POLITICS

# Trumpism At Voice Of America: Firings, Foosball And A Conspiracy Theory

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January 27, 202110:00 AM ET

DAVID FOLKENFLIK

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Former CEO of U.S. Agency for Global Media Michael Pack was appointed by President Trump. During his time with the agency, Pack waged ideological warfare on his own agency, targeting his executives and staffers with investigations.

*U.S. Agency for Global Media*

One way to understand the capricious nature of life at Voice of America and its federal parent agency over the last seven months would have been to witness two men standing across a foosball table from each other, twisting knobs and shouting in the empty cubicles of the Spanish-language service.

Every day last summer, a senior agency adviser, Dan Hanlon, and an aide spent hours playing in offices abandoned for the pandemic. Their new CEO, Michael Pack, had sidelined them almost immediately after his arrival in June, telling others they were disloyal and untrustworthy.

"It was actually one of the most surreal times of my career in federal government," said Hanlon, who was a top aide to President Donald Trump's chief of staff when the White House assigned him to the agency. "Since they weren't talking to us, we would come in at nine o'clock and stamp out at five o'clock. And we played foosball all day. And we would just sit there, commenting about how absurd this whole thing was."



Pack, Trump's choice to lead the U.S. Agency for Global Media, had assured senators considering his confirmation that he believed in the importance of the independent news coverage provided by Voice of America and its sister networks overseen by the agency.

Instead, Pack's seven-month tenure offered a near-perfect encapsulation of Trumpism. Once confirmed by the Senate, Pack announced his charge was "to drain the swamp, to root out corruption, and to deal with these issues of [anti-Trump] bias," as he put it on *The Federalist Radio Hour*, a conservative podcast. Pack obsessed over staff loyalty, embraced conspiracy theories and refused to allow visa extensions for his foreign journalists.

In short, he proceeded to wage ideological warfare on his own agency.

"I don't think he had a plan other than to just blow the place up," Hanlon now says.

"I have dealt with federal agencies for almost 30 years, through both Democrat and Republican leadership," said Mark S. Zaid, an attorney who has been representing several USAGM and VOA senior leaders who filed formal whistleblower complaints against Pack. "I have never encountered as many senior political officials to be so petty, vindictive, arrogant, egotistical and mean-spirited, epitomizing the worst of Trump, as I did since Michael Pack arrived at USAGM as CEO."

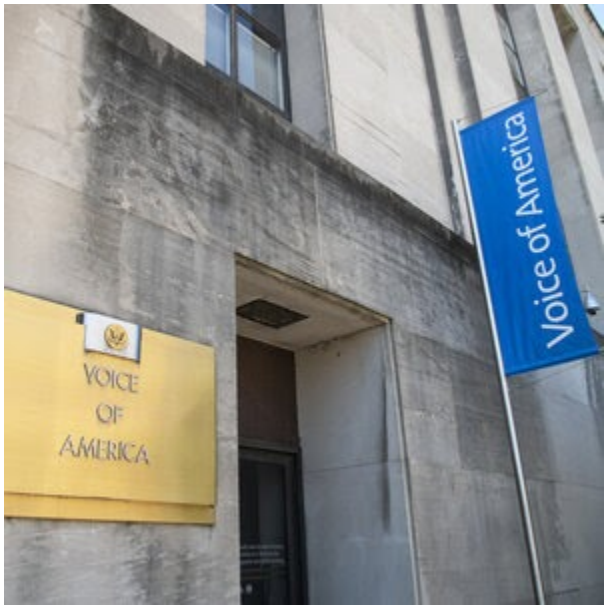
Pack has inspired multiple formal investigations and rebukes from federal and District of Columbia judges. They've found that he has acted illegally and even unconstitutionally. In fact, so many scandals and so much controversy clouded Pack's short tenure that it's easy forget the human toll: executives fired, reporters investigated, reputations shattered. The accounts of three former USAGM employees shed an unusual light on the cost.


U.S. Agency for Global Media oversees the Voice of America and other international broadcasters funded by the federal government.

*Jonathan Newton/The Washington Post via Getty Images*

"Everybody knew if there is any mistake, they would be out of a job — from the lowest staff to the managers," said Benazir Samad, a former digital strategist for Voice of America's Urdu-language service. She speaks from experience: Soon after Pack accused the Urdu service of anti-Trump bias, her work contract was canceled.

Pack resigned under pressure last week just two hours after President Biden took the oath of office. The new administration replaced him on an acting basis by a veteran of VOA, Kelu Chao. (Pack declined to be interviewed by NPR during his final days in office and has not responded to requests for comment since.)




**PRESIDENT BIDEN TAKES OFFICE**

**Trump Ally At Voice of America Replaced By News Executive He Recently Demoted**

Voice of America and other international broadcasters funded by the federal government are banned by law from beaming their reports to the U.S. Their intent is to provide credible news coverage overseas for nations that do not have an independent or free press. That includes news about American political and social debates. In so doing, the networks model American democratic values for an overseas audience of more than 350 million people each week.

"USAGM and the CEO position are meant to be non-partisan," Pack wrote in his resignation letter. "As such, every single day, I was solely focused upon reorienting the agency toward its mission. I sought, above all, to help the agency share America's story with the world objectively and without bias."

During Pack's tenure, NPR spoke to more than 60 people who work or have worked for USAGM and its networks. Outside his own hand-picked team, very few took Pack at his parting words.

**A Trump aide's loyalty questioned**

Dan Hanlon is a South Carolina Republican. He had worked for the federal government for a more than a decade when he joined the Trump transition team in late 2016. Hanlon stayed on after Trump entered the White House, becoming a senior aide to Mick Mulvaney when the latter was the director of the Office of Management and Budget and again when Mulvaney became acting White House chief of staff.

Hanlon considered himself dedicated to the success of Trump administration. In early 2020, the White House assigned him to USAGM to help the acting CEO, Grant Turner, work more smoothly with the administration.

Pack, a conservative filmmaker who had partnered with former Trump strategist Steve Bannon, was first nominated in spring 2018. But his nomination had stirred such apprehension on Capitol Hill —

among Republicans and Democrats — that it languished. Once Pack's nomination was revived in spring 2020, it fell to Hanlon to get Pack on board and up to speed.

Hanlon says Pack made it clear he mistrusted those who were already at the agency, but Hanlon assumed Pack would not doubt his loyalty. He was wrong. Pack held Hanlon at arm's-length during the nominating process and iced him out almost instantly after taking office. Hanlon and his aide, Logan McVey, went on to work at the Department of Housing and Urban Development. Both men say Pack's inner circle prevented Hanlon from receiving his federal pay for months at HUD — an assertion backed up by screen grabs of his online payroll records.

Pack also quickly fired the presidents of all the networks, except Voice of America. (Its two top officials resigned.) He fired former NBC News president Steve Capus, a senior adviser at the agency. Pack suspended six top agency executives and paid private law firms millions of dollars to investigate them. And he refused to extend visas for any foreign staffers — implying, without any evidence, that they could be spies.

"These were good people. They were there, excited to do this mission," says Hanlon, now deputy chief of staff for U.S. Rep. Nancy Mace, R-S.C. "And Mr. Pack, by and large, never talked to them. And that's a shame. He never got that. He never got that pride that those people had in their job because he just didn't trust them and wouldn't talk to them."

Former General Counsel David Kligerman was one of a host of senior executives who was suspended by then USAGM CEO Michael Pack after pushing back on his initiatives early last summer. He resigned in December.

*Michael A. McCoy for NPR*

Among those executives suspended was the agency's general counsel, David Kligerman. He had been an attorney at the U.S. State Department in the Obama administration before joining USAGM.

Pack "believed we were disloyal to him and he had perceived us as being... part of this cabal," Kligerman says. "And it was very troubling."

Kligerman says he was drawn to the agency because of the importance of the role that the media can play in promoting American interests by making sure foreign nations have accurate and credible information.

"A trusted news source needs to tell the news," Kligerman says from his home in Washington, D.C. "It is the good, the bad and the ugly. And that's what we do. But as a result, a lot of folks around the world not only get to understand the truth but have a profound respect for the United States because of our commitment to telling the truth."

Reporting for the networks can come at significant professional and personal risk, especially for foreign staff. In Belarus, six Radio Free Europe/Radio Liberty staffers were recently jailed while covering the anti-government movement there. In Russia, President Vladimir Putin is targeting their colleagues ever more intently. And in North Korea, Radio Free Asia's reports are seen as such a threat to Kim Jong Un's dictatorship that a fishing fleet owner was executed in front of a crew of 100 after acknowledging that he had been listening to the broadcaster's reports for 15 years.

