

March 7, 2023

Federal Communications Commission  
FOIA Office  
45 L Street NE  
Washington, D.C. 20554

Dear Sir or Ma'am:

The American Accountability Foundation writes today to demand transparency into the unprecedented actions in the deliberations over the transaction involving TEGNA Inc., SGCI Holdings III LLC ("Standard General"), and CMG Media Corporation ("CMG"). The Federal Communications Commission is an independent agency and the American people expect it to behave that way – free from political cronyism and favoritism. Unfortunately, there is strong evidence that powerful political figures, including former Speaker Nancy Pelosi (D-Calif) and Senator Elizabeth Warren (D-Mass) exerted undue influence on the FCC officials evaluating this acquisition. The role the former Speaker particularly is noteworthy since its unusual for her to weigh in on FCC matters like this.

We are also deeply troubled by the significant influence specific monied interests who used their access and influence to oppose this acquisition. This type of backroom dealings creates the perception that the federal government is for sale to the highest bidder that belief is one of the greatest contributors to the growing distrust in government. The perception - if true - that some at the Commission may have bent to the will of those with political money and access will only reinforce that perception.

Under the Freedom of Information Act, the American Accountability Foundation (AAF) makes the following request to get to the bottom of what happened in this deliberation.

Specifically, we are requesting copies of the following records:

- 1) Copies of the electronic Calendars for FCC Chairwoman Jessica Rosenworcel and Holly Saurer (Head FCC Media Division)**
- 2) Copies of all correspondence (paper, email, text messages, or any other types of written communications) to, from or between FCC Chairwoman Rosenworcel, Holly Saurer or staff in the Media Bureau from Members of Congress, Senators, or their staffs including the following keywords:**

**Tegna**  
**Standard General**  
**Byron Allen**  
**CMG or CMG Media Corporation**



- 3) Copies of all logs in any internal tracking systems the Commission uses to track correspondence from Congress showing any contacts (phone, email, letter, etc) from Members of Congress or their staff regarding Standard General or Tegna.
- 4) Copies of all correspondence (paper, email, text messages, or any other types of written communications) to, from or between the following individuals:
  - David Goodfriend
  - Nancy Pelosi, or any members of her staff
  - Elizabeth Warren, or any members of her staff
  - Bryon Allen
  - Andrew Jay Schwartzman
  - Yosef Getachew
  - Jon Schleuss

And the following individuals:

- Jessica Rosenworcel
- Holly Saurer

**Please search for responsive documents from January 1, 2022 through present.**

#### SEARCH AND PRODUCTION

Please search for responsive records regardless of format, medium, or physical characteristics. We seek records of any kind, including paper records, electronic records, audiotapes, videotapes, photographs, data, and graphical material. Our request includes without limitation all correspondence, letters, emails, text messages, facsimiles, telephone messages, voice mail messages, and transcripts, notes, or minutes of any meetings, telephone conversations, or discussions. Our request also includes any attachments to emails and other records.

If it is your position any portion of the requested records is exempt from disclosure, AAF requests that you provide it with an index of those documents similar to that required under *Vaughn v. Rosen*, 484 F.2d 820 (D.C. Cir. 1973). If some portions of the requested records are properly exempt from disclosure, please disclose any reasonably segregable non-exempt portions of the requested records. If it is your position that a document contains non-exempt segments, but that those non-exempt segments are so dispersed throughout the document as to make segregation impossible, please state what portion of the document is non-exempt, and how the material is dispersed throughout the document.

**Please search both in personal and government issued devices.** Because of the sensitivity of this issue, we have reason to believe that custodians of documents have been using non-government issued



devices for the transaction of official business, despite that violating government policies for record retention and custody. Records maintained in non-governmental email accounts and devices are still subject to records searches. As the Congressional Research Service has noted when discussing CEI vs. OSTP, 92 F. Supp. 3d 228, 232-34 (D.C.C. 2015) "The D.C. Circuit's decision in Competitive Enterprise Institute, therefore, stands for the proposition that agency records are subject to FOIA even if contained in nongovernmental electronic accounts...." For these reasons we request that you search both personal and official devices of records custodians.

Please provide all responsive documents as attachments to emails to the address [records@americanaccountabilityfoundation.com](mailto:records@americanaccountabilityfoundation.com). **For electronic records please provide them in their original electronic format** and for paper documents, please provide them as PDF attachments to the email. If document sizes will exceed the capacity of email attachments, please email me and I will provide a location for uploading documents or will provide storage media to share the documents.

Please provide records on a rolling basis as they become available and do not wait to provide all records as one production.

EXPEDITED PROCESSING

I am requesting and am entitled to expedited processing. With regards to the standard of for a request made by 'a person primarily engaged in disseminating information,' AAF is unquestionably engaged in the dissemination of information. Our research has been featured in numerous national outlets and publications including The Wall Street Journal, FoxNews, MSNBC, a six-thousand-word profile in the New Yorker highlighting our work, as well as multiple websites, and a twitter following in which we have publicized original research, including a video of a federal nominee that garnered 1.6 million views.

Further the information requested in this request should be granted expedited processing because there is an 'urgency to inform the public concerning actual or alleged Federal Government activity.'

The influence of outside actors, particularly Members of Congress, has the potential to irreparably damage the due process rights of petitioners and all Americans by denying them a fair hearing before the Commission. This denial of due process rights warrants rapid production of the documents so that there can be a full examination of them before any final decisions are made by the Commission.

For these reasons the request should be granted expedited processing.

Sincerely,  
Thomas Jones  
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300 Independence Ave, SE  
Washington DC 20003  
202-215-5258

