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*Office of the General Counsel
Freedom of Information and Privacy Act Office*

July 3, 2013

RE: Request Pursuant to the Freedom of Information Act – FOIA #13-025

This letter is in response to your Freedom of Information Act (FOIA) request to the Broadcasting Board of Governors (BBG), dated April 18, 2013, which the Agency received on April 20, 2013. In your request, you ask for a copy of each written response from the BBG to a Congressional Committee (or Committee Chair) from January 1, 2012 to the date of your request. Per your request, we are limiting the scope of your request to formal responses to Committee inquiries, not regular reports or constituent responses to Congressional offices.

The records responsive to your request are enclosed with this letter. No responsive information was withheld or redacted from the records provided. No chargeable fees were associated with this request, and the enclosed records are provided at no expense to you.

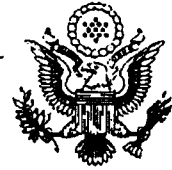
This completes the Agency's response to your request and it is now closed. If you have any questions regarding your request, I can be reached at the address or phone number listed above.

Sincerely,

A handwritten signature in blue ink, appearing to read 'A. T. Krog', is written over a horizontal line.

Andrew T. Krog
FOIA and Privacy Act Officer





December 5, 2012

The Honorable G.K. Butterfield
U.S. House of Representatives

The Honorable Walter B. Jones
U.S. House of Representatives

Dear Congressmen Butterfield and Jones:

Thank you for your inquiry regarding staffing at the Edward R. Murrow Transmitting Station in Greenville, North Carolina. We appreciate your long-standing interest in the station and its historic role in U.S. international broadcasting.

The Broadcasting Board of Governors (BBG) has no plans to close the Murrow Station. The BBG continues to utilize the station in Greenville in order to fulfill its broadcast mission. Currently, 14 government employees and seven contractors work at the Murrow facility. Since January 1, 2011, four employees assigned there have retired or left their positions in Greenville. Two of the four positions have been filled with direct-hire government employees. The BBG did not find it necessary to replace the other two employees, one of whom had been working in California just before he left the agency on an extended detail to oversee the caretaking and disposal of a closed BBG facility.

A member of the BBG Foreign Service was assigned to the position of Station Manager (the most senior position) at the Murrow facility in July 2012. Prior to this appointment, a Foreign Service retiree returned to service under a short-term appointment as acting Station Manager. The current Station Manager has career status in the BBG Foreign Service, as do transmitting station managers at other facilities in the BBG network.

We appreciate the concerns you have raised, and are happy to provide any additional information you may require regarding this issue. Please do not hesitate to contact us again if we can be of further assistance.

Sincerely,

A handwritten signature in black ink, appearing to read "Richard M. Lobo".

Richard M. Lobo
Director



December 6, 2012

The Honorable Dana Rohrabacher
Chairman
Subcommittee on Oversight and Investigations
Committee on Foreign Affairs
U.S. House of Representatives

Dear Mr. Chairman:

This letter is in reply to yours of November 28 regarding the Broadcasting Board of Governors' (BBG) hiring and promotion of U.S. citizens and non-citizens. Although addressed to Voice of America Director David Ensor, your letter raises issues affecting all of the BBG and its grantees; I am therefore compelled to provide a response on the agency's behalf.

The premise that we "hire foreigners instead of American citizens" implies favoring the former over the latter. But in point of fact, equally or better-qualified U.S. citizens are always top choice in this agency's hiring process. We would welcome the opportunity to brief you on how that process works.

Further, as a former journalist I am sure you would be the first to agree that this agency would not serve our listeners and viewers well if we chose lesser candidates for key jobs on or off the air. The BBG always seeks to hire and promote the best-qualified people. Losing the ability to hire the best qualified broadcasters would severely undermine the BBG's ability to attract and retain an overseas audience.

And there is considerable legal precedent to support the proposition that the agency's interpretation of the U.S. Information and Education Exchange Act of 1948, which grants authority to the BBG to hire non-citizens as international broadcasters when suitably qualified U.S. citizens are not available. The recent ruling of the Federal Labor Relations Authority (FLRA) contradicts substantial and uniform legal precedent in which courts have given deference to the discretion of foreign policy agencies to interpret their regulations.

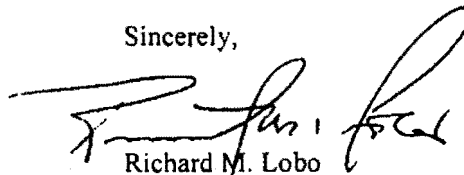
You noted that "decades ago, there was arguably some need to (employ) foreigners who had recently emigrated from closed countries because of their specific knowledge of current affairs there," but that this need has been obviated by advances in technologies that increase cross-border communications. However, such technologies have no bearing on ability to speak a language, interpret the news within a cultural context, or convey information credibly on the air.

The BBG promotes U.S. national security by supporting freedom and democracy around the world. We provide accurate and credible news and information to support democratic transformation, counter extremist propaganda, expose human rights abuses, and present and discuss U.S. policy abroad. The BBG broadcasts to some of the world's most remote and dangerous places of critical importance to U.S. interests. Having the best qualified personnel working in services such as our Pashto-language broadcasts to the border region of Afghanistan and Pakistan, or broadcasts to Zimbabwe in Shona and Ndebele, helps counterbalance the powerful voices of violence and autocracy in these conflict-prone regions.

Non-citizens may often be the best qualified applicants for a narrow cluster of broadcasting positions, which require native proficiency in foreign languages and contemporary knowledge of the culture of the broadcast area.

I agree with you that American citizens "who have excellent foreign language skills" contribute mightily to fulfilling the mission of U.S. civilian international broadcasting, and this agency will continue to hire them. In the meantime, the BBG is in full compliance with its mandate and legislative history to give hiring preference to U.S. citizens only if they are equally or better qualified than non-citizens for these critical roles as foreign language broadcasters.

Sincerely,



Richard M. Lobo
Director