of USAGM's designation process, we had personnel from OPM's Personnel Security division designate 10 randomly-selected PDs from the follow-up sample roster. Table 2 shows the discrepancies between USAGM's designation and OPM's designation.

Table 2
USAGM Position Designation Discrepancies, 2020

PD #	Position Title	USAGM Designation and Required Investigation	OPM Designation and Required Investigation
NPD 2²⁶	Editor (Bridge)	Non-Critical Sensitive, Moderate Risk/T3	Non-Sensitive, High Risk/T4
NPD3	Electronics Engineer	Non-Critical Sensitive, Moderate Risk/T3	Non-Sensitive, Moderate Risk/T2

²⁵ In addition to their normal HR duties

²⁶ New PD 2, etc.

Privileged under Law Enforcement Privilege; Exempt from Disclosure under FOIA Exemptions 7E, 7F

NPD9	IT Program Manager (APPSW)	Non-Critical Sensitive, Moderate Risk/T3	Non-Sensitive, High Risk/T4
NPD10	IT Specialist (CUSTSPT)	Non-Critical Sensitive, Moderate Risk/T3	Non-Sensitive, Moderate Risk/T2
NPD15	Multimedia Production Spec	Non-Critical Sensitive, Moderate Risk/T3	Non-Sensitive, Moderate Risk/T2
NPD17	Project Manager	Non-Critical Sensitive, High Risk/T5	Non-Sensitive, Moderate Risk/T2
NPD18	Purchasing Agent	Non-Sensitive, Low Risk/T1	Non-Sensitive, Moderate Risk/T2

Source: OPM and USAGM

USAGM’s designations for NPDs 2, 9, and 18 were lower than OPM’s suggested designation, meaning the individuals in the position may have been investigated insufficiently for the position. USAGM’s designations for NPDs 3, 10, 15, and 17 were higher than OPM’s suggested designation, meaning the individuals in those positions may have been subject to a more strenuous investigation than necessary.

In addition, the Senior HR Program Specialist stated USAGM does not have a schedule in place to re-designate positions on a regular basis, and that any future re-designations would depend on hiring managers updating the PD. The Senior HR Program Specialist stated if the PD was more than five years old, or was “outdated” or reflected language or terms that were no longer in use at the agency, an HR Specialist would “probably” prompt the hiring manager to make an update.

While we are not issuing a new recommendation in this area, USAGM should ensure there is an established re-designation schedule in place to ensure PDs accurately reflect the duties of the position, and that applicants or employees are investigated appropriately for the duties they perform.

Previous Recommendation 2 is OPEN and UNRESOLVED.

Previous Recommendation 3: USAGM must maintain a PDR (or equivalent) for each covered agency position, per OPM’s Suitability Processing Handbook.

Current Status: Corrective action IMPLEMENTED.

USAGM provided an updated PDR for every position in our original file sample, as well as for the 21 positions in our follow-up file sample.

Previous Recommendation 3 is CLOSED.

Previous Recommendation 4: USAGM must ensure all USAGM employees tasked with position designation responsibilities are operating in a fair, consistent, and reliable manner.

Current Status: Corrective action IMPLEMENTED.

The Senior HR Program Specialist stated six²⁷ HR Specialists are responsible for designating positions in the PDT. Of the six HR Specialists, three have successfully completed OPM's Automated Position Designation Tool (ADPT) training.²⁸ We verified their attendance through USAGM-provided training certificates.

Previous Recommendation 4 is CLOSED.

Previous Recommendation 5: USAGM must re-designate all positions in accordance with 5 CFR part 1400.

According to the Senior HR Program Specialist, USAGM re-designated all positions by January 2020. We verified this by reviewing PDRs (discussed above), which were all updated as required.

Previous Recommendation 5 is CLOSED.

Previous Recommendation 6: USAGM must request the correct level of investigation based on the accurate position designation, per 5 CFR part 1400, OPM's PDS, OPM issuances and Federal Investigation Notices, and the Federal Investigative Standards.

Current Status: Corrective Action NOT IMPLEMENTED.

USAGM has not initiated the correct level of investigation required by the position designation for 15 of the cases from our original sample list, as shown in Table 3.

²⁷ Four FTEs and 2 Contractors

²⁸ Formal training is not required to use OPM's PDT, as the system is designed to be self-explanatory.

Table 3
Incorrect Investigations, 2018 Sample Roster

OPM File Number	Position Title	Investigation Required by Updated Designation	Current Investigation of Record
1	International Broadcaster	T3	T3*
2	Senior Advisor	T5	ANACI* (no adjudication reported)
3	Supv TV Production Specialist	T5	T3*
4	International Broadcaster	T3	NACLC* (no adjudication reported)
6	INT Broadcaster (Radio) (Creole)	T3	NACLC (no adjudication reported)
8	International Broadcaster	T3	NACLC
9	International Broadcaster	T3	NAC*
10	Human Resources Specialist (Information Systems)	T2	ANACI (no adjudication reported)
11	International Broadcaster	T3	ANACI*
12	Payroll Specialist	T3	NACLC* (no adjudication reported)
13	INT Broadcaster (Urdu)	T3	T3*
14	International Broadcaster	T3	NACLC (no adjudication reported)
17	General Manager Persian News Network	T5	T3* (no data regarding case close date, no adjudication reported)
18	TV Production Specialist (Graphics)	T3	ANACI
20	Supv Int Broadcaster (Russian)	T3	ANACI*

Source: OPM file review

Files 2, 3, 9, and 17 have not been subject to the correct (higher) level of investigation, based on the updated designation. Files 2, 4, 6, 10, 12, 14, and 17²⁹ do not show any adjudicative data, so we were unable to verify if these individuals are eligible to occupy their positions. Further, investigations 1, 2, 3, 4, 9, 11, 12, 13, 17, and 20 were completed by USAGM after the expiration of USAGM's delegated investigative authority, and therefore are not valid.

USAGM has also not initiated the correct level of investigation required by the position designation for any of the cases from our follow-up sample list, as shown in Table 4.

²⁹ File 17 also does not show that the investigation was completed.

Table 4
Incorrect Investigations, 2020 Sample Roster

OPM File Number	Position Title	Investigation Required by Updated Designation	Current Investigation of Record
NPD1	Director of Research	T5	T3* (no adjudication reported)
NPD2	Editor (Bridge)	T3	T3*
NPD3	Electronics Engineer	T3	T3* (no adjudication reported)
NPD4	Electronics Technician	T3	ANACI (no adjudication reported)
NPD5	Equal Employment Specialist	T2	NACLC (no adjudication reported)
NPD6	Executive Officer	T2	T3R* (no adjudication reported)
NPD7	Executive Producer	T3	PRI (no adjudication reported)
NPD8	General Assignments Reporter (English)	T3	T3* (no adjudication reported)
NPD9	IT Program Manager (APPSW)	T3	BI (no adjudication reported)
NPD10	IT Specialist (CUSTSPT)	T3	T3* (no adjudication reported)
NPD11	Library Technician	TI	T3*
NPD12	Logistics and Operations Specialist	T1	No Investigation on Record
NPD13	Logistics and Operations Technician Team Leader	T1	No Investigation on Record
NPD14	Mail Operations Assistant	T5	T1
NPD15	Multimedia Production Spec	T3	T3* (no adjudication reported)
NPD16	Procurement Assistant	T1	T3*
NPD17	Project Manager	T5	SBI (no adjudication on record)
NPD18	Purchasing Agent	T1	SSBIPR* (no adjudication on record)
NPD19	Supervisory Staff Accountant	T4	T3*
NPD20	Telecommunications Manager	T5	T3*
NPD21	Telecommunications Specialist	T5	T2S

Source: OPM

Files NPD12 and NPD13 do not have an investigation on record. Files NPD1, NPD14, NPD19, NPD20, and NPD21 have not been subject to the appropriate level of investigation, as required by the current position designation. NPD3 through NPD10, NPD15, NPD17, and NPD18 do not have an adjudication on record, so we were unable to verify if these individuals are eligible to occupy their positions.

Further, files NPD1, NPD2, NPD3, NPD6, NPD8, NPD11, NPD15, NPD16, NPD18, NPD19, and NPD20 were investigated by USAGM after the expiration of USAGM's delegated investigative authority, and therefore are not valid.

Previous Recommendation 6 is OPEN and UNRESOLVED.

Investigation Processing

Electronic Questionnaires for Investigations Processing

The Electronic Questionnaires for Investigations Processing (e-QIP) goals established for agencies and reportable under the PAC for suitability and security programs support the expectation that agencies will use e-QIP to request investigations. The use of e-QIP automation encourages accuracy and timeliness in the investigations request process. Federal Investigative Notice (FIN) 11-07³⁰ mandated use of e-QIP and FIN 17-07³¹ mandates use of the 2016 SF86. Under the Paperwork Reduction Act, agencies are required to use only current, OMB-approved information collections.

Previous Finding: At the time of our 2014 review, USAGM was not using e-QIP and required applicants to complete the 2008 paper version of the SF 86.³² This form expired with the issuance of the 2010 SF 86.

USAGM failed to take corrective action on the 2014 finding and as of our 2018 review still was not using e-QIP and the current security forms as required.

According to the Adjudications Chief, USAGM's e-QIP system was not connected to OPM's systems until the week before our onsite, so USAGM had not received updates to the security

³⁰ Discontinuing the 2008 Standard Form (SF) 86; Implementing the Fully Electronic 2010 SF 86, August 29, 2011

³¹ Revised Standard Form 86 Implementation, August 18, 2017

³² While USAGM and OPM signed a Memorandum of Understanding (MOU) regarding the use of e-QIP in 2013, at the time of our 2014 review OHR and SEC staff stated funding was not approved until October 2014. At the time, staff was unable to provide a timeline for implementation.

forms. The Adjudications Chief also stated interns and “grantees”³³ at USAGM were not required to use e-QIP, and often completed outdated paper versions of the security forms because the 2010 and 2016 SF 86 forms were too long to fill out manually.³⁴

During our 2018 onsite activities we reviewed a file sample of 13³⁵ individuals. Eight of these individuals had completed security forms which were outdated at the time of signature, as shown in Table 5.

Table 5
USAGM Investigations Completed on Incorrect Case Papers, 2018

OPM File #	Case Paper Certification Date ³⁶	Correct Case Papers ³⁷	Case Papers Completed
4	January 40, 2012	2010 SF 86	2008 SF 86
5	August 29, 2012	2010 SF 86	2008 SF 86
8	March 9, 2015	2010 SF 86	2008 SF 86
9	September 23, 2013	2010 SF 86	2008 SF 86
11	May 2, 2014	2010 SF 86	2008 SF 86
14	September 23, 2013	2010 SF 86	2008 SF 86
15	October, 2014	2010 SF 86	2008 SF 86
20	August 12, 2015	2010 SF 86	2008 SF 86

Source: OPM review of USAGM security files

By not complying with *FINs 11-07 and 17-07*, USAGM was not operating effectively or efficiently. Further, older versions of the SF86 did not utilize branching questions for issue resolution. Reciprocity could not be properly applied to a USAGM -conducted investigation as they were not being conducted based on current investigative standards. Further, the use of expired and unauthorized information collections risked noncompliance with the Paperwork Reduction Act and the Privacy Act.

³³ Individuals in media organizations who receive grants from USAGM to promote freedom and democracy and enhance understanding through multimedia communication of accurate, objective, and balanced news, information, and other programming about America and the world to audiences overseas.

³⁴ When printed, the current SF 86 is approximately 120 pages long. However, this is because the form uses a branching questions methodology, in which certain threshold responses require the completion of branching responses. As properly completed in e-QIP, the degree of burden of the information collection depends on whether the respondent’s threshold responses require the completion of branching responses, and if so, how many. A print-out of the full content of the information collection includes all possible branching questions, and thus does not accurately represent what a respondent will actually be required to fill out.

³⁵ Due to the egregious quality of errors we found in these 13 files, we did not feel it necessary to review all 20 of our sample files.

³⁶ Certification date is the date Subject signed the case papers

³⁷ Based on the case papers which were current at the time of certification

Previous Recommendation 7: USAGM must immediately begin using e-QIP for all investigation requests.

Current Status: Corrective action IMPLEMENTED.

USAGM provided a Memorandum of Understanding between USAGM and OPM for the use of e-QIP, signed November 19, 2018. This MOU verifies USAGM's efforts to cease having applicants complete hardcopy versions of security forms. OPM data covering the follow-up measurement period also confirms USAGM submitted 100% of their investigation requests to DCSA via e-QIP.

Previous Recommendation 7 is CLOSED.

Previous Recommendation 8: USAGM must immediately begin using the current SF86 and must not allow applicants or employees to complete outdated versions of the form.

Current Status: Corrective action IMPLEMENTED.

e-QIP is continually updated to reflect the current version of all security forms. Further, DCSA does not accept investigation requests submitted on out-of-date forms. As part of our follow-up activities we also selected a sample of 20 investigations which were submitted to DCSA by USAGM during our follow-up measurement period. All 20 investigation requests were submitted on up-to-date forms.

Please note, however, that USAGM has not requested new investigations for the 8 individuals identified in Table 2. These investigations remain invalid, as they were conducted under an expired Delegation for Investigative Authority and on expired security forms. We will address this further later in this report.

Previous Recommendation 8 is CLOSED.

Use of Appropriate Security Forms

E.O. 13467 (as amended) states “[t]he appointment or retention of each covered individual shall be subject to an investigation,” the scope of which be determined “according to the degree of

material adverse effect the occupant of the position sought to be filled could bring about, by virtue of the nature of the position, on the national security.”³⁸

Under the Federal Investigative Standards, agencies must ensure applicants and employees complete the security form which corresponds with the required level of investigation.

Previous Finding: As stated earlier in this report, most positions at USAGM were classified as non-critical sensitive, requiring employees to complete the SF 86 and undergo a Tier 3 background investigation. Interns at USAGM were classified as low risk, non-sensitive, and underwent a Tier 1 investigation, which required completion of the SF 85.³⁹

However, the Director stated all employees at USAGM completed the SF 86, regardless of their position classification or the level of investigation. He stated this policy was because USAGM employed individuals from “criteria countries”⁴⁰ and the SF 85 and 85P⁴¹ did not collect information regarding foreign influence or connections.

The SF 86 is to be used in conducting investigations for “persons under consideration for, or retention of, national security positions...and for individuals requiring eligibility for access to classified information under E.O. 12968.”⁴² Using this form for low risk, non-sensitive positions ran counter to the purpose of the form itself and violated OPM guidance and the Federal Investigative Standards.

Instructing employees to complete the SF 86 when not required subjected employees to investigative questioning that went beyond the current investigative standards for their position. This also imposed an unnecessary paperwork burden on employees and risked noncompliance with the Paperwork Reduction Act and the Privacy Act.

We notified USAGM that if their agency wished to go beyond questioning allowed by the Federal Investigative Standards they must first request and receive approval from the Suitability and Security Executive Agents, as specified in section 2.2 of E.O. 13467, as amended.

Previous Recommendation 9: USAGM must immediately begin using the correct security forms (to include the SF85) for any position which does not require the use of the SF86.

³⁸ Executive Order 13764, “Amending the Civil Service Rules, Executive Order 13488, and Executive Order 13467 to Modernize Executive Branch-Wide Governance Structure and Processes for Security Clearances, Suitability and Fitness for Employment, and Credentialing, and Related Matters,” Part 3, Section 1.1 (d)

³⁹ Standard Form 85, Questionnaire for Non-Sensitive Positions

⁴⁰ Countries that pose a National Security risk

⁴¹ Standard Form 85P, Questionnaire for Public Trust Positions

⁴² SF 86, “Purpose of this Form”

Current Status: Corrective action IMPLEMENTED.

As of January 2019, USAGM has transferred all investigative work to DCSA, which requires the use of e-QIP and will not accept investigation requests which have been submitted on outdated or incorrect investigative forms.

As part of our follow-up activities we selected a sample of 20 USAGM investigation requests from our current measurement period. We verified these investigations were submitted on the correct forms, to include the SF85 and SF85P.

Previous Recommendation 9 is CLOSED.

Pre-Appointment Screening and Referral

Upon collection of the Optional Form 306 (OF 306),⁴³ agencies should screen for and address any adverse suitability issues prior to appointment and initiation of the investigation required for the position.⁴⁴ This is an essential part of the suitability process as it saves the costs of investigation if there are actionable issues, and ensures an unsuitable person does not start work before resolution of known issues.

According to the OPM *Suitability Processing Handbook (SPH)*, the screening and referral process involves:

- Reviewing applications, OF-306, and any other application related materials received or developed to identify any potentially disqualifying suitability issues,⁴⁵ and
- Referral of applications in cases involving potentially disqualifying issues to qualified Adjudicators for a determination of whether the known information is disqualifying, or for referral to OPM's Suitability Adjudication Branch (SAB) for a determination.⁴⁶

OPM must be informed in all cases where there is evidence of material, intentional false statement, or deception or fraud in examination or appointment (MIF). OPM reserves the right to undertake a determination of suitability based upon evidence of falsification or fraud relating

⁴³ Declaration for Federal Employment

⁴⁴ In accordance with 5 CFR § 731.106(e)(3), if appointed, the minimum level of background investigation must be conducted.

⁴⁵ OPM's Suitability Processing Handbook, Chapter III describes that conduct which may constitute a suitability issue.

⁴⁶ OPM's Suitability Processing Handbook, Chapter VI, reflects suitability issues should fall under the purview of 5 CFR 731.202 while Chapter V describes the methodology for assessing issue seriousness.

to an examination or appointment at any point when information giving rise to such a charge is discovered.⁴⁷ Such information is relevant to a government-wide debarment, which only OPM is permitted to undertake.

Pre-Appointment Screening

Previous Finding: During our 2018 onsite, USAGM did not appropriately conduct pre-screening.

