

TRUMP THE TRUTH

Free Expression in the President's First 100 Days



The Freedom
to Write





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Cover photograph: President Trump at the Conservative Political Action Conference. Credit Gage Skidmore.

CONTENTS

| | |
|--|-----------|
| INTRODUCTION | 4 |
| ATTACKS ON THE TRUTH | 6 |
| UNDERMINING THE PRESS | 8 |
| Antagonizing the Press | 8 |
| Attacking Individual Reporters and News Outlets | 9 |
| Calling For Reporters to Be Fired | 10 |
| Threatening to Change Libel Laws | 11 |
| Accusing Media of Lying | 11 |
| Restricting Press Access to the State Department | 13 |
| Other Trends of Concern | 14 |
| INTOLERANCE OF DISSENTING VIEWPOINTS | 15 |
| Responses to Protests | 15 |
| Response to Internal Criticism | 16 |
| GOVERNMENT TRANSPARENCY | 17 |
| Website Data Takedowns | 17 |
| Undercutting Congressional Oversight | 17 |
| Gag Orders on Federal Agencies | 17 |
| OTHER INFRINGEMENTS ON FREE EXPRESSION | 18 |
| Free Expression at the Border | 18 |
| Free Expression, Artistic Expression, and the Budget | 20 |
| ACKNOWLEDGMENTS | 21 |
| APPENDIX: PRESIDENT TRUMP'S 100 DAYS | 22 |
| ENDNOTES | 43 |

INTRODUCTION

This report evaluates President Trump's first 100 days in office from the standpoint of how his words, actions, and policies have affected free expression, including upholding the truth, respect for the work of the press, freedom of assembly, government transparency and access to information, and other areas.

The information compiled in this report provides a snapshot of the beginning of Trump's term. PEN America's key findings include:

- PEN America has catalogued at least 76 instances in which President Trump and/or his Administration have undermined the work of the press in his first 100 days in office. These instances include President Trump's frequent attacks on the media as "dishonest" and denigration of news outlets as "fake news," individual attacks on reporters or media outlets, and restrictions on press access to the Administration. These instances are damaging to the principle that an independent press plays an important role in a democracy by holding elected leaders accountable and providing the public with insight into the workings of government.
- The President's decision to make statements that are demonstrably false, which is documented on a near-daily basis, and to repeat these falsehoods even after they have been repeatedly debunked, undermines the truth, provides fodder for conspiracy theorists, and threatens the basis of democratic debate, which cannot function without a set of commonly agreed-upon facts as the basis for further discussion.
- Statements by the President and some lawmakers suggesting that protest participants have been paid or are "professionals," without evidence to support the claim, delegitimize the constitutionally-protected expression of dissenting viewpoints and may feed into efforts by states to roll back protections on the right to peaceful assembly.
- The White House's rejection of expressions of disagreement from inside the government risks sending a message to government employees that efforts to debate or challenge policies may put their jobs at risk.
- Initial indications that some government transparency measures are being rolled back—such as ending the practice of releasing White House visitor logs and the removal of previously publicly available data from executive agency websites—raise concerns that the public's right to access information about the government's activities is being infringed upon.

It is not normal for the President of the United States to refuse to offer even passing respect to the idea that telling the truth matters. It is not normal for the President to pretend that any news coverage he dislikes is "fake news" that has been fabricated by reporters who made up the story as well as their sources.

- Proposals to require travelers entering the United States to give border agents access to their personal devices, including passwords to social media accounts, could have a widespread chilling effect on speech and would violate travelers' human rights to privacy and free expression.

Much discussion has been devoted to how much damage will be done by the President's disregard for the truth and attacks on the press as the "enemy of the people." Trump is certainly not the first president to ever make a false statement. President Obama, who ran on a promise of transparency, also had a contentious relationship with the press. And his Justice Department faced withering criticism for pursuing more leaks prosecutions—several of which implicated journalists in ways that raised serious press freedom concerns—under the Espionage Act than all others combined.¹

There are some early signs that the public is losing confidence in Trump's trustworthiness, and that his efforts to undermine the press have not had much impact to date—although public trust in the media was already at historic lows, and news institutions have their own work to do to rebuild that trust. A recent Vanity Fair/60 Minutes



Women's March protesters, San Diego, California, January 21, 2017

poll indicated that support for press freedom may be declining among Republicans, 36% of whom said it “does more harm than good.”² Journalists have, for the most part, responded to his efforts to attack their credibility and denigrate their work by simply continuing to do their jobs—and by all accounts, this Administration’s publicly voiced hostility to the media does not impede them from talking, frequently and in great numbers, to reporters. The Administration also deserves some praise for measures like making White House briefings more accessible to reporters based outside of Washington with the addition of “Skype seats” in the briefing room.³

Some have even argued that Trump’s public attacks on the press are mostly for show and that, in private, he and his Administration are engaging intensively and often cooperatively with members of the press in an effort to shape and burnish his image.⁴ Regardless of whether and to what degree that is true, the messages and attitudes conveyed publicly by the White House have broad and damaging repercussions. Many policymakers from both parties have continued to defend the role of the press

in a free society, and to insist that facts, not propaganda, form the basis of political debate and decision making. The American public is also rising to the challenge, turning out in the streets to protest policies with which they disagree, contacting their representatives and packing town hall meetings, and making their voices heard at a level not seen for many years.

These early indications of resistance are heartening. But they should not obscure the fact that what this Administration is doing—the relentless lies, the constant efforts to chip away at public support for the press and trust in their reporting, the dismissal of peaceful public demonstrations as illegitimate—is not normal. It is not normal for the President of the United States to refuse to offer even passing respect to the idea that telling the truth matters. It is not normal for the President of the United States to pretend that any news coverage he dislikes is “fake news” that has been fabricated by reporters who made up the story as well as their sources. It is harmful to our democracy and to our respect for the Constitution, and we all—whatever our political affiliation—must continue to stand up and say so.

ATTACKS ON THE TRUTH

A unique challenge posed to free expression by President Trump is his propensity to lie. President Trump's tendency to make statements that are verifiably false has been well-documented in the press. Both the *Toronto Star* and *The Washington Post* keep running tallies of the President's falsehoods; as of Apr. 26 the *Star* had counted 212 "bald-faced lies, exaggerations and deceptions the President of the United States of America has said, so far," and *The Post* had listed 414 "false or misleading claims."⁵ He lies so much that it has spurred efforts to create a more precise terminology to refer to the variety of falsehoods he utters—"untruths," "debunked claims," "claims with no evidence," "unverified claims," and plain old lies.⁶

It is possible, indeed likely, that some of the President's falsehoods are uttered without the active intent to mislead. But it is also undeniable that there is malice behind many of Trump's false claims. After all, well before deciding to run as a candidate for office, Trump was well-known as a leading voice of the "birther" conspiracy, in which he for years repeated the lie—without any evidence to support it, and abundant evidence to refute it—that President Barack Obama had not been born in the United States, an effort to delegitimize his presidency. Trump was the face of an ugly campaign to demand that the first black President of the United States show his papers. And even when his tireless taunting succeeded in forcing the release of Obama's long-form birth certificate, which proved once again that he was born in the state of Hawaii, Trump continued to insist upon his own lie.⁷ Only when it became politically expedient for him to abandon the lie did he do so, in September 2016—more than five years after first endorsing the conspiracy theory—when he begrudgingly said, "President Obama was born in the United States, period," without an apology.⁸

The implications of the President's habitual falsehoods for free expression are dire. It is, of course, true that the First Amendment fully protects citizens' rights to tell lies. All politicians stretch the truth, and tell the occasional whopper. But Trump—the President of the United States, the Commander in Chief of the U.S. Armed Forces, and the most prominent public representative of America to the rest of the world—lies as a matter of course, with no apparent concern for whether his statements have any basis in reality, no hesitation to make an assertion on a topic he is unfamiliar with, and no remorse or even acknowledgment when his statements are proved to be false. Trump has been known to repeat contentions from certain news and information outlets known for hyperbolic and false claims without verification, elevating tabloid-type sensationalism and baseless hype to the level of

a presidential pronouncement. Presidents are expected to try to elevate the quality of political discourse, to remind us of our shared principles and values. Trump's lies cheapen and degrade our politics and the ideals that undergird the nation.

To illustrate the serious consequences wrought by Trump's untruths, however casually he asserts them, consider his lie that millions of people voted illegally in the 2016 election, a claim he first made on Twitter on Nov. 27.⁹ He has repeated this lie several times, on some occasions also claiming—without any evidence—that those who voted illegally were undocumented immigrants.¹⁰ The lie appears to have originated from Infowars, a conspiracy theory site run by radio host Alex Jones, who also claims the Sandy Hook school massacre was a hoax, and that both the 1995 Oklahoma City and the Sept. 11, 2001 terrorist attacks were orchestrated by the U.S. government.¹¹ Trump appeared on Jones' radio show as a candidate and told Jones, "Your reputation is amazing."¹²

Trump's claim of illegal voters has been thoroughly refuted by political and electoral officials from both parties, as well as by Trump's own lawyers, who stated in a court filing opposing a recount in Michigan that "All available evidence suggests that the 2016 general election was *not* tainted by fraud or mistake [emphasis in original]."¹³ However, while there is not a shred of evidence that widespread voter fraud exists in the United States, Trump's power as President allows him to propagate the lie at will—including by having his Press Secretary, Sean Spicer, scramble to defend his claim to the press corps, and announcing in February that he would set up a commission headed by Vice President Mike Pence to investigate voter fraud.¹⁴ His claim has also lent a clever justification to the efforts of some state lawmakers to tighten voting laws in ways that could have a demonstrable impact on the ability of millions of U.S. citizens to vote: In Arkansas, Iowa, Nebraska, and New Hampshire, proposals to make it harder to vote by requiring voters to show identification or through other restrictions have been justified by lawmakers due to the "perception" of widespread fraud, even as they acknowledge there is in fact no widespread fraud.¹⁵

Thus, a false claim made by Trump—most likely motivated by his pique at losing the popular vote by nearly three million votes—has undermined the integrity of the entire U.S. electoral system, lent a veneer of legitimacy to a conspiracy theorist, and provided a rationale for introducing new state laws to restrict voting rights.

