

From: Center for Judicial Accountability, Inc. (CJA) <elena@judgewatch.org>
Sent: Wednesday, May 28, 2025 7:29 AM
To: 'jed.rubenfeld@yale.edu'
Cc: 'darcy.smith@yale.edu'

Subject: **Your yesterday's article “NPR and PBS Aren’t Entitled to Your Tax Dollars” (The Free Press)-- & the constitutionality of the Public Broadcasting Act of 1967 (47 U.S.C. §396)**

Attachments: [cja-2-18-25-ltr-to-greene-carr.pdf](#)

TO: [Professor Jed Rubenfeld](#)

I am director and co-founder of the New York based non-partisan, non-profit citizens’ organization [Center for Judicial Accountability, Inc. \(CJA\)](#).

Thank you for contributing to public understanding by your yesterday’s article “[NPR and PBS Aren’t Entitled to Your Tax Dollars](#)” in [The Free Press](#). As you are a constitutional scholar, I’d like to bring to your attention my below May 22nd e-mail, with the above-attached, to the counsel in [CPB v. Trump](#), stating that if the Public Broadcasting Act of 1967 ([47 U.S.C. §396](#)) does not enable the President or Congress to remove corrupt CPB Board Members, the Act is unconstitutional – and must be so-declared. Do you agree? If not, how is the below-described situation to be addressed?

I would greatly appreciate your legal opinion – or, alternatively, your assistance in obtaining the opinions of other constitutional scholars.

Thank you.

Elena Sassower, Director
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From: Center for Judicial Accountability, Inc. (CJA) <elena@judgewatch.org>
Sent: Thursday, May 22, 2025 4:41 PM

To: 'jeremy.s.newman@usdoj.gov' <jeremy.s.newman@usdoj.gov>
Cc: 'jason.mcelroy@saul.com' <jason.mcelroy@saul.com>; 'peter.nanov@saul.com' <peter.nanov@saul.com>; 'jeffrey.robbsins@saul.com' <jeffrey.robbsins@saul.com>; 'joseph.lipchitz@saul.com' <joseph.lipchitz@saul.com>

Subject: CPB v. Trump Lawsuit: The corruption of CPB's "internal governance and operations", the absence of congressional oversight, & the unconstitutionality of the Public Broadcasting Act of 1967 (47 U.S.C. §396)

TO: [U.S. Department of Justice](#)

ATT: Jeremy Samuel Bloch Newman, Esq.

I am director and co-founder of the New York-based non-partisan, non-profit citizens' organization [Center for Judicial Accountability, Inc. \(CJA\)](#) and have testimonial capacity and substantiating evidence with respect to the "internal governance and operations" of the Corporation for Public Broadcasting (CPB), germane to its lawsuit that you are defending, [CPB, et al. v. Trump, et al.](#). I am writing to alert you to facts that have been placed before the Court, requiring modification, because they are misleading – and to the unconstitutionality of the Public Broadcasting Act of 1967 ([47 U.S.C. §396](#)).

In the [Justice Department's May 6, 2025 opposition to plaintiffs' counsel's motion for a TRO](#), you state (at p. 7) in your "Statutory Background" section:

"The CPB is a 'designated Federal entity' under the Inspector General Act, 5 U.S.C. §415(a)(1)(A), which means it has an Inspector General who conducts investigations and audits of the CPB's operations and issues reports to Congress, the CPB Board and Management, and the public, see Office of the Inspector General, Corporation for Public Broadcasting, <https://cpboig.oversight.gov/what-we-do/overview> (the CPB's Office of the Inspector General 'conduct[s] independent audits, evaluations, and investigations' and 'report[s] to Congress and the public about our activities')." (hyperlink in the original).

Impliedly the Justice Department believes that the CPB's Inspector General is discharging its duties. This view was not corrected by [CPB Executive Vice President/General Counsel Evan Slavitt's May 9th Supplemental Declaration](#), notwithstanding on May 2nd I had furnished him with evidence dispositive of the corruption of the CPB's Office of Inspector General, requiring immediate EMERGENCY action. This was shortly after briefly speaking with him by phone about my above-attached February 18, 2025 letter to House DOGE Subcommittee Chair Marjorie Taylor Greene and Federal Communications Commission Chair Brendan Carr entitled "Defunding NPR, PBS – & Firing the CPB's Inspector General, for starters", which I then sent him by e-mail.

