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DECLARATION OF SHANNON VAN SANT

I, Shannon Van Sant, pursuant to 28 U.S.C. § 1746, hereby declare as follows:

1. I am a person over eighteen (18) years of age and competent to testify. I make this Declaration on personal knowledge and in support of my disclosure to the U.S. Department of Justice and the U.S. Congress.

2. I am currently a freelance journalist with over 20 years of experience in the field and have worked for news networks such as ABC News, CBS News, and National Public Radio. I have significant experience covering matters involving China and, notably, I was stationed in Beijing and Hong Kong for over a decade. Over the course of my career, I have reported on the ground and filmed 18 documentaries from 20 provinces in China and across Asia and Africa. My work in this field has led me to be honored as a Fellow and a Member of the Explorers Club, a non-profit organization whose mission is to promote exploration, science and the arts, education, and communication.

3. I began writing at the age of 13 for my high school newspaper and an Atlanta city newspaper for teens called "Vox." Reporting gave me a ticket to learn about my city and eventually the world. During the 1996 summer Olympics in Atlanta, I joined newspaper reporters and City Hall staffers at Manuel's Tavern, an Atlanta pub, where they met to talk shop. They seemed surprised that a young student wanted to join in their conversation, but high school, to me, was merely a way station on the way to what I really wanted to do – report.

4. After graduating from Wellesley College with a degree in Political Science, I joined ABC News. I planned a career covering US politics and worked for the Special Events department, which managed live coverage of the US presidential elections. It was still a golden era of television news, and I was excited to assist Peter Jennings, Ted Koppel, and ABC's star executives produce stories.

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5. In 2005, a family member who was traveling in China said she had seen documentaries on Chinese television and was impressed. "You should consider working for CCTV. It would give you an opportunity to learn about China, set you apart from other journalists, and be a feather in your cap," she said.

6. From the US, I began combing through CCTV's documentary unit website and was intrigued. I called a phone number at the bottom of the page, and one of CCTV's top television executives answered. After I described my work in the US media, he said he would meet with me if I came to Beijing. CCTV managers said they were modernizing Chinese television, and if I would share with them the reporting and television production processes I had learned at ABC News, they would make me host of a documentary program on Chinese government policy. My mentors at ABC advised me to take the opportunity and said it would prepare me for a career as a foreign correspondent.

7. I moved to Beijing in 2006 and began working for CCTV. That year, I started traveling widely throughout China with CCTV's teams of producers. We collaborated with journalists from local television stations while filming documentaries throughout Chongqing, Inner Mongolia, Hong Kong, Shenzhen, and Liaoning, Shandong, Guangdong, Yunnan, and Qinghai Provinces. I was one of only a few westerners CCTV employed at the time and everything about my work, colleagues, and our travels in China felt overwhelming and foreign. Over time I learned how to listen, immerse myself in the places we were traveling to, and see China through their eyes. I also became aware of the differences in production and reporting processes as well as the journalism code of ethics between China and the United States, and the ways in which each country's political system shapes information.

8. My colleagues at CCTV saw themselves as one with the government; there was no boundary between the Chinese government and the news media. My ideas for stories were not accepted, and I

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never knew who determined the editorial directions or the topics our documentaries focused on. Our films seemed aimed to advance Chinese government goals and guide the emotions and sentiments of domestic and overseas audiences. My producers studiously avoided subjects that could highlight weaknesses or discontent with Chinese government policy. On one occasion, CCTV producers gave our interview subjects – villagers in a Tibetan region of Qinghai Province – scripted answers to our questions about the local healthcare system. I witnessed my CCTV colleagues accept envelopes of cash from local officials in some of the places we traveled to, and provincial and city leaders would treat us to lavish dinners. “Pay-for-play” transactions within state media were common, whereby companies or entities seeking news coverage would provide gifts to reporters.

9. Within this state-guided news media environment, I worked with my colleagues to restructure our stories to make everyday people, and not the government officials, the focus of our films. I encouraged our interview subjects to try and respond authentically and honestly, and abandon memorized answers. There was vacillation and sometimes discontent within CCTV around government directives, and some of my colleagues chafed at the censorship. Some colleagues confidentially expressed a desire to tell authentic stories, and told me they wanted “to tell the truth.” My observation was that my colleagues wanted to tell their own truths and stories, and the truths of the people we were covering.

10. Many of my colleagues’ families had worked in China’s government or state media for generations, and some told me of the punishment their family members had received for deviating from the “party line”. I sensed a fear among them and the government officials I met of diverging from the government narratives and positions. I did not empathize with the prevalence of fear and self-censorship until many years later when the government forcibly disappeared CCTV news anchor Rui Chenggang. I believed the government used Rui’s disappearance to send a message of

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intimidation and threat to state media - and its domestic audience – that anyone, even the most famous among them, could vanish inexplicably, without a trace.