Relentless lies spread from the highest levels of government damage our ability to have a reasoned discussion grounded in truth—in verifiable, commonly accepted facts. Trump's falsehoods are an attack on the very idea that truth exists. Democracy cannot survive in a climate where nothing is true, nothing is provable beyond doubt, no evidence is sufficient to establish a claim as fact. Authoritarian leaders know how powerful it is to weaponize the truth—to



erode public confidence in all objective sources of information, to persuade them that nothing and no one else can be trusted but himself. Vladimir Putin, like his Soviet forebears, is a master of this form. President Trump is not an authoritarian ruler—not yet. It is not even clear that this is his aim. But his reckless disregard for the truth puts the country on a perilous path, opens the door for present or future authoritarian tendencies to take root, and makes it harder for the U.S. to challenge the falsehoods uttered by Putin and those like him.

The President's willingness to lie requires a forceful, sustained response from everyone if we are to prevent the complete breakdown of democratic discourse and the ability to identify common ground on which to build. Those who bear the highest responsibility to stand up and correct his falsehoods, as often and as loudly as necessary, are those in government, most especially his own staff and the elected representatives of the Republican party. Loyalty to one's party or one's boss cannot be allowed to outweigh the basic obligation to distinguish between what is true and what is false. Everyone, whatever one's level of political engagement or party affiliation, must stand firm for the truth.



Top: Joint press conference, Secretary of State Rex Tillerson and Japanese Foreign Minister Fumio Kishida, March 16, 2017.

Bottom: Joint press conference, President Trump and Italian Prime Minister Paolo Gentiloni, April 20, 2017.

UNDERMINING THE PRESS

An evaluation of President Trump's first 100 days with the press betrays a worrying picture of a White House that sees probing, critical journalism as an offense warranting punishment, whether by public insults and denigration of reporters, efforts to damage journalists' reputations, or overtures to influence coverage or deny media platforms to critics. Trump is far from the first President to be unhappy with the media's coverage of his Administration. He is within his rights, as is anyone else, to take issue with negative coverage. Many of his comments and complaints about the media, as presented here and in the accompanying appendix to this report cataloguing 76 instances in which the President and/or his administration have undermined or denigrated the work of the press, would be of limited concern if they were isolated incidents; not all of the President's tactics and insults lack precedent in prior Administrations. But their frequency and intensity, taken as a whole, presents a foreboding picture of a President unwilling to submit to the type of harsh scrutiny that presidential power entails. In his first 100 days, Trump has openly declared the media the "enemy of the people," and has targeted individual reporters and news outlets for criticism and retribution on the basis of their reporting, a tendency also shown by some of his staff. He has also repeatedly accused the media of intentionally lying and fabricating their stories and sources, and his Administration has attempted to undermine the press' ability to operate in other ways, including through restrictions on access to White House staffers and events.

These actions and statements undercut the principle that an independent press plays an important role in a democracy by holding elected leaders accountable and providing the public with insight into the workings of government. There is virtually no acknowledgment, much less appreciation, that the role of the press as a watchdog requires critical reporting, including many stories the White House will dislike. Fortunately for the American public, to date the media is holding firm and carrying out their work of providing probing coverage of the Trump Administration. This is to be celebrated, but the potential for the Trump Administration's treatment of the press to damage press freedom is undeniable. The steady stream of vitriol directed at journalists may eventually begin to chill aggressive reporting, or presage future efforts to constrain the press with legal action or leak investigations. The President's behavior risks giving license to members of Congress, mayors, CEOs and foreign leaders who seek to deflect and discredit critical coverage. And the near-daily accusations that the press is publishing "fake news" are a deliberate, and dangerous, effort to mislead and confuse

the public and undermine support for the mainstream media and for the freedoms that undergird their work. While it is too soon to say for sure, there are grounds for concern that Trump's outlook on the media may gain traction, causing people to lose trust in facts, and withdraw from consuming and paying for news, resulting in a less-informed American public. All who value our shared democratic principles must remain vigilant and actively defend press freedom so journalists can continue to do their essential work.

Antagonizing the Press

From his first days in office, Trump and his staff have taken an antagonistic stance towards the press, not only criticizing their coverage of the Administration but positioning them as the enemy. One day after his inauguration, while speaking to Central Intelligence Agency employees, Trump referred to his "running war with the media...They are among the most dishonest human beings on earth."¹⁶ On Jan. 25, Steve Bannon, Trump's chief strategist and senior counselor, told *The New York Times* reporter Michael Grynbaum that "The media should be embarrassed and humiliated and keep its mouth shut and just listen for a while," adding, "I want you to quote this. The media here is the opposition party."¹⁷

On Feb. 6, Trump accused the media of deliberately failing to cover terror attacks in a speech given to members of the armed forces at MacDill Air Force Base in Florida, saying, "Radical Islamic terrorists are determined to strike our homeland, as they did on 9/11, as they did from Boston to Orlando to San Bernardino and all across Europe. You've seen what happened in Paris and Nice. All over Europe it's happening. It's gotten to a point where it's not even being reported. And in many cases, the very, very dishonest press doesn't want to report it. They have their reasons and you understand that."¹⁸

Trump made his views even more plain in a February 17 Twitter post proclaiming "The FAKE NEWS media (failing @nytimes, @NBCNews, @ABC, @CBS, @CNN) is not my enemy, it is the enemy of the American people!"¹⁹ He reiterated this claim a week later in a speech to the Conservative Political Action Conference (CPAC) on February 24, stating, "A few days ago I called the fake news the enemy of the people. And they are. They are the enemy of the people. Because they have no sources, they just make 'em up when there are none."²⁰ Later that day, he tweeted that "FAKE NEWS media knowingly doesn't tell the truth. A great danger to our country."²¹ The phrase "enemy of the people" has a long history of use by autocrats the world over, most notably as a phrase weaponized by Soviet leaders to label dissenters as disloyal to the country.²²

Steve Bannon also made an appearance at CPAC at which he attacked the press as "corporatist, globalist media that are adamantly opposed to an economic nationalist agenda like Donald Trump has," following up with, "Donald Trump is going to continue to press his agenda, and as



Steve Bannon, Reince Priebus, and Matt Schlapp at the Conservative Political Action Conference, February 23, 2017

economic conditions get better, as more jobs get better, they [the media] are going to continue to fight. If you think they are going to give you your country back without a fight, you are sadly mistaken.”²³ Some have argued that the term “globalist” has anti-Semitic undertones.²⁴

For a sitting President of the United States to declare a war on the media, and bluntly label them the “enemy of the people,” amounts to an astonishing attack on the fundamental American value of freedom of the press. The shared understanding that the media play an important role in ensuring government transparency and, by extension, the public’s ability to hold its leaders accountable, is built into the founding principles of the US Constitution and Bill of Rights. President Trump is under no obligation to praise the media’s reporting on his Administration, and is free to debate it and dispute it as much as any other citizen. But he holds a solemn duty as the country’s highest elected official—who has pledged an oath to uphold the Constitution, including the First Amendment—to evince respect for the free press as a vital democratic institution. As an official who controls the use of force in this country, his excoriations and veiled and actual threats carry enormous weight.

Far from recognizing this duty, the Trump Administration’s first 100 days have been laced with attacks on individual reporters and news outlets, questioning whether reporters should be fired, accusing the media of lying and fabricating

stories, suggesting libel laws should be changed, and constraining press access to the White House.

