

Dear Colleagues,

We lost the most recent round on Saturday. Following a 2-1 ruling by a DC Circuit Court of Appeals Panel, MBN continues to operate on a limited basis without its Congressional approved funds.

We're seeking review of Saturday's disappointing decision.

Ryan Crocker said in a press statement Saturday afternoon that "it's profoundly disappointing that networks that exemplify American ideals of a free press are silenced by our own government."

We're privileged to have Ryan — a six-time ambassador and recipient of the Presidential Medal of Freedom — as our board chair. Ryan and the MBN board are fighting hard with us.

Congress established MBN, RFA, RFE/RL, and Voice of America. On a bipartisan basis, Congress has funded these networks for decades. This year was no different. On March 14, Congress reaffirmed its commitment to U.S.-funded international media.

On March 15 — after two weeks on the job with our parent agency United States Agency for Global Media (USAGM) — **Kari Lake** unlawfully terminated our grant agreement.

From the get-go, Ms. Lake has refused to speak with me. She's declined to visit MBN, meet our staff, or review our operations.

Ms. Lake and her associates have denounced our work in crudest terms. There's no conversation about reform, restructure, or reduction. This is all about destruction. Vandalism is not a strategy. Journalism is not a crime.

Munger, Tolles & Olson (MTO) continues to assist us. General Counsel **Anne Noble** and I met with a team of nine MGO attorneys yesterday morning to plan next steps. **Don Verrilli** started the Sunday 8 am meeting by stating clearly — “this is not over.” Don is a former Solicitor General of the United States. Our legal team comes from one of the nation's leading litigation firms. We are privileged. *This is not over.*

As you know, **Judge Lamberth** had previously ruled in our favor. On Saturday, two Trump appointed judges decided, however, that it is the Administration — and not MBN and its employees — that faces “irreparable harm” in this ordeal caused by the reckless decisions and callous behavior of Ms. Lake and USAGM.

We've been forced to let go 90 percent of our staff. We've sent countless individuals into harms' way. As a result of Saturday's decision, there's still no funding in sight. Starving us of resources, Ms. Lake is desperate to see the clock run out.

Our petition for rehearing will be filed today. We expect the full U.S. Court of Appeals for the District of Columbia Circuit to review our case later this week.

We're fighting for MBN employees, past and present. We're fighting for the American taxpayer, for Congressional prerogative, for MBN's mission — and for the future of a company that serves millions of people across the Middle East and North Africa.

Listen [here](#) to a commentary on Saturday's ruling by New York University law professor **Ryan Goldman**. Here's an excerpt from **Judge Pillard** and her eloquent dissent:

It started with Voice of America to counter Nazi propaganda. In response to the need to more actively counter anti-American narratives with concrete and timely factual reporting, Congress has established affiliate networks in various regions of the world—Europe, Asia, and the Middle East. Dismantling that family of networks cannot be squared with the public interest. By contrast, restoring VOA, RFA, and MBN to operate as Congress intended, providing news that is consistently reliable and authoritative, accurate, objective, and comprehensive” serves the interest of the American people. 22 U.S.C. § 6202(b).

The district court's preliminary injunction was tailored to provide necessary relief to the plaintiffs while the courts work to resolve their claims on the merits. The panel errs in staying that injunction. Rather than preserving the relative positions of the parties, this stay all but guarantees that the networks will no longer exist in any meaningful form by the time this case is fully adjudicated. I regret that networks charged with exemplifying the ideals of free speech, free opinion, and a free press to the world at large are silenced by our own

government's action in disregard of the expressed will of Congress—actions that, as the district court most ably explained, are likely to be found unlawful.

Thanks for your hard work, your patience, and resilience. Your dedication is a source of inspiration.

We're still in this fight.

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Gratefully, Jeff