OHR was responsible for initiating and pre-screening investigation requests for all non-OS new USAGM employees. According to the HR Operations Branch Chief, after a hiring official selected an applicant, an OHR HR Specialist initiated the applicant into e-QIP⁴⁸ and allowed two weeks for completion. When the applicant released the completed SF 86 to USAGM, OHR HR Specialists reviewed the e-QIP forms, OF-306, credit release, and USAGM-specific credit release using suitability referral criteria found in OPM's SPH.

If staff identified a potential suitability issue, they notified OS, at which point a Personnel Security Specialist attempted to mitigate the information and made the ultimate decision about an applicant's suitability for employment. Once the Personnel Security Specialist made a determination, they notified OHR via email, at which point an OHR HR Specialist either notified the hiring manager to select another applicant or issued an offer of employment and established an EOD, as appropriate.

The Adjudications Chief stated OS was responsible for initiating investigations for new OS staff.⁴⁹ When OHR notified OS of a new OS employee, OS staff initiated the applicant⁵⁰ in e-QIP and allowed 45 days for completion.⁵¹ When the applicant returned the completed SF 86 to OS, a Personnel Security Specialist reviewed the forms for completeness and accuracy.

If OS staff identified issues on the SF 86, they attempted to obtain additional information from the applicant. If the individual did not provide this information, staff instructed OHR to perform a non-select action and to notify the hiring manager to select a new candidate. However, the Adjudications Chief stated if the issue was not "glaring"⁵² staff let the investigation proceed and

⁴⁷ OPM's Suitability Processing Handbook, Chapter IV, B and 5 CFR 731.103(d)(2) & (g).

⁴⁸ In the event USAGM staff had individuals complete paper copies of the SF 85 or 86, USAGM staff would later input that information into e-QIP on the individual's behalf.

⁴⁹ As well as re-investigations for current USAGM employees

⁵⁰ Or employee, in the case of re-investigations

⁵¹ Please note this is not consistent with the two weeks HR allows individuals they are processing.

⁵² The Adjudications Chief did not provide information about what would constitute a "glaring" issue.

made a final determination based on the completed investigation. If the SF 86 did not contain derogatory information, or OS staff deemed the issues not serious enough to non-select the applicant, staff notified OHR to issue an offer of employment and establish an EOD.

While OS staff did review submitted forms for potentially derogatory information, the Adjudications Chief⁵³ stated they used the “13 areas of personnel conduct guidelines,” but could not specify what those guidelines were, and made no mention of 5 CFR part 731. USAGM was required to use the suitability factors in 5 CFR part 731 as a condition of its exercise of delegated adjudicative authority.⁵⁴

Without consistently using the standards found in 5 CFR part 731 during pre-screening process, staff could have overlooked potentially derogatory information. This posed a potential risk as well as an undue financial burden to the agency by requesting investigations on individuals who could possibly be found unsuitable or unfit in the pre-screening process.

According to the HR Operations Branch Chief, USAGM did not issue tentative offers of employment. OS and OHR issued one final offer following a favorable pre-screening of the completed SF 86. This was not permitted per 5 CFR §330.1300, which stated that unless an exception was granted by OPM:

“A hiring agency may not make specific inquiries concerning an applicant’s criminal or credit background of the sort asked on the OF-306 or other forms used to conduct suitability investigations for Federal employment (i.e., inquiries into an applicant’s criminal or adverse credit history) unless the hiring agency has made a conditional offer of employment to the applicant.”⁵⁵

Requiring applicants to complete the SF 86 (or any other security form) prior to an offer of employment violated 5 CFR §330.1300 and threatened the integrity of the competitive hiring process.

Previous Recommendation 10: USAGM staff tasked with pre-screening responsibilities must use 5 CFR part 731 criteria when making pre-screening determinations, as required by the CFR and OPM’s Suitability Processing Handbook.

Current Status: Corrective action NOT implemented.

⁵³ The then Adjudications Chief had become the Chief, Personnel Security Division by our 2020 review.

⁵⁴ See 5 CFR § 731.103(c)

⁵⁵ 5 CFR §330.1300 “Timing of suitability inquiries in competitive hiring”

Privileged under Law Enforcement Privilege; Exempt from Disclosure under FOIA Exemptions 7E, 7F

According to a Personnel Security Assistant, after an individual returns their completed e-QIP to USAGM, a Personnel Security Assistant reviews the forms for accuracy and completeness, and look for potentially derogatory information (to include foreign citizenship or contact, drug use, or other derogatory information). If the Assistant identifies derogatory information, they forward the file to the PSD Chief, who makes the pre-screening determination and decides whether to continue the hiring process, or to perform a non-select action.

However, we spoke to the PSD Chief, who stated she does not perform pre-screening duties, which she claimed were the responsibility of the USAGM adjudicators.

We were unable to verify which USAGM staff currently conduct pre-screening duties, or what criteria they use to do so. Furthermore, staff's inability to identify who is responsible for specific duties may indicate a lack of general program knowledge.

Previous Recommendation 10 is OPEN and UNRESOLVED.

Recommendation 11: USAGM must ensure all staff tasked with pre-screening responsibilities receive training and are familiar with the criteria found in 5 CFR part 731.

Current Status: Corrective Action NOT EVALUATED.

As we were unable to identify which USAGM staff are currently responsible for pre-screening, we were unable to validate their training or knowledge of pre-screening requirements.

Previous Recommendation 11 is OPEN and UNRESOLVED.

Previous Recommendation 12: USAGM must immediately discontinue use of the SF 86 (or any other security form) prior to making an offer of employment, in accordance with 5 CFR §330.1300, unless and until USAGM is granted an exception.

Current Status: Corrective Action IMPLEMENTED

According to a Personnel Security Assistant, PSD staff only provide applicants and employees with a link to e-QIP after OHR has issued a tentative offer of employment and PSD staff have determined reciprocity does not apply. During the course of our follow-up activities we did not find any indication that USAGM continued use security forms prior to making an offer of employment.

Previous Recommendation 12 is CLOSED.

Referral

Previous Finding: The OS Personnel Security Specialist we interviewed stated she had seen instances of potential MIF but had not yet referred any cases to OPM.

While we contacted OPM's SAB and found that USAGM made one referral to OPM within the three years prior to our onsite, USAGM's adjudicative staff required education regarding referral requirements.

When an individual obtains a position after making material, intentional false statements, the competitive examining process is compromised and the individual gains, or potentially gains, an unfair advantage. Therefore, OPM retains jurisdiction in these types of cases under 5 CFR § 731.103(g). This permits OPM to determine whether the case warrants a government-wide debarment, which only OPM is permitted to undertake.

Previous Recommendation 13: USAGM must refer all cases with potential material, intentional false statement, or deception or fraud in the examination or appointment process to OPM, as required by 5 CFR part 731 and the Suitability Processing Handbook.

Current Status: Corrective action IMPLEMENTED

According to OPM data USAGM staff have not made any referrals since our last onsite, but staff we interviewed were aware of the requirement to report cases involving potential material, intentional falsification to OPM's SAB.

Previous Recommendation 13 is CLOSED.

Reciprocity

E.O.s 13467, as amended,⁵⁶ and 13488, as amended,⁵⁷ requires reciprocal recognition of suitability and fitness investigations and adjudications so long as specified conditions are met.⁵⁸

⁵⁶ E.O. 13467, "Reforming Processes Related to Suitability for Government Employment, Fitness for Contractor Employees, and Eligibility for Access to Classified National Security Information"

⁵⁷ E.O. 13488, "Granting Reciprocity on Excepted Service and Federal Contractor Employee Fitness and Reinvestigating Individuals in Positions of Public Trust"

⁵⁸ To include the existing favorably adjudicated investigation meeting or exceeding the requirements of the position being sought.

OPM's regulations at 5 CFR 731 provide additional supplemental guidance for agencies' use in exercising suitability requirements for investigative and adjudicative reciprocity in 5 CFR §§ 731.104 and 731.202. Agencies must check the Central Verification System (CVS), the government-wide reciprocity database for the suitability program, to properly support reciprocity.

Previous Finding: USAGM did not appropriately apply reciprocity.

OS staff checked CVS for reciprocity for USAGM employees receiving an upgrade or re-investigation, and for newly hired OS employees. The OS Head Special Agent stated after the employee completed the SF 86, OS staff checked CVS for an existing favorably adjudicated investigation that met or exceeded the requirements of the position being sought. If one existed, USAGM staff applied reciprocity and continued the onboarding process. She stated staff only requested copies of the investigation when there was a "Please Call" notice or when the previous investigation was completed but not adjudicated.

If staff could not apply reciprocity, they scheduled an investigation.

OHR staff checked CVS for reciprocity for interns and all other new USAGM employees. According to the Operations Branch Chief, after the employee completed the SF 86 the Branch Chief checked CVS for an existing favorably adjudicated investigation that met or exceeded the requirements of the position being sought. The Branch Chief stated he consulted with OS for advice as to whether reciprocity applied. He then initiated the background investigation as needed and continued the onboarding process.

Both OS and OHR improperly required all applicants and employees to complete the SF 86 prior to determining if an investigation was required. Individuals should only be initiated into e-QIP when reciprocity cannot be applied.

USAGM also did not have access to the Joint Personnel Adjudication System (JPAS)⁵⁹ or Scattered Castles,⁶⁰ and therefore could not check all applicable databases for existing favorably-adjudicated national security investigations. This could have hindered USAGM's ability to apply security reciprocity requirements prescribed by ODNI.

By requiring all applicants and employees to complete the SF 86 prior to determining if reciprocity applies, USAGM placed an unnecessary burden on the applicant and contributed to an extra and unnecessary workload, which affected the efficiency of USAGM's overall hiring

⁵⁹ Joint Personnel Adjudication System; a DoD system to record clearance eligibility determinations

⁶⁰ A database used by the Intelligence Community to record eligibility and access to Sensitive Compartmented Information

process. Failing to check all appropriate investigations databases may have also lead to duplicate investigation requests, wasting agency funds and negatively impacting the efficiency of USAGM's suitability program.

Previous Recommendation 14: USAGM must update internal processes to eliminate the practice of initiating all applicants and employees into e-QIP prior to checking for reciprocity, in accordance with E.O.s 13467 and 13488.

Current Status: Corrective action IMPLEMENTED.

A PSD Personnel Security Specialist stated after PSD front office staff receive an applicant's paperwork from OHR, a Personnel Security Assistant checks CVS for an investigation which meets or exceeds the requirements of the position being sought. They then forward the case to the Personnel Security Specialist, who performs a second check and then writes a memo indicating if reciprocity applies. This memo stays in the individual's file.

If reciprocity applies, the Personnel Security Specialist annotates this in a memo and then sends the file to a Security Specialist who proceeds with PIV processing.

If reciprocity does not apply, the Personnel Security Specialist writes a memo explaining why, and then returns the file to the PSD front office staff to initiate the individual into e-QIP.

Previous Recommendation 14 is CLOSED.

While USAGM has updated their reciprocity processes and now check CVS for all applicants/employees, USAGM is not appropriately applying reciprocity. OPM data covering our follow-up measurement period reflects USAGM had 7 (2.65%) duplicate requests of their 264 total investigation requests.

By not following the established standards, USAGM runs the risk of re-investigating applicants more frequently than required, thereby wasting agency funds and negatively impacting the efficiency of USAGM's suitability and security program.

New Recommendation A: USAGM must eliminate all duplicate investigation requests.

Previous Recommendation 15: USAGM must work with their NBIB liaison to obtain access to all appropriate investigation databases.

Current Status: Corrective action PARTIALLY IMPLEMENTED.

The Security Specialist told us they access JPAS through CVS. They are still waiting on Scattered Castles access, however, as they are waiting for their user accounts to be created.

Previous Recommendation 15 is OPEN and UNRESOLVED.

Investigation Request Timeliness and Quality

The 2010 Security and Suitability Process Reform Strategic Framework established an initiation timeliness metric of 14 days for the fastest 90% of all investigation requests from the date of the applicant's signature on the investigative forms to the date the investigative service provider receives the forms. The metrics also require investigations to be requested using e-QIP with 5% or less returned by the NBIB due to missing information or forms.

Investigation Request Timeliness

Previous Finding: USAGM did not initiate investigations within 14 days as required.⁶¹

According to the Adjudications Chief, individuals in the appropriate hiring office were responsible for initiating applicants/employees in e-QIP following an offer of employment.⁶² USAGM allowed individuals 45 days to complete e-QIP; the Security Assistant monitored each applicant or employee's status and provided email reminders as necessary. Once the applicant or employee certified the security forms and returned them to USAGM, USAGM staff established an EOD and conducted pre-screening and reciprocity checks.

On EOD OS staff directed the employee to re-certify (and re-sign) their security forms, at which point a contractor Security Assistant released e-QIP, scheduled any required investigation, and assigned fieldwork to a USAGM contract Investigator.

The Adjudications Chief stated the time between initial certification (applicant/employee signature on the completed SF 86) and EOD averaged two weeks. If this estimation was correct, USAGM routinely exceeded the 14-day timeliness metric before staff began processing and scheduling the required investigation. The Adjudications Chief was not aware of the 14 day initiation timeliness metric.

⁶¹ As USAGM acted as its own ISP and did not maintain initiation timeliness data, we were unable to obtain metrics to support our findings in this area. All recommendations in this section were based on testimony we received from USAGM staff.

⁶² OS initiated re-investigations for employees and investigations for new OS employees, the Office of Contracts initiated investigations for contractors, and OHR initiated investigations for all other new USAGM employees.

According to OPM guidance, the Approver releases the e-QIP request to the ISP and commits the government funds needed to schedule an investigation. According to the Office of Management and Budget Circular A-76, Attachment A, Section B, the obligation of government funds is inherently a governmental function, to be conducted by a Federal employee. Per OPM and OMB guidance, the e-QIP Approver must be a Federal employee.

Instructing applicants and employees to re-sign investigative forms upon EOD prevents the collection of accurate timeliness metrics.

Delayed completion of e-QIP forms can adversely affect the efficiency of the hiring processes and overall investigative timeliness.

Previous Recommendation 16: USAGM must ensure the e-QIP “Approver” user role is held by a Federal employee. The e-QIP Agency Administrator must immediately remove the Approver access for the Contractors currently holding that role.

Current Status: Corrective action IMPLEMENTED

During our follow-up activities we requested a list of all SEC staff with roles in e-QIP, and instructed USAGM to identify if those individuals were contractors or federal employees, as well as which specific e-QIP roles each held. We verified that only federal employees hold the Approver role in e-QIP.

Previous Recommendation 16 is CLOSED.

Previous Recommendation 17: USAGM must immediately cease having applicants and employees re-sign security form releases upon EOD, in support of accurate timeliness metrics.

Current Status: Corrective action IMPLEMENTED.

According to the Personnel Security Specialist, USAGM staff no longer have applicants re-certify their e-QIP forms on EOD.

Previous Recommendation 17 is CLOSED.

Previous Recommendation 18: USAGM must ensure background investigations are initiated no more than 14 days after the applicant’s initial certification of the investigative forms.

Current Status: Corrective action NOT IMPLEMENTED.

USAGM is not meeting the investigation request timeliness goal. OPM data covering our follow-up measurement period reflects USAGM requested the fastest 90% (418) of their 464 total investigation requests in an average of 18 days.

A Personnel Security Assistant (Assistant) stated after a Personnel Security Specialist confirms reciprocity does not apply, a Personnel Security Assistant initiates the applicant or employee in e-QIP, and allow the individual 72 hours to complete the forms. Assistants check e-QIP daily to monitor individuals’ progress, and will send reminder emails as necessary.

Once the individual completes the e-QIP forms, an Assistant reviews them for completeness, accuracy, and potentially derogatory information, before releasing the investigation request to DCSA.

The Assistant was not aware that USAGM was not meeting the timeliness goal, and could not explain why they were over the 14 day limit.

Previous Recommendation 18 is OPEN and UNRESOLVED.

Previous Recommendation 19: USAGM must update its policies, manuals, and employee training practices to ensure all USAGM staff with a role in the initiation process are aware of the 14 day initiation timeliness standard.

Current Status: Corrective action IMPLEMENTED.

Page 4 of USAGM’s Personnel Security Management Directive states “[a]ll investigations must be initiated within fourteen (14) days of applicant certifying and releasing security questionnaire to SEC.”

While USAGM’s timeliness does not currently meet standards, staff were aware of the 14 day timeliness metric.

Previous Recommendation 19 is CLOSED.

Investigation Request Quality

Previous Finding: We were not able to evaluate this area during our 2018 review, as USAGM conducted its own investigations and did not maintain data regarding investigation request quality.

Current Status: USAGM is not meeting the investigation request quality goal. OPM data covering our follow-up measurement period reflects DCSA returned 167 (38.75%) of USAGM’s 431 total investigation requests for correction.

According to a Personnel Security Assistant, Security Specialists receive unacceptable notifications from DCSA, and then tell the Assistant what errors need to be corrected. The Assistant contacts the subject if necessary, and allows three days for the subject to provide the required information. The Assistant believes USAGM’s unacceptable investigation request rate is due to the fact nobody in PSD was assigned to resolve these unacceptable requests, prior to the Assistant’s arrival in July 2019.

Inaccurate information on the e-QIP forms can adversely impact the efficiency of the hiring process and overall investigative timeliness.

New Recommendation B: USAGM must establish and implement processes to reduce the unacceptable submission rate for investigation requests to 5% or less.

