

CNN's *Inside Politics with Dana Bash*

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17 minutes and 58 seconds

DANA BASH: Welcome to *Inside Politics*. I'm Dana Bash, and the breaking news we are following is — moments ago, my colleague Betsy Klein attempted to get access to the White House. She did so earlier today multiple times, and she was denied despite a court order from a federal judge overnight saying the President's ban was done without constitutionally adequate due process. There you see Betsy in the backpack with the trench coat on. We're just going to follow this because we're getting this in as we speak. She's — she's — she's the one — she's the one to the left. She's talking to the Secret Service, trying to find out if, in fact, the White House is complying with a federal judge's order. We're also waiting to see if our photojournalists, who are trying to get in with her to do their jobs, are able to do it. You see Betsy in the front there. She is walking towards the White House gate, and we are waiting to hear from her what happened when she actually tried to gain access. Just by way of geography, what you're seeing now is her walking, as I said, to the northwest gate. If you're familiar with the campus, the Executive Office Building, the EOB, is to her right, and she's walking to the guard shack that we all go through in order to get all of our bags swept, and just like you would at an airport, going through a — a mag. And generally, for people who have a White House hard pass, which was taken from Betsy and other reporters, you put on the hard pass, you write in, you plug in a pin, and then you go through. We will see what happens any moment now to see if Betsy and others who were banned are able to get in. As we wait to hear from Betsy and our other CNN colleagues who cover the White House. I want to get straight to CNN chief media analyst Brian Stelter and Evan Perez, who covers the Justice Department for us. Evan, let me just start with you because where we are right now is that the judge had — after the news media said, wait a second, the White House isn't complying with this order to let press back in. The judge said, okay, the Trump administration has until 12:30 Eastern to respond, so that is 28 minutes from now. What is your understanding of the current state of the legal issue, but also where we are with the ability to do our jobs covering the President?

EVAN PEREZ: Well, let me be plainly clear here that the Trump administration at this hour is still defying a court order that was issued overnight. There is no reason why the Secret Service, why the White House cannot by this point comply with a court order from a judge, and Judge Tim Kelly was very clear about what this was. He said that the — that the administration is not likely to sustain its arguments here. That there is a constitutional basis for denying press access to the three news organizations that are affected; CNN, *Politico*, and MS NOW. Now, what we're seeing play out here is a bit of a confusing picture because on MS NOW, we're told, on their air, they're reporting that at least one of their reporters who still had their badge, still had access. Their access badge was allowed to enter the White House complex, but other reporters like Betsy are still being denied, at least as of this minute. Betsy, we're told now, has just been able to get in. So, that is an update, and it appears that perhaps now we're not going to have to have a court hearing this afternoon to try to rectify this situation because it's clear that — the judge made clear that the reason for this is that — the reason why he issued a temporary restraining order is that the White House defied and violated the due process rights of the news organizations and the

reporters who filed this lawsuit. They didn't provide any notice ahead of time about curing whatever issue was at hand, and so the judge said that you haven't really complied with the law, and one of the other things is, if you read this ruling —

BASH: Yeah.

PEREZ: — from the judge — from Judge Tim Kelly, one of the most important parts of it is he addresses the national security issue. Remember that one —

BASH: Right.

PEREZ: — that's one of the reasons why the Justice Department says that they could deny press access. I'll read you just what he said. He said, for one thing, nothing in the record suggests that predates this suit suggests that the revocation of plaintiffs' hard passes was motivated by national security concerns. Certainly, it's not what the President said when he announced that he was banning plaintiffs from the White House.

BASH: And, Evan —

PEREZ: Instead — right?

BASH: — Evan, I'm sorry to interrupt you. I just want to let our viewers know what's happening right now. We're looking at the White House briefing room. People obviously recognize that it's from the POV, is from the podium where the press secretary usually stands to the back where the cameras are. And on the left is the door where the White House press corps and everybody walks in to get to not just the briefing room but get to their offices. We're waiting to see Betsy and our colleagues walk in there, hopefully, and that is because you see at the bottom of your screen. Evan mentioned this, but I just want to emphasize and underscore what just happened in the last few seconds. Betsy — oop, I heard a yay. Let's see if we're going to see them. Betsy and our colleagues were finally allowed back onto the White House complex after the President issued this — what the judge said was a ban that was in violation of due process. The President spent all morning defying that federal court order, and now we have a situation where the — where Betsy and our colleagues, and as you were saying, we believe MS NOW, and also *Politico*, have been let in. Betsy, I believe, is now on the North Lawn. That's why we don't see her in the Briefing Room because — Betsy, you are back and you are doing your job from the place that a federal judge said the President was wrong in the way he did it to ban you from doing that job.

