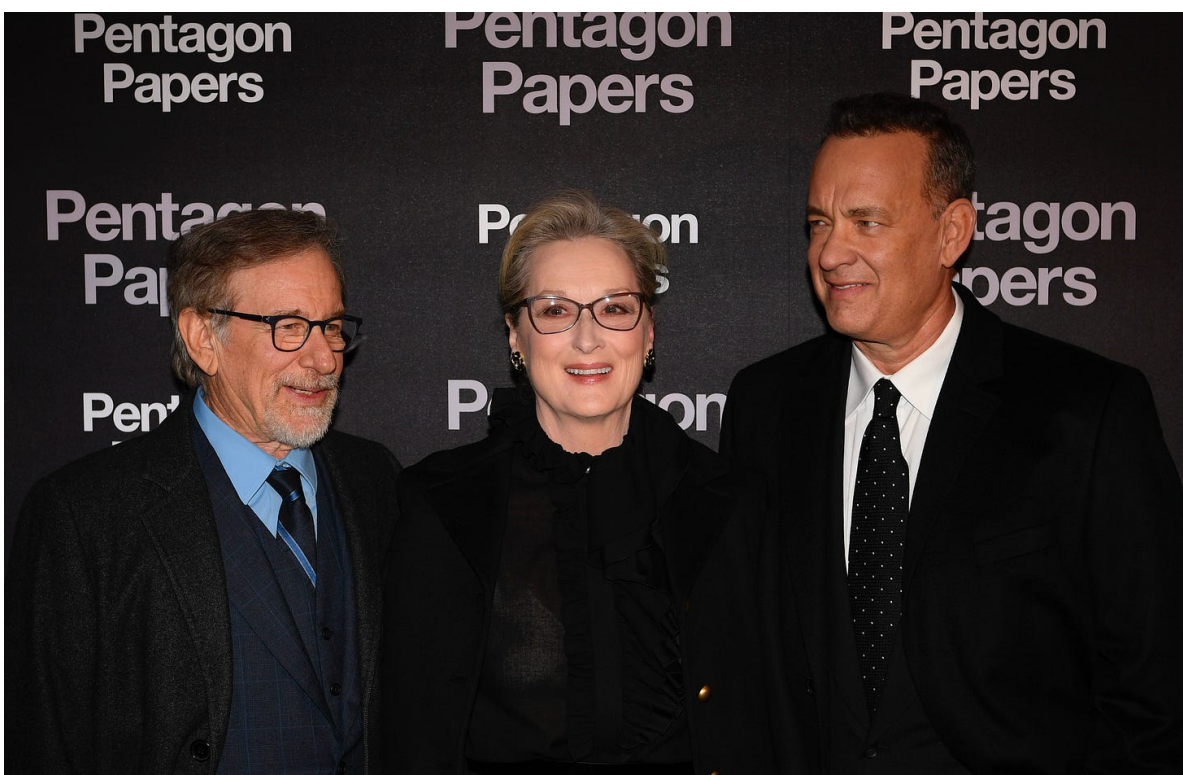


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Who Helped Overturn the "Pentagon Papers Principle"? The Washington Post and New York Times

Matt Taibbi

11-14 minutes



The cinema version of "The Pentagon Papers" story survives, but the original principle is being tossed

Last December, Michael Shellenberger [reported in a #TwitterFiles](#) thread that the Aspen Institute hosted a “Hack-and-Dump Working Group” exercise in the summer of 2020 titled, “Burisma Leak,” which predicted with uncanny accuracy an upcoming [derogatory story in the *New York Post*](#) about Hunter Biden’s lost laptop.

The [documents Shellenberger published](#) showed how at least five media figures, including David Sanger and David McCraw of the *New York Times*, Ellen Nakashima of the *Washington Post*, then-*Daily Beast* and future *Rolling Stone* editor Noah Schactman, and Rick Baker of CNN worked alongside Twitter and Facebook’s chief moderation officers, Yoel Roth and Nathaniel Gleicher, to plan a response to a hypothetical damaging exposé about Joe Biden’s son.

The “Burisma Leak” exercise predicted many elements of the real response to the *New York Post*’s coming Hunter Biden story, including [complaints from influential Democratic congressman Adam Schiff](#) about its “source and veracity,” and public statements from “[former senior intelligence officials](#)” falsely raising the specter of a “Russian operation.”