HSPD-12 Credentialing

HSPD-12⁶³ requires all Federal Executive departments and agencies to issue Personal Identity Verification (PIV) credentials based on a common Federal standard for secure and reliable forms of identification; and to require the use of the PIV to the extent practicable for physical access to federally controlled facilities and for logical access to federally controlled information systems. The PIV is for “other than occasional or intermittent access to federally controlled facilities or intermittent systems.”⁶⁴

FIPS 201-2, “*Personal Identity Verification (PIV) of Federal Employees and Contractors*,”⁶⁵ outlines the standard used to issue and manage PIV cards. This guidance outlines the minimum

⁶³ <https://www.dhs.gov/homeland-security-presidential-directive-12>

⁶⁴ E.O. 13467, as amended, § 1.3(m)

⁶⁵ NIST, *Personal Identity Verification (PIV) of Federal Employees and Contractors*, August 2013

standards for PIV card issuance, specifically the requirement that a minimum of a NACI (now Tier 1) investigation be initiated⁶⁶ and FBI fingerprint check completed before a PIV card may be issued.

OPM, as Credentialing Executive Agent, develops standards for investigations, reinvestigations, and continuous vetting, adjudicative guidelines, guidelines for reporting and recording eligibility, and standards for suspending, denying and revoking eligibility for PIV cards. OPM also “may develop guidelines and instructions to the heads of agencies” related to PIV eligibility processes and “shall monitor and make a continuing review of agency programs for determining eligibility for a PIV credential to determine whether they are being implemented according to this order.”⁶⁷

Agencies, in turn must “promptly furnish, or cause to be promptly furnished” to OPM “the information deemed by the Executive Agents to be necessary for purposes of record keeping and reciprocity.”⁶⁸ For this purpose OPM’s 2008 Final Credentialing Standards, as amended in 2016, require HSPD-12 credentialing determinations be reported into CVS in order to reciprocate acceptance of PIV credential determinations among agencies.

HSPD-12 – Issuing PIV Credentials

Previous Finding: USAGM did not issue PIV credentials appropriately.

On EOD the OS Senior Physical Security Specialist collected employees’ fingerprints manually and then scanned them to NBIB⁶⁹ to conduct a fingerprint check through the FBI. Physical Security staff then issued a temporary, USAGM -specific badge. This badge was valid for a year, though staff could renew it as needed if the employee’s background investigation was not completed in that time. Employees were also issued a ProxCard for facility access and were required to go through security screening to access the building.

Once the employee’s background investigation was completed and favorably adjudicated by OS, the Physical Security Specialist issued the PIV credential and reported the determination into CVS. USAGM used PIV credentials for physical access only.

According to the Senior Physical Security Specialist, when an employee was due for a re-investigation the employee returned their PIV credential to the badging office, where Physical Security staff electronically revoked and sometimes physically destroyed the PIV credential.

⁶⁶ Page 5 of FIPS 201-2 defines “initiated” as “submission of the investigative request to the Office of Personnel Management (OPM), or other Federal background investigation service provider (if authorized).”

⁶⁷ E.O. 13467, as amended, § 2.5(c)

⁶⁸ *Id.* § 2.7(b)(vi)

⁶⁹ At the time of our 2018 review, NBIB performed this function. Such duties are now the responsibility of DCSA.

When the employee's re-investigation was favorably adjudicated, the employee received a new PIV credential. While the re-investigation was ongoing the employee used a USAGM -specific badge and ProxCard and was required to go through security screening to access the building.

The Senior Physical Security Specialist stated USAGM revoked and destroyed the employee's existing PIV credential to ensure the employee completed their security forms in a timely manner.

Once an employee separated⁷⁰ from USAGM, they returned their PIV credential to the badging office as part of out-processing. Physical Security staff revoked the credential electronically and then destroyed the physical card.

We obtained a list of USAGM employees who were recently issued a PIV credential. We compared this list of employees against investigations information contained in OPM's Personnel Investigation Processing System (PIPS), and identified 1 of the 20 employees were approved for PIV issuance without an appropriate investigation initiated. Details of these files are listed in Table 6.

Table 6
USAGM Improperly-Issued PIV Credentials, 2018

OPM File #	Investigation Conducted ⁷¹	Investigation Start Date	PIV Issuance Date
P4	T3	12/22/2017	12/01/2017

Source: USAGM

Neither the Senior Physical Security Specialist nor the Director were able to provide information about why this credential was issued inappropriately.

While the majority of the files we reviewed were issued PIV credentials correctly, USAGM had not corrected their PIV issuance process since our 2014 review and still did not adjudicate fingerprint results prior to issuance. The Senior Physical Security Specialist stated she thought the Director or Adjudications Chief adjudicated the fingerprint results, but the Adjudications Chief stated the Senior Physical Security Specialist was responsible for all such adjudications.

USAGM also did not use PIV credentials for logical access. As noted above, under HSPD-12 and E.O. 13467, as amended, the PIV is to be used for other than occasional or intermittent

⁷⁰ Or if access is revoked or suspended

⁷¹ All individuals were subject to a Special Agreement Check (SAC), which does not meet the minimum requirements for PIV issuance.

logical access, the maximum extent practicable. Additionally, in 2015, the government initiated a 30-day Cybersecurity Sprint,⁷² designed to strengthen the Federal Government’s overall cybersecurity infrastructure. Agencies were required to “dramatically” accelerate implementation of multi-factor authentication for access to Federal networks, systems, and data. According to USAGM staff, only OHR personnel used PIV credentials for logical access, meaning the majority of USAGM staff were not in compliance with multi-factor authentication requirements. The Director was not able to provide information about why USAGM was not in compliance.

Granting a PIV without the minimum standards being met (specifically, a favorably adjudicated fingerprint check) poses a risk to the agency and to the Federal Government as a whole, by granting access to facilities and information systems to individuals who have not been appropriately vetted.

Revoking, destroying, and re-issuing PIV credentials to individuals undergoing re-investigation places an unnecessary financial and logistical burden on the agency, and may weaken the efficiency of USAGM’s security and suitability program.

Failing to comply with federal multi-factor authentication requirements weakens the security of USAGM’s logical systems, and may allow intruders to access Federal networks, systems, and data.

Previous Recommendation 20: USAGM must ensure every individual has a favorably adjudicated fingerprint before being issued a PIV credential, as required by HSPD-12 and FIPS 201-2.

Current Status: Corrective action NOT IMPLEMENTED.

The Physical Security Specialist stated when a new hire requires a PIV credential, onboarding staff in SEC add an appointment to the Physical Security Specialist’s schedule. When the applicant arrives, she inspects their identification, takes their fingerprints, and submits them via C-CURE 9000.⁷³

The Physical Security Specialist stated she later receives a PIV request sheet from SEC when the applicant or employee is approved for a PIV credential. This request sheet does not contain any information about if or when fingerprint results were favorably adjudicated, and does not indicate the level of investigation conducted (or when said investigation was initiated).

⁷² https://obamawhitehouse.archives.gov/sites/default/files/omb/budget/fy2016/assets/fact_sheets/enhancing-strengthening-federal-government-cybersecurity.pdf

⁷³ A security management software program

We requested a list of personnel who were issued a PIV credential since October 2018, and selected a random sample of 20. 18 of those 20 credentials were issued a PIV credential inappropriately, as reflected in Table 7, below.

Table 7
Improperly Issued PIV Credentials, 2020

OPM File #	Investigation Conducted	Investigation Start Date	PIV Issuance Date	Notes
PIV1	T3	6/27/19	8/28/17	<ul style="list-style-type: none"> • USAGM-conducted investigation • Investigation discontinued 3/4/19; no new investigation initiated • No indication fingerprint SAC was favorably adjudicated
PIV2	T3	3/18/19	6/27/17	<ul style="list-style-type: none"> • USAGM-conducted investigation • No indication fingerprint SAC was favorably adjudicated
PIV3	MBI	(closed) 2/5/98	3/18/19	<ul style="list-style-type: none"> • No adjudication reported • 1998 investigation was an MBI; now out of scope
PIV4	T3	2/1/16	12/20/19	<ul style="list-style-type: none"> • USAGM-conducted investigation • No indication fingerprint SAC was favorably adjudicated
PIV5	NA	NA	11/5/19	<ul style="list-style-type: none"> • No investigation initiated

Privileged under Law Enforcement Privilege; Exempt from Disclosure under FOIA Exemptions 7E, 7F

PIV6	ANACI	8/5/15	12/4/18	<ul style="list-style-type: none"> • USAGM-conducted investigation • No indication fingerprint SAC was favorably adjudicated
PIV8	T1	7/17/19	6/27/19	<ul style="list-style-type: none"> • PIV issued before investigation initiated
PIV9	T3	11/8/17	9/23/19	<ul style="list-style-type: none"> • USAGM-conducted investigation • Investigation discontinued 3/13/19 (no new investigation initiated) • No indication fingerprint SAC was favorably adjudicated
PIV10	PRI	(closed) 2/21/06	8/12/19	<ul style="list-style-type: none"> • No reported adjudication • Investigation out of scope
PIV11	T3R	11/15/19	8/30/19	<ul style="list-style-type: none"> • PIV issued before investigation initiated
PIV12	ANACI	(closed) 6/17/15	3/11/19	<ul style="list-style-type: none"> • No reported adjudication • USAGM-conducted investigation
PIV13	ANACI	(closed) 10/19/11	9/10/19	<ul style="list-style-type: none"> • No indication fingerprint SAC was adjudicated
PIV14	T3	10/26/17	5/20/19	<ul style="list-style-type: none"> • USAGM-conducted investigation
PIV16	NACLC	7/21/15	10/2/18	<ul style="list-style-type: none"> • USAGM-conducted investigation

				<ul style="list-style-type: none"> • No indication fingerprint SAC was adjudicated
PIV17	SSBIPR	1/28/13	6/3/19	<ul style="list-style-type: none"> • USAGM-conducted investigation • Investigation expired in 2018 • Fingerprint SAC scheduled after PIV issued (11/19/19) • No indication fingerprint SAC was adjudicated
PIV18	ANACI	8/17/15	6/3/19	<ul style="list-style-type: none"> • USAGM-conducted investigation • No indication fingerprint SAC was adjudicated
PIV19	NACLC	(closed) 9/9/15	10/7/19	<ul style="list-style-type: none"> • USAGM-conducted investigation • No indication fingerprint SAC was adjudicated
PIV20	ANACI	(closed) 3/2/15	2/7/19	<ul style="list-style-type: none"> • USAGM-conducted investigation • No indication fingerprint SAC was adjudicated

MBI: Minimum Background Investigation; ANACI: Access National Agency Check with Inquiries; T1: Tier 1; PRI: Periodic Reinvestigation; T3R: Tier 3; NACLC: National Agency Check with Law and Credit; SSBIPR: Single Scope Background Investigation Periodic Reinvestigation
 Source: OPM file review

As noted in the chart, we could not find evidence that many of the required fingerprint SACs were adjudicated, and all cases with the notation “USAGM-conducted investigation” were investigations conducted by USAGM after the expiration of USAGM’s delegated investigative authority.

USAGM staff did not provide who adjudicates fingerprint results, and did not have any information about why the PIV credentials in Table 7 were issued inappropriately.

Previous Recommendation 20 is OPEN and UNRESOLVED.

Previous Recommendation 21: USAGM must cease revoking and destroying PIV credentials when employees undergo re-investigation.

Current Status: Corrective Action IMPLEMENTED.

According to the Physical Security Specialist, USAGM no longer destroys PIV credentials when employees undergo re-investigations. During the course of our inspection we found no evidence to indicate otherwise.

Previous Recommendation 21 is CLOSED.

Previous Recommendation 22: USAGM must update its processes and implement the use of PIV cards for logical access, to improve the security of USAGM's network, system, and data security.

Current Status: Corrective Action IMPLEMENTED.

According to the Physical Security Specialist, PIV cards are now used for physical and logical access.

Previous Recommendation 22 is CLOSED.

While USAGM has made some progress in correcting the deficiencies in their credentialing program, during our latest review we developed that USAGM does not track PIV credentials which are expiring and require re-issuance. The Physical Security Specialist told us employees are responsible for tracking their own PIV expiration dates, and must reach out to Physical Security staff to have a new credential issued.

Failing to identify expiring PIV credentials could negatively impact the agency's efficiency, as employees could lose access to facilities or systems.

New Recommendation C: USAGM must develop a mechanism to track PIV expiration dates.

HSPD-12 – Reporting PIV Credentials

Previous Finding: OPM data reflected USAGM reported 815 PIV credentials into CVS during our initial measurement period.

Current Status: OPM data reflects USAGM reported 476 PIV credential actions⁷⁴ into CVS during our follow-up measurement period.

However, the Physical Security Specialist stated she does not update PIV credentials into CVS and we were unable to identify which USAGM staff perform these updates.

New Recommendation D: USAGM must update their PIV issuance process to identify staff responsible for uploading credentialing determinations into CVS.

Additional Physical Security Concerns

Previous Finding: While we do not normally report on physical security issues beyond PIV issuance, we identified several additional areas of concern during the course of our 2018 review.

Physical Security staff did not operate under consistent procedures. At various points during our onsite activities, our review team (1) was required to go through security screening, (2) was allowed to access the building through turnstiles that read our PIV credentials, (3) was required to be escorted at all times, and (4) was allowed to access all areas of the building without an escort. Physical Security staff were not aware of who their supervisor was, and were unable to locate them to ask for guidance on granting us access to the building.

The Senior Physical Security Specialist told us USAGM did not yet reciprocally accept PIV credentials from other agencies, and at several points during our onsite guard staff told us we would not be allowed to access the facility without going through a full security screening (though on different occasions, different guards allowed us to access the building without screening).

⁷⁴ “actions” include active credentials, revocations, denials, administrative withdrawals, and suspensions

NIST and OMB issuances recognize that agencies must make risk-based access control and level of authorization decisions, to determine what resources PIV card holders may access.⁷⁵ But failing to reciprocally accept PIV credentials issued by other federal agencies for any purpose is counter to the policy of having a common, interoperable platform for identity authentication based on standard investigative and adjudicative criteria. Lack of reciprocity contributes to an extra and unnecessary workload, which affects the efficiency of USAGM's overall process.

We did not issue a recommendation regarding the other areas of concern, but USAGM was required to ensure physical security staff was operating consistently and in accordance with standard procedures.

Previous Recommendation 23: USAGM must update processes, procedures, and employee training requirements to reciprocally accept PIV credentials for physical access, in accordance with HSPD-12.

Current Status: Corrective action IMPLEMENTED.

During our 2020 onsite, USAGM physical security staff demonstrated far fewer inconsistencies, to include reciprocally accepting our PIV credentials and maintaining escort procedures.

Previous Recommendation 23 is CLOSED.

Suitability Investigation Quality⁷⁶

5 USC §1104(a)(2) states OPM may delegate its investigative authority to other agencies. However, OPM is required to establish performance standards for agencies exercising delegated investigative authority, and to conduct oversight to ensure that the activities performed under the delegation are in accordance with its standards.⁷⁷

Agencies operating under Delegated Investigative Authority must implement and maintain a personnel suitability and security investigations program which complies with federal laws, regulations, standards, and policies, including, but not limited to:

⁷⁵ See generally FIPS 201-2, chapter 6

⁷⁶ ODNI will discuss USAGM's investigative program and any findings related to National Security investigation quality in their report.

⁷⁷ See 5 USC §1104(b), 2301

- Compliance with Federal Investigative Standards and OPM coverage requirements, including the 2012 Federal Investigative Standards as they are implemented according to the Federal Investigative Standards Implementation Plan;
- Compliance with 5 CFR part 736, which prescribes requirements for the timely initiation of investigations, compliance with the Privacy Act, notices to investigative sources, and the protection of source confidentiality;
- Compliance with E.O. 13488 which requires public trust re-investigations under standards to be prescribed by OPM.

Previous Finding: In addition to conducting investigations without a current MOU for delegated investigative authority, USAGM did not conduct its investigations in accordance with federal standards.

During our 2018 onsite activities, we reviewed the investigative files for the individuals in our file sample. Every file we reviewed was missing crucial investigative information, to include discussions of admitted derogatory information, required records and/or personal sources, and law coverage. Other files contained records or Secret-marked information about individuals who were not the subject and were not under investigation, and several cases had all leads closed as a backlog-mitigation effort due to “passage of time,” despite the fact that in most of these instances, less than a month had elapsed.

Specific details of the errors we identified are included in Table 8.

Table 8
USAGM Suitability Investigation Deficiencies, 2018⁷⁸

OPM File #	Identified Coverage Deficiencies
3	<ul style="list-style-type: none"> • Not reviewed; USAGM could not locate security file
4	<ul style="list-style-type: none"> • Missing employment record • SSN missing from case papers • File contained Secret-marked information that did not relate to Subject or any individual listed in Subject’s investigation • Submitted on out of date case papers
5	<ul style="list-style-type: none"> • Missing six employment records • All social reference leads closed as a risk management effort, citing “length of time since request” • Submitted on out of date case papers

⁷⁸ Due to the egregious quality and quantity of errors we found in these files, we did not feel it necessary to review files 1, 2, 10, 12, and 13.