Instead of supporting that mission, Kligerman argues, Pack embraced Trump's twin fights against the media and against career government employees.

"At one point, he even quoted Leviticus to me, a provision that talked about, you know, bearing false witness," says Kligerman, who resigned in December after months in limbo. "You have to stand up to bad actors, like my colleagues and I have done. And we've paid the price for it."

As Pack suspended the executives, citing what he characterized as grave lapses in security over hiring processes, he also contracted with a private law firm — at taxpayer expense — to investigate them. Costs have exceeded $3 million for a task usually left to government lawyers and investigators, according to whistleblower complaints. When Pack moved to fire the executives late last year, his formal letters did not cite the security concerns, according to four people who have read them. (The Washington Post revealed that Pack paid another private law firm more than a million dollars for a parallel investigation of how he could fire leaders and boards of several of the networks and a technology fund subsidized by the agency that are technically nonprofit corporations.)

**Lost jobs put immigrant workers' visas in danger**

Among the initiatives Kligerman opposed was a decision to withhold visa extensions for staffers who were citizens of foreign countries. As their J-1 visas expired, some had to return to countries run by

leaders who viewed their work for the U.S.-funded broadcasters with hostility. "What he has really done is a profound betrayal of these folks," Kligerman says.

NPR has reviewed internal VOA materials reflecting that as of Dec. 1, 23 VOA employees and contractors lost their positions because Pack refused to authorize extensions or sponsor a change in their immigration status. Another 25 will lose their visas by the end of February unless new leaders act.

Benazir Samad was among those working for Voice of America on a J-1 visa. She came to the U.S. from Pakistan on a Fulbright journalism fellowship and studied at Arizona State University's Cronkite School.

She was hired at VOA as a freelancer in June 2019 and became a full-time contractor that November. (She also wrote a half-dozen posts on a freelance basis for NPR in 2019 and 2020.) She worked for the Urdu-language service, which is focused on Pakistan, although authorities there try to block its broadcasts.

POLITICS

## At Voice of America, Trump Appointee Sought Political Influence Over Coverage

Along with three colleagues, Samad lost her contract this summer. Their editor was suspended. The offense: a segment about the Biden campaign's outreach to Muslim voters. (Pakistan is overwhelmingly Muslim.) The VOA segment was based on an Associated Press story about a specific event in which Trump did not participate. The story did not contain countervailing material about Trump's efforts, which were relatively sparse, to appeal to Muslims.

Starting in July, Pack claimed the VOA Urdu segment proved a bias in favor of Biden over Trump.

"It was essentially a repackaged Biden ad," Pack told Fox News' Shannon Bream on Jan. 18, just two days before his resignation. "It

was not targeted as the Urdu service was supposed to be to Pakistan, but really to Michigan and to appeal to Michigan Muslims to flip the state for Biden."

VOA staffers tell NPR that Pack's accusation is ridiculous. Very few people in the U.S. consume or even know of its coverage. VOA Urdu blocks social media promotion of its coverage within the U.S.

Biden won Michigan by more than 150,000 votes in November. According to the latest estimates by the U.S. Census Bureau, there are only 15,000 Michiganders who speak Urdu — and that includes all people over the age of 5.

While Trump won by a razor-thin margin in 2016, these journalists say the idea that a brief segment in Urdu on a service designed not to be viewed in the U.S. would have swayed voters is deluded or disingenuous.

The accusation nonetheless led to an investigation by one of Pack's top aides at USAGM, a partisan lawyer, and to the firings.

"We were fired because they thought it was, you know, against — it was, like, biased towards Trump," Samad says. "So then everyone was so cautious over anything related to Trump's campaign or anything related to the elections."

Kelu Chao, a top news executive over VOA at the time, made many of the same claims in a sworn statement in a whistleblower's civil

suit filed against Pack last year. She was picked by the Biden team to be the new acting CEO of USAGM.

Others have had their fortunes restored in the past week. White House reporter Patsy Widakuswara, demoted twice in two days after asking then-Secretary of State Mike Pompeo pointed questions about Trump, got her job back. A key editor, Yolanda Lopez, was stripped of authority over the newsroom after the Widakuswara incident. She was made the acting head of VOA itself. Kligerman is said to be being considered for a new job at USAGM.

As for Samad, she is appealing her dismissal to a governmental review board. Samad said she relied on a written promise from USAGM, viewed by NPR, that her contract would be extended into 2021.

"It is very crucial for me," Samad says. "This wrongful termination has not only adversely affected my life and professional career, but it has threatened to turn my entire life upside down permanently through not a fault of my own. So I'm very worried about my visa situation, my job and everything."

***Disclosure:*** *This story was reported by NPR media correspondent David Folkenflik and edited by NPR media and tech editor Emily Kopp. Because of NPR CEO John Lansing's prior role as CEO of the U.S. Agency for Global Media, no senior news executive or corporate executive at NPR reviewed this story before it was published.*

# UNC Journalism School Tried To Give Nikole Hannah-Jones Tenure. A Top Donor Objected

June 21, 20216:05 AM ET

DAVID FOLKENFLIK

Twitter

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A bid for tenure by Pulitzer Prize-winning journalist Nikole Hannah-Jones at the University of North Carolina at Chapel Hill has been opposed by a leading donor of the journalism school, *Arkansas Democrat-Gazette* Publisher Walter Hussman.

*Mike Coppola/Getty Images for Peabody Awards; Benjamin Krain/Arkansas Democrat-Gazette*

On paper, *The New York Times'* Nikole Hannah-Jones is a dream hire for the journalism school at the University of North Carolina at Chapel Hill.

She won a MacArthur "genius grant" for her reporting on the persistence of segregation in American life. She won a Pulitzer Prize for her essay accompanying "The 1619 Project," a *New York Times Magazine* initiative she conceived on the legacy of slavery in the United States. And Hannah-Jones earned a master's degree from the school itself in 2003.

Yet the UNC-Chapel Hill board of trustees declined to act upon her proposed appointment. That tenure proposal ran aground on race, politics and, perhaps surprisingly, on a clash between diverging views of journalism.

The opposing view has been embodied by Walter Hussman, the 1968 UNC journalism graduate whose name has graced the school since he made a $25 million pledge. Longtime publisher of the *Arkansas Democrat-Gazette,* Hussman has shared his opposition to Hannah-Jones' appointment with the journalism school dean, several university administrators and, reportedly, two members of the UNC-Chapel Hill board of trustees.



Both Hannah-Jones and Hussman agreed to speak, separately, with NPR to articulate their competing views of journalism.

For Hussman, reporters must avoid any form of bias, a practice given a shorthand name of "impartiality" or "neutrality." For journalists to earn credibility, they must eschew any form of personal belief or partisanship, he argues.

"I worry that we're moving away from those time-tested principles of journalism that we had in the 20th century that were so effective at engendering tremendous trust in the media," Hussman tells NPR.

Hannah-Jones says the promise of objectivity is a subterfuge.

"Most mainstream newspapers reflect power," she says. "They don't actually reflect the experiences of large segments of these populations, and that's why many of these populations don't trust them. So when I hear that, I think he's speaking to a different audience."

Hannah-Jones is still scheduled to teach two courses at UNC this fall. She was hired as a professor under a five-year contract that does not include tenure — the promise of a lifetime appointment — according to UNC's journalism dean. UNC's provost, or chief academic officer, has asked the trustees to reconsider her for tenure. Hannah-Jones has threatened to sue UNC. She declined to talk directly about the tenure decision in the interview with NPR.

**Hannah-Jones: A career spent investigating racial inequities**

Hannah-Jones got her start reporting as a teenager in Waterloo, Iowa. As she has written, she grew up "on the wrong side of the river that divided white from black, opportunity from struggle," and her parents enrolled her in a voluntary desegregation program.

"In high school, I complained to one of the only Black male teachers I ever had that our high school newspaper never seemed to write about kids like me," Hannah-Jones tells NPR. "Almost all of the Black kids were bused into a school that didn't really feel like ours. And he suggested I should write that story myself or don't complain to him anymore — that I needed to join the newspaper staff. So I did."

EDUCATION

How The Systemic Segregation Of Schools Is Maintained By 'Individual Choices'

As an undergraduate at the University of Notre Dame, she majored in history and African American studies. After getting her master's, Hannah-Jones reported for two esteemed regional papers: *The News & Observer* in Raleigh, N.C., for which she covered the public schools in nearby Durham, and *The Oregonian* in Portland. She also worked for the investigative nonprofit news organization ProPublica before joining *The Times*.