BETSY KLEIN: Yeah, Dana, I'm very happy to be getting back to work here. But this happened just a moment ago. We were escorted through the first checkpoint that we had — had a little bit of trouble accessing, even as recently as earlier in the 11:00 hour, but a White House press team staffer came and gave us an escort to that guard house. There, I presented my driver's license and was given back my White House hard pass and then let in through security, and now back here on our Pebble Beach, North Lawn, live shot, but this came, of course, after that judge ruled at 12:58 a.m. overnight that CNN, MS NOW, and *Politico*'s badges needed to be reactivated immediately. We tried just after 6 a.m. We tried again at 8 a.m. and we tried again at 9 a.m. and

then again just around 11:15 this morning, never worked until now. We are back and we are ready to cover the President, but I should note that this comes after the major event of the day. President Trump welcoming China's leader Xi Jinping here to the White House for an official state visit and a very critical set of meetings where they are set to discuss everything from trade and artificial intelligence to national insecurity, that war with Iran that is ongoing, and because the pool had — CNN had not yet been returned to the television pool rotation, there was not network TV pool coverage of that moment, and so, the entire pomp and circumstance of an arrival ceremony. President Trump as well as China's leader Xi Jinping both gave speeches. None of that was on camera today. It remains to be seen whether CNN is indeed going to be included in the network TV pool rotation. But for now, we are back on campus and ready to get back to work.

BASH: Yeah. And ready to get back to work physically on campus. It should be noted, as we have seen, you and our other colleagues have been doing amazing reporting and journalism despite this ban. It's just the fact that it was absolutely wrong, according to a federal judge, not just us, for that to happen. All right, Betsy, don't go too far. We'll come back to you soon. I'm going to get to Brian Stelter in a second, but as we do, Brian, I want to stop and take a breath and take in this extraordinary moment. As we speak, the President of the United States is hosting the Chinese communist leader, and instead of showing him by example how important it was to have a free press and abide by the checks and balances of democracy, he was until just a few moments ago blocking American media and defying a federal judge who ruled the three outlets he banned must be let back in. So, we are talking about a situation where the Chinese state-run media is in the Oval Office, and until moments ago, the American media, part of a free press inside this wonderful democracy we live in, was not there. Brian, I'm going to go to you and pick it up from there.

BRIAN STELTER: That's why this is a symbol of something so much bigger. We are focusing on this and this moment because now there has been a new development. After six hours, these CNN journalists were finally able to get back into the White House grounds. This should have happened very early this morning. Clearly, the White House was defying this order in the same way that judges have said that, on dozens of other occasions, the administration has tested and sometimes defied court orders. This one is very personal for those of us at CNN, also at MS NOW. We're still waiting, by the way, to confirm that *Politico* journalists have been able to get back onto the White House complex, but it's about so much more than these three banned news outlets. This is about the rights of Americans to show up at town hall meetings and at courthouses and at protests and at other public spaces and to be heard. This is about First Amendment rights that all Americans value, and I think we especially value them today. There's an old saying, Dana, that press freedom is your freedom. The reporters are showing up at places like the White House. Yes, you know, it's a good-paying job, and you get to put on makeup, and you get to ask questions of the President, and you get to report on stories and break big news, but we're also there because we're trying to hold the government accountable and inform the public about what's going on. Press freedom is your freedom, and that is why this moment is so important, and it's a symbol of something so much greater than just these three banned news outlets.

BASH: Yeah.

STELTER: By the way, can I mention one more thing, Dana?

BASH: Please, yeah.

STELTER: We still don't know about the TV pool. We need to make this really clear. I've been talking to sources at other networks. Can you help explain that? We need to find out if the pool is going to be allowed to do its normal work now. Yeah.

BASH: So, let's talk about that, Brian, because it also is important to underscore the solidarity that the other networks and even beyond the television networks that other news organizations have shown with CNN, and *Politico*, and MS NOW because everybody understands the stakes that you just described. It's not just about the three of us. It's about the free press writ large, and what we don't know, because as I mentioned, the Chinese President is in the White House, and the CCP state-run TV is also there. We don't know how the CNN process is going to work with the pool. Look, in fairness to all of our colleagues and competitors who have been so wonderful, this is — they're kind of figuring out as they go along, and so we'll see now that CNN and MS have been let back in, how they work that out, especially given we don't know whether or not the White House is going to be okay with CNN getting back in the pool.

STELTER: Yeah. My impression is we will probably hear new guidance from that TV pool. It happens to be chair right now by Fox News.

BASH: Right.

STELTER: Fox News has been a real ally of the — CNN and the other major networks this week. And frankly, Dana, I think that's partly because Fox, yeah, it's thinking about the past and Obama, but it's also thinking about what happens when a Democrat is back in the Oval Office, and whether some Democrat would pull a stunt like this. You know, when it comes to today, however, I think we will hear more about the TV pool shortly, and then again more broadly, what are we going through in America? We're going through a situation where we're seeing examples of democratic backsliding. Yes, this is a democracy, but there are times it's been a healthier democracy. Backsliding is real, and scholars who study autocratic behavior say they see it happening every day, coming out of 1600 Pennsylvania Avenue. So, right now, the last week or so, we've seen it again very clearly. The American press is in a fight to protect its fundamental rights.

BASH: And you just couldn't make this up or script this —

STELTER: Script it better.

BASH: — in a more stark way, and what I mean by that is the fact that it is the leader of China that is at the White House. When I was covering George W. Bush, for example, and we went to China. One of the main messages that he had and other Presidents as well was do not backslide

on freedoms, including freedom of the press, and here we are with an American President doing just that, and that is the example that he has set for the Chinese leadership. It's really remarkable.