11. After leaving CCTV in 2008, I began reporting for PBS Nightly Business Report. My first long-form story was for the PBS NewsHour on the detention of whistleblowers in China's mental health care system. I went on to work for CBS News, and produced numerous special reports and documentaries on topics such as Chinese investment in Africa; the journey of North Korean refugees; Ai Weiwei and artists' demonstrations in Beijing; Jin Xing, a transgender artist and icon in China; and the Umbrella Movement in Hong Kong.

12. By the time I left China in 2017, I had lived in Beijing and Hong Kong for more than a decade and reported on the ground across 20 provinces and special autonomous and administrative regions, and on Chinese investment throughout Sub-Saharan and East Africa. My work was honored by Amnesty International with a Human Rights Press Award.

13. The excitement I felt during my first few years in Beijing about China, its complexity, and its rise gradually gave way to fear and concern. Through my frequent reporting on human rights and rule of law, I told the stories of other people's nightmares. By 2014 artists, lawyers, and journalists I had long known began to disappear, be detained, or kicked out of the country. The risks of authoritarian rule were no longer abstract stories for me about other people's lives. They had come to affect my own.

14. I relocated to Hong Kong in 2015 and observed the rapid construction of massive bridges, highways, and train routes linking it to the mainland. The city's landscape was changing, and the people were too. Idealistic protesters I had spoken with during the Umbrella protests a year earlier were now afraid to be interviewed. Many told me they were unsure of what risks the future would bring.

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15. By 2017, I could feel a shift in Hong Kong and decided to move back to the US where I began reporting and anchoring the hourly news updates at NPR. In 2020, a news organization called "SupChina" offered me an opportunity to become their Business Editor. In that role I would be responsible for covering US-China economic and trade ties. I had long been pressing for a beat reporting role focused on China affairs, and SupChina's multimedia platform appealed to me. The opportunity promised to allow me to draw on my experiences reporting in China, for podcasts, video, and digital news stories. I was also looking forward to working alongside fellow former Beijing expats, and assumed that they adhered to journalistic best practices and a shared journalistic code of ethics inherent in the way I was trained and developed professionally. Accordingly, I began work as Business Editor on April 15, 2020.

16. After I began working at SupChina, Jeremy Goldkorn, SupChina's Editor in Chief, instructed me to model my writing and reporting on "Sixth Tone," a Shanghai-based, online English-language media outlet overseen by China's Communist Party. I told Goldkorn I wanted to incorporate reporting on human rights into my business news stories, and he said I should do so in a story "once a month." We discussed coverage of Xinjiang, and in explaining SupChina coverage decisions, Goldkorn explained that Anla Cheng, SupChina's founder and CEO, had given an interview to *The South China Morning Post* in which she said "the difficulties in perception of China exist in many areas, whether it's Made in China 2025, whether it's Belt and Road Initiative, whether it's South China Sea, whether it's in Xinjiang. You know there's such a gap in perception. And so what I'm hoping is that through culture and arts we can bridge that gap and say that China's motives may perhaps be misread and that we understand China's perception a little better." Cheng's interview spurred online criticism, and shortly afterward Goldkorn said SupChina began publishing a regular column by Darren Byler, an expert on Xinjiang, to counter the controversy her comments created.

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17. Cheng began calling me daily, providing instructions and suggestions for my reporting. In our first call, she asked me what I thought about Bethany Allen-Ebrahimian, the China reporter for Axios. Cheng said something along the lines of “She’s a very bad reporter, don’t you think?” I was baffled by her question given that Ms. Allen-Ebrahimian’s work is highly regarded among her peers, and didn’t respond.

18. Soon after I began work at SupChina, Goldkorn told me SupChina’s Chief Operating Officer, Bob Guterma, would be editing my stories. I found this odd as Guterma had no background or prior experience in journalism. On May 20, 2020, I began reporting out a story on the Holding Foreign Companies Accountable Act (“HFCAA” or the “Act”). It requires foreign companies publicly listed on US stock exchanges to submit to US audits, establish they are not owned or controlled by a foreign government, and make disclosures relating to Chinese government control and influence over these companies.

19. In December 2020, HFCAA passed in the US Senate. I recall Guterma instructing me to include a line reading, “No Chinese company listed in US markets that has been found to be fraudulent has been owned or under the influence of the Chinese government.” I refused to insert the line because it could not be supported with the facts I knew at the time. Guterma was insistent that I include the line, and we debated for a number of hours. Eventually, Guterma allowed me to publish the article without the requested line, but he seemed unhappy and said in future stories I should state my opinion on US legislation related to China.