I have reason to believe Mr. Slavitt withheld [my May 2nd e-mail](#) and [my follow-up May 16th e-mail](#) from the five members of CPB's Board of Directors and its President/CEO, as he has not responded to my e-mails to him on the subject, from yesterday morning and the day before.

Below is the original e-mail chain of my correspondence with Mr. Slavitt which, since [May 20th](#), has included DOGE Team Member at the General Services Administration Nate Cavanaugh and his colleagues, whose April 29th e-mail to CPB for a meeting "to learn more about [CPB] and discuss getting a DOGE team assigned" was put before the Court by [plaintiffs' counsel's May 9th reply](#) to your May 6th opposition to the TRO and, specifically, by Mr. Slavitt's May 9th Supplemental Declaration. CJA's webpage on which this e-mail chain of correspondence is chronologically posted is [here](#).

I am cc'ing plaintiffs' counsel on this e-mail so that they can verify with their CPB Board of Directors and President/CEO clients whether and when Mr. Slavitt forwarded to them my e-mails with the [February 18th letter](#). If he did not do so promptly – indeed, as soon as he read the February 18th letter, which I sent him an hour before [CPB's May 2nd Board meeting](#) – he should be fired, forthwith – a consequence also mandated by his below one-sentence "Just to be clear" [May 20th e-mail](#), which he sent only to me. On

the other hand, if Mr. Slavitt did furnish CPB's Board of Directors and President/CEO with my e-mails and February 18th letter, and they have opted to do nothing, they, too, must be removed forthwith. If the Public Broadcasting Act of 1967 does not enable either the President or Congress to effectuate same, the Act is unconstitutional – and must be so-declared.

Notably, [Mr. Slavitt's initial April 29th Declaration](#) supporting plaintiffs' counsel's motion for a TRO stated in its second and third paragraphs:

“2. CPB's purpose is **to steward Congressionally appropriated funds** and ensure universal access to non-commercial, **high-quality content** and services that educate, inform, foster curiosity, and promote civil discourse essential to American society.

3. CPB operates from private offices leased from a private corporation located in downtown District of Columbia. CPB does not share any space with any government agency. CPB's offices are locked and access is given only to the authorized persons, with the exception that the public is allowed to attend meetings of its board of directors. Within the CPB office space are my offices and those of the legal department as well as **the offices of CPB's Inspector General**. The legal department offices contain attorney/client privileged information as well as attorney work product. **The IG offices contain confidential information about CPB and about a large number of broadcasting stations**. CPB's offices also contain irreplaceable archival material as well as personal belongings of its employees and officers.” (bold added).

I am available to answer the Justice Department's questions, starting with the records that Mr. Slavitt should reasonably have obtained from CPB's Inspector General, substantiating my February 18th letter of “*knowingly* false, corruption-abetting, election-rigging journalism” of NPR and PBS local New York stations, abetted by the national NPR and PBS public editors, boards of directors, presidents, counsel, and other highest management, and, thereafter, by CPB's Inspector General – and invite you to call me for that purpose and to discuss the hoax of congressional oversight of CPB, directly germane to the [CPB v. Trump](#) lawsuit, as to which your May 6th opposition to the TRO states (at p. 7), also in your “Statutory Background” section and immediately following your recitation about the CPB Inspector General:

“Congress holds oversight hearings regarding the CPB. See, e.g., House Committee on Energy & Commerce, Oversight and Investigations Subcommittee Hearing: ‘Examining Accusations of Ideological Bias at NPR, a Taxpayer Funded News Entity,’ <https://energycommerce.house.gov/events/oversight-and-investigations-subcommittee-hearing-examining-accusations-of-ideological-bias-at-npr-a-taxpayer-funded-news-entity> (May 8, 2024); see also Slavitt Decl. ¶19, ECF No. 2-2 (the CPB submits ‘annual request for appropriations’ to Congress).” (hyperlink in the original).