STELTER: Can I share one more example from the last 24 hours?

BASH: Please. Sure.

STELTER: I love what happened in Iowa. I'm going to show my cards here, right? The President's been suing news outlets like the BBC and *The Journal*, and *The Times*. He also sued a pollster in Iowa because he was mad about a poll that came out in 2024 that suggested Kamala Harris was going to win the state. That lawsuit went on for a long time. And last night, a judge in Iowa, a district judge, threw out Trump's lawsuit. He dismissed it with prejudice. He said it was nonsense. Another setback for the President's campaign against the media. So, yes, the pressure is real, but the courts continue to uphold the First Amendment in this country, and it's happened again twice in the last 24 hours, Dana.

BASH: Yeah, and I just do want to take a second. You mentioned that Fox D.C. bureau chief Bryan Boughton. I mean, talk about a profile, in courage and doing what is right, and I think that he should be applauded, and he is being applauded across the board. And I — we personally — I personally say thank you to him. Brian, don't go too far because we are still waiting to see what other developments move forward with regard to the pool and other things. In the meantime, I want to bring in Michele Goodwin, constitutional law professor at Georgetown University. Thank you so much for being here, Michele. First of all, your thoughts on where we are and what happens next, because this judge ruling, which the President and the White House finally complied with is only temporary, it's two weeks.

MICHELE GOODWIN: That's right, and this may indeed make its way up to the United States Supreme Court. This is a losing issue for this administration, but as Brian said, this is something that is deeply alarming and quite egregious. It is not a stretch to think about this in conversation with January 6 in terms of thinking about how egregious it is. Let's put this in context. The First Amendment of the United States Constitution was proposed in 1789. That's over 200 — that's 237 years ago. 237 years of understanding freedom of the press, freedom of speech, freedom to petition your government. Let's also understand that it is almost a century of Supreme Court precedent that has further underscored freedom of the press. Explicit cases that have said that, whether it's state legislatures, whether it's the federal government, can't impose what's called prior restraints, which means you can't think that the news media may say something that's unfavorable to a President, to a governor, to a mayor, and say, well, you just can't cover. That is very clear — almost a century of precedent before the United States Supreme Court. So, this is an administration that knew the law was not on its side. This is what we've heard from the federal judge with a temporary restraint injunction against the administration in doing this, but the very fact that it was ignored today by this administration and the White House is alarming.

BASH: I totally agree. It's one thing to violate due process, as this judge said. It was another thing for so many hours for the White House to defy a court ruling. That's just another step in all of the environmental issues that we've been talking about, so to speak. Thank you so much for

being here. Don't go too far because we are continuing to follow what is a moving story. And, coming up, we're going to be following breaking news on President Trump's plan to ban journalists from the White House and other issues that are happening here in New York at the U.N. and in raw politics, as we are not even six weeks before the midterms.

(....)

12:25:41 p.m.

2 minutes and 43 seconds

ALAYNA TREENE: But we were also told, according to a source, that Chinese officials had told people at the White House that they were concerned about the level of coverage as well. And so, I think it's really important to note the timing of this and how people at the White House aren't very happy about it coinciding.

BASH: I'm sorry. I just — that I was sort of laughing out of, I don't even know what, what you just said that it was even the Chinese were concerned about the American media not being in there. I mean, if that doesn't tell you everything you don't know — you need to know. I don't know what does. Speaking of, as we talked about in the last segment, Alayna, because of the defiance of the court order and the pool saying we're not going to cover this. American television media, the parts of the pool who are usually in the Oval Office were not there. The Chinese communist, state-run media cameras were in there, and there's some new reporting from some of the press pool about the President joking about it.

TREENE: Yeah, that's right, and I do want to make clear off the top here what we're — there is a distinction. So, there are print poolers who are inside these events and moving around with the President today. The TV pool, which consists of five networks, CNN, of course, ABC, which is supposed to be the pool today, CBS, Fox News, and NBC, all of them are part of the. You know, any given day, this network is following the President and broadcasting live for all of the other networks to share with them their exact movements. Now, there is no footage today because, as of now, it's still unclear if the White House is allowing CNN back into the pool, but I do want to read for you what we got from a print pooler who is inside the pool. This is what they wrote. This was incredibly remarkable to me. The report reads: "U.S. and Chinese photographers were separated from the pool and brought in for two sprays with the President." That's according to two of the photographers who were present. They said that during the second spray of both of these leaders, President Trump made a joke about how the Chinese had the friendliest press corps. I mean, that is an incredible statement in this — in this pool note from this print reporter. Her name is Kerry Pickett, with *The Washington Times*, and you talked about this, Dana, but I mean, the irony of this is pretty amazing. Particularly you know, as you mentioned, the Chinese, you know, communist party reporters are there, Chinese state media are there. I think there's been no shortage of the coverage of how China has tries to operate the media in their own country, and the President joking about that with the Chinese President about how friendly they are on a day when they are trying to ban some media outlets. Again, I think just pretty remarkable from the reporters inside.

BASH: It's ironic and well beyond that. It's historic and not in a good way.