Newly uncovered documents show the war-gamed, choreographed response to the *New York Post* piece in

October, 2020 — which included temporary suppression by those tech platforms Twitter and Facebook — may have been part of a broader plan to re-think basic journalistic standards in general, beyond just the one incident. This included junking what experts involved with the tabletop exercise referred to as the “Pentagon Papers Principle,” under which journalists since Daniel Ellsberg’s 1971 leak had “operated under a single rule: Once information is authenticated, if it is newsworthy, publish it.”

The “break” from the age-old standard was endorsed by multiple current and former figures from the *Washington Post* and *New York Times*, the two papers most associated with the publication of the Pentagon Papers. Neither of the press offices of the two papers would comment, nor did individual figures named in the #TwitterFiles leaks.

The genesis of this idea appeared to come from a paper co-authored by two Aspen tabletop attendees, both from Stanford: longtime journalist [Janine Zacharia](#) and former [Obama and Trump Cybersecurity Policy Director Andrew James Grotto](#). Their “[How to Report Responsibly on Hacks and Disinformation: 10 Guidelines and a Template for Every Newsroom](#)”

included the idea of ditching the “Pentagon Papers Principle,” insisting, “authentication alone is not enough to run with something.”

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Break the “Pentagon Papers Principle:” Focus on the why in addition to the what. Make the disinformation campaign as much a part of the story as the email or hacked information dump. Change the sense of newsworthiness to accord with the current threat. Since Daniel Ellsberg’s 1971 leak of the Pentagon Papers, journalists have generally operated under a single rule: Once information is authenticated, if it is newsworthy, publish it. How it was obtained is of secondary concern to the information itself. In this new era, when foreign adversaries like Russia are hacking into political campaigns and leaking material to disrupt our

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democracy and to favor one candidate, **journalists need to abandon this principle.** That is not to say reporters ought to ignore the hacked material if it is newsworthy. But high up in the story they need to focus on the material’s provenance. The why it was leaked as opposed to simply what was leaked. “You’re in a whole different universe where foreign governments are trying to game the American democracy, especially the First Amendment privileges of the press, to benefit themselves and the candidate that they want to support,” Taubman said. “And news organizations have to recognize that the Pentagon Papers Principle cannot apply in those cases. They have to have a different standard.”

In other words, **authentication alone is not enough to run with something.**

The concept seemed to provide the intellectual foundation for shelving the *Post* story, which otherwise presented a real conundrum for would-be censors, being neither fake news nor a Russian plant. The elaborate carve-out for dealing with such material is laid out in another newly discovered document, called [“Partnership for a Healthy Digital Public Sphere:](#)

Opportunities & Challenges in Content Moderation.”

This summary was sent by Aspen Digital’s Executive Director and former NPR CEO Vivian Schiller to two other Aspen figures on September 15, 2020. Echoing the Stanford paper, it summarized the lessons Aspen Digital learned from examining the hack-and-dump problem, explaining the need to put “provenance front and center”:

5. Reporting and Promoting “Hack and Dumps”

As we countdown to election day, the risk of a major hack and dump of documents aimed at undermining a candidate or party grows more acute. **How can news organizations put provenance front and center?** What happens when fabricated documents are released alongside genuine (stolen) content? **How can social feeds avoid serving as promoters of foreign or other adversarial entities?** Aspen Digital is convening Platform Trust and Safety leaders, cybersecurity reporters, journalism ethicists and First Amendment attorneys to develop and **adopt new norms guidelines for publication and coverage of hacked documents.**

The concept theoretically represented a major shift, asking reporters to move from focusing on the *what* of news to *why?* and *who from?*

“That seems to be the whole predicate of why they ignored the laptop story, even though they knew it was real,” says Miranda Devine, author of the *New York Post* exposé.

Again, none of the media or academic figures involved with this story commented for the record, but one tabletop attendee who asked not to be named did

defend the decision, saying: “It was just arguing for discretion over whatever sells,” adding, “The race to the bottom is what got us 2016.”

The road to the “break” seemed to begin on August 31, 2019, when Zacharia, a [former *Washington Post*](#) reporter and Stanford lecturer, wrote an article for the *San Francisco Chronicle* titled, “[Time is Running Out to Fight Disinformation in 2020 Election](#).” In it, she made two key arguments. One was that people could “radically slow the spread of disinformation” by removing the “retweet or share buttons” on Internet platforms. Another idea was “eliminating false content,” which she conceded “will have free speech advocates crying foul.”