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7E, 7F

6	<ul style="list-style-type: none">• ROI referred to Subject by incorrect pronoun• Did not address possible foreign relatives• Did not address foreign bank account• Did not address foreign travel
7	<ul style="list-style-type: none">• Not reviewed; USAGM could not locate security file
8	<ul style="list-style-type: none">• Copy of Subject's passport maintained in security file• Copy of Subject's relatives' passports maintained in security file• Security file contains no records of investigation or testimony• Submitted on out of date case papers
9	<ul style="list-style-type: none">• Security file contains no records of investigation or testimony• Employment and residence reference leads closed as a risk management effort, citing "length of time since request"• Submitted on out of date case papers
11	<ul style="list-style-type: none">• Copy of Subject's passport and driver's license maintained in security file• Employment record and reference leads closed as a risk management effort, citing "length of time since request"• Submitted on out of date case papers
14	<ul style="list-style-type: none">• Missing law check• Copy of Subject's passport maintained in security file• Missing employment record• Missing personal sources for employment and residence• Submitted on out of date case papers
15	<ul style="list-style-type: none">• Submitted on out of date case papers
16	<ul style="list-style-type: none">• Missing residence record• Missing Selective Service check• Missing all social references
17	<ul style="list-style-type: none">• Missing employment record• Copy of Subject's mother's Social Security card maintained in security file• Copy of Subject's sister's passport maintained in security file
18	<ul style="list-style-type: none">• Employment and residence leads closed as a risk management effort, citing "length of time since request"
19	<ul style="list-style-type: none">• Referred to Subject by incorrect pronoun• Missing employment record• Did not include Subject's alias on a law check• Copy of Subject's passport maintained in security file• Missing Spouse National Agency Checks
20	<ul style="list-style-type: none">• Missing employment record• Missing FBI fingerprint and name checks

- Missing all law checks
- Submitted on out of date case papers

Source: OPM File Review

The quality of USAGM’s background investigations posed a serious risk to both the agency and the Federal Government as a whole, as USAGM employees had not been appropriately or thoroughly vetted before being granted access to Federal systems, facilities, and, in many instances, sensitive or classified information.

Given the severity and quantity of the errors we identified in USAGM’s investigations during our 2014 review, and the ongoing nature of those errors (as identified during our April 2018 onsite activities), we did not believe USAGM was running an acceptable investigations program.

We referred back to Recommendation 1 of this report and reiterated that USAGM must immediately cease all investigative activities and must work with their DCSA liaison to transfer all ongoing and future investigations to DCSA.

Additionally, as USAGM was not operating under a current MOU for delegated investigative authority and therefore was not authorized to conduct background investigations, and because the quality of their investigations was not up to standards and compromised reciprocity, USAGM must initiate new investigations for all employees investigated since the delegation of investigative authority expired in 2012.

Previous Recommendation 24: USAGM must work with NBIB to immediately initiate new investigations for all individuals investigated by USAGM since the expiration of USAGM’s delegated investigative authority in 2012.

Current Status: Corrective action NOT IMPLEMENTED.

USAGM has failed to complete the required corrective action for this recommendation.

On January 17, 2020, the Director of the Office of Security provided a letter addressing USAGM’s progress in this area.⁷⁹ This letter stated USAGM is “still in the process of identifying, prioritizing, and reinitiating investigations working backwards to 2012.” During our 2020 onsite the PSD Chief stated it was a priority to initiate new investigations, but that OS was waiting for HR to re-designate all agency positions. Neither the Director of the Office of Security nor the PSD Chief could provide a timeframe for when all investigations would be initiated as required by our 2019 final report.

⁷⁹ Refer to Attachment D

We provided USAGM with a list of 1,527 investigations USAGM conducted under expired delegated authority, to assist them in identifying the individuals who require a new investigation. As of our February 2020 onsite, USAGM has only scheduled investigations for 314 individuals.

USAGM's failure to schedule new investigations as required poses a series risk to the agency and the federal government as a whole. USAGM employees have not been properly vetted, yet currently have access to government systems, facilities, and, in some cases, sensitive or classified information. More importantly, USAGM employees wishing to change jobs could have their investigations reciprocally accepted by a new agency, which would not know the investigations (and subsequent favorable adjudication) were invalid.

Until USAGM re-investigates all applicable individuals, USAGM must add a "Please Call" notice in CVS for each investigation that was conducted after the expiration of USAGM's delegation of authority.

We will notify the U.S. Department of State's Office of the Inspector General regarding USAGM's status in this area.

Previous Recommendation 24 is OPEN and UNRESOLVED.

New Recommendation E: USAGM must add a "Please Call" notice in CVS for each investigation USAGM conducted after the expiration of USAGM's delegation of investigative authority.

Adjudication

Suitability Review and Determination

Agencies are responsible for establishing and maintaining an effective suitability program to ensure the employment of each person in a covered position will promote the efficiency and protect the integrity of the service.⁸⁰

A suitability determination must be made for all appointments that are subject to investigation under the Suitability regulation.⁸¹

⁸⁰ OPM's *Suitability Processing Handbook*, Chapter I D

⁸¹ 5 CFR 731.104(b)(3)

Previous Finding: We were unable to verify that USAGM appropriately adjudicated for suitability.

According to a Personnel Security Specialist, the Adjudications Chief hand carried completed investigations to USAGM's two Personnel Security Specialists and tracked assignments through each adjudicator's Case Tracking queue.

If the completed investigation contained no derogatory information, the Personnel Security Specialist updated Case Tracking, signed USAGM's favorable adjudication memo, and reported the adjudication to OPM via CVS.

When completed investigations contained potentially derogatory information, the Personnel Security Specialist tracked the issues on an adjudicative worksheet and contacted the subject of investigation for additional information. The assigned adjudicator allowed the subject two weeks to provide potentially mitigating information and discussed issues with the Adjudications Chief as needed.

If the Personnel Security Specialist was able to mitigate the issues with the provided information, they updated Case Tracking, signed the favorable adjudication memo, and reported the determination to OPM. If they could not mitigate the issues, the Adjudications Chief was required to approve the unfavorable determination. If the Adjudications Chief agreed with the unfavorable determination, OSM/S staff worked with USAGM's OGC to issue a letter of removal and proceeded through due process procedures.

The Personnel Security Specialist estimated USAGM had approximately 6-8 unfavorable determinations in the previous three years.

While USAGM staff described an acceptable suitability adjudication process, during the course of our file review we found no documentation to support the fact a suitability determination was made on USAGM's closed investigations. The Personnel Security Specialist told us adjudicators did not maintain any adjudicative worksheets and USAGM's favorable adjudication memo did not make any reference to 5 CFR 731.⁸² Staff we interviewed also were not familiar with the suitability adjudication criteria; the Adjudications Chief could not name the standards and the Personnel Security Specialist could only name them after looking at notes they brought into our interview.⁸³

The Adjudications Chief also stated she was responsible for adjudicating her direct employees' investigations. If not carefully managed, this posed a potential conflict of interest for the agency,

⁸² We discuss this memo in depth later in this report.

⁸³ We discuss staff training in depth later in this report.

as the Adjudications Chief could be a witness in subsequent due process proceedings involving her subordinates.

Failure to use established standards and to make a distinct suitability determination on every investigation increases the odds of an unsuitable person being granted Federal employment, placing the government at risk. Failure to document such an adjudication may hinder reciprocity across government, as other agencies will be unable to verify such an adjudication was made.

Given the ongoing nature of USAGM's weaknesses in this area and the agency's failure to take corrective action despite multiple warnings from the Suitability Executive Agent, OPM declared we will take action to revoke USAGM's adjudicative authority if these errors were not corrected immediately.

Previous Recommendation 25: USAGM must perform and document a distinct suitability adjudication on every closed investigation, in accordance with 5 CFR part 731.

Current Status: Corrective action NOT VERIFIED.

A Personnel Security Specialist stated USAGM receives closed investigations via mail from DCSA. The PSD Chief assigns cases to adjudicators, who review the investigation for completeness before making an adjudicative determination and documenting their decision in a narrative write-up.

If a case has no derogatory information, the adjudicating Personnel Security Specialist completes the narrative write-up, closes the case in CaseTracking, and notifies HR.

If a case has potentially derogatory information, the adjudicating Personnel Security Specialist contacts the Subject via email and allows a week for them to provide mitigating information. The Personnel Security Specialist will discuss any provided information with the Subject in person. If the derogatory information can be mitigated, the Personnel Security Specialist then closes the investigation and continues the onboarding process as described above.

If the mitigating information cannot be mitigated, the Personnel Security Specialist writes a denial letter stating the agency's intention to make an unfavorable determination. The applicant has 30-45 days to respond to this letter with any mitigating information.

If the derogatory information still cannot be mitigated, the adjudicating Personnel Security Specialist reports the adjudication into CVS and notifies HR that the applicant cannot be brought on board.

While this process is appropriate as described, USAGM staff expressed confusion about when determinations should be made using 5 CFR 731 criteria. The Personnel Security Specialist we interviewed stated 5 CFR 731 would be used “if needed,” but could not specify when that would be the case. After further questioning the Personnel Security Specialist explained that 5 CFR 731 criteria would be used “for all cases which require suitability,” on those individuals in National Security positions, “may” be used on contractors, but would not be used on Tier 1 investigations.

As part of our inspection activities we reviewed the adjudicative write-ups for 34 cases adjudicated within our follow-up measurement period. Only one investigation was for a federal employee, and while this write-up did reflect the adjudicator used 5 CFR 731 criteria to make a suitability determination, the available sample is not sufficient for us to determine that USAGM is uniformly making suitability determinations as required.

Previous Recommendation 25 is OPEN and UNRESOLVED.

Previous Recommendation 26: USAGM should consider making arrangements to ensure OS staff are not responsible for adjudicating their direct-report employees’ investigations.

Current Status: Corrective action NOT IMPLEMENTED

The Personnel Security Specialist we interviewed stated USAGM was still attempting to find another office to adjudicate SEC investigations, but that there had not been a need to adjudicate any SEC employees since our prior onsite.

Our record review, however, revealed two SEC employees were adjudicated by SEC staff since our 2018 review.

Previous Recommendation 26 is OPEN and UNRESOLVED.

Reporting Suitability Adjudicative Determinations

Agencies are required to report their suitability decisions to OPM by sending the INV Form 79A⁸⁴ or by uploading their determinations electronically through PIPS.⁸⁵ According to

⁸⁴ INV Form 79a, “Report of Agency Adjudicative Action on OPM Personnel Investigations.”

⁸⁵ Personnel Investigations Processing System

regulation⁸⁶ all unfavorable suitability actions must be reported to OPM within 30 days after the action was taken. All other actions based on an OPM investigation must be reported as soon as possible, and in no event later than 90 days after receipt of the final report of investigation.⁸⁷

USAGM is not meeting the suitability adjudicative timeliness goal. OPM data reflects USAGM reported 94 suitability determinations in an average of 51 days. However, OPM data also reflects that as of March 15, 2018, USAGM has 66 unreported adjudications more than 90 days old.

According to the Personnel Security Specialist, each adjudicator reports adjudicative determinations through PIPS upon adjudication. The Personnel Security Specialist was not able to provide any information about the 66 unreported adjudications.

The Adjudications Chief stated she was aware USAGM was not meeting the standard, as they have a “huge” backlog and do not have sufficient staff to adjudicate all cases within the required timeframe.

It is critical to report all suitability adjudications to OPM to ensure the most accurate information exists and to promote reciprocity when warranted. Adjudicating cases in a timely manner ensures employees in covered positions are suitable to begin work right away while protecting the integrity and promoting the efficiency of the service.

Previous Recommendation 27: USAGM must report all suitability determinations to OPM as soon as possible, and in no event later than 90 days after receipt of the final report of investigation.

Current Status: Corrective Action NOT IMPLEMENTED.

OPM data reflects during the follow-up measurement period USAGM adjudicated 49 cases in an average of 34.5 days. However, OPM data also reflects that USGAM still has 349 unreported adjudications more than 90 days old.

Previous Recommendation 27 is OPEN and UNRESOLVED.

⁸⁶ 5 CFR 731.203(g)

⁸⁷ 5 CFR 731.203(g) and 5 CFR 732.302

New Recommendation F: In lieu of reporting pending adjudications for any investigations USAGM conducted after the expiration of their delegated investigative authority, USAGM must discontinue these investigations and initiate new investigations through DCSA.

“D” Level Suitability Adjudications

OPM’s Suitability Adjudications Branch (SAB) conducts a review of some agency decisions on “D” issue suitability cases. When SAB disagrees with an agency’s adjudication decision on a “D” issue case, SAB issues a letter requesting details regarding the adjudicative determination.

Previous Finding: We were unable to review USAGM’s status in this area; during the measurement period, SAB did not review any of USAGM’s suitability adjudications.

Current Status: We contacted OPM’s SAB, who stated they did not review any of USAGM’s adjudications during the follow-up measurement period.

Internal Control Activities

Internal control is an integral component of an entity’s management that provides reasonable assurance that the objectives of an entity are being achieved.⁸⁸ Internal control activities are the policies, procedures, techniques, and mechanisms that help ensure management’s directives are carried out.⁸⁹

We reviewed the agency’s internal control activities related to records of investigation, record retention, physical safeguards, adjudicator training and qualifications, and policies and procedures to ensure operational effectiveness and efficiency.

Records of Investigation

E.O. 13764 states “[t]he appointment or retention of each covered individual shall be subject to an investigation,” the scope of which be determined “according to the degree of material adverse

⁸⁸ GAO “Standards for Internal Control in the Federal Government,” 2013 Exposure Draft, dated September 2013

⁸⁹ GAO-01-1008G “Internal Control Management and Evaluation Tool,” dated August, 2001

effect the occupant of the position sought to be filled could bring about, by virtue of the nature of the position, on the national security.”⁹⁰

The employing agency is responsible for requesting the appropriate level of investigation to be conducted based on the position designation. According to the regulation,⁹¹ background investigations must be initiated within 14 days of an individual’s placement into the position.

Previous Finding: In 2018 we conducted an electronic comparison of USAGM’s employee roster against OPM’s Security and Suitability Investigations Index (SII), which retains investigative records information in the SII for a minimum of 16 years. We found 6 employees with no record of a prior investigation.

We provided a list of employees with no record of investigation to the Adjudications Chief, who stated she would look into these no-record results.

Failure to investigate an employee as required can place the agency at risk by granting access to a person who has not been appropriately vetted.

Previous Recommendation 28: USAGM must request the required background investigation on any USAGM appointee or employee where a record of investigation cannot be verified.

Current Status: Corrective action NOT IMPLEMENTED.

As of our February 3rd 2020 onsite activities, USAGM had not initiated investigations for the 6 individuals identified as having no record during our prior review.

While we provided a list of these no records to USAGM in 2018, it was only after our 2020 onsite that they took action; On February 18, 2020 a Security Assistant stated USAGM initiated investigations for 4 of those individuals. However, as of February 25, 2020, OPM’s PIPS still shows no record of these individuals, to include any investigations in-progress.

⁹⁰ Executive Order 13764, “Amending the Civil Service Rules, Executive Order 13488, and Executive Order 13467 to Modernize Executive Branch-Wide Governance Structure and Processes for Security Clearances, Suitability and Fitness for Employment, and Credentialing, and Related Matters,” Part 3, Section 1.1 (d)

⁹¹ 5 CFR 736.201(c); 5 CFR §731.106(c)(1) (“Persons receiving an appointment made subject to investigation under this part must undergo a background investigation. OPM is authorized to establish minimum investigative requirements correlating to risk levels. Investigations should be initiated before appointment but no later than 14 calendar days after placement in the position”).

The remaining two individuals do now have investigations on record, but both were completed by USAGM following the expiration of their delegation of investigative authority, and are therefore invalid.

Previous Recommendation 28 is OPEN and UNRESOLVED

Record Retention

OPM's Guide to Personnel Recordkeeping (GPR) provides instructions for filing documents related to the investigative process. The GPR requires that the OPF includes a notice showing the case was investigated, the level of the investigation, confirmation the case was adjudicated, and the date a determination was made. These notices include the Certification of Investigation (COI) or similar agency form. According to the GPR, investigative reports, memos, or other materials are not to be retained in the OPF.

Previous Finding: USAGM did not maintain COIs as required.

We reviewed 20 eOPFs associated with the individuals in our file sample. Of the 20 eOPFs reviewed, 19 (95%) did not contain an investigative notice as required.⁹²

The Adjudications Chief stated USAGM began creating and maintaining a USAGM -specific COI approximately three to four months prior to our 2018 onsite.⁹³ The Personnel Security Specialist we interviewed stated upon adjudication, adjudicators sent a physical copy of the COI to OHR for inclusion in the eOPF.

The HR Operations Branch Chief stated his staff received the COI from OS and scanned it into the employee's eOPF within a week. USAGM staff was not able to provide any additional information.

Missing COIs hinder interagency transfers and overall hiring efficiency, as other agencies may not be able to accurately verify that appropriate investigations have been conducted.

Previous Recommendation 29: USAGM must ensure the Certification of Investigation or similar agency form is included in the eOPF, as required by OPM's Guide to Personnel Recordkeeping.

⁹² The other 19 files did contain a memo of adjudication, but this document did not include any of the information required to qualify as a COI.

⁹³ Please note USAGM was notified of the requirement to maintain such documentation in the draft and final reports of our prior review, issued in 2015 and 2017, respectively.

Current Status: Corrective action NOT EVALUATED.

We no longer evaluate this area during our reviews.

Previous Recommendation 29 is CLOSED.

Physical Safeguards

Reports, records, and files pertaining to background investigations contain privacy protected information and must be properly safeguarded to allow access only to those requiring access to perform assigned duties. For classified information, “each agency head or senior agency official ... shall establish controls to ensure that classified information is used, processed, stored, reproduced, transmitted, and destroyed under conditions that provide adequate protection and prevent access by unauthorized persons.”⁹⁴ An agency maintaining its own investigative records must adhere to the safeguards described in section 1.1(e) of E.O. 13467, as amended. Additionally, an agency maintaining OPM reports of investigation in its security files must adhere to the safeguards prescribed for those reports under the Privacy Act.⁹⁵

Previous Findings: Our review raised concerns over whether USAGM appropriately safeguarded its security files.

USAGM adhered to record retention schedules set by the National Archives and Records Administration. OS maintained hardcopy security files in file cabinets within OS, which was badge-locked and accessible only by OS staff.

OS staff stored background investigations, employee security files, and Secret information in “open” storage within the OS file room (during our onsite activities, we identified files marked Secret left on top of cabinets within the file room). While all OS staff had the appropriate level of investigation to access this information, not all staff had a favorably adjudicated investigation and therefore may not be eligible to access these files.

During our 2018 onsite activities OS staff provided the review team files containing Secret information without verifying all inspection staff was appropriately cleared to view such information.