Attacking Individual Reporters and News Outlets

Building on a pattern manifest during his 2016 campaign, President Trump has berated reporters during White House press conferences on several occasions. On Jan. 11, just nine days before taking office, then-President-elect Trump held his first press conference in several months. When CNN’s Senior White House Correspondent Jim Acosta tried to ask him a question, Trump angrily cut him off, saying “Your organization is terrible...I am not going to give you a question. You are fake news.”²⁵ Acosta said Sean Spicer then threatened to throw him out of the room if he tried to ask another question.²⁶ In another press conference on Feb. 16, a question from Acosta prompted a tirade against CNN’s coverage. President Trump railed against CNN’s bias, dishonesty, and “hatred,” including an apparent reference to “hatred and venom coming from” Don Lemon, and mused, “The public gets it, you know. Look, when I go to rallies, they turn around, they start screaming at CNN. They want to throw their placards at CNN, you know,” presumably referring to campaign rallies where then-candidate Trump would often point to the press pen and encourage the crowd to jeer them.²⁷

At the same February press conference, Trump attacked Jake Turx, a reporter for an Orthodox Jewish weekly, *Ami*

Magazine. Turx, who later said he “had spent an hour crafting a question about a recent surge of anti-Semitism, with a preamble that he hoped would convey his supportive disposition toward Mr. Trump,” began to ask the President that question, only to be cut off by his demand that Turx “sit down.”²⁸ Without allowing Turx to ask the rest of his question, Trump began to complain:

“See, he lied about—he was going to get up and ask a very straight, simple question. So, welcome to the world of the media. But let me just tell you something, that I hate the charge. I find it repulsive. I hate even the question...you heard Netanyahu yesterday—did you hear him? Bibi, he said, ‘I’ve known Donald Trump for a long time,’ and then he said, ‘Forget it.’ So you should take that, instead of having to get up and ask a very insulting question like that. See, it just shows you about the press but that’s the way the press is.”²⁹

The Anti-Defamation League and the head of the American Jewish Committee reacted to the incident with dismay, questioning why the President had so harshly shut down a reporter asking about a wave of bomb threats against Jewish community centers.³⁰ Turx said he spoke to White House staff members after the press conference and that he felt confident the White House would give “the proper help, guidance, and collaboration” on anti-Semitism.³¹

White House Press Secretary Sean Spicer has also engaged in alleged acts of retribution aimed at reporters who have published critical stories. On Feb. 24, Spicer refused to allow reporters from *The New York Times*, BuzzFeed News, CNN, *The Los Angeles Times*, *Politico*, the BBC and *The Huffington Post* to attend a regular but informal White House briefing known as a press gaggle. Many of the excluded outlets had been repeatedly singled out for criticism by the President and his staff, including CNN and *The New York Times*. Reporters from CBS, Hearst Newspapers, NBC, Fox, ABC, One America News Network, *The Wall Street Journal*, McClatchy, Breitbart, the Associated Press, *Time*, and *The Washington Times* were invited to attend.³² AP and *Time* reporters declined the meeting in solidarity with the excluded media outlets, and *The Wall Street Journal* and McClatchy later said they had not realized other reporters were being barred from the briefing and that they would refuse to participate in closed briefings in future.³³ The White House denied that any outlets were excluded in retribution for unfavorable coverage, but the incident sparked widespread protest from news organizations as well as the White House Correspondents’ Association board and the National Press Club.³⁴ Furthermore, as several media law experts have noted, if the decision to exclude certain outlets from the briefing was in fact motivated by the White House’s displeasure with those outlets’ coverage, it may constitute a violation of the First Amendment.³⁵

Also in late February, Spicer was accused of planting a negative story about a *Politico* reporter who wrote about Spicer’s harsh treatment of his staff. While reporter Alex Ilenstadt was working on the story (which included the claim that Spicer checked staffers’ phones to look for evidence that they were leaking to the press), he called Spicer to ask a question about a claim that he had reduced a staffer to tears with his criticism. During the call, Spicer reportedly said that the only time he remembered this staffer crying was after the death of Navy SEAL Ryan Owens. Ilenstadt then laughed “at the vehemence with which Spicer was disputing his reporting.” Spicer seized on the laughter and accused Ilenstadt of laughing at Owens’ death, suggesting he might pitch that story to a reporter. After Ilenstadt’s story about Spicer was published on Feb. 26, Spicer sent him an email in which he referenced the accusation regarding Ilenstadt’s laughter and said he “will be sure to get that out.” A few hours later, the *Washington Examiner* published a short piece titled “Claim: Reporter laughs at Trump aide’s emotion over SEAL death,” citing “anonymous White House officials” as the source.³⁶

Trump’s personal lawyer Michael Cohen, who has a long history of threatening and filing libel suits on Trump’s behalf, appeared to threaten MSNBC’s Joe Scarborough with possible legal action after the Morning Joe host tweeted about Trump’s leaked tax returns from 2005, which were featured on the Rachel Maddow Show on Mar. 14.³⁷ Scarborough speculated that Trump had leaked them himself, choosing a tax return that did not make him look bad “to distract from Russia hearings and the Trumpcare meltdown.”³⁸ Cohen responded on Twitter, “As #potus @realDonaldTrump personal attorney, I know who has his taxes. You better have proof to back up your claim and big mouth!”³⁹ Scarborough appeared unfazed, telling Cohen to “read the First Amendment” and to “Save your dumb thug routine for someone who gives a damn.”⁴⁰

Calling For Reporters to Be Fired

Several members of President Trump’s staff have publicly questioned why reporters who cover the Trump Administration, or who covered his campaign, have not been fired—either for their failure to predict that Trump would win the election, their coverage suggesting Clinton was likely to win, or for supposed bias towards Clinton. In the same Jan. 25 interview with *The New York Times* where he called the media the “opposition party,” Steve Bannon said, “The mainstream media has not fired or terminated anyone associated with following our campaign. Look at the Twitter feeds of those people: They were outright activists of the Clinton campaign.”⁴¹ White House official Kellyanne Conway extended the argument during a Jan. 29 appearance on Fox, saying, “There’s no question that when you look at the contributions made by the media, money contributions, they went to Hillary Clinton...Not one network person has been let go. Not one silly political analyst

and pundit who talked smack all day long about Donald Trump has been let go.”⁴² Complaining of media bias and incompetence is fair game, although it should be noted that most major news outlets have stringent ethics codes and conflict of interest rules that forbid political and news reporters from donating to political candidates. However, repeated demands by senior White House officials for journalists to be fired are an intimidating form of improper government interference in the workings of independent media outlets. Coupled with attacks on individual journalists, the White House comments could be taken as indications of unwillingness to deal with particular news reporters, and de facto efforts to influence media outlets’ personnel decisions which, pursuant to press freedom principles, must be free from government dictates.

Jared Kushner, the President’s son-in-law and Senior Advisor at the White House, met with Time Warner Vice President of Corporate Marketing and Communications Gary Ginsberg in February. Time Warner is the parent company of CNN. According to *The Wall Street Journal*, Kushner “expressed the Administration’s deep concerns about CNN’s news coverage” during the meeting. *The Journal* also reported that Kushner “has taken issue with specific CNN contributors including Van Jones, a Democrat who served in the Obama Administration, and Ana Navarro, a Republican strategist, who have each criticized Mr. Trump in harsh terms,” though Kushner denied mentioning CNN contributors by name to Ginsberg.⁴³ Kushner did, however, ask CNN’s President Jeff Zucker why Jones and Navarro had not been fired during a breakfast with him shortly after Trump was elected, in late 2016.⁴⁴ Moreover, Kushner’s meetings with top CNN executives took place as AT&T and Time Warner, which owns CNN, sought government approval for their proposed merger, subject to approval by antitrust authorities in Trump’s Department of Justice.⁴⁵ Trump has repeatedly stated his opposition to the merger.⁴⁶ Kushner’s complaints to CNN about their coverage of Trump, at a time when their parent company is seeking government approval for a major merger, carry with them the implicit threat that if CNN fails to address his concerns, it may impact their business prospects. This is a blatant abuse of Kushner’s position as a public servant.

Threatening to Change Libel Laws

During his campaign, Trump famously vowed to “open up” libel laws “so when *The New York Times* writes a hit piece which is a total disgrace or when *The Washington Post*, which is there for other reasons, writes a hit piece, we can sue them and win money instead of having no chance of winning because they’re totally protected,” as he said at a February 2016 rally in Texas.⁴⁷ As President, Trump has returned to the theme, tweeting on March 30, “The failing @nytimes has disgraced the media world. Gotten me wrong for two solid years. Change libel laws?”, linking to a *New York Post* article that criticized the *Times*’ coverage of

the President.⁴⁸ Trump does not have the ability to change libel laws in the United States; that power lies with the states, and is also restricted by the Supreme Court’s decision in *Sullivan v. New York Times*. However, the simple threat of trying to do so, made by the President of the United States, could have a serious chilling effect, particularly given Trump’s well-known history of bringing libel suits prior to assuming the presidency.⁴⁹

Accusing Media of Lying

President Trump criticizes the media for “lying” or being “dishonest” on a near-daily basis, in response to news coverage of him or his Administration that he considers negative or unfair. Trump also labels as “fake news” many stories he dislikes. The term “fake news” initially gained prominence immediately following the election, and referred to false reports designed to look like articles from reputable news sites that circulated online during the campaign. However, President Trump (and many other politicians) almost immediately co-opted the term and applied it to any news coverage he disliked; for example, this tweet from Mar. 23 in reaction to reports on NBC and ABC about allegations that Trump campaign staffers had connections to the Russian government:⁵⁰ “Just watched the totally biased and fake news reports of the so-called Russia story on NBC and ABC. Such dishonesty!”⁵¹ Many of his staffers also apply the “fake news” label freely to any negative reports about the White House.⁵²