20. I began pitching other stories to Goldkorn, eager to develop sources and thoroughly cover the US-China business beat in its complexity. I was excited to interview economists such as Yukon Huang, who argues against decoupling the US-China supply chain. I also pitched interviews with Dave Hanke, an expert on foreign investment screening who served in a variety of senior national security staff positions on Capitol Hill. He was also chief architect and strategist behind 2018

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legislation which overhauled the Committee on Foreign Investment in the United States (“CFIUS”). Hanke has spoken about China’s targeting and misappropriation of US technology as a threat to national security. Michael Posner was another interview subject I pitched. Posner is the former Assistant Secretary of State for Democracy, Human Rights, and Labor, and current director for the Center of Business and Human Rights at New York University.

21. Meanwhile, in her daily calls to me, Cheng provided detailed instructions for my reporting. At the beginning of June, Cheng told me about Peter Walker, a former senior partner at McKinsey & Co. China’s Foreign Ministry spokesperson and embassies have lauded Walker on Twitter. The Chinese Consulate General in New York features an interview with Walker on its YouTube page, titled “Two Things to Know About Xinjiang,” where Walker defends the use of technology to surveil Uyghurs. The People’s Daily Overseas tweeted the former business consultant “has given himself a new purpose: present an objective image of China.”

22. Walker appears frequently in Chinese state media including the *Beijing Review*. In his essay “A Grand Path”, Walker writes, “while the U.S. is trying to contain China by not giving them access to its latest technologies, it’s too late.” He says China launched the Belt and Road Initiative because “China clearly saw that over time, it was becoming overly dependent on the U.S. for its economy, while the U.S. was becoming increasingly irrational and difficult.”

23. In another interview for the *Beijing Review*, titled “Understanding China’s Motive,” Walker says, “The reality is that the Congress people know almost nothing about Xinjiang and Hong Kong. They believe Hong Kong people should be able to return to the British model of democracy they grew up with. But few of them would be aware that the British stole Hong Kong from China when the British prevailed militarily in the immoral Opium Wars of the 19th century ... If you paint Hong Kong in the way I described it, from the sweep of history and the movement toward another model

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done very gradually over time, it's a very reasonable story. It's not about yanking democracy. What's happening with Xinjiang is very similar."

24. Walker refers to the camps in Xinjiang as "vocational education and training program internments" for Uyghurs, and says China's "efforts to curb terrorism and violence" in Xinjiang have achieved positive results. He said "It is clear that some people are uncomfortable with China's means but if you look at what happened to the American Indians, they're gone instead of being in internment. If you look at black people who were brought to the U.S. against their will, you will find that they continue to lag significantly in terms of education, economic and other opportunities. But the U.S. has done little to improve that situation." On the Hong Kong pro-democracy protests, Walker said, "It is difficult for people who have always had privilege to accept something different going forward."

25. In 2019, Xinhua News Agency interviewed Walker for an article titled, "Time for West to drop bias and better understand China." Xinhua reported "the dominant narrative about China was negative in the US" so Walker "decided to write a book 'to get the story out there.'" Walker published "POWERFUL DIFFERENT EQUAL: Overcoming the Misconceptions and Differences between China and the U.S."

26. To my recollection Cheng directed me to support Walker with words to the effect of "You have to help promote Peter Walker's book." After researching Walker and reading through his comments to other news organizations, I told Cheng I found Walker's perspectives reprehensible and that an interview with him would bring controversy to myself and SupChina. I recall Cheng telling me, "Walker is about to give us a lot of money. You have to do the interview. Goldkorn has approved it." I told her I would think about it and get back to her. I felt deeply uncomfortable with her orders because a news organization had never asked me to promote the work of an individual in exchange for the donation of money before.

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27. I told Cheng that I wanted to ask Walker tough questions about his views on human rights, and if she was okay with that, I would do the interview. Cheng said she would introduce me to Weijian Shan, the Chairman and CEO of PAG Group, a private equity firm, and Yan Lan, Chairman of Lazard, an asset management firm. I recall Cheng saying words to the effect of, "If you sandwich an interview with Walker in between interviews with Weijian Shan and Yan Lan, then Walker's comments on human rights won't seem so controversial." "You don't have to read Walker's book before you interview him. That would take too much time," Cheng added.

28. Around this time, in anticipation that the White House would move to revoke Hong Kong's special status, I pitched to Goldkorn an interview with Jimmy Lai, a Hong Kong tycoon and pro-democracy activist. I wanted to hear Lai's perspectives on the possible revocation of Hong Kong's trading status and how it could impact the region. Goldkorn approved my interview idea. I reached out to Lai, and he agreed to answer my questions via email, so long as they were published without alteration or edits.

29. On May 29, 2020, President Trump announced he was moving to revoke Hong Kong's special status and preferential economic treatment. On that day or the following work day, June 1, 2022, Kaiser Kuo, SupChina's editor at large and host of its flagship Sinica podcast, spoke about the Hong Kong protests during the morning editorial meeting. He said, "the United States government is orchestrating the protests in Hong Kong through funding and training provided by the National Endowment for Democracy." Kuo said the U.S. government was responsible for the unrest in Hong Kong, forcing China to impose national security legislation to protect the city. President Trump's revocation of the city's special status would only hurt Hong Kong more, Kuo said.