The referred-to “Slavitt Dec.” is Mr. Slavitt's April 29th Declaration, whose ¶19 states, in pertinent part, that CPB: “is not required to attend frequent oversight hearings in front of Congress, aside from CPB's annual request for appropriations” (underlining added), concealing, as do ALL of plaintiffs' counsel's papers and Mr. Slavitt's May 9th Supplemental Declaration, the actual absence of congressional oversight over CPB's operations.

I also invite plaintiffs' counsel – presumably paid by taxpayer monies – to call me.

Finally, please promptly forward my February 18th letter to Attorney General Bondi, as requested by my below May 2nd and May 16th e-mails to Mr. Slavitt, without response from him. Your confirmation that you have done so would be greatly appreciated.

Thank you.

Elena Sassower, Director
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elena@judgwatch.org

From: Center for Judicial Accountability, Inc. (CJA) <elena@judgewatch.org>
Sent: Wednesday, May 21, 2025 8:37 AM
To: 'Slavitt, Evan' <eslavitt@cpb.org>
Cc: 'nate.cavanaugh@gsa.gov' <nate.cavanaugh@gsa.gov>; 'justin.fox@gsa.gov' <justin.fox@gsa.gov>; 'Justin.W.Aimonetti@doge.eop.gov' <Justin.W.Aimonetti@doge.eop.gov>; 'jonathan.mendelson@gsa.gov' <jonathan.mendelson@gsa.gov>

Subject: Correcting -- Clarifying Your Insupportable Response

TO: CPB Executive Vice President/General Counsel Slavitt

My yesterday's e-mail to DOGE Team Member Cavanaugh referred to your response to his April 29th e-mail as also being April 29th. That was error. Your responding e-mail to Mr. Cavanaugh was April 30th. Please correct, accordingly, as I have by the below, in your forwarding of my e-mail to CPB's five Board Members and to its President/CEO, which I request you do without delay.

Thank you.

Elena Sassower

From: Center for Judicial Accountability, Inc. (CJA) <elena@judgewatch.org>
Sent: Tuesday, May 20, 2025 4:35 PM
To: 'Slavitt, Evan' <eslavitt@cpb.org>
Cc: 'nate.cavanaugh@gsa.gov' <nate.cavanaugh@gsa.gov>; 'justin.fox@gsa.gov' <justin.fox@gsa.gov>; 'Justin.W.Aimonetti@doge.eop.gov' <Justin.W.Aimonetti@doge.eop.gov>; 'jonathan.mendelson@gsa.gov' <jonathan.mendelson@gsa.gov>

Subject: Clarifying Your Insupportable Response

TO: CPB Executive Vice President/General Counsel Slavitt

Responding to your below e-mail, there is nothing “clear” about your insupportable response, which you do not support in any way – and which you are now informing me of for the first time.

You state “I have reviewed your allegations and I find them to be without merit”. What is the opinion of CPB’s five Board Members and President/CEO, to whom my May 2nd and May 16th e-mails were also addressed? Or did you not transmit those two e-mails to them?

To be “clear”, please advise – and include DOGE Team Member Cavanaugh and his colleagues.

Thank you.

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From: Slavitt, Evan <eslavitt@cpb.org>
Sent: Tuesday, May 20, 2025 3:43 PM
To: Center for Judicial Accountability, Inc. (CJA) <elena@judgewatch.org>

Subject: RE: Your April 29, 2025 e-mail to the CPB to "learn more about [it]" and "get[]" a DOGE team assigned"

Just to be clear, I have reviewed your allegations and I find them to be without merit.

Evan Slavitt
Executive Vice President and General Counsel
eslavitt@cpb.org
(work) 202/879-9715
(cell) 781/710-0714



From: Center for Judicial Accountability, Inc. (CJA) <elena@judgewatch.org>
Sent: Tuesday, May 20, 2025 3:40 PM
To: nate.cavanaugh@gsa.gov

Cc: justin.fox@gsa.gov; Justin.W.Almonetti@doge.eop.gov; jonathan.mendelson@gsa.gov; Slavitt, Evan <eslavitt@cpb.org>

Subject: Your April 29, 2025 e-mail to the CPB to "learn more about [it]" and "get[] a DOGE team assigned"

TO: Nate Cavanaugh/DOGE Team Member Working at the General Services Administration