Sebastian Gorka, deputy assistant to the President, gave a revealing glimpse into the reasoning behind this rhetorical tactic—and the Administration’s attitude towards the press—in an interview with conservative radio host Michael Medved. Pressed on Trump staffers’ frequent attempts to dismiss any unfavorable coverage as “fake news,” Gorka responded, “There is a monumental desire on behalf of the majority of the media, not just the pollsters, the majority of the media to attack a duly elected President in the second week of his term. That’s how unhealthy the situation is and until the media understands how wrong that attitude is, and how it hurts their credibility, we are going to continue to say, ‘fake news.’” In other words, Gorka believes that critical reporting on the presidency is “unhealthy” and that it is appropriate for White House staff to attempt to denigrate and discredit the media until they stop presenting unfavorable information or reporting critically, regardless of how factual that coverage is.⁵³

The President’s repeated, relentless accusations that the press is lying and/or fabricating its reports are extremely dangerous, and have the potential for significant cumulative impact. While every president has an at times contentious relationship with the media, and will inevitably challenge particular reports about his or her Administration, it is unprecedented for a president to habitually dismiss any and all critical news coverage as flat-out lies

Trump’s rhetoric, despite its off the cuff feel, is a calculated effort to diminish the influence of the media as a purveyor of information and to convince Americans that the media does not have their best interests at heart.

by the press. This is an intentional campaign to undermine the public’s trust in the media, impair the dissemination of factual information, cloud public faith in the institutions and structures of society (because people cannot trust institutions if they do not trust the information they receive about them) as well as to weaken public support for the principle that a healthy democracy requires an independent, aggressive press. Trump’s rhetoric, despite its off the cuff feel, is a calculated effort to diminish the influence of the media as a purveyor of information and to convince Americans that the media does not have their best interests at heart. He admitted as much at CPAC in February with these remarks:

I’m not against the media, I’m not against the press. I don’t mind bad stories if I deserve them. And I tell ya, I love good stories, but we don’t go- I don’t get too many of them. But I am only against the fake news, media or press. Fake, fake. They have to leave that word. I’m against the people that make up stories and make up sources... I love the First Amendment; nobody loves it better than me. Nobody. I mean, who uses it more than I do? But the First Amendment gives all of us—it gives it to me, it gives it to you, it gives it to all Americans, the right to speak our minds freely. It gives you the right and me the right to criticize fake news and criticize it strongly. And many of these groups are part of the large media corporations that have their own agenda and it’s not your agenda and it’s not the country’s agenda, it’s their own agenda. They have a professional obligation as members of the press to report honestly. But as you saw throughout the entire campaign, and even now, the fake news doesn’t tell the truth. Doesn’t tell the truth.⁵⁴

Trump’s claims of support for the First Amendment, coupled with his criticism of the “fake news” media, are an effort to draw a distinction between a select few journalists and outlets the President sees as “honest,” and the “lying media” that makes up its stories and is intentionally trying to mislead the public. This distinction is relevant because Trump systematically denigrates any critical news coverage as “fake news,” and has repeatedly accused the *New York Times*, the *Washington Post*, and CNN of dishonesty

and publishing “fake news.” The implicit suggestion is that these outlets (and the majority of the mainstream media) do not deserve the respect and legal protections due to the “honest” press. While we don’t yet know the full impact of Trump’s statements on public attitudes toward the media, popular esteem for the press and journalists is relatively low to begin with.⁵⁵ Coupled with his suggestions that libel law should be reformed to make it easier to sue the media and win, Trump’s unbridled hostility towards the “dishonest” press is creating fertile soil for an effort—by himself or some future political leader—to roll back press freedom in the United States. Around the world, authoritarian leaders have historically used crises to justify restrictions on the press and media blackouts. While such tactics may seem far-fetched in the United States, if Trump is successful in undercutting public support for the role of the press we may not be able to rest assured that public outcry would make such restrictive measures politically impossible here.

Trump’s willingness to undermine the media’s credibility by throwing the “fake news” label around has serious global consequences as well. In early April, evidence that the Syrian government had used a deadly chemical weapon, sarin gas, against its own people emerged in the form of news reports, horrifying photographs, and video footage of dead adults and children. In response, the U.S. launched a missile strike on a Syrian military airfield on Apr. 6. Syrian President Bashar al-Assad and Russian President Vladimir Putin (a key Assad ally) criticized the strike and said the evidence of the chemical attack had been faked to provide a pretext for the U.S. strike. Assad, in an interview with Agence France-Presse, said, “We don’t know whether those dead children were killed in Khan Sheikhoun; were they dead at all?”⁵⁶ Putin went further, claiming the U.S. was already planning to fake more chemical attacks in Syria, telling a reporter, “We have information that a similar provocation is being prepared ... in other parts of Syria including in the southern Damascus suburbs where they are planning to again plant some substance and accuse the Syrian authorities of using [chemical weapons].”⁵⁷

The best evidence available to President Trump in challenging claims that the attacks were a false flag operation came from the reporting of leading independent news organizations, as well as information from U.S. intelligence services that he can share with Congress (and where

possible, declassify and share with the public as well). Trump has routinely denigrated both of these institutions, but trustworthy reporting from investigative journalists and vetted information from the intelligence community are key components of presidential credibility, and presidential credibility is in turn vital to navigating the potential foreign policy crises that loom in Syria, North Korea, and Ukraine. Yet Russian media outlets turned Trump's tactics against him. As the Kremlin-friendly *Izvestia* newspaper put it, "Apparently it was for good reason Donald Trump called unverified information in the mass media one of the main problems in the U.S."⁵⁸

Restricting Press Access to the State Department

Trump's Secretary of State Rex Tillerson has a dismal record on facilitating press access to the State Department. Since 1953, the Department has held daily press briefings as a means of communicating U.S. foreign policy to journalists, the American public, foreign governments, and international observers.⁵⁹ While Tillerson was confirmed as Secretary on Feb. 1, his State Department did not resume briefings until Mar. 7, and to date has held a total of just 15 briefings in nearly eight weeks.⁶⁰

Tillerson has also shown reluctance to travel with a press pool, an arrangement that facilitates journalists being at hand at all times during a diplomatic trip that may produce news at unexpected moments. Only one reporter was included on his March trip to China, Japan, and South Korea, Erin McPike of the Independent Journal Review, a little known publication with limited distribution. McPike had written a flattering piece on Tillerson and his influence with the President two weeks before the trip.⁶¹ Only two reporters, from Reuters and Fox, were allowed in the pool on a late March trip to Turkey and Belgium.⁶² Tillerson has brushed off concerns about the lack of press access to his team without acknowledging the responsibilities of government officials to communicate with the public, saying "I'm not a big media press access person. I personally don't need it."⁶³ Tillerson's remark suggests that he sees press coverage as a means of self-promotion. While that perspective might have been applicable to his previous role as the CEO of Exxon, press coverage of US diplomacy is not about burnishing the public persona of the Secretary of State. Tillerson has also claimed he is trying to "save money" by not bringing a large press pool on trips, arguing it allows him to travel in a smaller plane. However, news outlets traditionally pay the full costs of reporters' seats on the Secretary of State's plane.⁶⁴

On several occasions, Tillerson has cut reporters off or refused to answer their questions. At the G-20 meeting in Germany in February, Tillerson met with his counterpart Sergey Lavrov of Russia. At the beginning of these meetings, the officials typically pose for press photos and take a question or two from reporters. However, when meeting with Lavrov, State Department press aides ushered

reporters out of the room after Lavrov's opening remarks, without allowing them to ask any questions. Lavrov, reportedly irritated, asked Tillerson, "Why did you shush them out?" but no reporters remained in the room to hear Tillerson's answer.⁶⁵ During a similar meeting with the UK's Foreign Secretary Boris Johnson, Tillerson simply ignored reporters who asked him questions.⁶⁶ In March, during a State Department press appearance featuring Tillerson and Ukraine's Foreign Minister Pavlo Klimkin, Tillerson ignored questions from NBC's Andrea Mitchell about China and Russia. As she continued to direct questions to him and to Klimkin, Tillerson's aides insisted that Mitchell leave the room.⁶⁷

The lack of press access to the State Department is of special and unique concern. As the Secretary of State, Tillerson is the chief diplomat of the United States, and the representative of all Americans abroad. He works for the American people, who have a right to know what he says and does in our name. Without independent reporting on his activities, including the meetings he takes, the summits he attends, and his visits to foreign countries, the American people are deprived of crucial knowledge that should inform public debates over foreign policy decisions that could shape our nation and its relationship with the rest of the world for decades to come.

Moreover, communication via the press is a core element of diplomacy—messages about U.S. intentions, plans, and priorities are transmitted not only through meetings with foreign counterparts, but through press briefings and interviews with journalists, which can aid the State Department in making a persuasive case for its chosen course of action as well as forcing it to publicly explain and defend its positions. Secretary Tillerson's trip to Russia on April 12, at a time when tensions are running high over Syria and investigations into Russian meddling into the presidential election, is illustrative of what can result when the State Department shuts out the press. Tillerson did not bring the press pool with him to his meetings at the Kremlin. As a result, the only information available as to those meetings—what was discussed, what was agreed to—is from the government of Russia, a well-known disseminator of state propaganda. The press in the U.S. and abroad has little choice but to quote the Russian framing of events in their reporting. This is a violation of the public's right to information about government activities. It is also poor diplomacy. Moreover, the State Department has traditionally operated with strict constraints on the degree to which career officials are permitted to talk to the press. With Tillerson shutting the media out, the Department offers very few other sources of information.