"I always understood that my charge as a Black journalist was to write about the Black experience, to report on my community and to report on the inequality that my community experiences," she says

now. "That's why I became a journalist. I really wanted to excavate racial inequality."

And that's different, she says, from what people mean when they talk about neutrality, impartiality or objectivity in journalism. She knows those words well — she says that's how many people, primarily white faculty, taught journalism when she was a student. It's the way Hussman wants it to be taught today.

**Hussman: "We need the perception of fairness"**

Each morning, the newspapers owned by Hussman, in Arkansas, Missouri and Tennessee, publish a statement of his core journalistic values. It starts with the pledge the late Adolph Ochs made when he took over *The New York Times* in 1896: "to give the news impartially, without fear or favor." And Hussman added, among other core values, objectivity, impartiality, integrity and truth-seeking.

Hussman says he sees himself as the protector of the credibility of a newspaper company started by his grandfather back in 1909 and run by his father for a half-century.

"So many times, we start out on a story — and we may have a couple of leads, a couple of tips — and things seem pretty rational," Hussman says. "And we think we know what the truth is on the front end. And as we dig into it, we find it's something very different. And you know, then, we have to follow the story wherever it leads."

He says that news organizations have set aside impartiality as they seek to build or even just keep audiences in an ever-more-fragmented media driven by opinion and partisanship.

NATIONAL

**Venture Aims To 'Resurrect And Reimagine' Anti-Slavery Newspaper For The 21st Century**

"I have seen what the public sees. And the public sees more and more bias in news reporting in the United States," Hussman says. "I want to emphasize 'more and more,' because it's increasing. The lack of trust in news reporting and the media is increasing." He points to studies from the Pew Research Center documenting an erosion of trust over time, though there is a partisan divide in how that plays out.

"We need something better than just fairness. We need the perception of fairness," Hussman says. "Fairness — it's a good thing, you know, that's the best thing you can possibly try to be. But you need to try to be impartial."

His core values are painted on a banner in what's now the UNC Hussman School of Journalism and Media.

**Hannah-Jones: "Nothing feels objective about the coverage"**

But Hannah-Jones says there has never been true impartiality in American journalism. Not at its roots. Not, she says, in the era to which Hussman points with nostalgia. And not today. There are too many assumptions baked in, she says.

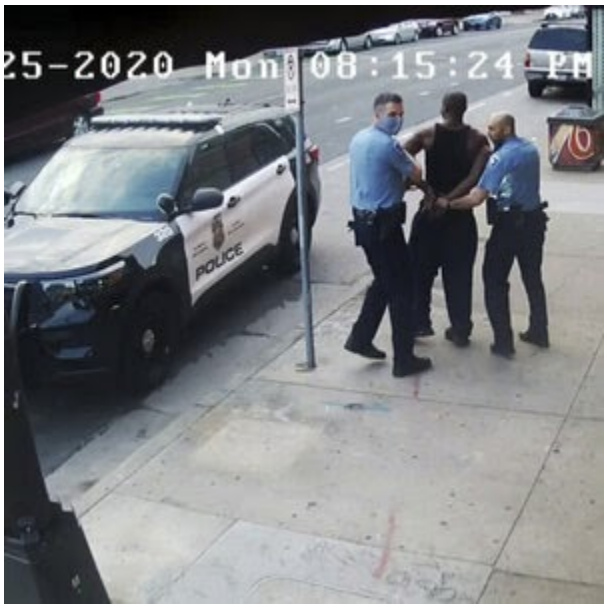
"Nothing feels objective about the coverage on any given day," she says.

Further, Hannah-Jones says, a lot of reporting shouldn't be neutral. She asks, why shouldn't reporters care if local governments fail foster kids or schoolchildren? Why do all newspapers have police reporters, but so few assign full-time beats covering poverty?

These, she says, are choices.

As are journalists' selection of sources to cite in their stories. Traditionally, news organizations have relied on police for

authoritative public safety information. Yet, without eyewitness videos, no one would have known how Eric Garner, Walter Scott, George Floyd and many others died at the hands of police.




**GEORGE FLOYD'S MURDER, ONE YEAR LATER**

**How Using Videos At Chauvin Trial And Others Impacts Criminal Justice**

"The harm is by pretending that the news we see is being led by objective arbiters of fact," Hannah-Jones says. "It's just not based in reality. And I could give you a thousand examples from the perspective of communities of color, of marginalized communities, where what we're told is objective news is not."

And the question of bias itself, she says, is often charged. Of course, reporters should not display blatant partisan preferences. But that cuts multiple ways, she says.

"When you see Black reporters, people presume they see our biases," Hannah-Jones says. "White journalists, though, are often treated as neutral, as if they are not going through the world in a racialized way or a genderized way, as if their class status and upbringing is not shaping their stories. But they are."

**A donor's concerns, and questions of academic freedom**

Hussman took particular exception to Hannah-Jones' work on "The 1619 Project." For example, he noted that some leading scholars of slavery have argued *The Times* overstated the significance of protecting slavery in inspiring the nation's founders to break free of Great Britain. (The *Times* stood by her characterization, and Hannah-Jones defended the claim anew in a fresh posting Sunday on Twitter.) The curriculum derived from the project has been used in thousands of classrooms, according to *The Times*' academic partner. And it has been caught up in conservative activists' campaign against critical race theory, which teaches that racism is embedded in institutions and social structures, rather than simply the hate of individuals.


POLITICS

## The Brewing Political Battle Over Critical Race Theory

Hussman has spoken about Hannah-Jones with UNC figures numerous times, reportedly including its chief fundraising official, though the newspaper publisher tells NPR he recognizes that the tenure decision is the university's to make. A Black professor of chemistry from the University of Maryland at Baltimore withdrew her candidacy, citing Hannah-Jones' treatment. The UNC Black Caucus, made up of Black faculty and staff, has warned that several of its members are considering leaving the university.

On the editorial pages, Hussman's newspapers take a conservative tack and were supportive of former President Donald Trump. Hussman has appeared on the prime-time show of Fox News' Tucker Carlson and on Twitter follows only a handful of accounts,

largely ones with conservative ties. He says he tries to ensure a sharp delineation between the opinion and news sections.

Hussman's involvement as a major donor, and the role conservative figures have played in the university system and the campus, have set off concerns over academic freedom at UNC.

"I would love to ask Nikole Hannah-Jones about the core values," Hussman says. "I try to be open-minded. If Nikole Hannah-Jones has information, has data, has facts about how the Founding Fathers fought the Revolutionary War to protect slavery, I'd love to see them."

"Walter is a man of integrity," Susan King, dean of the UNC Hussman School, tells NPR. "I think he's very dogged in what he believes in. I don't think he should be trying to influence who we bring in as faculty. And I've told him that. I realize, however, that his name is on the school, and so he cares."

King says students are excited to learn from Hannah-Jones. And UNC, as a Southern university, remains eager to take up her insights and reporting on race, she says.

King says Hussman's core values remain important for students. But she says, journalism is an evolving practice. Journalists bring their own lived experiences to inform their reporting. And investigative reporters such as Hannah-Jones, she says, do not stand aloof from the implications of what they report.

"In the meantime, universities, newsrooms and schools of journalism are going to go through some pretty rugged internal debate. And it's not always going to be easy," she tells NPR. "I'm up for it."

Hannah-Jones says she won most of her journalistic distinctions — which include a National Magazine Award — before "The 1619 Project." She tells NPR that's the only work she's heard raised by Hussman in objecting to her tenure appointment.

"We are both graduates of that journalism school," Hannah-Jones says. "We are both people who've been in the newspaper industry for a very long time. And no one person gets to establish the rules of our trade."

RACE

# Latina Journalists' Ousters From Denver TV Powerhouse Spark Outrage

July 18, 20215:00 AM ET

DAVID FOLKENFLIK

Twitter

LISTEN· 5:27

**5-Minute Listen**

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- 

In one year, a Denver TV station ousted three Latina journalists: (from left) Kristen Aguirre left in March 2020, Lori Lizarraga left in March 2021 and Sonia Gutierrez left last November.

*Juan Diego Reyes for NPR; JerSean Golatt for NPR; Michele Abercrombie/NPR*

Sonia Gutierrez dreamed of returning to her hometown of Denver as a television reporter for the city's defining news station: KUSA 9News. When she finally achieved it, however, it came at too steep a cost, she says.

Gutierrez says she was told that she could report on immigration, an issue about which she cares deeply, but only if she were to state her own immigration status on air in every story on the subject.

"I was put in a box simply for who I am," Gutierrez says.