Within the next month, Zacharia participated in a Stanford “Global Digital Policy Incubator” that was hosted by the Federal Election Commission. The open session was hosted by FEC chief Ellen Weintraub, who was a key figure [in 2017 in getting Facebook, Google, and Twitter to accept](#) tighter regulation on political content like ads. Her keynote speaker that day was also her partner in that 2017 endeavor, omnipresent anti-disinformation hawk and Virginia Senator Mark Warner. The session is [publicly available](#). Zacharia

reportedly spoke in a closed session, where according to her own account she “road-tested” the ideas that would appear in her “10 Guidelines and a Template for Every Newsroom” paper.

On December 13th, 2019, Stanford held a journalism workshop at which Zacharia’s ideas were discussed. Also offered as reading material was a [Washington Post](#) piece co-authored by Stanford figures [Renee DiResta](#), [former Ambassador to Russia Michael McFaul](#), and [Alex Stamos](#), about how “we’re still not ready” for a Russian attack in the 2020 election, as well as links to a series of materials offered [by anti-disinformation shops like FirstDraft](#) and [The Open Society Foundation](#). These papers warned of a coming flood of fake news that would snake its way into legit media through back doors — say through a “local” outlet too understaffed to fact-check a wrong story.

Only in select spots did participants hint at the real reform being sought, what an early draft of the Zacharia-Grotto paper called “models of journalistic self-restraint.” Citations included a *New York Times* reporter in 1958 deciding not to publish after seeing a U2 plane on a German base, and a spate of organizations deciding not to publish the name of the

alleged “whistleblower” in the Ukrainegate fiasco. Although these passages continued to be framed in terms of “disinformation,” the major reform being contemplated here involved true reports. How could competitors be urged to exercise “restraint” at the right times?

“What is needed,” Zacharia argued, was a “speed bump,” one that would be recognized not just across organizations but across industry. She and Grotto would eventually quote Phillip Corbett of the *New York Times* in saying, “The single most important thing is to fight the impulse to publish immediately.”

By [March 27, 2020](#), Zacharia and Grotto published their paper. The final “top 10 recommendations” started by suggesting that “in the event of an extremely newsworthy hack, have the top editor send an organization-wide email instructing all staff not to live-tweet the content,” and to indicate instead to readers that “you are aware of the development and your reporters are working to determine the provenance of the material.”

Three steps later, the two authors posited that reporters “Break the ‘Pentagon Papers Principle.’” What’s fascinating about this ambitious change proposal is

who signed off on it. In addition to onetime *New York Times* figures like Taubman and Corbett, and current and former *Washington Post* representatives like R.B. Brenner (a consultant on the movie *The Post*, lionizing the Pentagon Papers decision!), Glenn Kessler, David Cho, and Tracy Grant, the Stanford authors cited Terence Samuel and “roughly 20” other editors and reporters at National Public Radio:

Acknowledgements

The authors thank their colleagues in the Stanford Information Warfare Working Group for catalyzing this collaboration and inspiring many of the ideas presented. Janine road-tested some ideas at a closed session hosted by the Federal Election Commission and the Stanford Global Digital Policy Incubator in September 2019. Danielle Jablanski provided valued research and programming support. The authors are grateful for feedback received from technology researchers and seasoned reporters including R.B. Brenner, Philip Taubman, Mor Naaman, Aviv Ovadya and Rosanna Guadagno that we convened at Stanford in December. And the authors would especially like to thank the senior editors and reporters who took the time to meet with them in New York and Washington DC and helped inform revisions to this document including John Daniszewski and Karen Mahabir at the Associated Press; Rebecca Blumenstein, Philip Corbett and Erin McCann at the New York Times; Marian Porges and Christopher Scholl at NBC News; Tracy Grant, David Cho and Glenn Kessler at the Washington Post; and Terence Samuel and roughly 20 other editors and reporters at National Public Radio.

Over the summer, Zacharia and Grotto were listed as participants in the Aspen Institute’s “Hack and Leak” discussion by Zoom, which also included Google policy chief Clement Wolf, Gleicher, Sanger, Nakashima, Twitter’s Nick Pickles, NPR’s Dina Raston, *Lawfare*’s Susan Hennessey, Jack Stubbs of *Reuters*, Kevin Collier of NBC, Kelly McBride of the Poynter Institute,

and many others from in and around the media business.