Three days after you sent your April 29th e-mail to the Corporation for Public Broadcasting (CPB) requesting “a meeting...to learn more about [it]and getting a DOGE team assigned” – to which CPB Executive Vice President/General Counsel Evan Slavitt responded by an April [30]th e-mail, declining same – I spoke with Mr. Slavitt by phone about the above-attached February 18th letter to House DOGE Subcommittee Chair Marjorie Taylor Green and Federal Communications Chair Brendan Carr, which I then sent him by a [May 2nd e-mail](#) entitled “CPB's Stewardship of Taxpayer Monies – Halting Funding to Poynter Institute, NPR, PBS, & NY's Local ‘Public Media’, & Firing the CPB Inspector General – All Mandated by CJA's February 18, 2025 Letter”.

The e-mail was for CPB’s Board of Directors and its President, in addition to Mr. Slavitt, but I received no response from anyone – and, [on May 16th, sent an e-mail](#) inquiring about this and identifying what appears to be more fraud and misappropriation at the CPB – this relating to CPB’s “official history of public broadcasting” which it has contracted to “update”. As I have also received no response to this May 16th e-mail, I believe you should be alerted to the situation so that appropriate investigation and corrective action can be taken to protect the public and its tax dollars. I am cc’ing Mr. Slavitt so that he can advise about what’s been happening – including as to whether, as expressly requested, the CPB has referred the February 18th letter to Attorney General Bondi.

I am available to answer questions, including under oath – and invite you to call me, no matter how early or late. Below is the original May 16th e-mail, with the May 2nd e-mail beneath it.

Thank you.

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From: Center for Judicial Accountability, Inc. (CJA) <elena@judgewatch.org>
Sent: Friday, May 16, 2025 11:25 AM
To: 'eslavitt@cpb.org' <eslavitt@cpb.org>
Cc: 'josh7759@colorado.edu' <josh7759@colorado.edu>; 'aperlman@uci.edu' <aperlman@uci.edu>

Subject: STATUS? -- CPB's Stewardship of Taxpayer Monies -- Halting Funding to Poynter Institute, NPR, PBS, & NY's Local "Public Media", & Firing the CPB Inspector General -- All Mandated by CJA's February 18, 2025 Letter

TO: [CORPORATION FOR PUBLIC BROADCASTING](#)

ATT: [Board of Directors](#)

Chair Ruby Calvert

Vice-Chair Laura Ross, Esq.

Diane Kaplan

Tom Rothman, Esq.

Liz Sembler

[Corporate Officers & Senior Staff](#)

President/CEO Patricia Harrison

Executive Vice President/General Counsel Evan Slavitt

It has been two weeks since my below May 2nd e-mail with my above-attached February 18th letter, to which I have received no response.

What investigative and corrective steps have you taken – and did they include forwarding my May 2nd e-mail to Attorney General Pam Bondi, as I expressly requested?

Please advise as to the foregoing, without delay, as the “*knowingly* false, corruption-abetting, election-rigging journalism” of local New York NPR/PBS member stations has “continued UNABATED”, as my May 2nd e-mail to you reported – and it has now resulted in the May 8th passage of a \$254 billion New York state budget whose flagrant unconstitutionality, unlawfulness, fraud, and massive larceny their journalism conceals, *in toto*. In the event your examination of the hyperlinks in my [February 18th letter](#) did not lead you to my e-mails to the local New York NPR/PBS journalists and editors, furnishing them with the open-and-shut, primary-source evidence pertaining to the FY2025-26 state budget, the webpages on which they are posted are [here](#) and [here](#) – with my last e-mail, [on April 18th](#), entitled “Fact-Checking Your Journalism on the NYS Budget -- & Now Some New Facts”, stating, by its closing:

“If you have not – as...requested – forwarded [my prior April 7th e-mail] to ‘your editors and to managerial levels of your publications, including your legal counsel, so that there is no question as to culpability for your *knowingly* false journalism, having NO First Amendment protection and entitling the defrauded public to massive compensatory and punitive damages against all involved’, please now forward this e-mail to them.” (italics & capitalization in the original).