She had never tried to hide that her parents had brought her as a baby from Mexico without documentation. But Gutierrez, 30, says she balked at the station's directive. She was told she could continue pitching stories about immigration, but, she says, she was asked to pass off her ideas and sources to other reporters.

Gutierrez is no longer with KUSA. Nor are two other Latina reporters. One had pushed editors to involve Black and Latino colleagues in more decisions about news coverage. The other's contract was not renewed five months after she had returned after having a stroke. She, too, had challenged station leaders on how they cover issues affecting Latinos in Colorado.



Over the course of a year, from March 2020 to March 2021, KUSA allowed each of the women's contracts to lapse without renewal, the way television stations typically part with their journalists.

"The nature of the coverage was not a factor at all," Grady Tripp, the chief diversity officer of Tegna Inc., KUSA's parent company, says in a statement to NPR.

### Calls to fire TV station executives

A quarter of Colorado residents are Latino, and the state is rapidly becoming more diverse. The ouster of the three reporters — revealed when one of them, Lori Lizarraga, wrote about it in *Westword*, a local alternative weekly — has revived profound criticisms of the station. In meetings with Tegna and KUSA officials this spring, a group of local elected officials, all Latina, called for the dismissal of KUSA's top news executive, Tim Ryan.

So did the National Association of Hispanic Journalists in its own meetings with station executives.

After KUSA 9News didn't renew her contract, Lizarraga returned home to be with her family in Dallas and started to prepare her account that appeared this spring in *Westword.*

*JerSean Golatt for NPR*

"It is racist to require a Latino reporter, a Hispanic reporter, to disclose their own immigration status [to viewers] before reporting on immigration," says Julio-César Chávez, the association's vice president.

According to two people who attended the NAHJ meetings, the association demanded the firing not only of Ryan, but also of his news director and the corporate official in charge of hiring. The company made no such promises, though it did direct stations to no longer use the word "illegal" when discussing immigration. (The station and the company declined to comment on the calls for dismissals.)

The outcry has focused an unwanted glare on Tegna, one of the nation's largest and most prominent owners of local television stations, just as the company faces claims of racial bias from a dissident investor.

Tegna and KUSA declined to comment on what happened to the Latina journalists and the criticism that has ensued, saying those are personnel matters.

### 9News: A station with swagger and sway

KUSA 9News' headquarters looms as a citadel of local television, in a largely residential neighborhood just 2 miles from the state capitol building. More than 100 journalists work in the KUSA newsroom (which also serves its sister station, KTVD), far more than the 60-some news staffers at the once-dominant local newspaper *The Denver Post*.

"9News is the market leader in Denver and has been for decades," KUSA news director Megan Jurgemeyer says in the station's first official interview since Lizarraga's article came out. "Having worked at another station in town, it was always viewed as the top competition and who we wanted to beat."

Kristen Aguirre, one of the journalists let go in the past year, says: "I didn't really know its reputation until my agent told me, 'Listen we go there, you put your time in there, you can go to whatever station you want.' " She says the station had swagger and sway.

9News is unusually woven into the fabric of its parent company. Tegna's CEO Dave Lougee used to be the station's news director. KUSA's general manager, Mark Cornetta, is also the executive vice president of Tegna Media, the company's local television division. And Patti Dennis, a Tegna vice president and director of recruitment, is herself a former KUSA news director who still works out of the station's main building in Denver. All three are white, as are Jurgemeyer and Ryan.

### Parent company faces its own issues with race

Tegna faces its own allegations of racial bias. An activist hedge fund, Standard General LP, recently nominated rival directors, saying it wanted to diversify the company's largely white board. Standard General also contends that Tegna's leadership is following the wrong business strategy.

In an April federal securities filing, Standard General accused Tegna of racist practices stretching back years. For example, its filings pointed to one Halloween in the 1980s when Dennis wore blackface in portraying Michael Jackson and KUSA declared it the best costume.

In 2019, a sports anchor at the company's Phoenix station accused its general manager — recently promoted from a job as KUSA's sales manager — of making "loud and unwelcome racist and sexist comments about coworkers" at a baseball game, in a civil complaint reviewed by NPR. Federal court records show that case, centering on a civil rights violation claim of retaliation, was resolved out of court in a confidential settlement.


9News is also unusually woven into the fabric of parent company Tegna. Dave Lougee, its CEO, is a former news director at the station. KUSA's general manager, Mark Cornetta, is also the executive vice president of Tegna Media, the company's local television division. And Patti Dennis, a Tegna vice president and director of recruitment, is herself a former KUSA news director.

*Andrew Harrer/Bloomberg via Getty Images*

Standard General also pointed to an episode directly involving Tegna CEO Lougee. In March, Lougee publicly apologized for a 2014 incident in which a Black lawyer had accused Lougee of mistaking him for a hotel parking valet just minutes after a professional luncheon at which the two had chatted about business.

The attorney, Adonis Hoffman, was one of the board nominees proposed by Standard General. He withdrew, citing professional conflicts and saying he did not feel comfortable working with Lougee. While Hoffman accepted Lougee's apology, he wrote a letter to the CEO raising concerns of "unconscious bias."

Tegna defeated Standard General's efforts to appoint dissident directors to its corporate board. It has publicly accused the investment fund of "unfounded attacks" in response to its criticisms.

Jamie Torres, a Denver city council member, was among the Latina state and local public officials who met twice with KUSA executives following the dismissal of the three journalists. She says the meetings left her unconvinced that there would be real progress beyond some changes in language and style.

"The conversation felt just incredibly transactional," Torres says.

And it renewed long-held frustrations: Torres says the three Latina journalists had been hired after an earlier round of discussions between the station and Denver-area Latino officials about representation at KUSA.

### "Why Don't You Pitch It To Telemundo?"

While in college, Gutierrez interned at the local affiliate of the Spanish-language network Telemundo. Back then, it was housed inside KUSA's headquarters. Though owned by Tegna, KUSA is an affiliate of NBC, and Telemundo is part of NBC's parent company, Comcast.

As Gutierrez rose at Telemundo Denver, she also pitched stories to KUSA.

She says she often heard back: "That's a great story idea, why don't you pitch it to Telemundo?" Her response: KUSA also needed to serve Latino families — the ones who speak English.

Sonia Gutierrez poses for a portrait in her neighborhood in Denver. "For me, the biggest incident was when I was told that I could not do any more immigration stories unless I disclosed my immigration status on air," Gutierrez says.

*Michele Abercrombie/NPR*

"After a while, when stories wouldn't get picked up, I would just take it upon myself to do the interviews, write up a little [script] and give it to the anchors and say, 'It's done.'

To the producers, 'It's done. You want it or not?' " Gutierrez says it was easier to hand off the idea fully baked.

After a stint at a station in Columbia, S.C., Gutierrez returned to KUSA as a reporter. She says KUSA leaders told her that she could be a defining person for the station, someone who would thrive there. By her telling, Gutierrez ignored the little slights that accreted.

Then, Gutierrez says, she was told she had to disclose that she had been a DREAMer, protected from deportation through the Obama-era policy called Deferred Action for Childhood Arrivals, or DACA, before she became a legal permanent resident through marriage. She didn't see why viewers needed to be told that in each of her immigration reports.

Gutierrez says she received no response when she asked for concrete examples of how her status had compromised her reporting. And when she refused to go along, Gutierrez says, she was told she would have to pass her story ideas and sources on immigration to other reporters.

"It's not like there was something wrong with me or my reporting," says Gutierrez, who left last year. "There was just something wrong with who I was — a liability to them."

### Allegations of unfulfilled promises

Aguirre, 34, a Mexican-American who grew up near Midway Airport on the South Side of Chicago, says she had been inspired to become a journalist to tell stories about Latinos that were not simply about crime and immigration.

She came to Denver after being an anchor at a smaller station in Flint, Mich. Initially, she felt as though her reporting skills were rusty. But Aguirre says she believed her pursuit of community-driven news brought value.

"I can tell a story in a much different way than a female white reporter can because I lived it. I know the questions to ask," Aguirre says.

In April 2019, Aguirre suffered a stroke that resulted in a traumatic brain injury and paralyzed her on her left side; as she built back strength and returned in the fall, the station shared the news with the public, ran stories highlighting her recovery and helped raise money for research into her affliction. Colleagues printed T-shirts. KUSA set up studio time for Aguirre to practice hosting and provided a photojournalist to carry her equipment and shoot footage on assignments.