Refusing to take questions from the press or to allow press pool access to the Secretary's engagements also sends a dangerous message about U.S. respect for press freedom, as well as for government transparency and accountability. As Andrea Mitchell said in criticizing

Tillerson's decision to bring only one reporter to Asia, "The State Department is the beacon of press freedom around the world. The message now to China in particular when he gets to Beijing is that press freedom doesn't matter...Up until now, secretaries of state have made it a key demand that our press corps gets into meetings ... that there be access for the media ... A key component of foreign policy is being undercut by this."⁶⁸

Tillerson's refusal to answer questions from journalists during joint press appearances with foreign leaders marks another departure from previous practice. Former President Obama used the "traveling press corps as a diplomatic weapon, telling even autocratic counterparts that news conferences were an expected part of any trip and therefore even leaders who almost never spoke to reporters felt obliged to answer a few questions."⁶⁹ Indeed, the way State Department officials treat reporters is in itself a statement about how much the U.S. values press freedom. To give one example, in 2005, in an incident captured on video during a meeting in Sudan between Omar al-Bashir and then-Secretary Condoleezza Rice, Bashir's aides began to push reporters out of the room. A member of the U.S. State delegation sees them and says "Hey—hey don't grab them. Don't ever touch our journalists again."⁷⁰ Rice then demanded an apology from the Sudanese government.⁷¹ The episode stands in stark contrast to Andrea Mitchell's ejection from Secretary Tillerson's appearance with the Ukrainian Foreign Minister—by Tillerson's own aides.

Other Trends of Concern

Several other instances of White House interactions with the press raise concern, if these trends continue, regarding the press' ability to fulfill its role as a government watchdog, as well as the potential for the White House's actions to further erode public trust in and support for the media:

- Lending credibility to conspiracy theorists: The President, along with some staffers and family members, has offered implicit or actual endorsements (by, for example, retweeting) of several individuals who refer to themselves as journalists, and who are well known for spreading conspiracy theories, including Mike Cernovich, and Alex Jones of Infowars, who seeks to convince his listeners that the Sandy Hook school massacre of 20 small children and six adults was a hoax. Trump appeared on Jones' show in Dec. 2015 as a presidential candidate, telling him, "your reputation is amazing."⁷²
- Calls to investigate leaks: The President has repeatedly claimed that certain news reports about his

Administration are the results of leaks from within government, and called for investigation into the leakers. If leak investigations involve efforts to force journalists to identify confidential sources, or improper surveillance of journalists, as was the case during the Obama Administration, press freedom would suffer.

- Reports that the Department of Justice is considering bringing charges against WikiLeaks members: The Obama Administration opted not to do this after determining that "doing so would be akin to prosecuting a news organization for publishing classified information", a concern that may arise again if the Trump Administration moves forward with efforts to prosecute.⁷³
- Excluding cameras from press briefings, and cancelling open press events: Sean Spicer has barred cameras from White House press briefings on multiple occasions.⁷⁴ The White House has cancelled open press events on several occasions, meaning that reporters were not allowed into meetings between the President and business leaders or legislators and were unable to ask the President questions.⁷⁵
- Leaving protective press pool behind: On several occasions as President-elect and as President, Trump has left his press pool (a journalist or group of journalists who follow the President's movements to provide general information for all White House reporters) behind while attending events, or tried to prevent them from seeing what he was doing (as on Feb. 17, when the press pool at Mar-a-Lago sat in a room in which the windows were covered with black plastic to block their view of him golfing with Japanese Prime Minister Shinzo Abe.)⁷⁶ One of the purposes of the protective pool is to ensure that the public is kept informed of the President's whereabouts and wellbeing in the event of an unexpected crisis—for example, a natural disaster or a terrorist attack.⁷⁷
- Granting access primarily to right-leaning news and opinion outlets: To date, the President has given eight "sit-down" (or extended) interviews to TV news networks. (Trump is scheduled to conduct a sit-down interview, with CBS's John Dickerson, on the 29th.) Six of these have been with Fox News.⁷⁸ At several joint press conferences with foreign leaders, the President has taken questions only from right-leaning outlets, which in some cases has allowed him to avoid answering questions about major news stories like former National Security Advisor Michael Flynn's connections to Russia.⁷⁹

INTOLERANCE OF DISSENTING VIEWPOINTS

President Trump and members of his team have shown discomfort with and, in some cases, intolerance for the expression of dissenting viewpoints. The President's reactions to a number of protests organized to express disagreement with his policies have ranged from scornful dismissal to overt attempts to delegitimize the protesters by suggesting without evidence that they were paid for by deep-pocketed antagonists. His reaction to internal criticism—whether from executive branch staffers or from Congress—has been equally dismissive. These trends, if continued, could undermine the fundamental counterweight of dissent, diminish public respect for the important democratic principle of peaceful protest, interfere with constitutional protections for freedom of speech and association, and result in a White House team that never challenges the President's views or tries to debate the Administration's policies, for fear of public humiliation or worse.

Responses to Protests

On January 21, millions of people joined protests across the country organized under the banner of the Women's March on Washington. The Women's March was explicitly positioned as a demonstration in support of women's rights and an expression of disagreement with President Trump's platform. On January 22, President Trump tweeted in response to the protests: "Watched protests yesterday but was under the impression that we just had an election! Why didn't these people vote? Celebs hurt cause badly."⁸⁰ After his tweet began to draw attention, another tweet was sent from his account with a different tone and message, saying "peaceful protests are a hallmark of our democracy. Even if I don't always agree, I recognize the rights of people to express their views."⁸¹

On Feb. 3, Trump tweeted "Professional anarchists, thugs and paid protesters are proving the point of the millions of people who voted to MAKE AMERICA GREAT AGAIN!"⁸² It was not clear whether he was referencing protests at the University of California—Berkeley over a controversial campus speaker that grew violent or the (entirely peaceful) protests taking place at airports across the U.S. against his Executive Order banning travelers from seven predominantly Muslim countries.

Later in February, President Trump again derided protesters while responding to a wave of demonstrations in Republican congressional districts, as attendees at town hall-style events confronted their representatives over efforts to repeal the Affordable Care Act. On Feb. 21,

Trump tweeted, "The so-called angry crowds in home districts of some Republicans are actually, in numerous cases, planned out by liberal activists. Sad!"⁸³ Press Secretary Sean Spicer took up the charge at a briefing the next day, saying, "I think some people are clearly upset, but there is a bit of professional protester manufactured base in there."⁸⁴ Notably, the President's tweet and Spicer's remark came at the same time a series of Congressional Republicans and conservative commentators were claiming that constituents attending these town hall meetings were instead paid protesters, with some representatives citing this as their reason for cancelling or not holding such meetings.⁸⁵ Trump repeated the allegation that protesters were being paid in response to "Tax Day" protests over the President's unwillingness to release his tax returns.⁸⁶ Trump tweeted on Apr. 22, "Someone should look into who paid for the small organized rallies yesterday. The election is over!"⁸⁷ Meanwhile, news outlets that have examined the allegation that anti-Trump protesters are being paid have found no evidence to substantiate the charge.⁸⁸

The trope of "paid protesters" is frequently employed by autocratic and repressive regimes the world over, as a way to delegitimize dissenting voices. This rhetoric not only aims to dismiss acts of political expression as not genuine, but, more troublingly, seeds the ground for efforts to restrict the right to assemble, or to confront protesters with aggressive displays of force, in the name of exposing and undercutting these supposed "paid protesters." As the prominent Russian political activist Garry Kasparov argued in a November tweet, "You can always tell the authoritarians (left & right) by how they delegitimize protests instead of criticizing what the protesters say."⁸⁹

President Trump's "paid protesters" remarks take place against a backdrop of efforts by several state lawmakers to introduce new state-level restrictions on the right to protest. In November 2016, Washington State Senator Doug Ericksen proposed a bill that would allow prosecutors to charge protesters with "economic terrorism" if the protest causes "economic disruption." Ericksen specifically referenced charging "the people who fund them" as well as those participating in protests.⁹⁰

In North Dakota, where major protests against the Dakota Access Pipeline are ongoing, state legislators recently proposed a set of anti-protest bills including one that would exempt motorists from liability if they "unintentionally" run over protesters impeding traffic, and one which would make the wearing of masks during protests a criminal offense.⁹¹ In Minnesota, a state proposal would allow for protesters to be sued for the cost of police response to the demonstration.⁹²

Some of these bills have already failed to pass, while others are pending. But rhetoric that delegitimizes acts of peaceful protest as "paid" exercises conducted by "professional anarchists, thugs, and paid protesters" lends

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support to state-level efforts to restrict protests, posing a potential threat to citizens’ First Amendment rights.

Response to Internal Criticism

The Trump Administration’s early reaction to criticism from within the government risks creating an atmosphere in which no one in the executive branch—which includes the Cabinet members and their departments, much of the national security apparatus, and many agencies—is willing to challenge the President. The White House’s reaction to a “dissent cable” from the State Department provides a key example. In late January, a dissent cable opposing the President’s ban on travelers from seven Muslim-majority countries circulated through the State Department, ultimately gaining over 1,000 signatories, the overwhelming majority of whom were non-partisan career officials expert in diplomacy.⁹³ Dissent cables were introduced during the Vietnam War as a way for State Department staff to voice their concerns over U.S. foreign policies without fear of retribution. State Department rules forbid retaliation against any employee who submits or signs onto a dissent cable.⁹⁴ The creation of a formal, protected mechanism for dissent was a reflection of the principle that the strongest policies are shaped by vigorous, unfettered debate in which all parties feel comfortable proposing alternatives or criticizing the status quo.