30. I interviewed Lai shortly after this editorial meeting. His responses to my questions were brief and unequivocal. Lai believed the only way forward for Hong Kong was to continue the fight for democracy. On Hong Kong's future, if the US revoked its special status, Lai said something

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along the lines, “It’s hard to think that any city under the communist system in China could ever be a player in the international business world. What could you possibly do in Shanghai to remove the corruption, favoritism, and rigged legal system without removing the CCP?” Lai concluded, “I believe anyone who has lived under communism knows the truth. It’s evil.”

31. On June 9th, Goldkorn approved the “Question and Answer” with Lai, and I published the interview. The next day, or the day after, on June 10th or 11th, Goldkorn brought up my interview during a video meeting with staff. He gave me a very angry dressing down. He said words to the effect of, “Your interview with Jimmy Lai was a terrible story. It is a really bad business story, and I don’t know why you interviewed him.”

32. On the morning of June 15th, I described my planned stories for the week during the editorial meeting, which included interviews with Hanke, the former CFIUS staffer, on decoupling of the US-China supply chain, and researchers at Citizen Lab, an interdisciplinary laboratory at the University of Toronto which studies the intersection of technologies, human rights, and global security.

33. I was also set to co-host the Sinica podcast with Kuo that week. We were planning to interview the economist Tom Orlik. Kuo had told me earlier about the interview, and I had spent several days preparing research, interview topics and questions. I recall Kuo informing me during this editorial meeting that such preparation was unnecessary. He said, “I have written your questions for you.”

34. Cheng then told SupChina’s staff that she had recently spoken with an entity in Beijing. She referred to the organization as CAST, or the China Association for Science and Technology. According to CAST’s website, it is an NGO serving “as a bridge that links the Communist Party of China and the Chinese government to the country’s science and technology community.” Cheng said

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CAST had given her a tip that a Chinese scientist was being wrongfully investigated for espionage in the US. I recall Cheng saying, "We have to do a deep report on this. We have to protect him."

35. She went on to announce that VIPKid, a Chinese online educational platform, was "becoming part of the SupChina network." VIPKid connected children in China with English-speaking teachers in the United States and Canada for live video lessons. In 2019, *The Wall Street Journal* reported VIPKid had terminated two American teachers' contracts for discussing Taiwan and Tiananmen Square "in ways at odds with Chinese government preferences."

36. Cheng said VIPKid was facing scrutiny from US government authorities. I recall her telling SupChina staff something to the effect of, "We have to help them." A few minutes after the editorial meeting concluded, Cheng called me and said I was being let go. "It is Jeremy and Bob's decision. You are not in alignment," she explained. I then spoke with Goldkorn who said, "You are not in alignment. I can't say much more," he said. "Your job was to figure this out," Goldkorn continued, sounding frustrated. "This is a startup, and this is how it works here. This is not NPR."

37. I next called Guterma, and pressed him on the word "alignment." "How am I not in alignment?" I asked him. I recall him saying, "Your interview with Jimmy Lai is the top example of how you are not aligned with SupChina on which narratives to cover. Your interview did not move the narrative forward," Guterma said.

38. I agreed that I was definitely not in sync with SupChina.

39. Cheng called me that evening. She said she was very busy traveling between her apartment in Manhattan and home in Connecticut. The statement seemed purposeful to me, a flexing of her financial might. "I understand you spoke with Jeremy and Bob, and am glad you now agree that we are not in alignment," Cheng said. "We are prepared to pay you a generous severance if you sign a no-libel agreement."

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40. SupChina said my pay was ceasing immediately, and health benefits would be cut in two weeks unless I signed the "no libel agreement." They also said they would enforce the non-compete part of my employment contract, and restrict me from working for other news organizations unless I signed the separation agreement, which included a restrictive NDA. I refused to continue conversations and sign the agreement.

41. Guterma reached out to me a few weeks later and reminded me that I was bound by an NDA in my original employment contract and of the possible repercussions if I spoke about SupChina.

42. Just before I was shut out from my email Monday evening I glanced at my SupChina account. A message from Cheng to staff read, "This is what it's all about -- providing the lens to look at China -- multi-perspective so we don't only have the one dimension from CNN, Fox etc."

43. After leaving SupChina, I conducted open source research and found links between the organization and China's Communist Party, including the China Overseas Exchange Association. It is important to me to provide transparency and shed light on my experiences and these links, and that is why I am doing this disclosure.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on October 21, 2022

Shannon Van Sant

Shannon Van Sant (Oct 21, 2022 15:42 GMT+2)

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