After roughly six months, as new newsroom leaders rotated in, both arrangements waned, and then disappeared, she says. She did not return to the anchor's chair. The support in the field ultimately vanished too, Aguirre alleges in a formal amended complaint she filed with the U.S. Equal Employment Opportunity Commission earlier this year.

Aguirre left the station in March 2020. Her attorney, Iris Halpern, says the complaint is currently in mediation.

Kristen Aguirre is now working in Asheville, N.C. At KUSA 9News, Aguirre says, she believed her pursuit of community-driven news brought value. "I can tell a story in a much different way than a female white reporter can because I lived it. I know the questions to ask."

*Juan Diego Reyes for NPR*

"Because they're KUSA, they can just get somebody else," Aguirre says. "They can get another Latino who fills that Brown category, who's cheaper, younger, greener and more afraid to ask any questions. Although I was recovering [from the stroke], I was still that woman who would push back. So I'd be in those meetings and I would ask 'Why?' "

"I was instructed not to wear my hair in a bun"

After two years as a reporter in Bakersfield, Calif., Lori Lizarraga says, she was told by 9News that she would be an asset and she joined the station. It was a huge leap in the world of local TV news — from the nation's 125th media market to the 17th.

Soon, Lizarraga, 27, clashed with editors over her refusal to call someone "an illegal immigrant" or say they were "in the country illegally." KUSA had formally moved away from the use of the term "illegal immigrant" in 2013, but Lizarraga did not want to use the word "illegal" at all.

"I was like, 'I'm not confused about the grammar, y'all'," Lizarraga recalls. "*You're* confused about the family I come from and the background I have."

Lizarraga, whose mother was born in Ecuador and whose father is first generation Mexican-American, remembers saying, "'My voice will never track this slew of words." She says she ended up shying away from stories involving immigration.

After its meetings with the National Association of Hispanic Journalists, Tegna announced it had revised its language policy for all stations. The company said reporters should not use the word "illegal" when discussing immigration and offered nuanced guidance for the characterization of immigrants' circumstances. The memo suggested using precise language such as "asylum seeker," "immigrant" or "migrant" or "unaccompanied minor."

The question of how to characterize such matters has prompted debate in many newsrooms, including NPR, and standards have evolved over time.

Lizarraga recalls even having her hairstyles vetoed. She wrote in *Westword*, "After six months, I was instructed not to wear my hair in a bun with a middle part anymore — a style I have seen and worn as a Mexican and Ecuadorian woman all my life. Not a good look, I was told."

### "We Would Have Had Reporters On Every Corner"

Lizarraga, who left in March, says she hit an inflection point early last year. Colorado state regulators had just announced a record fine against a Canadian energy giant whose plant had been polluting nearby neighborhoods for years. She read up on it as she raced with a colleague in the official KUSA 9News van to the press conference.

"Ash was falling from the sky onto people's cars and yards and playgrounds," Lizarraga recalls. "Water was impacted."

She was struck by something else: The communities affected were heavily Latino. Yet, she says, state regulators had not consulted with those communities or even put out information in Spanish. And back in the newsroom, she says, producers focused solely on the size of the fine — potentially up to $9 million.

Lori Lizarraga says she was told by 9News she would be an asset and joined the station after two years as a reporter in Bakersfield, Calif. She says she was excited to be a general assignment reporter, closer to her family's home in Dallas and appearing on the air in a major market.

*JerSean Golatt for NPR*

"I was very upset and I said, 'You know, if this were a community in a ZIP code just up the street with a different demographic, we would have had reporters on every corner ' " to interview residents, Lizarraga says. "And because this is a Spanish-speaking, low-income, largely immigrant community, we don't have an interest. We are choosing

what is newsworthy based on what you care to talk about, not what is actually newsworthy."

Jurgemeyer, the KUSA news director, says she cannot directly address Lizarraga's account, as it is bound up in the accusations about her departure.

"We've always considered it a priority to be a voice for the voiceless, so doing stories about our underrepresented communities has been part of our fabric at KUSA for years," Jurgemeyer says.

### "We have to confront management"

The killing of George Floyd, who is Black, by a Minneapolis police officer in May 2020 inspired national protests for racial justice. It also sparked debates inside newsrooms, from *Bloomberg News* to *The Intercept* to *Fox News* to the *Pittsburgh Post-Gazette* to the *Los Angeles Times,* about how they choose to cover stories involving race and inequality.

AMERICA RECKONS WITH RACIAL INJUSTICE

**UNC Journalism School Tried To Give Nikole Hannah-Jones Tenure. A Top Donor Objected**

Often led by journalists of color, younger generations of staffers questioned whether their profession's tenets of "objectivity" and "impartiality" — in a sense, standing apart from those they cover — harmed Black and brown communities in particular.

At KUSA, Lizarraga says supervisors resented her for demanding that African American colleagues be consulted on coverage about Floyd's murder and the protests. She thought

they had a right to weigh in on questions such as: How much of the video of Floyd's death should be shown? When and if the word "riot" was appropriate? How much coverage should there be of police tactics? KUSA leaders did subsequently involve Black journalists and other reporters of color in such conversations.

Lizarraga says she rallied colleagues of color to object when the station decided to stage a town hall meeting on race and equity hosted solely by a white anchor. Instead of channeling that fervor, Lizarraga says, it was largely deflected.

AMERICA RECKONS WITH RACIAL INJUSTICE

"We can't be exhausted, we can't be scared," Lizarraga recalled telling colleagues. "We have to confront management and tell them that we have ideas and that we deserve a spotlight right now."

Her supervisors had their own take. Emails among Ryan, other news leaders and Lizarraga reflect that supervisors told the reporter repeatedly that she fell short, starting around the time of the protests and moving forward. She was told she had failed to turn in two digital text versions of her television pieces. She had been late hitting "slot" — the deadline for filing video and audio. They wondered whether she could take the care and precision with the technical aspects required to succeed in the job.

Lizarraga says that she did not fail to file the digital stories and that Ryan was mistaken. She maintains that she did not crash deadlines, although she sometimes pushed up against them. These, she argues, are small-bore critiques in search of red marks against her.

Meanwhile, she says, she was not recognized for the initiative she showed, such as the data-driven pieces that officials and advocates said (in text messages reviewed by NPR) served as a road map for government agencies seeking to arrange COVID-19 testing in heavily affected Black and Latino neighborhoods.

### "We are committed to doing better"

Last year, as people protested in the streets and in corporate offices, Tegna stepped forward and said it was working to meet the moment.

In the months since, company CEO Lougee announced a huge diversity, equity and inclusion initiative. Fresh corporate training programs promoted diversity in hiring and coverage at all 64 stations scattered across 51 markets. Last September, Tegna hired Tripp who is Black, as its first chief diversity officer. There are three people of color, including Tripp, in Tegna's nine-person corporate leadership team.

In Denver, Ryan, KUSA's chief news executive, sent a memo to staff the day after Lizarraga's piece was posted by *Westword*.

"We continue to prioritize diversity, equity and inclusion in our newsroom and at the station," Ryan wrote in the memo, which was obtained by NPR. "We, like all newsrooms, should strive to do better. We are committed to doing better."

Jurgemeyer, a seven-year veteran of KUSA, says Ryan has pushed the news team to reflect the communities it serves. Since he took the reins in early 2020, she says, the newsroom has hired 20 people, 10 of whom are people of color. She says five Latino journalists have been hired since the start of this year.


People of color now make up a third of the entire newsroom at KUSA 9News in Denver.

*Michele Abercromibe/NPR*

People of color now make up a third of the entire newsroom. The sole news leader of color is Erica Tinsley, who is Afro-Latina and formerly the executive producer of several news programs and a leader of 9News' diversity and equity efforts. She was promoted to assistant news director last month. The station is also seeking to hire a reporter for a new race and culture beat.

"Any of us who've worked in journalism for any period of time know that there tends to be a way we do things that's been ingrained for many years," Jurgemeyer says. "And maybe some of that goes out the window."

In the past year and a half, she says, the station has assigned workplace "buddies" to newcomers to help them acclimate them to its pace, culture and expectations.

"Because of the reputation of 9News, this is an intimidating place when you start working here," Jurgemeyer says. "We have to be open. People have to feel like we're listening to them, that we're not just always talking at them."

### Life after KUSA 9News

All this arrives too late for the three Latinas who used to work at KUSA.

Gutierrez now works across town at Rocky Mountain PBS. Aguirre is a local news anchor and reporter in Asheville, N.C., part of a television market that is about half the size of that of Denver. Her new station has an anchor, just retired, who returned from his own traumatic brain injury.