⁹⁴ E.O. 15526, § 4.1(g); see also 32 C.F.R. pt. 2001, subpart E

⁹⁵ 81 Fed. Reg. 70191, 70196 (Oct. 11, 2016)

Failure to properly secure sensitive and/or classified information and personally identifiable information (PII) places the agency at risk of a security breach.⁹⁶

Previous Recommendation 30: Ensure all physical space containing sensitive information, including investigative and adjudicative information and PII, is properly secured and not accessible to those without a need to know.

Current Status: Corrective action NOT IMPLEMENTED.

According to an OS Investigator, USAGM stores all sensitive or adjudicative material in Lektriers within a locked file room, inside the secure OS suite.

In their response to our previous final report, USAGM stated the OS Director “implemented enhanced security protocols to ensure... only those with a need to know are permitted access to sensitive information.” However, during our latest follow-up activities a PSD Security Specialist told us all while not all PSD employees have a need to access the file room, all PSD employees have access.

Previous Recommendation 30 is OPEN and UNRESOLVED.

Previous Recommendation 31: Update policies and procedures to implement immediate measures to ensure PII and sensitive and/or classified information will not be compromised.

Current Status: Corrective action NOT IMPLEMENTED.

According to the PSD Inspector, adjudicative material is stored in a GSA-approved safe or in the locked file room within the PSD suite. All Top Secret information is stored within a GSA-approved safe within USAGM’s new SCIF.⁹⁷

However, OPM data reflects 9 of PSD’s staff members were investigated by USAGM after the expiration of USAGM’s delegated authority and have not had new investigations initiated with DCSA. These employees have not been properly investigated or adjudicated and may not be eligible to access the files within PSD’s file room.

⁹⁶ Because the Information Security Oversight Office (ISOO) of the National Archives and Records Administration, not OPM, is the entity responsible for oversight of classified information safeguards, OPM will make an informational copy of our draft and final reports available to ISOO.

⁹⁷ Sensitive Compartmented Information Facility

Previous Recommendation 31 is OPEN and UNRESOLVED.

Adjudicator Training and Qualifications

OPM's Suitability Processing Handbook⁹⁸ states that adjudications shall be performed by "appropriately trained personnel," and that agencies are responsible for providing appropriate training for designating position risk and adjudicating suitability."

Adjudicator Training

As of August 2015, agencies are required to document that adjudicators have been trained according to National Training Standards.⁹⁹

Previous Findings: USAGM adjudicators were not appropriately trained in suitability adjudications.

Only one USAGM adjudicator provided training certificates from OPM's Essentials of Suitability Training Program (ESAP). The other two adjudicators received on the job training, but could not provide if their trainers had been trained in accordance with the National Training Standards.¹⁰⁰

Additionally, neither of the adjudicators we spoke to could name the suitability adjudicative criteria without referring to written notes they brought in to the interview.

A lack of proper training can lead to inefficient or incorrect personnel security and suitability activities.

Previous Recommendation 32: USAGM must ensure the personnel who perform adjudicative work receive suitability adjudications training in accordance with the National Training Standards.

Current Status: Corrective action IMPLEMENTED.

⁹⁸ OPM's *Suitability Processing Handbook*, pg. I-3

⁹⁹ July 2014 Implementation Plan for Background Investigator and Adjudicator National Training Standards

¹⁰⁰ Please note that this goes against USAGM's *PSP Directive*, which states "all personnel responsible for determining individuals' eligibility for access to classified information shall have completed a minimum of 2 weeks of formal suitability training." (*USAGM PSP Directive FINAL*, page 4)

USAGM has two adjudicators responsible for suitability adjudications. We verified both USAGM adjudicators attended OPM's Essentials of Suitability Adjudication Program training through USAGM-provided training certificates.

Previous Recommendation 32 is CLOSED.

Previous Recommendation 33: USAGM must ensure adjudicative staff is able to demonstrate a sufficient knowledge and understanding of suitability adjudications requirements and criteria.

Current Status: Corrective action NOT IMPLEMENTED.

According to the PSD Personnel Security Specialist, USAGM adjudicators apply 5 CFR 731 to suitability cases "as needed", and stated it was not applied to T1 cases. The Personnel Security Specialist could not tell us why suitability criteria are not used for T1 cases and could not explain what "as needed" meant. We were not able to positively verify that USAGM adjudicative staff have a comprehensive understanding of suitability adjudications requirements and criteria.

Previous Recommendation 33 is OPEN and UNRESOLVED.

Adjudicator Qualifications

In accordance with OPM's *Suitability Processing Handbook*, each adjudicator must maintain a favorable determination based on the results of at least a Background Investigation (BI).¹⁰¹

Additionally, at least one adjudicator must maintain a favorably adjudicated SSBI¹⁰² in the event classified material at the Top Secret level is included in a file.

Previous Finding: We confirmed through PIPS that all USAGM adjudicators had the appropriate level of investigation for the position, but one adjudicator did not have a favorably adjudicated investigation on record. The Adjudications Chief stated she would look into this issue and ensure the investigation is adjudicated as required.

¹⁰¹ As of October 1, 2016, the BI product has been replaced by the Tier 4 investigative product. Please refer to OPM FIN 16-07.

¹⁰² As of October 1, 2016, the Tier 5 investigative product has replaced the SSBI product. Please refer to OPM FIN 16-07.

Failure to investigate and adjudicate an employee as required can place the agency at risk by allowing a person who has not been appropriately vetted access to sensitive investigative information.

Previous Recommendation 34: USAGM must ensure personnel who perform adjudicative work maintain a favorable determination based on the results of the appropriate level of investigation.

Current Status: Corrective action PARTIALLY IMPLEMENTED.

We confirmed through PIPS that both of USAGM’s current adjudicators maintain a favorable determination based on the results of the appropriate level of investigation. However, the investigations themselves are not valid, as they were conducted by USAGM after the expiration of USAGM’s delegated investigative authority in 2012. USAGM must initiate new investigations for these individuals.

Previous Recommendation 34 is OPEN and UNRESOLVED.

Policies and Procedures

Agencies are responsible for establishing structure for the suitability program. They must “implement policies and maintain records demonstrating that they employ reasonable methods to ensure adherence to...OPM issuances” related to the suitability program.¹⁰³

Previous Findings: We evaluated the following USAGM-provided documents:

- *3-550 Approved Records Disposition Schedules*
- *3-570 Disposition Schedule for Management Records*
- *Adjudication Standard Operating Procedures October 28, 2014*
- *[USAGM] PSP Directive FINAL, undated*
- *Broadcasting Board of Governors Personal Identity Verification (PIV) Request for [USAGM] Credential, November 2005*
- *[USAGM] Request for Security Information*
- *Notification Regarding [USAGM] Drug Policy*
- *[USAGM] Notification of Coercible Hostage Statement*
- *Scope Information worksheet*
- *T5 Scoping Information worksheet*

¹⁰³ 5 CFR § 731.103(c)

- *T5R Scoping Information worksheet*
- *[USAGM] Personal Financial Statements*
- *[USAGM] Foreign Travel Briefing and Acknowledgment*
- *Anomaly Detection and Reporting*
- *Foreign Travel Debriefing*

We identified multiple discrepancies between USAGM’s written policies and USAGM’s daily processes, as summarized in Table 9.

Table 9
USAGM SOP Discrepancies, 2018

USAGM PSP Directive Quote and Page #	Discrepancy
“The [USAGM] has been delegated the authority to administer its own [personnel security program] by [OPM] and [ODNI].” (introduction pg. 8)	USAGM does not have a current delegation of investigative authority, as stated in our September 2015 final report.
Documents to verify U.S. citizenship or legal status are: U.S. Citizenship and Immigration Services (USCIS) Form N-560 or N-561; USCIS Form 550, 551, or 571; valid or expired U.S. passport; USCIS form 1-551, Form 1-94 Departure Record with visa; USCIS Form 1-766; valid U.S. Travel Document; Form 1-327 (page 22)	USAGM policy does not call for requesting or maintaining copies of relatives’ social security cards (as documented earlier in this report)
“[Security] will initiate all background investigations using OPM’s e-QIP.” (page 27)	USAGM staff does not initiate all investigations through OPM’s e-QIP (as documented earlier in this report)
“The OHR must provide, in addition to the previously submitted PIV and identifications, the following to [security] as soon as the organization has selected an individual for a position as a Federal employee and the individual has accepted a tentative offer...” (page 45)	According to staff, USAGM does not issue tentative offers of employment, and OHR provides all forms to [security] prior to issuing the sole and final offer of employment to the applicant.
“[Security] will receive all investigative returns/reports from OPM and in some cases will receive reports of investigation completed by other agencies.” (page 54)	USAGM does not utilize OPM (or NBIB) as an investigative service provider.

“Upon request of OPM, [USAGM] is required to report the final adjudicative action based on an OPM report of investigation or a file OPM furnishes in response to a check of its CVS.” (page 55)

Reporting adjudicative determinations to OPM is a requirement, and not dependent on any request from OPM.

“All foreign positions shall be designated at least noncritical sensitive.” (page 78)

USAGM must not make blanket designations; all position descriptions must support the applicable designation. Further, this contradicts page 5 of USAGM’s PSP Directive, which states “[Position sensitivity designation] is determined utilizing the OPM, Position Designation Tool.”

“Minimum Background Investigation (MBI): An investigation consisting of a National Agency Check and Inquiries (NACI), a credit search, a face-to-face personal interview between the investigation and the subject and telephone inquiries to follow up on written inquiries not returned.” (page 83-84)

The MBI investigative product no longer exists.

Source: OPM review of USAGM-provided documents

USAGM also utilized Personal Financial Statements¹⁰⁴ that asked for detailed financial information to include salary, Subject’s spouse’s net income, monthly expenses, investment earnings, educational and charitable expenses, insurance and medical expenses, child/elder care costs, and personal care expenses (to include makeup and toiletries). These questions went well beyond the scope of what is allowed by the current Federal Investigative Standards.

Failure to maintain updated policies and procedures—and to operate in accordance with these written manuals—may contribute to inefficient or incorrect personnel security and suitability activities.

Requiring applicants or employees to provide detailed financial information goes beyond the scope of the Federal Investigative Standards, which are binding on the Executive branch.

Previous Recommendation 35: USAGM must ensure the manuals, forms, directives, and policies that govern its personnel suitability operations are in compliance with all applicable E.O.s, OPM requirements, and current investigative products.

¹⁰⁴ Refer to Attachment A.

Current Status: Corrective action NOT IMPLEMENTED.

The Director of the Office of Security told us USAGM has a new SOP, which will be assessed and updated annually. We reviewed this document and note that it is largely unchanged from the SOP we reviewed during our 2018 inspection. We have included examples of unchanged sections which conflict with current USAGM processes (as described to us by USAGM staff) in Table 10, below.

Table 10
USAGM SOP Discrepancies, 2020

USAGM PSP Directive Quote & Page #	Discrepancy
“When requested, advise and assist OHR when they are adjudicating suitability of applicants or employees” (pg. 5)	Per SEC staff, OHR has no role in the adjudication process.
“The OHR shall...Notify SEC of the need to initiate an investigative request through the e-QIP system...” (pg. 6)	This function is performed by SEC front office staff.
“The OHR shall...assist applicant or employee with accessing personnel security questionnaires in e-QIP, fingerprints, and other forms as required for personnel security processing. Ensure required documents are properly completed and submitted in time to initiate investigations as required...” (pg. 6)	These functions are performed by SEC front office staff.
“The [Position Designation Tool] is available on the OPM Web site at www.opm.gov/investigate.” (pg. 18)	The PDT is no longer at this address.
“Team Leads, Personnel Security Division...conducts periodic “check rides” (oversight) with individuals...to ensure that interviews and other components of casework are conducted per OPM and ODNI standards.” (pg. 7)	USAGM does not have delegated investigative authority, and therefore does not have authority to conduct (or oversee) investigative work.
“The USAGM has been delegated the authority to administer it’s own PSP by the Office of Personnel Management (OPM) and the Office of the Director of National Intelligence (ODNI).” (pg. 8)	USAGM has not been granted such authority by either OPM or ODNI.
“Chapter V: Personnel Security Investigation Requirements” (pg. 20)	Section 4 of this chapter covers Investigative Methodology, to include standards for conducting interviews and record checks. USAGM does not have delegated

investigative authority and is therefore not authorized to perform any of these activities.

Source: OPM review of USAGM-provided SOP

In addition to the issues identified in Table 10, we compared this SOP to the manual¹⁰⁵ USAGM provided during our 2018 inspection, and found that aside from minor wording changes, the two manuals are the same. Contrary to what the Director of Security told us, the SEC SOP has not been substantively updated.

Previous Recommendation 35 is OPEN and UNRESOLVED.

Previous Recommendation 36: USAGM must ensure security and suitability staff operates in accordance with all SOPs and written guidelines.

Current Status: Corrective action NOT IMPLEMENTED

As reflected in Table 10, above, USAGM's policies (as stated to us during interviews) do not align with USAGM's written policies and guidance.

Previous Recommendation 36 is OPEN and UNRESOLVED.

Previous Recommendation 37: USAGM must immediately stop requesting information for background investigations which goes beyond the scope of the Federal Investigative Standards.

Current Status: Corrective action PARTIALLY IMPLEMENTED

While USAGM has transferred all investigative work to DCSA and therefore no longer requests investigative information, USAGM must identify and properly dispose of all improperly-requested information contained in their existing security files.

Previous Recommendation 37 is OPEN and UNRESOLVED.

¹⁰⁵ BBG PSP Directive

Conclusion and Agency Comments

This follow-up report contains 19 outstanding corrective actions to be undertaken and an additional six recommendations. OPM will take steps to revoke USAGM's adjudicative and other delegated authority until such time as USAGM can demonstrate to OPM's satisfaction that USAGM has taken all corrective actions. OPM does not intend to grant delegated investigative authority to USAGM.

Consolidated List of Open Recommendations:

Previous Recommendation 2: USAGM must ensure that all covered positions are designated for both risk and sensitivity using OPM's PDS.

Previous Recommendation 6: USAGM must request the correct level of investigation based on the accurate position designation, per 5 CFR part 1400, OPM's PDS, OPM issuances and Federal Investigation Notices, and the Federal Investigative Standards.

Previous Recommendation 10: USAGM staff tasked with pre-screening responsibilities must use 5 CFR part 731 criteria when making pre-screening determinations, as required by the CFR and OPM's Suitability Processing Handbook.

Recommendation 11: USAGM must ensure all staff tasked with pre-screening responsibilities receive training and are familiar with the criteria found in 5 CFR part 731.

Previous Recommendation 15: USAGM must work with their NBIB liaison to obtain access to all appropriate investigation databases.

Previous Recommendation 18: USAGM must ensure background investigations are initiated no more than 14 days after the applicant's initial certification of the investigative forms.

Previous Recommendation 20: USAGM must ensure every individual has a favorably adjudicated fingerprint before being issued a PIV credential, as required by HSPD-12 and FIPS 201-2.

Previous Recommendation 24: USAGM must work with NBIB to immediately initiate new investigations for all individuals investigated by USAGM since the expiration of USAGM's delegated investigative authority in 2012.

Previous Recommendation 25: USAGM must perform and document a distinct suitability adjudication on every closed investigation, in accordance with 5 CFR part 731.

Previous Recommendation 26: USAGM should consider making arrangements to ensure OS staff are not responsible for adjudicating their direct-report employees' investigations.

Previous Recommendation 27: USAGM must report all suitability determinations to OPM as soon as possible, and in no event later than 90 days after receipt of the final report of investigation.

Previous Recommendation 28: USAGM must request the required background investigation on any USAGM appointee or employee where a record of investigation cannot be verified.

Previous Recommendation 30: Ensure all physical space containing sensitive information, including investigative and adjudicative information and PII, is properly secured and not accessible to those without a need to know.

Previous Recommendation 31: Update policies and procedures to implement immediate measures to ensure PII and sensitive and/or classified information will not be compromised.

Previous Recommendation 33: USAGM must ensure adjudicative staff is able to demonstrate a sufficient knowledge and understanding of suitability adjudications requirements and criteria.

Previous Recommendation 34: USAGM must ensure personnel who perform adjudicative work maintain a favorable determination based on the results of the appropriate level of investigation.

Previous Recommendation 35: USAGM must ensure the manuals, forms, directives, and policies that govern its personnel suitability operations are in compliance with all applicable E.O.s, OPM requirements, and current investigative products.

Previous Recommendation 36: USAGM must ensure security and suitability staff operates in accordance with all SOPs and written guidelines.

Previous Recommendation 37: USAGM must immediately stop requesting information for background investigations which goes beyond the scope of the Federal Investigative Standards.

New Recommendation A: USAGM must eliminate all duplicate investigation requests.

New Recommendation B: USAGM must establish and implement processes to reduce the unacceptable submission rate for investigation requests to 5% or less.

New Recommendation C: USAGM must develop a mechanism to track PIV expiration dates.

New Recommendation D: USAGM must update their PIV issuance process to identify staff responsible for uploading credentialing determinations into CVS.

New Recommendation E: USAGM must add a “Please Call” notice in CVS for each investigation USAGM conducted after the expiration of USAGM’s delegation of investigative authority.

New Recommendation F: In lieu of reporting pending adjudications for any investigations USAGM conducted after the expiration of their delegated investigative authority, USAGM must discontinue these investigations and initiate new investigations through DCSA.

Appendix I

Objectives, Scope and Methodology

This report documents the OPM performance review of the U.S. Agency for Global Media (USAGM) personnel vetting program. The objective of this review was to inspect USAGM's policies and processes, identify any corrective efforts as a result of our 2018 review, and to measure performance towards reform goals and Performance Accountability Council (PAC) metrics.