The Zacharia/Grotto report was presented in the discussion, and the first of the listed “goals” of the Zoom talk was “How do news organizations address provenance/motivation?” Schiller reminded attendees that “this meeting is OFF THE RECORD.”



**Hack and Leak Roundtable
Participant List
June 25, 2020**

Jessica Ashooh Director of Policy Reddit	Steve Hayes Co-Founder and Editor The Dispatch
Olga Belogolova Policy Manager - IO Facebook	Susan Hennessey Executive Editor Lawfare
John Bennett Director of Security Wikimedia Foundation	Nick Pickles Director, Public Policy Strategy Twitter
Kevin Collier Reporter NBC News	Kelly McBride Senior VP Poynter Institute
Rick Davis EVP, News Standards and Practices CNN	David McCraw VP and Deputy General Counsel The New York Times
Nathaniel Gleicher Head of Cybersecurity Policy Facebook	Ellen Nakashima National Security Reporter The Washington Post
Garrett Graff Director, Cyber Initiatives Aspen Institute	Evan Osnos Staff Writer The New Yorker
Andy Grotto Director Stanford Cyber Policy Center	Donie O'Sullivan Reporter CNN

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**Hack and Leak Roundtable
June 25, 2020 1p -230p ET
Agenda**

Overview
With the general election less than five months away, Aspen Digital, a program of the Aspen Institute, is convening journalists, ethicists, First Amendment attorneys, and platform executives for a frank, off-the-record conversation about standards and ethics when it comes to publication and coverage in hack and leak scenarios.

Goals
We're not expecting unanimous agreement on a single standard. Rather, we want to share points of view, workshop ideas, surface where there may be alignment, and determine whether this is an area worth pursuing further. Discussion points may include:

- How do news organizations address provenance/motivation?
- How do news organizations verify attribution/where leak is coming from?
- Do platforms label hack/leaked material? What would a labeling solution look like?
- Where are we aligned? Where do we disagree?
- Merit /feasibility of coming up with shared principles among news orgs?
- Merit /feasibility of coming up with shared principles among platforms?

AGENDA

1. Welcome and introductions - Vivian Schiller, Aspen Institute
2. Short history of hack and leaks - Garrett Graff, Aspen Institute
3. Summary of report on *Guidelines for Responsible Reporting*, Andrew Grotto and Janine Zacharia, Stanford
4. Case study: Podesta files, Ellen Nakashima, Washington Post
5. Discussion

Even before the attendees completed the remarkable “Hack-and-Dump Working Group” exercise, in other words, the group already achieved key goals. A wide representative sample of major news organizations agreed to attend a conference off the record, and did not fink on each other when a goofy covert plan for de-amplifying a “Burisma leak” damaging to the Biden

campaign was delivered in a Word document by email to attendees.

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Aspen Digital Hack-and-Dump Working Group — September 2020
EXERCISE :: The Burisma Leak

Day One: Monday, October 5th

- Anonymous website, BIDENCRIMES.info, and a Twitter account, @HUNTERLOLZ, begin posting documents that purport to be from Burisma, tied to Hunter Biden. Splashed across the top of the site, in English, is “Joe Biden betrayed america before for \$\$\$\$. He’ll do it again.” Initially, the documents, mostly in Ukrainian, appear to be minutes of various Burisma board meetings, internal emails, and financial records. There is initially no sign of a smoking gun.
 - NOTE: The website appears to have been first registered in 2016. No ownership information is public. The Twitter account was created in 2014, oddly just before Hunter joined the Burisma board. It has tweeted once and follows one person.

Day Two: Tuesday, October 6th

- The Drudge Report links to the anonymous website, BIDENCRIMES.info, and the site is quickly picked up by other fringe media and begins to spread on social media sites.

Day Three: Wednesday, October 7th

- *Fox & Friends* discusses BIDENCRIMES.info in its 7 a.m. block. @realDonaldTrump tweets six minutes later, “Is Joe Biden biggest criminal of all time? Check out @HUNTERLOLZ.”
- Three reporters (Dina Temple-Rason, Donie O’Sullivan, and Ellen Nakashima) are contacted by an anonymous ProtonMail account, BIDENCRIMES@protonmail.com, and each sent a different document. None of the documents have appeared on the public website. They are each told they are the only reporter receiving a specific document.
 - Dina’s document purports to be a ledger of payments showing that Hunter Biden was paid \$3 million over two months in 2015 by Burisma, far more than had been reported publicly before.
 - Donie’s document is a 2016 email, purportedly from Hunter to his father, dated the evening before the firing of prosecutor Viktor Shokin, simply titled “Burisma,” and the body of which reads: “I really need you to do this for me.”
 - Ellen’s document purports to be the board contract between Burisma and Hunter.