When asked about the dissent cable during a press briefing on Jan. 30, Sean Spicer said of the signatories, “These career bureaucrats have a problem with it? They should either get with the program or they can go.”⁹⁵ Spicer continued, “If somebody has a problem with [President Trump’s] agenda, then that does call into question whether ... they should continue in that post or not.”⁹⁶ One anonymous diplomat who supported the dissent cable memo against the Executive Order referred to Spicer’s comments as “bullying at the highest levels.”⁹⁷ Another commented, “Policy dissent is in our culture. We even have awards for it,” referring to the American Foreign Service Association’s Constructive Dissent Awards.⁹⁸

Spicer’s “get with the program or go” attitude was echoed in remarks made by Department of Homeland Security Secretary John Kelly on Apr. 18, at an event at George Washington University. Responding to critics of the Department, including many in Congress, Kelly stated bluntly: “If lawmakers do not like the laws they’ve passed and we are charged to enforce, then they should have the courage and skill to change the laws. Otherwise they should shut up and support the men and women on the front lines.”⁹⁹

Responding to valid criticism made through the proper channels—the State Department’s formal dissent cable system, or one co-equal branch of government questioning the actions of another—with angry admonitions to “shut up” or quit demonstrates, at best, a lack of understanding that internal disagreement can lead to better, more innovative approaches to governance, and at worst, an intentional effort to silence internal critics through intimidating language and implicit suggestions that they put their jobs at risk by speaking out. Actions by the President that send a message that dissent is not welcome can have long-standing and powerful effects, particularly for employees that depend on the federal government for their livelihoods and professional reputations.

The Administration has also pursued unnamed or anonymous critics aggressively. In April, Twitter announced—via lawsuit—that it was challenging a government request it had received for identifying information about one of its users. The user, with the handle “@ALT-uscis,” claimed to be an employee or employees of the U.S. customs service, and frequently posted tweets critical of waste and mismanagement at the agency along with criticism of the Trump Administration’s aggressive immigration policies.¹⁰⁰

Following the Twitter challenge to the summons, and a threatened ACLU suit on behalf of the user, the Department of Homeland Security withdrew its summons.¹⁰¹ Nevertheless, the move raised fears the Administration may use similar tactics in future to intimidate internal anonymous or pseudonymous critics.

GOVERNMENT TRANSPARENCY

The Trump Administration has taken several steps to roll back government transparency measures in its first 100 days. Much attention has been given to the issue of President Trump's breaking with 40 years of tradition and refusing to release any of his tax returns.¹⁰² Although President Trump deserves intense scrutiny on this score, especially because he has falsely claimed that an audit prevents him from releasing the returns and because one of his key campaign promises involves massive tax cuts, the focus on the tax story may distract from less flashy, but perhaps more consequential, government transparency questions.

To take one example, the Trump Administration came under fire in April for discontinuing an Obama-era policy of releasing White House visitor logs online. While the Obama Administration's transparency was not complete (logs were scrubbed of "sensitive" entries, a designation left up to the discretion of the White House), it was a positive step and should be left in place.¹⁰³ Ending the White House visitor log disclosure is of a piece with other moves by the Administration to limit transparency. These include, for instance:

Website Data Takedowns

In January, Reuters reported that the White House had ordered the Environmental Protection Agency to "scrub" its website of climate change data.¹⁰⁴ Although the order was apparently walked back, the move was particularly troubling in that the EPA has a legal obligation to engage on climate change (the Supreme Court has found that the Clean Air Act requires the EPA to regulate greenhouse gases).¹⁰⁵ Similarly, the Trump transition team demanded that the Department of Energy provide a list of staffers who work on climate change, a move that drew criticism from lawmakers concerned that the list was intended to serve as a possible foundation for retaliation against the employees.¹⁰⁶ The request was refused by the Department and subsequently disavowed by the incoming Administration, saying it was "not part of our standard protocol."¹⁰⁷

In another instance, the U.S. Department of Agriculture removed thousands of animal welfare documents it had previously maintained online as part of its enforcement of the Animal Welfare Act and the Horse Protection Act. Following a lawsuit by animal welfare advocates, the department again reversed course and a portion of the documents have been reposted.¹⁰⁸

Undercutting Congressional Oversight

Congressional Democrats have raised concerns that executive branch agencies under the Trump Administration have begun refusing to respond to routine requests by minority party members (which often would have been answered as a matter of courtesy under previous administrations).¹⁰⁹ In March, Senate Democrats released more than 100 letters, on a broad array of issues—including requests for information and data about health care, jobs, and environmental regulations—that have gone unanswered.¹¹⁰ Part of the concern is that key White House legislative affairs offices, which would be responsible for receiving and responding to such requests, remain unfilled.¹¹¹

In two cases, however, Democrats were reportedly directly rebuffed by Administration officials. In March, Rep. Raúl Grijalva (D-AZ), ranking member on the House Committee on Natural Resources, contacted the U.S. Fish and Wildlife Services with a request for information he needed to respond to Republican claims that the Endangered Species Act costs businesses large amounts of money because it delays the progress of development projects. Grijalva was told that representatives from the Service "couldn't speak to minority staff unless they were called as a witness at a hearing."¹¹² However, minority members cannot convene hearings without majority assent.¹¹³ Similarly, Sen. Tom Carper (D-DE), ranking minority member on the Senate Environment and Public Works Committee, was told that the General Service Administration will only respond to requests from committee chairs.¹¹⁴

While the Trump Administration is still new, it is essential that it both recognize Congress's important oversight role, and ensure that Congressional liaison offices throughout the executive branch are appropriately staffed in order to facilitate responses to requests for information.

Gag Orders on Federal Agencies

Shortly after taking office, the Trump Administration issued memorandums to various federal agencies ordering them to halt all external communications material—including social media statements—until further notice, and to consult with senior White House officials before issuing any statements to the press.¹¹⁵ Although many noted that similar orders had been issued under previous administrations, the rollout of the gag orders sowed significant confusion about whether, for instance, climate change data was being purged from federal sites.¹¹⁶

Of particular concern to open government groups, however, is the possibility that blanket bans on outside communications could violate the Whistleblower Protection Enhancement Act of 2012, which bars agencies from blocking employees' ability to report waste, fraud, or abuse—especially to agency inspectors general or Congress.¹¹⁷

OTHER INFRINGEMENTS ON FREE EXPRESSION

In his first 100 days, President Trump's Administration announced several proposed measures that, if enacted, would seriously infringe on free expression and creative expression in the United States. His January travel ban, which has been indefinitely suspended by the courts, and statements by Department of Homeland Security head General John Kelly, indicates an intention to restrict free speech at the border and subject foreign visitors and permanent residents to invasive searches of their personal online information, as well as questions about their opinions or ideological views. Trump's proposed budget cuts to eliminate the National Endowments for the Arts and Humanities, the Corporation for Public Broadcasting, and the Institute for Museum and Library Services, would reduce access to the arts, public radio and television, and a wide range of other information for millions of Americans, particularly those in underserved areas of the country. These government programs are essential enablers of expression, particularly for Americans whose ability to take part in public discourse and creative expression is constrained by economic hardship and other forms of inequity. Ensuring a robust, open marketplace for free expression in the US requires enhancing, rather than constricting, the available channels for intellectual and creative production and discourse.

Free Expression at the Border

On January 27, President Trump issued one of his first and most high-profile Executive Orders, "Protecting the Nation from Foreign Terrorist Entry into the United States." The order, which banned citizens from seven predominantly-Muslim countries from entering the United States for 90 days, stated as part of its purpose the goal of ensuring that: "those admitted to this country do not bear hostile attitudes toward it and its founding principles. The United States cannot, and should not, admit those who do not support the Constitution, or those who would place violent ideologies over American law."¹¹⁸

The Executive Order did not provide any additional clarification for what constituted "hostile attitudes" towards the United States or its founding principles or lack of support for the Constitution. In the chaotic aftermath of the Executive Order's enactment, anecdotal reports suggested that border agents were viewing the social media of some green card holders and visitors affected by the travel ban,

as well as questioning them on their political views, when determining whether to allow them entry.¹¹⁹ Nisrin Omer, a Sudanese green card holder and Stanford University graduate student, said she was detained on January 28 and interrogated about "her travels, her academic research, and her views on Sudanese politics" for several hours before finally being released.¹²⁰ On January 29, Iranian-born British journalist Ali Hamedani shared how he had been forced to hand over his phone and password at the border so that border agents could "find about any kind of political views" he held that might translate into extremist ideas.¹²¹ On February 7, attorney Hina Shamsi, the director of the American Civil Liberties Union's national security project, shared that she had recently been questioned while trying to re-enter the United States. Shamsi, who was at the time an American permanent resident with Pakistani citizenship (she has since become an American citizen), was asked questions including: why would someone working for an organization with the word "American" in its name have a Pakistani passport; why would a constitutional lawyer travel abroad so often, why would a group like the "American" Civil Liberties Union be representing non-citizens, and why was Shamsi not yet a naturalized citizen?¹²²