The authority and parameters for this review can be found in Executive Orders (E.O.s) 10577, 13467, 13488, and 13764; U.S. Code (USC), Title 5, Chapter 33, Subchapter I: Sections 3301-3302; and Code of Federal Regulations (CFR), Title 5, Parts 731, 732, and 1400.

We conducted the onsite review in Washington, DC on February 3, 2020.

We analyzed relevant USAGM -provided data, as well as data extracted from OPM's Personnel Investigations Processing System (PIPS) and Case Information Request System (CIRS), including the following reports:

- HSPD-12 Reporting
- Duplicate Case Submissions Summary
- Adjudication Timeliness Report
- Report of Unacceptable Case Submissions
- Investigations Summary
- Report of Unreported Adjudications
- Security and Suitability Investigations Index

We also interviewed the following USAGM managers and employees:

- Director, Office of Security
- Chief, Personnel Security Division
- Security Specialists
- Personnel Security Specialist
- Security Assistant
- Deputy Director, OHR

Privileged under Law Enforcement Privilege; Exempt from Disclosure under FOIA Exemptions
7E, 7F

OPM case study activities focused on a specific measurement period of investigative and adjudicative activities that occurred November 1, 2018 through January 3, 2020, unless otherwise noted.

Appendix II

Contributors to this Report

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Attachment A – USAGM Personal Financial Statements

Personal Financial Statement

Name: _____

Monthly Income:

Net Salary \$ _____
 Spouse's Net Income \$ _____
 Other Income (specify) \$ _____

Real Estate \$ _____
 Vehicles \$ _____
 Savings/Checking \$ _____
 Retirement Accounts \$ _____
 Stocks/Bonds \$ _____

TOTAL NET MONTHLY INCOME: \$ _____

TOTAL ASSETS: \$ _____

Monthly Expenses:

HOUSING:

Mortgage/Rent \$ _____
 2nd Mortgage/Home Equity \$ _____
 Insurance \$ _____
 HOA Fees \$ _____
 Property Maintenance \$ _____
 Storage Fees \$ _____

CLOTHING:

Monthly Purchase \$ _____
 Dry Cleaning \$ _____
 Other \$ _____

UTILITIES:

Electric \$ _____
 Water/Sewer \$ _____
 Gas/Oil Heat \$ _____
 Trash Service \$ _____
 Cable TV/Internet \$ _____

FOOD:

Groceries \$ _____
 Lunches out \$ _____
 School lunches \$ _____
 Pet Food \$ _____

PERSONAL COMMS:

Telephone (land) \$ _____
 Cell Phone(s) \$ _____
 Pager/PDA \$ _____
 Internet Fee \$ _____
 Other (specify) \$ _____

AUTOMOBILE:

Car Note \$ _____
 Insurance \$ _____
 Fuel & Oil \$ _____
 Repairs, Etc. \$ _____
 Commuting/Parking \$ _____
 Property Taxes \$ _____

EDUCATION:

Tuition \$ _____
 Room/Board \$ _____
 Books/Supplies \$ _____
 Other \$ _____

ENTERTAINMENT:

Movies/Concerts/Theater \$ _____
 Dining Out \$ _____
 Sports/Hobbies/Clubs \$ _____
 Beverages/Tobacco \$ _____
 Baby Sitting \$ _____
 Vacation Payments \$ _____
 Other \$ _____

INSURANCE:

Life \$ _____
 Disability \$ _____
 Health \$ _____
 Other: \$ _____

PERSONAL:

Barber/Salon \$ _____
 Allowances \$ _____
 Make-up/Toiletries \$ _____
 Other \$ _____

MEDICAL:

Doctor/Dentist: \$ _____
 Medications \$ _____
 Vet & Pet Supplies \$ _____
 Other: \$ _____

OTHER EXPENSES:

Alimony \$ _____
 Child Support \$ _____
 Child Care \$ _____
 Elder Care \$ _____
 Family Support \$ _____
 Other \$ _____

GIFTS:

Charitable/Tithes \$ _____
 Birthday/Holiday \$ _____
 Other: \$ _____

TOTAL MONTHLY EXPENSES: \$ _____

PERSONAL FINANCIAL STATEMENT

Name: _____ SSN: _____ Date: _____

MONTHLY INCOME:

Gross Salary \$ _____
 Total Deductions \$ _____
 Net Salary (Take Home Pay) \$ _____
 Spouse's Net Income \$ _____
 Other Income (please specify) \$ _____

ASSETS:

Real Estate \$ _____
 Vehicles _____
 (Car/Boat/Motorcycle/Trailers, etc.) \$ _____
 Savings/Checking \$ _____
 Stocks/Bonds \$ _____
 Retirement Accounts \$ _____
 Miscellaneous \$ _____

TOTAL NET MONTHLY INCOME \$ _____ TOTAL ASSETS \$ _____

MONTHLY EXPENSES:

HOUSING: (Primary and Investment)
 Mortgage/Rent \$ _____
 Mobile Home(s) \$ _____
 2nd Mortgage/Home Equity \$ _____
 Insurance (also Renters) \$ _____
 Real Estate Taxes \$ _____
 Home Owner Assoc Fees \$ _____
 Property Maintenance/Conv \$ _____
 Storage Fees \$ _____

UTILITIES:
 Electric \$ _____
 Water/Sewer \$ _____
 LP Gas/Fuel Oil/Natural Gas \$ _____
 Trash Service \$ _____

PERSONAL COMMO:
 Telephone \$ _____
 Auto Telephone \$ _____
 Pager \$ _____
 Personal Data Assistant \$ _____
 Internet Connection Fees \$ _____
 Other (specify) \$ _____

CHARITY/DONATIONS \$ _____

EDUCATION:
 Tuition/Fees \$ _____
 Books/Supplies, Etc. \$ _____
 Other (Specify) \$ _____

INSURANCE:
 Life \$ _____
 Disability \$ _____
 Medical/Health \$ _____
 Other Insurance \$ _____

MEDICAL:
 Doctor \$ _____
 Dentist \$ _____
 Vet & Pet Supplies \$ _____
 Medication \$ _____
 Other (specify) \$ _____

GIFFTS:
 Birthdays \$ _____
 Holidays \$ _____
 Cards/Stamps \$ _____
 Other (Specify) \$ _____

CLOTHING:
 Personal \$ _____
 Family (incl Uniforms) \$ _____
 Dry Cleaning/Laundry \$ _____
 Other (Specify) \$ _____

FOOD:
 Groceries \$ _____
 School Lunches \$ _____
 Other Lunches \$ _____
 Pet Food \$ _____

Attachment B – USAGM Response to Draft Report



330 Independence Avenue SW | Washington, DC 20237 | usagm.gov

November 20, 2018

Ms. Margaret M. Weichert
Acting Director
Office of Personnel Management

Dear Ms. Weichert:

Thank you for the opportunity to respond to the Office of Personnel Management's (OPM) draft report, addressing findings from OPM's review in April 2018 of U.S. Agency for Global Media's (USAGM) suitability program. (*Review of the U.S. Agency for Global Media Suitability Program*, dated October 22, 2018).

We have reviewed the draft report carefully, including the identified deficiencies and proposed recommendations. I assure you that my staff and I understand the critical importance of proper background investigations of employees, contractors, and applicants, particularly given our unique mission in the foreign affairs/national security space. I take this matter seriously and have directed my staff to begin taking corrective actions immediately. We are committed to bringing the agency's suitability program into full compliance with applicable laws, rules, and regulations, and we look forward to re-establishing a Memorandum of Understanding (MOU) with OPM for delegated investigative authority.

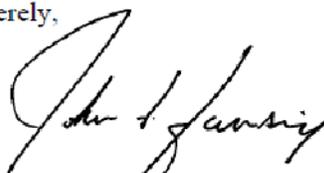
Enclosed is the agency's response to the draft report, describing the corrective actions we are taking to address each of OPM's recommendations. For all 37 recommendations, actions have been initiated or completed. These are actions that will either immediately bring the agency into compliance with applicable legal authorities, or provide a strong start for achieving full compliance in the near future.

In particular, I would like to address the two significant recommendations highlighted in your letter of October 22, 2018. Reflecting our commitment to address OPM's concerns, USAGM has ceased all investigative activities related to personnel security investigative actions and begun the transition of USAGM investigative functions to the National Background Investigations Bureau (NBIB). It is our intent that this transition will be temporary, and that USAGM will utilize NBIB's investigative services until USAGM corrects the deficiencies identified by your program review and is able to enter into a new MOU with OPM for delegated investigative authority.

Voice of America | Radio Free Europe/Radio Liberty | Office of Cuba Broadcasting | Radio Free Asia | Middle East Broadcasting Networks

Again, thank you for the opportunity to comment on the draft report. Should you or your staff have any questions, please feel free to contact Marie Lennon, Director of the Office of Management Services (202) 203-4515 or Andrew Jansen, Director of the Office of Security at (202) 382-7789.

Sincerely,

A handwritten signature in black ink, appearing to read "John F. Lansing". The signature is fluid and cursive, with the first name "John" being particularly prominent.

John F. Lansing
Chief Executive Officer and Director

Enclosure

**Recommendation-by-Recommendation Response to OPM Draft Report
Review of the U.S. Agency for Global Media Suitability Program**

November 16, 2018

Throughout this response there are numerous references to documents such as Standard Operating Procedures (SOP) and other guidance materials. Copies can be provided if requested. The two primary management directives noted throughout are attached.

The U.S. Agency for Global Media (USAGM) generally concurs with the 37 recommendations in the draft report, and describes below the corrective actions taken to date:

Recommendation 1: USAGM must immediately cease all investigative activities, and must immediately transfer all investigative work to NBIB.

USAGM Response: After receiving OPM's letter, dated October 22, 2018, USAGM has ceased initiating investigations and has coordinated with National Background Investigations Bureau (NBIB) to assume USAGM investigative actions. NBIB will continue to provide investigative coverage until USAGM receives authorization from OPM to reengage investigative efforts through the issuance of an updated Memorandum of Understanding (MOU), granting USAGM delegated investigative authority.

Recommendation 2: USAGM must ensure that all covered positions are designated for both risk and sensitivity using OPM's PDS.

USAGM Response: The USAGM Office of Security (SEC) and the Office of Human Resources (OHR) have identified and scheduled training in November 2018, December 2018, and January 2019 related to the use of the Position Designation System (PDS). In the meantime, using OPM guidance, Office of Management Services (OMS) staff have begun using OPM's Position Designation Tool (PDT) to designate both risk and sensitivity and to produce a Position Designation Records (PDR) for each USAGM covered position, as defined in Executive Order (EO) 13467. USAGM expects to complete a PDR for all Federal and contractor positions by February 1, 2019.

While moving forward to comply fully with this recommendation and given the agency's unique mission in the foreign affairs / national security space, USAGM respectfully reiterates the concerns it expressed regarding position sensitivity designations under 5 C.F.R. 1400 in its letter dated May 8, 2018 to OPM and the Office of the Director of Intelligence. To date, USAGM has not received a response to this letter.

Recommendation 3: USAGM must maintain a PDR (or equivalent) for each covered agency position, per OPM's Suitability Processing Handbook.

USAGM Response: As stated above in our response to Recommendation 2, efforts are currently underway to run all agency positions through the PDT to ensure that a PDR, or equivalent, will be maintained for each covered agency position. USAGM expects to

complete this effort by February 1, 2019. The PDR will then be utilized when determining the level of Investigation conducted.

While moving forward to comply fully with this recommendation and given the agency's unique mission in the foreign affairs / national security space, USAGM respectfully reiterates the concerns it expressed regarding position sensitivity designations under 5 C.F.R. 1400 in its letter dated May 8, 2018, to OPM and the Office of the Director of Intelligence. To date, USAGM has not received a response to this letter.

Recommendation 4: USAGM must ensure all USAGM employees tasked with position designation responsibilities are operating in a fair, consistent, and reliable manner.

USAGM Response: Trained SEC and OHR personnel are currently performing PDS operations in a fair, consistent, and reliable manner. To ensure accountability in following this instruction, the OMS Director, in conjunction with the Directors of OHR and SEC, is developing a plan for ongoing review of this work. In addition, once an employee has received training, his/her performance plan will include tasks related to the use of the PDT for position sensitivity.

Recommendation 5: USAGM must re-designate all positions for all employees whose position does not accurately reflect the requirements of the position, in accordance with 5 CFR part 1400.

USAGM Response: As discussed in our response to Recommendation 2, all USAGM employee and contractor positions will be re-designated by no later than February 1, 2019. While re-designating positions, OHR personnel will evaluate whether employee position descriptions accurately reflect the requirements of the position, as required under 5 CFR 1400.101 (b). If the evaluation leads to an updated position description, the updated position description will be utilized for PDS evaluation. Where a sensitivity designation has changed, requiring a higher investigation, USAGM will initiate an investigation within 14 days of the PDS assessment, as required under 5 CFR 1400.204(b)(1).

While moving forward to comply fully with this recommendation and given the agency's unique mission in the foreign affairs / national security space, USAGM respectfully reiterates the concerns it expressed regarding position sensitivity designations under 5 C.F.R. 1400 in its letter dated May 8, 2018, to OPM and the Office of the Director of Intelligence. To date, USAGM has not received a response to this letter.

Recommendation 6: USAGM must request the correct level of investigation based on the accurate position designation, per 5 CFR part 1400, OPM's PDS, OPM issuances and Federal Investigation Notices, and the Federal Investigative Standards.

USAGM Response: OHR personnel and their delegates will receive training on accurate position designation and the correct level of investigation to request. We anticipate that all eligible staff will complete this training no later than the end of the second quarter of FY 2019. SEC will initiate the correct level of personnel investigation based on an accurate PDR, per 5 CFR Part 1400. Close coordination between SEC and OHR will assist in the

process to initiate investigative action on all agency personnel holding covered positions. SEC will ensure OHR is aware of any newly released Federal Investigative Standards or other authorities.

While moving forward to comply fully with this recommendation and given the agency's unique mission in the foreign affairs / national security space, USAGM respectfully reiterates the concerns it expressed regarding position sensitivity designations under 5 C.F.R. 1400 in its letter dated May 8, 2018, to OPM and the Office of the Director of Intelligence. To date, USAGM has not received a response to this letter.

Recommendation 7: USAGM must immediately begin using e-QIP for all investigation requests.

USAGM Response: The OMS Director, in coordination with the SEC Director, issued a management directive to Security staff on November 15, 2018 mandating that e-QIP shall be used for all investigation requests. Beginning November 30, 2018, SEC will initiate all e-QIP requests, relieving OHR and the Office of Contracts (CON) of their e-QIP case initiation responsibilities. This step will ensure proper procedures are followed prior to initiation of e-QIP for new employees and contractors.

Recommendation 8: USAGM must immediately begin using the current SF86 and must not allow applicants or employees to complete outdated versions of the form.

USAGM Response: The OMS Director, in coordination with the SEC Director, issued a management directive on November 15, 2018 mandating the use of current forms for investigative purposes. Beginning November 30, 2018, SEC will initiate all requests for investigations utilizing the e-QIP system; therefore, eliminating the possible use of outdated forms.

Recommendation 9: USAGM must immediately begin using the correct security forms (to include the SF85) for any position which does not require the use of the SF86.

USAGM Response: The OMS Director, in coordination with the SEC Director, issued a management directive on November 15, 2018 mandating that e-QIP shall be used for all investigation requests and prohibiting use of incorrect or outdated forms. As previously stated in our response to Recommendation 8, SEC will use e-QIP to initiate all investigation requests, based on a valid PDR that documents the appropriate position sensitivity designation, and it will eliminate the possibility of utilizing the wrong questionnaire.

Recommendation 10: USAGM staff tasked with pre-screening responsibilities must use 5 CFR Part 731 criteria when making pre-screening determinations, as required by the CFR and OPM's Suitability Processing Handbook.

USAGM Response: The OMS Director, in coordination with the SEC Director, issued a management directive on November 15, 2018 to OHR personnel that only criteria found in OPM Suitability Processing Handbook (Chapter IV(B) and 5 CFR 731.101(a) /

731.103(d)(1) shall be used in pre-screening determinations. More specifically, standards delineated in 5 CFR 731.202(b) will be utilized to determine suitability issues and/or the identification of mitigating circumstance. Additionally, all personnel responsible for pre-screening will be trained and certified in this activity. We have two employees scheduled for classes in December 2018 and January 2019 and anticipate that training for remaining employees will be completed by no later than the end of the second quarter of FY 19.

Recommendation 11: USAGM must ensure all staff tasked with pre-screening responsibilities receive training and are familiar with the criteria found in 5 CFR part 731.

USAGM Response: Through periodic reviews of employee training records, the OMS Director will ensure any USAGM employee performing pre-screening responsibilities has received OPM-recognized training to perform these duties. A Standard Operating Procedures (SOP) has been developed to guide personnel engaged in pre-screening activities and to ensure compliance with 5 CFR Part 731.

Recommendation 12: USAGM must immediately discontinue use of the SF 86 (or any other security form) prior to making an offer of employment, in accordance with 5 CFR §330.1300, unless and until USAGM is granted an exception.

USAGM Response: The OMS Director issued a management directive on November 15, 2018 to all USAGM employees performing pre-screening responsibilities regarding compliance with 5 CFR §§ 330.1300 and 731.103(d)(1). Going forward, candidates for employment shall not be given a link to e-QIP, nor any current security form(s) to complete, until the candidate has first been pre-screened and a conditional offer of employment has been issued. Additionally, the OHR Director will produce and distribute on-boarding/screening guidance for OHR specialists to assist in this process.

Recommendation 13: USAGM must refer all cases with potential material, intentional false statement, or deception or fraud in the examination or appointment process to OPM, as required by 5 CFR part 731 and the Suitability Processing Handbook.