Also, I understand that Associate Professors Josh Shepperd and Allison Perlman are “[under contract to co-update the official history of public broadcasting...for the Corporation for Public Broadcasting \(CPB\) and Current](#)”. What does the “official history of public broadcasting” say about the establishment and functioning of the NPR and PBS public editors and the CPB Inspector General? By a [May 5th e-mail](#) I forwarded to them my May 2nd e-mail and its attached February 18th letter, stating that their “update” of these “vital safeguards” in the “official history” would assuredly have to be “revised, dramatically” based thereon. Did they communicate with you about this? I received no response from them – and no response to my follow-up [May 14th e-mail](#) requesting their response by 5 pm yesterday so that I might be guided accordingly.

Is this behavior acceptable to you – and consistent with honest scholarship? Don’t you agree that the “update” of “official history” MUST include the open-and-shut, primary-source evidence furnished by my February 18th letter – and your response to it?

By the way, how much taxpayer money is being paid to these two scholars pursuant to the “contract”?

Please advise as to this, as well.

Thank you.

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From: Center for Judicial Accountability, Inc. (CJA) <elena@judgewatch.org>

Sent: Friday, May 2, 2025 12:35 PM

To: 'eslavitt@cpb.org' <eslavitt@cpb.org>

Subject: CPB's Stewardship of Taxpayer Monies -- Halting Funding to Poynter Institute, NPR, PBS, & NY's Local "Public Media", & Firing the CPB Inspector General -- All Mandated by CJA's February 18, 2025 Letter

TO: [CORPORATION FOR PUBLIC BROADCASTING](#)

ATT: [Board of Directors](#)

Chair Ruby Calvert

Vice-Chair Laura Ross, Esq.

Diane Kaplan

Tom Rothman, Esq.

Liz Sembler

[Corporate Officers & Senior Staff](#)

President/CEO Patricia Harrison

Executive Vice President/General Counsel Evan Slavitt

This follows up my brief phone conversation with Executive Vice President/General Counsel Slavitt, who promptly returned the voice mail message I had left for him, shortly before noon and furnished me with his e-mail address so that I could send him this e-mail, already written. He stated that he had no knowledge of my above-attached and below-described February 18, 2025 letter to House Doge Subcommittee Chair Marjorie Taylor Greene and FCC Chair Brendan Carr.

* * *

I am director and co-founder of the New York-based non-partisan, non-profit citizens' organization, [Center for Judicial Accountability, Inc. \(CJA\)](#) – and am writing in response to your yesterday's press release "[Introducing the Public Media Executives Selected for 2025 Poynter/CPB Fellowship to Strengthen Editorial Leadership](#)".

Did your Inspector General Kimberly Howell not alert you that the Poynter Institute and particularly its vice president and chair of its Craig Newmark Center for Ethics and Leadership, Kelly McBride – who is

also NPR's public editor – have been covering up and perpetuating “*knowingly* false, corruption-abetting, election-rigging journalism” by NPR, PBS, and other “public media” – [the evidence of which I provided](#) to her, to her deputy, William Richardson, III, and, in the first instance, to IG Investigative Counsel Helen Mollick. This is recited by my above-attached February 18, 2025 letter to House DOGE Subcommittee Chair Marjorie Taylor Greene and FCC Chair Brendan Carr entitled “Defunding NPR, PBS – & Firing the CPB's Inspector General, for starters”.

Did no one share the letter with you?

The letter is additionally germane to President Trump's yesterday's Executive Order “[Ending Taxpayer Subsidization Of Biased Media](#)” – and to your [today's responding press release](#).

I look forward to speaking with you about all this – and about the [\\$42,556,210 in taxpayer monies that CPB is giving in “grants and allocations” to New York “public media”](#), whose “*knowingly* false, corruption-abetting, election-rigging journalism” has continued UNABATED, since I first reported it to NPR Public Editor McBride by a [May 8, 2023 complaint](#) and to PBS Public Editor Ricardo Sandoval-Palos by a [May 15, 2023 complaint](#), as recounted by my [February 18, 2025 letter](#). **What oversight and corrective action will you be taking to rectify this catastrophic, democracy-dooming situation – and will it include forwarding this e-mail to Attorney General Pam Bondi so that she can investigate the crimes to which I first alerted the CPB IG's Office more than six months ago, before the November 5, 2024 election. Please deem this e-mail my express request for such forwarding.**

Feel free to call, no matter how early or late – and over the weekend.

Thank you.

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