This was followed by the “[Partnership for a Healthy Digital Public Sphere](#)” summary circulated by Schiller in September, which in turn was closely followed by the release of the actual *New York Post* story, which was of course halted by tabletop attendee companies Facebook and Twitter. After the *Post* piece was blocked, Roth received an email from Zacharia commenting on the “bold decision” the company took regarding the “giuliani ny post disinformation story.”

In a new [#TwitterFiles thread](#) by *Racket*’s Andrew Lowenthal last week, correspondence was released

from some attendees of the Aspen Institute exercise who touched base after the real *Post* story broke. Emails showed them joking that they were off only by days in their predictions.

“We totally blew it in our Burisma tabletop this summer,” wrote Garrett Graff, a *Wired* contributor who also worked at Aspen Digital. “We didn’t have Trump saying ‘Lock him up!’ until day *nine* of the Burisma information operation, but he’s saying it by day three.” Graff linked to a [Bloomberg piece](#) on Trump’s reaction to the *Post* expose, and fellow attendee Schactman replied, “LOL.”

From: Noah Shachtman <[redacted]>
Date: Saturday, October 17, 2020 at 7:54 AM
To: Garrett Graff <[redacted]>
Cc: Janine Zacharia <[redacted]>, Vivian Schiller <[redacted]>, Nathaniel Gleicher <[redacted]>, Yoel Roth <[redacted]>, Olga Belogolova <obelogolova@fb.com>, "[\[redacted\]@firstdraftnews.com](mailto:[redacted]@firstdraftnews.com)", "david.e.sanger@nytimes.com", "david.e.sanger@nytimes.com", "Ellen.Nakashima@washpost.com", "Davis, Rick" <Rick.Davis@turner.com>, Andrew James Grotto <[redacted]@stanford.edu>, David McCraw <[redacted]@nytimes.com>
Subject: Re: Stephen was right!

LOL! Ok, off the record, what's our working theory here of what happened?

On Sat, Oct 17, 2020, 7:44 AM Garrett Graff <[redacted]> wrote:

We totally blew it on our Burisma tabletop this summer — we didn't have Trump announcing "Lock him up" until day "nine" of the Burisma information operation, but he's saying it by day "three".

<https://www.bloomberg.com/news/articles/2020-10-17/-lock-up-the-bidens-trump-says-at-georgia-campaign-rally?srnd=premium>



[‘Lock Up the Bidens,’ Trump Says at Georgia Campaign Rally](#)

President Donald Trump called on Friday night for Joe Biden and his family to be jailed, escalating his attacks on his Democratic opponent over

www.bloomberg.com

Stephen said it was all going to move quickly than we thought, and he was right!

On the other hand, based on our timeline from August, we had Trump first announcing "Lock him up" on Tuesday, October 13th, and he didn't actually say it until Friday the 16th, so he's running a few days behind schedule....

The emails included Zacharia and Grotto in the har-har chain.

For all the talk about preparing America for “disinformation,” what actually happened in the end was the cream of the American press corps agreeing to cover (or cover up) news as a cartel, jointly practicing “models of journalistic restraint” with one story.

Although the Aspen seminar was mentioned in a few places in print over the course of the next years, notably in [Wired](#) by Graff on October 7th, none of the tabletop participants ever came close to describing the elaborate “exercise” in which participants engaged in a thorough walk-through training themselves how to prioritize “provenance” in a newsworthy story about Hunter Biden. Thanks in part to a tabletop-predicted statement by “former senior intelligence officials,” provenance did become the lens through which most mainstream outlets initially covered the story — erroneously however, since the story was not, as it turned out, Russian disinformation.

For nearly half a century since 1971, the *Washington Post* and the *New York Times* earned fame and praise for standing up to government attempts to suppress newsworthy information in the Pentagon Papers. In

2020, key figures from both papers openly abandoned the legacy of that episode in favor of a questionable new standard that stresses the mechanics of information suppression. How much more evidence do we need that the traditional role of media has been turned upside down?

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