USAGM Response: On November 15, 2018, the OMS Director issued a management directive to all SEC and OHR personnel mandating the proper reporting to OPM of any instance of material-intentional false statement, or deception or fraud in examination or appointment, or refusal to furnish testimony as required, as delineated under 5 CFR 731.103(g).

Recommendation 14: USAGM must update internal processes to eliminate the practice of initiating all applicants and employees into e-QIP prior to checking for reciprocity, in accordance with E.O.s 13467 and 13488.

USAGM Response: On November 30, 2018, USAGM will introduce updated on-boarding procedures requiring that SEC personnel handle all in-processing of new personnel. The process relieves OHR and CON personnel of on-boarding responsibilities while centralizing

all on-boarding procedures within SEC. This process also requires SEC personnel to conduct checks related to reciprocity prior to authorizing an e-QIP application.

Recommendation 15: USAGM must work with their NBIB liaison to obtain access to all appropriate investigation databases.

USAGM Response: The NBIB liaison was contacted on November 1, 2018, and advised that NBIB cannot coordinate USAGM access to the Joint Personnel Adjudication System (JPAS). USAGM will reach out to DOD to determine accessibility. Until full JPAS access is attained, USAGM will continue to utilize the partial JPAS access offered through Central Verification System (CVS). Moreover, USAGM has recently built a Sensitive Compartmented Information Facility (SCIF), which will allow for access to Scattered Castles. The SCIF should be functional within 60 days of this response. The 60-day estimate is the timeframe provided by Verizon for installation of the network connection.

Recommendation 16: USAGM must ensure the e-QIP “Approver” user role is held by a Federal employee. The e-QIP Agency Administrator must immediately remove the Approver access for the Contractors currently holding that role.

USAGM Response: Under current practice and going forward, SEC will not authorize non-FTE personnel to assume the role as Approver within the e-QIP domain. SEC understands the issues associated with the approval of monetary transactions by unauthorized personnel and will not allow such activities. At this time, no contracted personnel have Approver access.

Recommendation 17: USAGM must immediately cease having applicants and employees re-sign security form releases upon EOD, in support of accurate timeliness metrics.

USAGM Response: On November 15, 2018, the OMS Director, in coordination with the SEC Director, issued a management directive to staff to cease requiring employees to re-sign security forms that have already been submitted via e-QIP. Moreover, effective immediately, SEC will maintain a proper Investigative timeline with OPM/NBIB via the proper e-QIP and CVS channels.

Recommendation 18: USAGM must ensure background investigations are initiated no more than 14 days after the applicant’s initial certification of the investigative forms.

USAGM Response: On November 15, 2018, SEC issued a directive mandating new on-boarding procedures, which includes a provision requiring the initiation of investigations within 14 days of receiving certified investigative forms through e-QIP. Moreover, at the end of FY 18, SEC acquired a new Case Tracking System that will not only modernize the handling of cases within SEC but will assist with the expeditious handling of all assigned cases during Administrative, Investigative, and Adjudication processes. We are working with the vendor towards an implementation date by the end of January 2019.

Recommendation 19: USAGM must update its policies, manuals, and employee training practices to ensure all USAGM staff with a role in the initiation process are aware of and adhere to the 14-day initiation timeliness standard.

USAGM Response: The OMS Director, in coordination with the SEC Director, is drafting new policies and SOP that outline who initiates e-QIP requests, which Federal employee will release the certified e-QIP forms, and that it is the responsibility of every SEC staff member involved in managing and releasing e-QIP forms that an investigation must begin within 14 days of certification. It is anticipated that these policies and SOP will be completed January 30, 2019.

Recommendation 20: USAGM must ensure every individual has a favorably adjudicated fingerprint before being issued a PIV credential, as required by HSPD-12 and FIPS 201-2.

USAGM Response: On November 15, the OMS Director, in coordination with the SEC Director, issued a management directive requiring that credentialing only occur after an employee's fingerprints have been favorably adjudicated. SEC produced SOP that provides instruction related to all aspects of the investigative service, consistent with HSPD-12 and FIPS 201-2. Included in the SOP are provisions related to the issuance of PIV Identification cards, subsequent to the adjudication of the fingerprint return from FBI and a case review. Additionally, the SOP contains a systematic process for on-boarding.

Recommendation 21: USAGM must cease revoking and destroying PIV credentials when employees undergo re-investigation.

USAGM Response: On November 15, 2018, the OMS Director, in coordination with the SEC Director, issued a management directive to prohibit the revocation or destruction of PIV credentials when employees undergo re-investigation. USAGM acknowledges that ensuring employees complete re-investigation applications in a timely manner does not constitute cause for revocation or destruction of a PIV credential.

Recommendation 22: USAGM must update its processes and implement the use of PIV cards for logical access, to improve the security of USAGM's network, system, and data security.

USAGM Response: The SEC Director has addressed the issue of logical access with USAGM's technical services personnel. Efforts are underway to implement the use of PIV cards for logical access and to improve the security of the agency's network. Preliminary conversations with CIO staff indicate that USAGM will begin the rollout of this product in February 2019. The agency is committed to agency-wide implementation of two-factor authentication to the agency's network, though it is difficult at this time to estimate when this effort will be completed.

Recommendation 23: USAGM must update processes, procedures, and employee training requirements to reciprocally accept PIV credentials for physical access, in accordance with HSPD-12.

USAGM Response: The Federal Protective Services (FPS) controls the activities of locally assigned guard services; however, some oversight is granted to SEC personnel serving as Agency Technical Representatives (ATR). An ATR acts as a direct link to FPS, but cannot drive conformity or issue Post Orders. Post Orders are provided to the guard service by FPS.

To address OPM's recommendation, the ATR has reviewed post orders and found them sufficient to properly control entry and exit to/from the building. SEC also contacted the FPS guard captain to review the proper application and use of FPS policy concerning PIV credentials and requested training on this topic for guard force personnel. SEC will continually spot check the entry process for non-conformity.

In addition, on November 16, 2018, a physical security policy memorandum was issued within SEC addressing issues related to HSPD-12 and FIPS 201. SEC personnel will receive training related to the proper escort processes as well as conformity to risk-based access control policies.

Recommendation 24: USAGM must work with NBIB to immediately initiate new investigations for all individuals investigated by USAGM since 2012.

USAGM Response: The OMS Director, in coordination with the SEC Director, will work with NBIB and OPM regarding the initiation of new background investigations for all personnel investigated since the last MOU for delegated investigative authority expired. SEC has already initiated a process with NBIB to transfer USAGM investigative responsibility to NBIB. NBIB will conduct all USAGM investigations until further notice.

Recommendation 25: USAGM must perform and document a distinct suitability adjudication on every closed investigation, in accordance with 5 CFR part 731.

USAGM Response: On November 15, 2018, the OMS Director, in coordination with the SEC Director, issued a management directive that all USAGM adjudicators must keep a record of any adjudication in both electronic and paper files. It is an established agency protocol that a distinct suitability adjudication is performed and incorporated in each Subject's electronic file (Case Tracking), but the agency acknowledges that up until now, the suitability adjudication was not made a part of the paper file. Effective immediately, the electronic adjudication will be printed and a copy will be retained in each Subject's security file.

Recommendation 26: USAGM should consider making arrangements to ensure SEC staff are not responsible for adjudicating their direct-report employees' investigations.

USAGM Response: The OMS Director, in coordination with the SEC Director, is in the process of implementing an alternative process to having the Adjudications Chief adjudicate his/her direct reports. USAGM anticipates entering into an MOU with another USG Agency with adjudicative authority by January 30, 2019.

Recommendation 27: USAGM must report all suitability determinations to OPM as soon as possible, and in no event later than 90 days after receipt of the final report of investigation.

USAGM Response: On November 15, 2018, the OMS Director, in coordination with the SEC Director, issued a management directive that, effective immediately, all USAGM adjudicators must follow OPM timeliness goals and must report all suitability decisions to OPM.

Recommendation 28: USAGM must request the required background investigation on any USAGM appointee or employee where a record of investigation cannot be verified.

USAGM Response: Currently, it is SEC policy that all personnel will be investigated as prescribed by Federal regulations and Executive Orders. SEC will work with NBIB and determine any deficiencies in this process and make corrections as required. Regarding the six employees identified in OPM's Draft Report as having no investigation listed in the Suitability Investigations Index (SII), the SEC Director will initiate the required background investigation. At this time, USAGM is aware of only these employees whose records of investigation cannot be verified.

Recommendation 29: USAGM must ensure the Certification of Investigation or similar agency form is included in the eOPF, as required by OPM's Guide to Personnel Recordkeeping.

USAGM Response: On November 15, 2018, the OMS Director, in coordination with the Directors of SEC and OHR, issued a management directive requiring, effective immediately, that a Certification of Investigation (COI) must be added to every USAGM employee's eOPF file subsequent to investigation.

Recommendation 30: Ensure all physical space containing sensitive information, including investigative and adjudicative information and PII, is properly secured and not accessible to those without a need to know.

USAGM Response: On November 19, 2018, the SEC Director implemented enhanced security protocols to ensure sensitive information is properly stored when housed on-site, and that only those with a need to know are permitted access to sensitive information. A copy of the agency's policy on safeguarding PII will also be distributed to all SEC personnel and USAGM-wide to remind all employees of the importance of protecting this sensitive data.

Recommendation 31: Update policies and procedures to implement immediate measures to ensure PII and sensitive and/or classified information will not be compromised.

USAGM Response: The SEC Director has reviewed existing agency policy and SOPs for the safeguarding and handling of PII and/or classified information. As a result of this review, SEC has initiated changes concerning the storage of sensitive or classified material to include the removal of all classified material from open sight within our secured and manned file repository. SEC will institute better verification practices to include all

personnel with access to secure areas located within the restricted area that SEC occupies. Lastly, please note that SEC personnel are all cleared for access to Secret material, at a minimum. SEC is not currently authorized to store top-secret information and has no top secret information stored on site.

Recommendation 32: USAGM must ensure the personnel who perform adjudicative work receive suitability adjudications training in accordance with the National Training Standards.

USAGM Response: All permanent adjudicative staff have been trained and certified in both suitability and national security adjudicative process. Training certificates for adjudicators are available for review. We are awaiting a new training schedule to initiate Advanced Suitability Adjudication Program (ASAP) training.

Concerning the two trainee adjudicators, they are registered for Fundamentals of Suitability for Suitability and Fitness Adjudicators training in 11/2018 and 2/2019.

Recommendation 33: USAGM must ensure adjudicative staff is able to demonstrate a sufficient knowledge and understanding of suitability adjudications requirements and criteria.

USAGM Response: The SEC Director will ensure all adjudicators are knowledgeable about applicable regulations, OPM and ODNI guidance, and FIS standards. Adjudicators will now receive regular distributions of current OPM guidance and annual training in adjudicative functions. Further, when possible, adjudicators will attend OPM sanctioned meetings, like Background Investigators Stakeholders Group (BISG), to expose them to changes in the security community. Lastly, adjudicative performance will be closely monitored by supervisory personnel utilizing performance management plans.

Recommendation 34: USAGM must ensure personnel who perform adjudicative work maintain a favorable determination based on the results of the appropriate level of investigation.

USAGM Response: The SEC Director has verified that all adjudicative staff have investigative and adjudicative actions properly annotated within CVS. The failure to report the adjudication of one of the adjudicative staff members, which was identified in the draft report, appears to have been an oversight. All associated personnel were counseled concerning the proper reporting of adjudicative actions.

Recommendation 35: USAGM must ensure the manuals, forms, directives, and policies that govern its personnel suitability operations are in compliance with all applicable E.O.s, OPM requirements, and current investigative products.

USAGM Response: The SEC Director of Security will begin a systematic review of all manuals, forms, directives, and policies in use within the USAGM SEC to ensure they are in compliance with all applicable E.O.s, OPM requirements, and current investigative products. The current expected timeframe for completion is January 2019.

Recommendation 36: USAGM must ensure security and suitability staff operates in accordance with all SOPs and written guidelines.

USAGM Response: Within 45 days of this response, the SEC Director will issue a management directive requiring all security and suitability staff to operate according to documented SOPs and written policy/guidance. The SEC Director, or delegate, will perform random spot checks of practices and procedures throughout the year to ensure compliance and will produce written reports of findings for review by the OMS Director.

Recommendation 37: USAGM must immediately stop requesting information for background investigations which goes beyond the scope of the Federal Investigative Standards.

USAGM Response: On November 15, 2018, the OMS Director, in coordination with the SEC Director, issued a management directive to immediately cease collecting or requesting information for background investigations that go beyond the scope of the Federal Investigative Standards (FIS). Current NBIB/OPM procedures concerning the collection of information will be reviewed with SEC staff within 45 days of this response. All investigations taking place within USAGM, or on behalf of USAGM at NBIB, will be based on the FIS and the position's sensitivity level.



U.S. AGENCY FOR
GLOBAL MEDIA

UNITED STATES
BROADCASTING
BOARD OF
GOVERNORS

Management Directive on USAGM's Suitability Program: Activities to Cease Immediately

Date: November 15, 2018
From: Marie Lennon, Director of Management Services
To: OMS/S Staff
Re: Practices to Cease Immediately

As many of you are aware, the Office of Personnel Management recently released its draft inspection report, dated October 22, 2018, of the Agency's Suitability program. The Office of Management Services is committed to bringing the program into full compliance with applicable laws and regulations and is utilizing the recommendations in OPM's draft report as the first step in this process. To that effect, I am instructing that the following activities cease immediately, as of the date of this directive, in the manner and method directed by Andrew Jansen, Director of Security:

1. Requiring applicants and employees to re-sign security form releases upon EOD (See OPM recommendation number 17).
2. Revoking and destroying PIV credentials when employees undergo re-investigation (See OPM recommendation number 21).
3. Requesting information for background investigations which goes beyond the scope of the Federal Investigative Standards (See OPM recommendation number 37).
4. Use of the SF 86 (or any other security form) prior to making an offer of employment, in accordance with 5 CFR §330.1300, unless and until USAGM is granted an exception (See OPM recommendation number 12).

The Director of Security has issued Standard Operating Procedures and interim policies that outline new workflows addressing the above changes. There will be additional efforts aimed at outlining SEC's practices and policies, as well as those of HR. All newly authored interim policies and guidance can be found on the Office of Security's intranet page here: <https://bbg.sharepoint.com/sites/offices/security/>.

Office of Management Services staff will conduct ongoing management reviews to ensure Office of Security staff cease the four prohibited activities enumerated in this management directive.

Marie Lennon
Director of Management Services

Andrew Jansen
Director of Office of Security



Management Directive on USAGM's Suitability Program: Activities to Begin Immediately

Date: November 15, 2018
From: Marie Lennon, Director of Management Services
To: OMS/S Staff
Re: Practices to Begin Immediately

As many of you are aware, the Office of Personnel Management (OPM) recently released its draft inspection report, dated October 22, 2018, of the Agency's Suitability program. The Office of Management Services is committed to bringing the program into full compliance with applicable laws and regulations and are utilizing the recommendations in OPM's draft report as the first step in this process. To that effect, I am instructing Security staff (and OHR as appropriate), under the direction of Andrew Jansen, the Director of Security, to ensure that, as of the date of this directive, the following activities are either being performed, or to begin immediately:

1. Conduct PDS operations in a fair, consistent, and reliable manner (See OPM Recommendation number 4).
2. Ensure use of e-QIP for all investigation requests (See OPM recommendation number 7).
3. Ensure use of the current SF86, and advise applicants or employees that outdated versions of the form are not valid (See OPM recommendation number 8).
4. Ensure use of the correct security forms (to include the SF85) for any position which does not require the use of the SF86 (See OPM recommendation number 9)
5. Report all suitability determinations to OPM as soon as possible, and in no event later than 90 days after receipt of the final report of investigation (See OPM recommendation number 27).
6. Update internal processes to eliminate the practice of initiating all applicants and employees into e-QIP prior to checking for reciprocity, in accordance with E.O.s 13467 (as amended) and 13488 (See OPM recommendation number 14).
7. Refer all cases with potential material, intentional false statement, or deception or fraud in the examination or appointment process to OPM, as required by 5 CFR part 731 and the Suitability Processing Handbook (See OPM recommendation number 13).
8. Perform and document a distinct suitability adjudication on every closed investigation, in accordance with 5 CFR part 731 (See OPM recommendation number 25).
9. Ensure the e-QIP "Approver" user role is held by a Federal employee. The e-QIP Agency Administrator must immediately remove the Approver access for the contractors currently holding that role (See OPM recommendation number 16).

10. Ensure background investigations are initiated no more than 14 days after the applicant's initial certification of the investigative forms (See OPM recommendation number 18).
11. Ensure every individual has a favorably adjudicated fingerprint before being issued a PIV credential, as required by HSPD-12 and FIPS 201-2 (See OPM recommendation number 20).
12. Ensure the Certification of Investigation or similar agency form is included in the eOPF, as required by OPM's Guide to Personnel Recordkeeping (See OPM recommendation number 29).
13. Ensure personnel who perform adjudicative work maintain a favorable determination based on the results of the appropriate level of investigation (See OPM recommendation number 34).
14. Ensure the manuals, forms, directives, and policies that govern its personnel suitability operations are in compliance with all applicable E.O.s, OPM requirements, and current investigative products (See OPM recommendation number 35).
15. Strictly adhere to all SOPs and written guidelines (See OPM recommendation number 36).
16. Use 5 CFR part 731 criteria when making pre-screening determinations, as required by the CFR and OPM's Suitability Processing Handbook (See OPM recommendation number 10).

The Director of Security has updated and issued Standard Operating Procedures and interim policies that outline new workflows addressing the above changes. There will be additional efforts aimed at outlining SEC's practices and policies, as well as those of HR. All newly authored interim policies and guidance can be found on the Office of Security's intranet page here:

<https://bbg.sharepoint.com/sites/offices/security/>.