In the official memo last winter announcing Lizarraga's departure, Chris Vanderveen, KUSA's director of reporting, wrote, "She learned not just how to fight for stories... but how to fight for the subjects of those stories as well. Her passion for people far too overlooked came out in the words she chose to fill the stories she did."

Lizarraga returned to her family home in Dallas. In late March, she published her allegations against KUSA in *Westword*. "What Lori Lizarraga did took a lot of courage and bravery," the NAHJ's Chávez says, singling out Gutierrez and Aguirre for praise as

well. "Journalism is an industry where a lot of people are mistreated, a lot of employees are mistreated, and discriminated against, and then people simply go quiet.

"For Lori to actually tell the world how bad the situation was, how bad she was being treated and how racist some of the management policies were, that takes real courage. She put her entire career in jeopardy."

In October, the Colorado ACLU will honor the three women for "fighting discrimination in the newsroom."

# For 8 Years, A 'Wall Street Journal' Story Haunted His Career. Now He Wants It Fixed

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For years, Robert Shireman, shown here at his home in Berkeley, Calif., has been accused of corruptly sharing insider information with investors while serving as a federal official. Those claims aren't true. But they live on.

*Carolyn Fong for NPR*

Stymied at every turn, accused of things he never did, Robert Shireman figured this summer that, finally, he knew how best he could reclaim his reputation. He asked *The Wall Street Journal* to correct a story it published about him back in 2013.

Shireman was tired of what he says are false allegations. Claims that, as a top official in the U.S. Department of Education, Shireman illegally provided information to a hedge fund investor who was seeking to make big money by betting against the stocks of for-profit colleges. Claims that he was corrupt. Claims that he left public life disgraced.

There's no evidence — none — to support any of those claims, despite two federal investigations. So, Shireman argued, the newspaper was obligated to correct the story, or even re-report it.

*The Wall Street Journal* did not explicitly make those allegations in that eight-year-old article. But its report suggested Shireman might be caught up in something corrupt, despite the lack of any firm evidence to make that case.

The words live on, as words do on the internet. And that's fueled more false claims, including, years later, in the pages of the *Journal* itself. Shireman's ordeal demonstrates how Washington hardball politics collides with the permanence of the web, where a false claim keeps being repeated — long after it's been disproven.



"Every six or 12 months, somebody — usually somebody who's probably in the for-profit college industry — decides to resuscitate these old, tired claims," Shireman says. "And they look for ways that they can ... try to smear me. And they find this article and they cite it as evidence of something, even though there's nothing to it."

### Shireman's critics still rely on *Journal* article

For decades, Shireman has labored to protect students from having to pay untenable levels of college debt. Under former President Barack Obama, he sought to make it harder for for-profit colleges to enroll students with hefty federally financed loans into programs that won't prepare them for jobs that enable them to pay off those debts. Several people independently called him a "true believer" on this matter. (One called him a zealot.)

Attacks on Shireman have arrived seemingly from many fronts — Republican senators, liberal public interest groups, corporate interests. And they have continued as recently as this past spring, from a pro-industry group and a senior U.S. senator. These rebukes have often taken inspiration from and derived credibility from the *Wall Street Journal's* earlier report.

The *Journal* has turned down Shireman's request to post a thorough correction or a new article. "We are receptive and responsive to objections raised (no matter how old)," Steve Severinghaus, a spokesman for the newspaper, writes in an email for this story. "In this particular instance, we fully investigated the complaints Mr. Shireman brought to us, and after a full review concluded that no corrections were warranted."

Several news organizations have started reviewing some of their past news coverage when people question whether they were portrayed fairly in those stories. The Cleveland *Plain Dealer*, *The Boston Globe* and *The Atlanta Journal-Constitution*, for instance,

have recently instituted formal policies to review such coverage from many years ago, beyond narrow corrections.

Justin Hamilton, the chief spokesman for the U.S. Education Department while Shireman was there, says the *Journal* owes Shireman a public apology. And he argues the paper was used by others with motivations that were not clear until later.

"It's preposterous. It's actually preposterous," Hamilton says. "And what it is is typical Washington. When you are trying to kill an agenda that you don't agree with, you will stop at nothing to do it."

These days, Shireman has a good life in Berkeley, Calif., working for the Century Foundation, where he continues to focus on higher education and student debt issues. He remains highly influential in the field. But that prominence and President Biden's nomination of a former colleague to a senior education post appear to have kept him in the line of fire.

Shireman does not contend that his life has been ruined by the *Journal* article or the accusations against him. But the allegations continue to dog him. And the experience of dealing with them has worn him down. He typically presents as genial and earnest, but is periodically overcome by outrage.

"Articles," Shireman says ruefully, "seem to live forever on the internet."

### A celebrity stock trader shared distrust of for-profit colleges

At the dawn of the Obama administration, in early 2009, Shireman joined the U.S. Education Department as a deputy undersecretary. He set the agenda for the new administration on higher education financing with a special eye on reforming for-profit colleges.

Around the same time, a big investor named Steve Eisman had also warned against the for-profit colleges. Eisman had made a name for himself for making big profits by betting on the collapse of the housing bubble that led to the global economic crisis in 2009. (Michael Lewis chronicled his efforts in the book *The Big Short;* Steve Carell depicted his character in the movie of the same name.)

By 2010, Eisman was not just warning but betting against the for-profit schools, through the financial markets, in a way that would let him make money if their stocks declined. That's called short-selling.

Education Department officials heard Eisman out before he gave a major public speech and testified before a key Senate committee. And Shireman listened in by phone to Eisman's presentation. Shireman says he later emailed Eisman a correction of a small statistical mistake. So did a colleague.

Shireman had planned to work in government for 18 months and he left after that period. Several weeks after he left, the Education Department released its proposed new regulations, which were not

as restrictive as anticipated. The fact and timing of Shireman's departure would also be used against him.

### A liberal advocate goes on the attack

A leading liberal-leaning anti-corruption outfit pounced. Melanie Sloan, a former Democratic congressional staffer and lawyer who was then the executive director of the nonprofit group Citizens for Responsibility and Ethics in Washington, embarked on a years-long campaign assailing Shireman, Eisman and the department.

"For me, the focus was never Shireman, it was Eisman," Sloan tells NPR. "I just don't think we want short-sellers making policy on the issues in which they are shorting companies." (Eisman did not respond to NPR's request for comment placed through a spokesman.)

Because of his bets, Sloan noted, Eisman stood to gain many millions of dollars if the for-profit colleges confronted stricter regulations.

Yet her actions explicitly called Shireman's integrity into question. Sloan called for formal investigations. She wrote articles focused on him. She tied him to Eisman and questioned his communications with The Institute For College Access & Success, a student-debt policy institute Shireman had founded. She even alleged he unethically had received retirement, health and other insurance

benefits as a federal contractor for the Education Department after leaving in July 2010.

### 'Government official plus short-seller equals scandal'

The department's then press secretary, Justin Hamilton, was a Democrat who had previously worked with Sloan on political issues. On this one, he argues, Sloan found a scandal where there was none.

"The idea was that if you said, 'Government official plus short-seller' [it] equals scandal," Hamilton says. "But the equation is flawed, because there was no hidden connection to short-sellers. There was no conspiracy to do the bidding of short-sellers in order to make a quick buck."

To underscore the point: The only connection ever turned up between the two was that Shireman listened into Eisman's presentation to department officials in spring 2010 and sent an email with a minor correction of one figure.

Of Shireman, Hamilton says, "I think what you had here is a guy who dedicated his entire career to this issue." (When Hamilton left the Education Department, he became a senior official at an education technology company owned by the *Wall Street Journal*'s corporate parent, News Corp.)

Still, a drumbeat built. In October 2010, an influential financial analyst tweeted that the not-for-profit institute that Shireman had

founded had distributed the final version of the regulation to short-sellers before it was released publicly, suggesting the institute had leaked inside information that could move markets and help them reap huge profits.

After the Obama administration announced its policy to curb for-profit schools from piling too much debt on students, the press coverage leaned heavily on the idea of a connection between Shireman and short-sellers, sharply questioning the policy's motivation. The criticism was posted on conservative sites like Breitbart, liberal outlets like *Huffington Post* and mainstream ones like *Fortune*.

### *The Wall Street Journal* story appeared to fan outrage

*The Wall Street Journal* would play a singular role.

In January 2011, the paper weighed in with a front-page story on Eisman's activities in Washington. Letters pointing to the article poured into influential figures in education, including the Education Trust, the American Federation of Teachers, the National Education Association, the American Association of University Professors and the American Association of University Women. The letters cited the *Journal* repeatedly and claimed that the investigation was focusing on "stock price manipulation by Shireman and Eisman."