Denying entry to foreign visitors to (or residents of) the United States on the basis of their opinions violates the First Amendment rights of American citizens to hear the speakers of their choice and to engage with a full range of viewpoints, information, and ideas.¹²³ The United States used "ideological exclusions" during the Cold War to deny entry to a number of prominent writers due to their politics, a practice that damaged America's international reputation for support for free speech, and provided authoritarian regimes with cover for their own repression of free expression. As the Senate Foreign Relations Committee noted in 1987,

"For many years, the United States has embarrassed itself by excluding prominent foreigners from visiting the United States solely because of their political beliefs. Among those excluded, or harassed, in recent years have been Nobel Laureates Gabriel Garcia Marquez and Pablo Neruda, and authors Graham Greene, Doris Lessing, and Carlos Fuentes. In these cases and others, the excluded individuals had done no more than exercise rights to freedom of expression and association enshrined in the Universal Declaration of Human Rights—rights promoted in congressionally-initiated human rights legislation and constitutionally protected for all U.S. citizens."¹²⁴

Congress curtailed immigration authorities' ability to use ideological exclusions in 1987, but the USA Patriot Act, passed in 2001, also contains provisions allowing for ideological exclusion, which have been used to deny U.S. entry to

scholars like Swiss academic Tariq Ramadan.¹²⁵ PEN America has opposed ideological exclusions for decades, and worked with partners like the ACLU to successfully challenge Ramadan's exclusion in 2010.¹²⁶ PEN America's then-President Kwame Anthony Appiah noted, "At a time when a number of countries seem intent on limiting the access of their own citizens to the international conversation, it is especially crucial for the United States of America to take a strong and clear stand against censorship at the border."¹²⁷ His words are as relevant today as they were then.

The troubling language in the January Executive Order suggesting that foreigners who bore "hostile attitudes" to the country should be denied entry was removed from the revised travel ban issued on Mar. 6, a welcome development. However, concerns about the possibility of ideological exclusions remain, as Trump Administration officials have increasingly pushed for the formal legal authority to compel visitors to the U.S. to provide access to their private information—including text messages and social media conversations—and to ask questions about visitors' political and ideological views.

On February 7, Secretary of Homeland Security John Kelly proposed during testimony before the House Homeland Security Committee that "we want to ask [foreign visitors] what websites do they visit, for instance, and give us their passwords so that we can see what they do on the internet . . . If they do not want to give us that information, then they don't come. We want to get on their social media, so passwords, what do you do, what do you say. If they don't want to cooperate, then they don't come in."¹²⁸ In March, Secretary of State Rex Tillerson ordered a "mandatory social media check" for all visa applicants who had ever visited ISIS-controlled territory.¹²⁹ On April 4, the *Wall Street Journal* reported that senior Trump Administration officials were continuing to consider forcing all visitors "to provide cellphone contacts and social-media passwords and answer questions about their ideology", as part of Trump's envisioned "extreme vetting."¹³⁰

Supporters of the proposal argue that there is a history of terror attacks where the attackers expressed extremist views on social media, and point to the 2015 incident of terrorism at San Bernardino as evidence of the need for such a mandatory social media check: investigators determined that the attackers expressed their support for violent jihad in private social media communications but not through public social media posts.¹³¹ However, the proposal to implement an invasive and broad monitoring system of peoples' private communications based on these cases, in the words of former Department of Homeland Security official Nuala O'Connor, is roughly equivalent to "asking everyone to take off our shoes at the airport because of the [2001] shoe bomber."¹³² The difference, of course, is that having to take your shoes off does not interfere with any constitutional right. The knowledge that traversing a border may necessitate surrendering passwords and

exposing private communications and writings risks impairing open communication and interference with privacy rights that have been recognized by the Supreme Court.¹³³

Short of explicit, direct threats, it could be all but impossible to distinguish between idle sympathies and musings, satire, fiction, and content that actually evinces a possible, much less likely criminal intent. Our government does not scrutinize the social media of individuals at the border in order to determine who is likely to engage in a drug crime, drive drunk, or steal. Absent any indication that such vetting or reviews would successfully prevent crimes, there is no basis to even begin to weigh the intrusion on privacy that they represent against any benefits they might offer.

Government scrutiny of individual social media accounts, private messages, apps, and other personal data infringes on the privacy rights of users. This may chill online expression even in private settings and amongst friends and family, with people worrying that their words will be taken out of context or interpreted by border agents as anti-American or sympathetic to extremism.

It should be noted that the Obama Administration also introduced proposals to monitor social media for possible terrorist activity, though these proposals were less invasive than the Trump Administration's. In December 2016, the government presented an "optional" request to applicants to the visa waiver program to provide their account names on social media platforms including Facebook, Instagram, and LinkedIn. This would allow the government to view applicants' publicly-available social media information.¹³⁴

In response, civil liberties groups argued that the request posed serious privacy risks, and noted that even an "optional" request is set against the coercive background of "intimidating, uniformed officers—the same officers who will decide which of your jokes are funny and which ones make you a security risk."¹³⁵ While the Obama Administration's proposed voluntary disclosures would only allow agents to view publicly-available data, free expression groups raised the alarm that this policy could lay the groundwork for further efforts allowing border agents to access private information, including private communications and sensitive information such as financial and health-related information.¹³⁶

In January, days before Trump took office, the Council for American-Islamic Relations (CAIR) filed a set of complaints against several different federal Departments alleging that CBP agents had been demanding passwords to mobile phones, requesting access to social media, and questioning Muslims—including Muslim American citizens—with such questions as "What do you think of the United States?" and "What do you think of America's foreign policy towards the Muslim world?"¹³⁷

One high-profile detention occurring during Trump's Administration—that of Muslim-American citizen Muhammad Ali Jr., the son of the world-famous Muhammad Ali—followed a similar pattern. A month after Trump's January

Executive Order, Ali Jr. was detained for two hours while trying to re-enter the United States. During this detention, Ali Jr. alleges, he was asked about his name and twice asked whether he was a Muslim. Although Customs and Border Protection denied that this was a case of religious profiling, Ali Jr.'s attorney has stated that "To the Ali family, it is crystal clear that this is directly linked to Trump's efforts to ban Muslims from the United States."¹³⁸

This raises an additional concern about the impact that the Trump Administration's proposals could have on U.S. citizens. Incidents of alleged racial or religious profiling did not begin under Trump. But the Trump Administration's rhetoric of "extreme vetting," along with the Executive Orders that have been repeatedly labeled a "Muslim ban", may increase the likelihood of such profiling. While such "extreme vetting" ostensibly would apply only to foreign nationals seeking to enter the country, some border agents, feeling newly emboldened by the Administration's executive orders and tough talk on immigration, may begin scrutinizing U.S. citizens at the border on the basis of their appearance, race, or religion. Even U.S. citizens who know their rights and the limits of what a border agent may require them to disclose may feel they have no option but to hand over their phones, provide passwords, and allow invasive, warrantless searches of their personal information, if they fear that saying no will result in further interrogation and lengthy delays at the border.

Free Expression, Artistic Expression, and the Budget

The Trump Administration's proposed budget outline, released on Mar. 16, would cut all federal funding for several of the nation's most important cultural institutions, most notably: The National Endowment for the Arts (NEA), the National Endowment for the Humanities (NEH), the Corporation for Public Broadcasting (CPB), and the Institute of Museum and Library Services (IMLS).¹³⁹

The NEA and NEH provide federal funding for arts and humanities projects, respectively, in every Congressional district in the country.¹⁴⁰ Although critics try to portray the Endowments as programs for the wealthy elite, NEA-funded programs include, among many others, Native American storytelling forums across the western United States, music and creative writing workshops for students in West Virginia, historic preservation and public space development in underserved areas, and arts therapy

programs for veterans.¹⁴¹ NEH-funded initiatives include the United States Newspaper Program, which has catalogued 63.3 million pages of historic newspapers for free public access, and the Preservation Assistance Grant, to support the preservation and digitization of the papers of historical figures including George Washington, Dwight Eisenhower, Mark Twain, Martin Luther King, Jr., Emily Dickinson, Walt Whitman, and Albert Einstein, ensuring that students of all ages will have access to these materials as they pursue their own interests.

The CPB provides support for public broadcasting for American radio and television, including providing funds to nearly 1,500 local public radio and television stations.¹⁴² Sixty-five percent of the CPB's federal funding supports rural PBS and NPR stations that would not be able to operate without that funding.¹⁴³ The IMLS, similarly, is the primary source of federal support for the nation's 100,000+ libraries and 35,000 museums.¹⁴⁴ Its grants and awards support efforts to make local museums and libraries more accessible to a broader population, "From improving accessibility at outdoor nature center wildlife trails, to supporting professional development for school librarians to better serve K-12 students with disabilities, to connecting the Spanish-speaking families of children with autism spectrum disorders to museum and library services."¹⁴⁵

These institutions facilitate free expression and access to information for millions of Americans. Public radio offers local and national news programs to listeners in far-flung areas. Local libraries provide many Americans with access to newspapers and magazines they would not otherwise be able to enjoy, as well as free internet access. NEA funding supports programs for children in rural and low-income communities that offer them new forms of self-expression and ways to understand the world around them. NEH grants support scholarly inquiry in a wide range of fields, contributing to our shared knowledge and driving American innovation. These institutions do all this with funding that comprises a miniscule amount of the total federal budget. The NEA, NEH, CPB, and IMLS combined account for less than 0.02 percent of federal spending, or about \$3 per American per year.¹⁴⁶ But the defunding of these institutions would sever community lifelines and vital channels of expression in thousands of American small towns and cities: the local radio station, the neighborhood theater, the community college, and the public library.

