



Written by [R. Cort Kirkwood](#) on November 20, 2018

White House Caves to CNN, Anti-Trump Media In Charge of Press Room

[The White House cried uncle](#) in its fight with CNN and its White House reporter Jim Acosta yesterday and restored the anti-Trump agitator's press pass. But it also laid out a set of rules he must follow or it will revoke his press pass again.

Those rules also supposedly apply to the rest of the anti-Trump reporters who cover the White House, but in restoring Acosta's pass, which prompted CNN to drop its lawsuit, the White House has given effective control of the press room to Trump's unabashed enemies in the media.

Now, it appears, they're running the show, and the comments they made afterward well prove they know it.

Yesterday's Fight

[The White House suspended](#) Acosta's press pass after a ridiculous, grandstanding performance in which he refused to surrender the microphone to an intern after President Trump said his time was up.

[CNN sued](#), citing violations of the network's and Acosta's First and Fifth Amendment rights. A federal judge, appointed by Trump, [sided with the network](#) and issued a two-week temporary restraining order that put Acosta back to work. The judge noted that the White House, because it did not clearly explain why it revoked Acosta's pass, had trespassed his and the network's "due process" rights under the Fifth. First Amendment claims, the judge said, were shaky.

Yesterday, Trump spokeswoman Sarah Huckabee Sanders and White House communications chieftain Bill Shine [wrote to Acosta](#) to say his pass was suspended as soon the judge's TRO expired at month's end. Acosta, they wrote, had violated the unwritten but widely understood and customary rules for a press conference.

CNN went back to court with a request for the judge to hold an emergency hearing on November 26 to stop the White House action. CNN argued that the White House was attempting to "provide retroactive due process" in detailing the rules that Acosta had broken.

That's when the White House tossed in the towel and [told Acosta his pass was restored](#), albeit with a warning that if he misbehaves again, his pass was gone. Included in the letter was a set of rules White House reporters must supposedly follow.

New Rules

Among the rules Sanders and Shine laid out, [USA Today reported](#), are these:

- A journalist called upon to ask a question will ask a single question and then will yield the floor to other journalists.





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- At the discretion of the president or other White House official taking questions, a follow-up question or questions may be permitted. When a follow up has been allowed and asked, the questioner will then yield the floor.
- “Yielding the floor” includes, when applicable, physically surrendering the microphone to White House staff for use by the next questioner.
- Failure to abide by any of [these] rules may result in suspension or revocation of the journalist’s hard pass.

“If unprofessional behavior occurs in those settings, or if a court should decide that explicit rules are required to regulate conduct there, we will be forced to reconsider this decision,” Sanders wrote.

And she warned Acosta, too: “Should you refuse to follow these rules in the future, we will take action.... The President is aware of this decision and concurs,” the letter said.

The White House isn’t happy with the new rules, she wrote, and imposes them with a “degree of regret.” The White House “would have greatly preferred to continue hosting White House press conferences in reliance on a set of understood professional norms.”

But Acosta and his anti-Trump employer made that impossible. “Given the position taken by CNN,” she wrote, “we now feel obligated to replace previously shared practices with explicit rules.”

ACLU, WHCA: Whatever, We Run the Show

Problem is, the American Civil Liberties Union and White House Correspondents Association essentially told the White House that journalists are in charge of the press room.

“The WHCA had no role in crafting any procedures for future press conference,” its president, [Oliver Know](#), wrote. “For as long as there have been White House press conferences,” the group said, “White House reporters have asked follow-up questions. We fully expect this tradition will continue.”

They do, do they? And if it doesn’t? Does WHCA file a lawsuit claiming a First Amendment right to ask follow-up questions of the president?

In other words, the media seem to have learned nothing from the fight, but thanks to a federal judge who thinks he can rewrite the rules and customs governing the White House press room, they now have the upper hand.

That is, unless Trump does what [he told Fox News’s Chris Wallace](#) he would do if Acosta starts another fight: “We’ll throw him out or we’ll stop the news conference,” Trump warned. “If I think somebody is acting out of sorts, I will leave.”

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