Those lengthy letters, ostensibly by dozens of different people, were identical in content and even phrasing. Their senders' identities

could not be verified by the the liberal news site that first revealed the letter-writing campaign in 2011, or by NPR this past summer. NPR sent a dozen emails to addresses used to send the letters seeking confirmation or comment; all but one bounced back.

Two influential Republican senators — Richard Burr of North Carolina and Tom Coburn of Oklahoma — triggered two formal federal investigations.

### Largely exonerated, then investigated again

The Education Department's inspector general posted its report in June 2012. It determined that sensitive material had been handled appropriately and that there had been no disclosures of key information that was not yet public to interested parties. And the audit also found no problematic leaks ahead of the policy's announcements that could have helped Eisman or others with a financial interest in the specifics.

The U.S. Securities and Exchange Commission was brought in to look at Shireman's and his colleagues' potential financial stakes. No education official, including Shireman, was found to have owned any investments aided by the policy, according to the inspector general's later report.

The inspector general also investigated the ostensibly illegal benefits Shireman received, at the behest of the late Republican Sen. Mike Enzi of Wyoming. The report found Shireman received about $23

worth of life insurance benefits to which he was not entitled. But because Shireman overpaid premiums by more than $45, the government ultimately sent him a two-figure check covering the difference.

That report did find, however, that Shireman had emailed six times with people from his previous employer, the policy institute. The fact that those emails occurred was potentially in violation of an Obama administration ethics pledge for executive branch officials to not participate in matters directly involving former employers.

Senators Burr and Coburn declared the inspector general's audit insufficient. And the U.S. Justice Department undertook an investigation of Shireman's possible ethical violation in 2012. A private letter to Shireman from the U.S. Attorney's Office for Washington, D.C., said that it was investigating him for potential criminal activity or civil infractions and that he could be personally liable for its findings.

His attorneys say it was wildly overblown. "The investigation was trivial, not about material breaches of any rule or statute, and pursued in spite of lack of evidence," Stanley M. Brand, one of Shireman's attorneys, tells NPR.

Nothing ever came of the investigation.

### A scoop or innuendo

In spring 2013, the *Journal* learned of the Justice Department's investigation from a subpoena filed to secure records from the institute Shireman had founded. And that triggered the reporting by the *Journal* to which Shireman took exception.

The *Journal*'s ensuing story in May 2013 appeared unambiguous. Its headline read: "Former Education Official Faces Federal Investigation." The *Journal*'s lead reporter on the article, Brody Mullins, has for years mined a rich vein of stories involving lobbyists, lawmakers and other players. His coverage of the culture of money and power in Washington has won awards and explored how information circulates in the nation's capital.

The *Journal* reported that federal prosecutors believed Shireman "might have violated executive-branch ethics laws by allegedly discussing sensitive government information" with his former institute. And the article squarely placed the investigation in the context of people potentially illegally trading on inside information.

The article mentioned the inspector general's report that had wrapped almost a year earlier, but did not reflect that it "found no improper disclosure of sensitive information" — not to short-sellers like Eisman, not to outside groups like Shireman's former institute, not to anyone.

A 2013 the Wall Street Journal article suggested Robert Shireman had been under investigation for corruption, without a basis for that claim. In 2019, two *Journal* opinion pieces claimed he had left Washington in a scandal. That claim had to be corrected.

*Carolyn Fong for NPR*

"The inquiry underscores how prosecutors are beginning to clamp down on the way Washington handles sensitive government

information," the *Journal* article read. The chief counsel of Sloan's organization was quoted warning about Shireman's possible conflict of interest. The article then included a long passage about SEC investigations into alleged insider trading by government officials and investors — leaving the strong impression Shireman's potential misdeeds were analogous.

But they weren't. Justice Department documents obtained by Shireman show that prosecutors were focused on his contact with his former employer.

Shireman tells NPR he did not pay attention to the article at the time.

"It's perplexing," says David Halperin, a liberal lawyer and activist who advocated for reform of the for-profit college industry and who, briefly, legally represented Shireman. "They wrote this thinking they were pursuing a legitimate article. The problem was the story was full of innuendo. It was about what [a scandal] could have been about."

### Critics held financial ties to for-profit colleges

In 2014, Sloan once more accused Shireman of "coziness with Wall Street short sellers." She wrote in *The Hill* that he "improperly shar[ed] information with Wall Street investors" — something he already had been exonerated of doing.

Sloan's own financial ties were more clear-cut. Shortly after Shireman left Washington, Sloan had decided to leave Citizens for Responsibility and Ethics in Washington for a job with former Clinton White House lawyer and Democratic lobbyist Lanny Davis.

Davis had written a *Huffington Post* piece attacking Eisman and Shireman and another for *The Hill*. Sloan pulled back from taking the job when public outcry ensued after Davis acknowledged he had been hired to represent a for-profit college trade group.

And so, in 2014, a conservative outfit called the Center for Consumer Freedom revealed that Sloan's own group had received $150,000 in 2010 and 2011 from a nonprofit funded by a longtime liberal benefactor named John Sperling. Sperling, who died in 2014, was the founder of the University of Phoenix, a giant for-profit university. Sperling had helped fund other liberal groups that had denounced Shireman and the Education Department rules as well.

Sloan tells NPR those connections were immaterial to her pursuit of Shireman. "Sperling had been a long-time donor, of course. A major Democratic donor," Sloan tells NPR. "People wanted to find other reasons why we [pursued the Eisman-Shireman connection]. So it had to be the Sperling thing or that it had to be the Lanny Davis thing."

Sloan says, "We evaluated it on the merits."

**Debunked allegations take on a life of their own**

By the summer 2015, Shireman, intent on clearing his name, filed his own request for all relevant documents from the U.S. Justice Department about the investigation. He shared those documents and others with NPR for this story.

It would take years for him to acquire them. In the intervening period, the conventional wisdom had already set in. In 2016, then Rep. Jason Chaffetz, a Utah Republican who was chairman of the House Oversight Committee, publicly pointed to Shireman as an example of how the U.S. Education Department had trampled ethics.

In 2017, the president of Purdue University, Mitch Daniels, publicly dismissed Shireman as someone who had been "caught consorting with short sellers" and spoke of the "ongoing investigations into stock manipulation." Daniels, a former Republican governor and George W. Bush White House official, was promoting a plan to enter a joint operating agreement to run the for-profit Kaplan University.

Attorneys for the university shrugged off Shireman's claims that those remarks defamed him, in exchanges read by NPR. Shireman says he didn't want to sue and couldn't afford to. He just wanted the remarks rescinded — on the record. He failed.

Robert Shireman says he respects the *Journal*. "I thought they would at least take some kind of corrective action," Shireman says, "And I'm quite surprised that they did kind of less than nothing."

*Carolyn Fong for NPR*

In early 2019, the *Wall Street Journal* ran an editorial and an op-ed in short succession denouncing Shireman. The editorial said he was "caught playing footsie with a short-seller betting against for-profit colleges." The op-ed wrongly said he had been "caught sharing information with a short-seller."

Shireman demanded corrections several weeks later. The *Journal's* conservative editorial department — run separately from the newsroom — corrected the sequence of events and removed a phrase that said he had been "exiled" from the government. But it kept the false claim that Shireman had been caught sharing information with a short-seller in the column and kept the editorial's line about him playing footsie.

Then, this past spring, pro-business activists set up the website College Choice Killers that trashed Shireman and others who worked on the for-profit college loan policy. The *Journal*'s article from 2013 was given place of pride. Conservative economist Richard Vedder even compared Shireman to the Taliban. (The site was taken down after Halperin repeatedly challenged its veracity.)

At a hearing a few weeks later, Sen. Burr warned a Biden education nominee about his past proximity to "potentially unethical conduct at the department under the Obama administration." Burr spoke of emails sent from private accounts in "collaboration with short-sellers on market moving information ... to try to hide the public scrutiny in furtherance of a partisan objective."

Burr noted no charges were filed by the Justice Department. He didn't mention Shireman by name, but the senator's spokeswoman confirmed that was whom he was referring to. The nominee had been a senior Education Department official with Shireman and who for several years headed Shireman's former policy institute.

Like Sloan's former outfit, Burr has his own ties to the for-profit college industry. Burr received more than $47,000 in contributions from the industry toward his 2010 and 2016 Senate bids, according to the campaign watchdog Open Secrets.

In late June, disturbed by the College Choice Killers site and Burr's remarks, Shireman emailed reporters and editors at the *Wall Street Journal*. In correspondence he shared with NPR, Shireman asked for corrections on its 2013 article.

