

Exhibit 2

UNITED STATES DISTRICT COURT
DISTRICT OF COLUMBIA

PATSY WIDAKUSWARA, JESSICA JERREAT,
KATHRYN NEEPER, JOHN DOES 1-4,
REPORTERS SANS FRONTIÈRES,
REPORTERS WITHOUT BORDERS, INC.,
AMERICAN FEDERATION OF STATE,
COUNTY AND MUNICIPAL EMPLOYEES
(AFSCME), AMERICAN FEDERATION OF
GOVERNMENT EMPLOYEES (AFGE),
AMERICAN FOREIGN SERVICE
ASSOCIATION (AFSA), and THE
NEWSGUILD-CWA,

Plaintiffs,

-against-

KARI LAKE, in her official capacity as Senior
Advisor to the Acting CEO of the U.S. Agency for
Global Media; VICTOR MORALES, in his
official capacity as Acting CEO of the U.S.
Agency for Global Media; and U.S. AGENCY
FOR GLOBAL MEDIA,

Defendants.

Case No. 1:25-cv-01015-RCL

SUPPLEMENTAL DECLARATION OF KATHRYN NEEPER

KATHRYN NEEPER, declares under penalty of perjury, pursuant to 28 U.S.C. § 1746, that the following is true and correct:

1. I am a named plaintiff in this action and a full-time employee at USAGM, currently on administrative leave. My title is Director of Strategy and Performance Assessment. As Director, my duties include managing the Offices of Policy and Research, Editorials, and Internet Freedom, and overseeing USAGM's strategic planning, performance reporting, research, data analytics, and interagency outreach. However, since USAGM placed me on administrative leave on March 15, 2025, the day after President Trump issued

Executive Order 14328, I have not performed any work to aid USAGM's operations and broadcasts. I have remained on indefinite leave since March 15, 2025.

2. I have filed several declarations in this case, including one on May 31 chronicling the substantial decrease in VOA output.

3. I have been informed by colleagues still working for USAGM that the agency has begun moving staff from the Cohen Building to a new space in a facility occupied by NASA. Ms. Lake confirmed this plan in an email sent to all staff via their agency accounts, in which she wrote "We look forward to welcoming you to our new headquarters at 300 E Street SW in 2026 as we begin the next chapter of USAGM." There is not sufficient workspace in the new facility for the staff who are currently working, much less any additional staff who might return as a result of any future court decisions. In addition, I have been informed that the agency plans to construct only two broadcast studios in the new facility – one for radio, and one multimedia.

4. On Monday, December 15, VOA resumed Korean-language broadcasting on shortwave radio from a USAGM-operated station in the Philippines. Independent monitors in the region recorded the program, which consisted of a five-minute newscast that was then repeated twice, for a total of 15 minutes. It was broadcast at 12:30am local time in North Korea (DPRK). Each weekday since, VOA has aired a new five-minute newscast, again repeated twice. USAGM has also notified the International Telecommunication Union that it plans to use the specific shortwave frequency used for this transmission for the same 15-minute time slot each day from December 15 to March 28.

5. Many years of USAGM-funded research conducted with North Korean defectors, refugees, and travelers have revealed the very unusual media consumption patterns of

audiences in the DPRK. Access to the global internet is restricted to a tiny handful of elites in the ruling party, and there are severe restrictions on access to any device that could receive a signal from outside the country. North Koreans can be imprisoned, tortured, or even executed for consuming foreign media, but some still take enormous risks to gain access to outside information. Those who have been able to leave the country report that the safest time to listen to foreign broadcasts is the middle of the night. They also consistently note significant challenges in receiving a clear signal, due to both DPRK government jamming and the normal fluctuations of cross-border radio signals, which are affected by atmospheric conditions, physical obstructions (such as large buildings), and electronic interference.

6. Prior to the March 15 shutdown of VOA broadcasts, the VOA Korean service aired 49 hours of radio broadcasts per week, including 35 hours and 50 minutes of live broadcasts. In addition, the Radio Free Asia Korean service aired 66 hours of radio per week. Together, the two USAGM-funded services covered all of the overnight hours in North Korea. These broadcasts were carried on multiple shortwave frequencies, as well as two high-powered medium wave (AM) transmissions from South Korea. Broadcasting for many hours on multiple frequencies was the only way to ensure that audiences in one of the most deprived media markets in the world had a reasonable chance of finding a clear signal and receiving accurate information from outside the country.

7. Based on my experience overseeing USAGM's research and strategic planning process and my work on North Korea issues in particular, I believe it will be extremely difficult for audiences inside the country to learn about or receive the resumed broadcasts due to their very short duration and the use of only a single frequency. In addition, North Korea is consistently ranked by Reporters Without Borders as the world's worst or second-worst

country on its index of press freedom. A single five-minute newscast each day into one of the most censored countries in the world does not come close to meeting VOA's requirement to produce "comprehensive" news for its global audiences.

8. VOA Korean radio broadcasts, video content, and digital programming were previously produced by a staff of 22 full time employees (FTEs) and 16 Personal Service Contractors (PSCs). As of this week, the agency has offered to re-hire six PSCs; three have actually begun work. Under federal regulations, PSCs must be supervised by an FTE. Because there are no Korean FTEs currently working, for the first week of the broadcasts, the service was led by an employee who does not speak the Korean language. On December 19, the agency recalled a single Korean service FTE, who will begin work on December 29.

9. In her deposition on September 9, Ms. Lake said that the agency planned to make greater use of contractors to respond to requirements to produce breaking news or to resume coverage in new languages, including Korean. She noted her belief that contractors could be hired quickly and that she thought broadcasts in Korean had already resumed. In fact, Korean broadcasts using re-hired PSCs did not resume until more than three months later, while Korean service FTEs remain on paid administrative leave.

10. Finally, the U.S. Congress has long recognized the importance of Korean programming, including provisions in each year's appropriation to encourage the maintenance or growth of the two Korean services, and mandating various reports on their operations. The current continuing resolution carries forward a provision from the FY24 appropriation that mandates that USAGM maintain broadcasts at levels not less than the prior fiscal year. Prior to the March shutdown, the agency consistently viewed that language as a

clear mandate, understanding that any changes to Korean-language operations would require the explicit consent of the Congress.

Executed at Washington, D.C. on December 22, 2025.

Kathryn Neeper

Kathryn Neeper






Neeper declaration 12-22 draft for sig

Final Audit Report

2025-12-22

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