Office of Management Services staff will conduct ongoing management reviews to ensure Office of Security staff continuously implement the sixteen corrective activities enumerated in this management directive. As appropriate, some items enumerated above will be addressed in employee performance plans and evaluated through that annual process.



Marie Lennon
Director of Management Services



Andrew Jansen
Director of Office of Security

Attachment C – USAGM Waiver Request to 5 CFR 1400



BROADCASTING BOARD OF GOVERNORS
UNITED STATES OF AMERICA

May 8, 2018

Office of the Director of National Intelligence
National Counterintelligence and Security Center
Security Executive Agent

Office of Personnel Management
Suitability and Credentialing Executive Agent

To Whom It May Concern:

The Broadcasting Board of Governors (BBG) has assessed the matter of *position sensitivity designation*, pursuant to a review of 5 CFR Part 1400; Executive Order 13467, as amended by EO 13764; and other relevant guidance and authorities.¹

A “sensitive position” is a position “in which the occupant could bring about by virtue of the nature of the position, a material adverse effect on the national security”;² this corresponds by definition to a “national security position”, which “includes any position in a department or agency, the occupant of which could bring about, by virtue of the nature of the position, a material adverse effect on the national security.”³ The head of Agency is called upon to “designate, or cause to be designated” any position which the head of Agency determines should be designated as a “national security position”; and “to determine whether changes in position sensitivity designations are necessary.”^{4,5}

¹ As elaborated below, this includes 5 CFR 1400.201(a); 5 CFR 1400.204(a) and (d); section 2.7(b) of EO 13467, as amended by EO 13764; and 22 USC 1464b. The latter is a BBG specific provision of law which posits the requirement that the BBG to investigate/assess whether BBG staff are subject to foreign influence/loyalty, and which by definition would appear to categorize all positions at least, the non-critical, sensitive level (i.e. as at a minimum requiring the type of investigation required for a national security position under 5 CFR 731.106 at the moderate level, unless the agency determines that the position should be designated at the high level.)

² Section 2.7(b) of EO 13467, as amended

³ 5 CFR 1400.102(a)

⁴ Section 2.7(b) of EO 13467, as amended (“Heads of agencies shall: (i) designate, or cause to be designated, as a ‘sensitive position,’ any position occupied by a covered individual in which the occupant could bring about by virtue of the nature of the position, a material adverse effect on the national security”. 5 CFR 1400.201(a) (“the head of each agency must designate, or cause to be designated, a position within the department or agency [that the head of agency believes is a national security position] as a national security position pursuant to §1400.102(a)”)

⁵ 5 CFR 1400.204(a) (Agency heads must assess, using relevant regulation and guidance “to determine whether changes in position sensitivity designations are necessary within 24 months of July 6, 2015” or later if a waiver is granted)

Based on that review, the Agency has determined that changes in current Agency position designations are not warranted at this time. Accordingly, pursuant to that review, **the Agency will continue to consider every covered position at BBG a “National security position,” given the ability of the occupant of each position to potentially bring about a material adverse effect upon the national security.**

As a result, all Agency positions will remain at a minimum as non-critical sensitive⁶, while positions requiring Special-Sensitive and Critical Sensitive designations are assigned based on definitions provided under 1400.201 (see below).

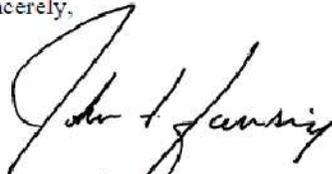
This designation is consistent with BBG’s longstanding practice. As the Agency indicated back in 1991 to OPM, given our unique mission in the foreign affairs/national security space, we face risks of “hostile foreign intelligence services, which endeavor to place agents within [the Agency] to influence or alter the content of the broadcasts for disinformation purposes, to intimidate its personnel, or to otherwise disrupt the mission of the agency and the conduct of foreign affairs of the United States.” That practice is also consistent with the need that Congress has recognized for the BBG to investigate/assess whether any potential staff are subject to foreign influence/loyalty. *See* 22 USC 1464b.⁷ Protecting against these and similar risks is precisely the reason that the BBG established its current practice and seeks to continue this practice.

Per 5 CFR 1400.201(d) agencies may determine that national security positions may be designated at a higher level than non-critical sensitive, where warranted on the basis of criteria set forth in OPM issuances as described in 5 CFR 731.102(c). Currently we have 81 critical-sensitive and 15 special-sensitive positions.

We wish to thank the Office of the Director of National Security for their insight and support of the Agency as we assessed 5 CFR Part 1400.

If you require any additional information about the BBG’s current suitability and security programs, please do not hesitate to contact Ms. Marie Lennon at 202.203.4504.

Sincerely,



John F. Lansing
Chief Executive Officer and Director

⁶ In accordance with 5 CFR 1400.201(d) a noncritical-sensitive position automatically initially carries with it a risk designation under 5 CFR 731.106 at the moderate level.

⁷ *See* footnote 1, *supra*.

Attachment D – USAGM’s Response to OPM Information Request



U.S. AGENCY FOR
GLOBAL MEDIA

UNITED STATES
BROADCASTING
BOARD OF
GOVERNORS

330 Independence Avenue SW | Washington, DC 20237 | usagm.gov

January 17, 2020

Attn: Mary Milner and Tiffany Barnes

Ref: USAGM’s responses to the information request dated January 8, 2020

USAGM believes the attached documents will demonstrate the significant progress we have made to bring USAGM’s security operations into compliance, and to address recommendations made during OPM’s and ODNI’s 2018 inspection of USAGM’s Suitability and Personnel Security Programs. USAGM hopes that the actions it has taken since the 2018 inspection demonstrate the Agency’s commitment to improving its personnel security program; the Agency will diligently address any new recommendations that result from this review.

Please note that in response to item eight, referenced in the information request, USAGM will provide information related to the re-initiation of personnel security investigations since 2012, as that information is developed. USAGM is committed to re-initiating investigations for all personnel whose investigation was conducted under lapsed investigative authority. To accomplish this while prioritizing resources and minimizing impacts to Agency operations, USAGM has prioritized the issuance of Position Designation Records for existing positions while initiating investigations for current staff and new hires. We are still in the process of identifying, prioritizing, and reinitiating investigations working backwards to 2012. Moreover, the USAGM Office of Security has successfully contracted, but has yet to procure a case management system to track, manage, and report on current and prior investigations. Implementing a case management system will significantly accelerate USAGM’s efforts and improve our ability to provide requested documentation in the future.

Again, USAGM looks forward to demonstrating our progress on areas requiring improvement. If there is any further information we can provide your team, please do not hesitate to reach out.

Sincerely,

Andrew Jansen
Director, Office of Security
p. 202.382.7789
f. 202.382.7794

August 25, 2020

BBG Director of Security (2008-2014)

(b) (6)

CEO - Mr. Michael Pack
United States Agency for Global Media (USAGM)
Broadcasting Board of Governors (BBG)
330 Independence Ave., S.W.
Washington D.C. 20237

Subject: Agency Security Program

I have been following USAGM recently in the media and through contacts in the Agency and feel compelled to provide the following statements in an effort to bring additional clarity on the issues involving the Agency's Personnel Security Program.

I retired from the BBG in 2014, after almost 36 years of Federal service; the last 22 years was with the Office of Security at USIA/BBG/USAGM.

Background:

In 1998, the United States Information Agency (USIA) was abolished and restructured, some functions were transferred to the Department of State (DoS) and the broadcasting arm and some support functions were separated and formed a new Agency (BBG).

USIA's Office of Security was composed of five divisions with over 100 FTE's and was supplemented by several, million dollar contracts, providing the equivalent of another two divisions of 50-100 cleared contractors to support the office. The Director of USIA's Office of Security was at the Senior Executive Service (SES) level.

USIA also had Special Compartmental Information Facilities (SCIF) that were certified to store and discuss up to Top Secret national security information.

I was part of that office and when the restructuring of USIA was executed, I was offered a position with both the DoS and the newly formed BBG Office of Security. I decided to accept the position at the BBG.

BBG funded for a marginal office of security, bringing aboard from USIA a mere 13 FTE's to form its security program consisting of: Investigations, Adjudications, Domestic and International Security. There were no million dollar contracts. There were no SCIF's.

In its infancy, the BBG quickly realized that small Agencies were required to dedicate the resources necessary to follow and implement executive orders (EO) and directives in the same manner that large Agencies were. The BBG struggled with funding and its priority was always with VOA Operations.

The Office of Security began requesting additional bodies and funding almost immediately in 1998. We were able to squeeze enough funding from the GOE account to fund approximately five contract investigators on a “pay for service” basis (not full time). The office inched forward with the hope of obtaining additional support from the BBG management.

The office also began identifying security deficiencies at our overseas facilities and began receiving BCI funding. BCI funding is provided by Congress that is earmarked for a specific project. Congress fully expects that all foreign affairs Agencies put in place security measures to fully protect their personnel overseas and provides any necessary funding to do so. This funding cannot be reprogrammed by the Agency for another use without the approval of Congress and it could not be used to support the Personnel Security Program.

Homeland Presidential Directive 12 (HSPD-12)

In 2004, the President issued EO HSPD-12 (Homeland Security Presidential Directive). This EO directed that all federal Agencies begin issuing a standardized federal credential (Smart Card). It provided absolutely ***NO*** funding to accomplish and required volumes of requirements and resources to accomplish. We struggled to comply with what little funding we had; again the office requested resources from senior management to accomplish and received nothing.

The subsequent implementation directive (Federal Information Processing Standard (FIPS-201), required that prior to the issuance of the new smart card, the Agency was required to perform a federal investigation for all employees and contractors that would have access to our federal facilities for six months or longer, with reoccurring investigations as determined by EO’s.

This placed an extreme burden on our Personal Security Program. Again, additional funding was requested and the office received none.

All Agencies had difficulty in implementing HSPD-12 and the process was flawed. OPM set deadlines for completion and required Agencies to use NIST approved products only; which was not available until long after the first deadline. Completion dates were continued to be pushed back until they finally issued a directive that basically stated that: “All Agencies are to dedicate the resources necessary to implement HSPD-12 as soon as possible”. The BBG was able to accomplish sometime around 2010.

(b) (6), Director of Security

In 2008, our Director of Security retired, I was asked by Senior Management to assume the position of Director. It was never returned to a SES position and I held the grade of GS-15 as Chief of Physical Security already, so it was not a promotion. However, in the best interest of the office, I accepted the position and responsibility and moved forward.

I also began to request additional funding and people in order to accomplish the mission of the office.

Grantee’s are provided personnel security support

In that same timeframe, our Grantees met with our IBB Chief of Staff (then Marie Lennon) and I. They

requested that the BBG assume the responsibility of conducting investigations on all of their employees. Those that had access to federal facilities or access to classified information were already required by HSPD-12 or EO's to have background investigations conducted. I advised Ms. Lennon, that the office was already overburdened and did not have the resources to support. That they could contract with OPM or provide reimbursement to the Agency for services rendered. Ms. Lennon approved the Grantee's request and the office never received reimbursement, additional funding or bodies to support, critically burdening the office.

BCI Funding Removed

I also recall on at least two occasions when the Agency was in a budget crunch and senior management approved removing several hundred thousand dollars of Security's BCI budget, despite the warnings from me that BCI funding was provided by Congress for specific security projects and the removal and repurposing of the funding needed the approval of Congress and that it could not be reprogrammed at the Agency level as was other types of funding allocations. Along with this warning, I also stated in writing that: Removal of BCI funding places the life-safety of our personnel and facilities at risk.

The funding was later returned after a substantial delay, if I recall, it was at the end of year when other funding was freed up.

Congressman Rohrabacher Inquiry

In 2012, Congressman Rohrabacher asked the Agency to provide a briefing to him/staff up on Capitol Hill. He was concerned about the security of the Agency, the background investigations process and what was in place to prevent the possible infiltration by foreign elements that could have an impact on the integrity of the broadcasts.

During the visit, I went through a step by step example of a typical investigation and emphasized the many parts of the process, and that we strictly followed OPM's standards, Federal Law and applicable EO's. Basically, that we performed personnel security investigations exactly as any other Federal Agency. I also pointed out that since we were one of the few Agencies that had the authority to hire foreign nationals, that we also conducted a personal counter-intelligence interview. We also designated all positions as "sensitive", which drove more thorough investigations.

There were other elements that also provided input, but they were generally satisfied with Security.

Near the end of the briefing, they turned back to Security and asked my opinion on whether I thought the Agency had been infiltrated by foreign agents and my response was that it was possible, but since we conduct a more thorough investigation than most agencies, which include FBI and CIA INTEL checks, it is highly unlikely, that there are bigger targets out there.

They then asked about whether providing additional resources would help the office, 30-40 bodies and funding. It was a great opportunity to stand up and get what the office desperately needed. However, my response was that "We were briefed by senior management prior to coming here that we were NOT to ask for additional resources". That was then immediately repeated by our BBG Congressional Liaison. They then asked once again, could you use the additional resources? I replied that you can always do more with more and left it at that.

Later, the Congressman offered (informally) to senior management to provide 40 bodies and a large amount of funding to our Office of Security. Without discussion, they turned it down, citing that the additional security would make the employees of the Agency uncomfortable.

Later, just prior to my retirement in 2014, a reorganization of some of the offices occurred and we received a single FTE GS-9, with no security experience.

Reduction of Critical Positions within Security

Over the years senior management has also reduced the grades of two key positions within the Office of Security. Both the Chief of Personnel Security and the Chief of Physical Security were reduced from GS-15 grades to GS-14. These two positions are the backbone of the office and lowering the grades tends to limit the number of highly qualified candidates that would normally apply at the higher level.

The position of Director of Security was never returned to the SES level.

My personal experience with senior management at USAGM/BBG is that senior management consistently put their resources into VOA Operations and ignored their support services.

From a national security perspective, USAGM/BBG is a foreign affairs Agency and its mission is inextricably linked to the protection of the nation from foreign aggression. Specifically, the Agency is an information service to support U.S. foreign policy objectives, increasing the mutual understanding between the people of the United States and the people of other countries by means such as disseminating abroad information about the United States, its people, and its policies. Due to the political nature of the broadcasts, credible threats are often received by terrorist groups and organizations. Having a strong, capable security office is paramount to safeguarding the employees and providing a secure environment in which the mission can be accomplished.

2012 OPM Delegated Authority Renewal

In 2012, my Chief of Personnel Security completed a request to renew the delegated authority from OPM. However, at some point it was discovered by OPM that there was an error in the signature block, this was corrected after my retirement and to my knowledge had no impact on our authority to conduct national security investigations. This was something that OPM should have caught upon receipt and immediately corrected, thus a formality that appears to be blown out of proportion by OPM. A delegation of authority remains in effect unless formally withdrawn.

Special Compartmental Information Facility (SCIF)

There were no SCIF's at the BBG and although we could issue up to a Top Secret national security clearance, we could not discuss nor store TS information at the BBG due to the lack of a SCIF. At one point, BBG senior management approved the funding for a SCIF. Plans were drawn up and approved by the certifying Agency (CIA), however, later, the funding was never provided to actually construct the area. This hampered security operations as critical INTEL information could not be directly transmitted, discussed or stored at our facility.

I often received INTEL briefings from (sensitive Agency) that had to be toned down to the SECRET level due to not having a SCIF or I was forced to have the meeting at another Agency that had a SCIF.

After my retirement in 2014

I can't speak directly on the events that occurred after I retired in 2014. (b) (6) (formally my Chief of Physical Security) was appointed as Director of Security sometime after my departure and when he retired, Andrew Jansen succeeded Mr. Lang.

I knew (b) (6) and Andrew Jansen since 2005, both are veterans (as I am) and I can personally vouch for their honesty and dedication to the office's mission. I know that they too had difficulty obtaining the resources necessary to effectively build a robust security program.

It is my understanding that Mr. Jansen contacted OPM in 2017 in an effort to resolve the open recommendations and what was necessary to maintain delegated authority to continue operations. He brought that information forward to (now) the Director of Management (Marie Lennon).

USAGM senior management, by the direction of the Office of General Counsel, directed Mr. Jansen to continue operations. Delegated authority had not been formally removed at that point.

After a six month delay, senior management requested to be exempted from the remaining unresolved recommendations by OPM, only later to ask for an extension in order to comply, in which neither were approved.

Again, I cannot speak directly in regards to what occurred after I retired in 2014, however, knowing (b) (6) Andrew Jansen and every other person that occupied the position of Director of Security, (b) (6) **ABSOLUTELY NONE** would never have acted without the direction and exclusive approval of senior management and GC.

When General Counsel (b) (6) was put into position at the BBG, he assigned an Agency attorney to each office to oversee operations and assert itself in all matters. Day-to-day operations of the Office of Security were strictly overseen by both IBB Chief of Staff Marie Lennon and by the General Counsel.

Security Clearance Basics

An Interim National Security Clearance or suitability determination can be issued based on a favorable review of the FBI fingerprint results and other documents submitted by an employee. I don't see that suddenly there will be unfavorable information discovered on all or any of the employees of the Agency. Appears OPM is over inflating this matter on how this actually affects national security and some common sense should be applied. GC can advise you, however, there is a Federal Law or Statute that states: Agencies are not required to repeat investigations if they know that the outcome of the investigations will not change.

Final Comment and Recommendation

Being retired for six and a half years, I am far removed from this matter, however, based on my

experience as a previous Director of Security with the Agency, I can say without a doubt that senior management should be held fully and solely responsible for any shortfalls due to their strict oversight and the lack of providing the USAGM Office of Security the resources necessary to effectively accomplish their mission.

The Agency should immediately provide a substantial increase in resources to their security office and that Andrew Jansen should be immediately reinstated.

If you need additional information, please let me know.

Best regards,

(b) (6)
Director of Security (2008-2014)
Broadcasting Board of Governors

(b) (6)

CC: President Trump
USAGM Director of Security Drew Jensen