The fact of the investigation was fair game, he says. But Shireman strenuously objected to the claims of the mishandling of "sensitive" material and the invocation of conflicts of interest and SEC investigations into investors being tipped off. He noted that his departure preceded the announcement of the policy and that he had nothing to do with the logistics of its public release. Furthermore, investigators said they found nothing wrong with the way the department's leadership and staff had handled sensitive information or the policy's release.

### *The Wall Street Journal* responds

In late July, Shireman received a reply from Jay Sapsford, the *Wall Street Journal*'s deputy Washington bureau chief.

In an email reviewed by NPR, Sapsford wrote that the paper and others at the time were covering "how financial actors were seeking information that would give them advantages in trading securities

and how easily such information flows among agency officials, congressional aides, lobbyists, purveyors of political intelligence and investors themselves." (Through the spokesman, Sapsford and Mullins declined to be interviewed for this story.)

Sapsford noted the inspector general report used the word "sensitive" 39 times. "We determined this flow of information to be a useful background to the developments of this story. We stand by that judgment."

Shireman points to that response and nearly sputters in incredulity, especially given his respect for the news side of the paper. The inspector general had explicitly exonerated department officials, including Shireman, of sharing sensitive information outside the department.

"I thought [*The Wall Street Journal]* would at least take some kind of corrective action," Shireman says, "And I'm quite surprised that they did kind of less than nothing."

Melanie Sloan, the former anti-corruption crusader, tells NPR she was right to raise questions about short-sellers' influence on policy, and about Shireman, despite the lack of any serious findings against him. "I don't have feelings about him now," Sloan says. "It's not an issue I thought about for 10 years. I just don't."

"In Washington, do people get hurt all the time?" she asks. "Yeah, all the time."

# 2 Fox News commentators resign over Tucker Carlson series on the Jan. 6 siege

Updated November 22, 202112:06 PM ET

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Fox News host Tucker Carlson's special on the Jan. 6 riot at the U.S. Capitol was the last straw for two network commentators. Stephen Hayes and Jonah Goldberg have resigned.

*Chip Somodevilla/Getty Images*

Two longtime conservative Fox News commentators have resigned in protest of what they call a pattern of incendiary and fabricated claims by the network's opinion hosts in support of former President Donald Trump.

In separate interviews with NPR, Stephen Hayes and Jonah Goldberg pointed to a breaking point this month: network star Tucker Carlson's three-part series on the Jan. 6 siege of the U.S. Capitol, which relied on fabrications and conspiracy theories to exonerate the Trump supporters who participated in the attack.

"It's basically saying that the Biden regime is coming after half the country and this is the War on Terror 2.0," Goldberg tells NPR. "It traffics in all manner of innuendo and conspiracy theories that I think legitimately could lead to violence. That for me, and for Steve, was the last straw."

Hayes has been a close friend of Fox News political anchor Bret Baier since their college days at DePauw University; both he and Goldberg were mainstays of Baier's *Special Report* after joining the network in 2009. Together, Hayes and Goldberg co-founded the conservative news site The Dispatch.



According to five people with direct knowledge, the resignations reflect larger tumult within Fox News over Carlson's series *Patriot Purge* and his increasingly strident stances, and over the network's willingness to let its opinion stars make false, paranoid claims against President Biden, his administration and his supporters.

### Senior Fox News journalists warned network executives

Veteran figures on Fox's news side, including political anchors Baier and Chris Wallace, shared their objections with Fox News Media

CEO Suzanne Scott and its president of news, Jay Wallace. Those objections rose to Lachlan Murdoch, the chairman and CEO of the network's parent company, Fox Corp. Through a senior spokeswoman, Scott and Wallace declined comment. Murdoch did not return a request for comment through a spokesman. A senior Fox News executive subsequently said the two contributors' contracts would not have been picked up after their scheduled expiration next year.

Goldberg says that he had been assured by Fox's news leaders that, as Trump left Washington, D.C., following his election defeat, the network would tamp down on incendiary commentary and claims.

Jonah Goldberg and his partner at The Dispatch website, Stephen Hayes, quit their roles as commentators for Fox News after Tucker Carlson's special on the Jan. 6 riot aired.

*The Washington Post via Getty Images*

Instead, Goldberg says, the decision by Fox's election analysts to be the first to project that Biden would win Arizona on election night last November led the network's stars, including Carlson, to demonstrate their dedication to Trump and his most adamant fans. And that led Fox's opinion stars to embrace increasingly

indefensible positions, Goldberg argues. (Fox News is currently facing two multibillion-dollar lawsuits from voting technology companies alleging they were defamed by network hosts and guests who supported Trump's grandiose and false claims of election fraud. Fox has filed motions to dismiss both lawsuits.)

Fox News also jettisoned the leaders of its political desk, laid off a bunch of researchers and installed a new opinion hour at 7 p.m., shifting news anchor Martha MacCallum from that time to a less visible midafternoon slot. The news anchor at 11 p.m., Shannon Bream, was pushed back to midnight in favor of Greg Gutfeld's opinion-driven comedy show. All these moves tilted the channel to even more Trump-friendly content, even as its news programs gently tried to correct the record on the 2020 elections and the siege.

**"It was irresponsible to put that out into the public airwaves"**

Carlson's series on the Capitol insurrection aired on Fox's paid streaming service, Fox Nation, in early November.

"They've begun to fight a new enemy in a new war on terror," Carlson warned his viewers in the first episode. "Not, you should understand, a metaphorical war, but an actual war, soldiers and paramilitary agencies hunting down American citizens."

Promotional videos for the series that aired on Fox News late the week before set off loud alarm bells throughout the network.

"I thought it was irresponsible to put that out into the public airwaves," Hayes says.

"The trailer [for the series] basically gave people the impression that the U.S. government was coming after all patriots — half of the country, in the word of one of the protagonists in the piece," he says. "And that the federal government was going to be using the tools and tactics that it used to go after al-Qaida. And that's not happening. That's not true."


**ANALYSIS**

**'Off the rails': New Tucker Carlson project for Fox embraces conspiracy theories**

"It's a narrative that's contradicted by certainly the vast collection of legal documents charging those who participated in January 6th, the broad reporting by a wide variety of news outlets on what happened

on January 6th then and in the time since, and contradicted in part by Fox News' own news site and the reporting that people on the news side have done," he said.

Asked for comment for this story, Carlson said the departure of the two "will substantially improve the channel."

He also mocked the two men for denouncing him for propounding conspiracy theories: "These are two of the only people in the world who still pretend the Iraq War was a good idea," Carlson wrote to NPR. "No one wants to watch commentary that stupid."

Carlson declined to comment about the objections of other prominent journalists at the network.

### News programs distance themselves from Carlson's series on the air

Viewers could see Fox's prominent journalists distance themselves from Carlson's series without mentioning his name.

On the Friday before the release of *Patriot Purge*, Baier aired a segment on the investigation of the insurrection by veteran national security correspondent Jennifer Griffin. Featured interviews dismissed claims of a "false-flag attack" — that is, violent left-wing activists such as antifa pretending to be Trump fans as they attacked the Capitol.

Wallace broadcast an interview on *Fox News Sunday* with Rep. Liz Cheney of Wyoming, one of the chief Republican critics of Trump who's similarly rejecting those false claims. She is one of just two GOP members of the House committee investigating the insurrection at the Capitol.

*Patriot Purge* relied on known peddlers of unfounded conspiracy theories, people who sought out the company of white supremacists who would not be cited as credible sources by Fox's reporting teams.

Goldberg said he and Hayes could no longer tolerate the wild claims beamed, broadcast and streamed on Fox News.

"Being a Fox contributor is kind of a brass ring in conservative and right-wing circles, and I was well compensated," Goldberg says. "I'm not looking to be a martyr or ask for pity or any of that kind of stuff. But it's a significant financial hit for sure. And it's also cutting yourself off from a very large audience."

"We don't regret the decision. But we found it regrettable that we had to make the decision."

Hayes and Goldberg were formerly top editors at *The Weekly Standard* and the *National Review*, respectively. They recently joined forces to found the conservative anti-Trump site The Dispatch. Hayes, the outlet's founding CEO and editor, and Goldberg, its editor-in-chief, say the site is intended to appeal to conservatives with commentary and news grounded squarely in fact.

"We launched The Dispatch in part to model behavior we thought was increasingly missing on the right, particularly in conservative media," Goldberg says. He says the online magazine is not "beholden to a partisan agenda, not looking to simply monetize dopamine hits by making people angry."