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APPENDIX

President Trump's 100 Days

This Appendix presents 76 incidents in which the Trump Administration has tried to undermine the work of the press in its first 100 days, including by denigrating their reporting, criticizing individual reporters, and restricting their access to executive branch officials.

| Date | Journalists/ Outlets Involved | Incident | Source |
|---------|--------------------------------------|--|--|
| Jan. 21 | General | Trump, speaking at CIA headquarters, makes several statements disparaging the media, including "I always call them the dishonest media," and "I have a running war with the media. They are among the most dishonest human beings on earth." | "Trump CIA speech transcript," CBS News, January 23, 2017, http://www.cbsnews.com/news/trump-cia-speech-transcript/ |
| Jan. 21 | General | White House Press Secretary Sean Spicer, at his first press event, claims the members of the media engaged in "deliberately false reporting" of Trump's first day in office. Spicer includes the allegation that members of the media misrepresented the crowd size at Trump's Inauguration, including through photographs "intentionally framed" to "minimize" support for the President. | "Transcript of White House Press Secretary Statement to the Media," Politico, January 21, 2017, http://www.politico.com/story/2017/01/transcript-press-secretary-sean-spicer-media-233979 |
| Jan. 24 | CNN | President Trump tweets: "Congratulations to @FoxNews for being number one in inauguration ratings. They were many times higher than FAKE NEWS @CNN—public is smart!" | @realDonaldTrump, Jan 24, 2017, https://twitter.com/realDonaldTrump/status/824078417213747200 |
| Jan. 24 | <i>The New York Times</i> , CNN, NBC | Trump, in an interview with Fox's Sean Hannity, calls the press "very hostile people, these are very angry people" as well as "very dishonest" in response to Hannity's question citing <i>The New York Times</i> , CNN, and NBC coverage. Responding to Hannity's statement that he had seen major media coverage using the word "liar" to describe Trump, Trump responds "Well they are the liars [...] they are so demeaning and so dishonest." | "Cable Exclusive: President Trump Sits Down with Sean Hannity at White House," January 26, 2017, http://www.foxnews.com/transcript/2017/01/26/cable-exclusive-president-trump-sits-down-with-sean-hannity-at-white-house.html |

APPENDIX

President Trump's 100 Days

continued from page 22

| Date | Journalists/ Outlets Involved | Incident | Source |
|---------|--|---|---|
| Jan. 26 | General | Chief White House Strategist Steve Bannon, in an interview with <i>The New York Times</i> , calls the media "the opposition party," and suggests that it "keep its mouth shut and just listen for a while." During the interview, Bannon also states that he considers losing credibility with the news media to be "a badge of honor," adding "The media has zero integrity, zero intelligence, and no hard work." | Eric Levitz, "All the Terrifying Things that Donald Trump Did Lately," <i>New York Magazine</i> , March 29, 2017, http://nymag.com/daily/intelligencer/2017/03/every-terrifying-thing-that-donald-trump-has-done.html ; Michael M. Grynbbaum, "Trump Strategist Stephen Bannon Says Media Should 'Keep Its Mouth Shut,'" <i>the New York Times</i> , January 26, 2017, https://www.nytimes.com/2017/01/26/business/media/stephen-bannon-trump-news-media.html?_r=0 |
| Jan. 28 | The <i>New York Times</i> , <i>The Washington Post</i> | President Trump tweets: "Thr (sic) coverage about me in the @nytimes and the @washingtonpost g(sic)as been so false and angry that the times actually apologized to its.....dwindling subscribers and readers. They got me wrong right from the beginning and still have not changed course, and never will. DISHONEST." <i>The New York Times</i> , in fact, had not apologized. | @realDonaldTrump, Jan 28, 2017, https://twitter.com/realDonaldTrump/status/825329757646618624 ; @realDonaldTrump, Jan 28, 2017, https://twitter.com/realdonaldtrump/status/825331665509691393?lang=en ; Lauren Carroll, "Donald Trump Says <i>New York Times</i> Apologized for 'Bad Coverage' of Him," <i>Politifact</i> , Nov. 15, 2016, http://www.politifact.com/truth-o-meter/statements/2016/nov/15/donald-trump/donald-trump-says-new-york-times-apologized-bad-co/ ; Callum Borchers, "No, the <i>New York Times</i> did Not Apologize Because its Trump Coverage was 'So Wrong,'" <i>Washington Post</i> , Mar 29, 2017, https://www.washingtonpost.com/news/the-fix/wp/2017/03/29/no-the-new-york-times-did-not-apologize-because-its-trump-coverage-was-so-wrong/?utm_term=.6091406e7f0f |

APPENDIX

President Trump's 100 Days

continued on page 25

| Date | Journalists/ Outlets Involved | Incident | Source |
|---------|-------------------------------------|--|---|
| Jan. 28 | <i>The New York Times</i> | President Trump tweets "The failing @nytimes has been wrong about me from the very beginning. Said I would lose the primaries, then the general election. FAKE NEWS!" | @realDonaldTrump, Jan 28, 2017, https://twitter.com/realDonaldTrump/status/825328817833123840 |
| Jan. 29 | <i>The New York Times</i> | President Trump tweets "Somebody with aptitude and conviction should buy the FAKE NEWS and failing @nytimes and either run it correctly or let it fold with dignity!" | @realDonaldTrump, Jan 29, 2017, https://twitter.com/realDonaldTrump/status/825690087857995776 |
| Jan. 29 | General | Trump adviser Kellyanne Conway, in an interview with Chris Wallace on Fox News Sunday, questions why no journalists "who talked smack all day long about Donald Trump" have been fired, saying "who's the first editorial writer—where's the first blogger that will be let go, that embarrassed his or her outlets? We know all their names." | Mathew Ingram, "Kellyanne Conway Ramps up Trump's War on the Media," <i>Fortune</i> , January 31, 2017, http://fortune.com/2017/01/31/donald-trump-kellyanne-conway-media/ ; "Kellyanne Conway on President Trump's Ambitious Agenda; Sen. Dick Durbin on Opposing President Trump," Fox News Shows, January 29, 2017, http://www.foxnews.com/transcript/2017/01/29/kellyanne-conway-on-president-trump-ambitious-agenda-sen-dick-durbin-on.html |
| Feb. 3 | General | Trump uses @POTUS twitter account to retweet his personal account: "Thank you to Prime Minister of Australia for telling the truth about our very civil conversation that FAKE NEWS media lied about. Very nice!" | @realDonaldTrump, Feb 3, 2017, https://twitter.com/realDonaldTrump/status/827480386120929280 |
| Feb. 4 | <i>The New York Times</i> | President Trump tweets "After being forced to apologize for its bad and inaccurate coverage of me after winning the election, the FAKE NEWS @nytimes is still lost!" | @realDonaldTrump, Feb 4, 2017, https://twitter.com/realDonaldTrump/status/827874208021639168 |

APPENDIX

President Trump's 100 Days

continued from page 24

| Date | Journalists/ Outlets Involved | Incident | Source |
|--------|-------------------------------------|---|---|
| Feb. 6 | General | In a speech to military service members, President Trump accuses the "very, very dishonest press" of deliberately not reporting on news of terrorist attacks due to ulterior motives, saying that the media "have their reasons, and you understand that." | Jordan Fabian and Rebecca Kheel, "Trump: 'Dishonest Press' Won't Report Terrorist Attacks," The Hill, February 6, 2017, http://thehill.com/homenews/administration/318100-trump-dishonest-press-wont-report-terrorist-attacks |
| Feb. 6 | <i>The New York Times</i> | President Trump tweets "The failing @nytimes writes total fiction concerning me. They have gotten it wrong for two years, and now are making up stories & sources!" | @realDonaldTrump, Feb 6, 2017, https://twitter.com/realDonaldTrump/status/828642511698669569 |
| Feb. 6 | CNN, ABC, NBC | President Trump tweets that "'Any negative polls are fake news, just like the CNN, ABC, NBC polls in the election. Sorry, people want border security and extreme vetting.' It is unclear which polls President Trump is referring to. The President later tweets 'I call my own shots, largely based on an accumulation of data, and everyone knows it. Some FAKE NEWS media, in order to marginalize, lies!'" | @realDonaldTrump, Feb 6, 2017, https://twitter.com/realDonaldTrump/status/828574430800539648 ; @realDonaldTrump, Feb 6, 2017, https://twitter.com/realDonaldTrump/status/828575949268606977 ; David Sherfinski, "Donald Trump: 'Any Negative Polls Are Fake News'," The Washington Times, Feb. 6, 2017, http://www.washingtontimes.com/news/2017/feb/6/donald-trump-any-negative-polls-are-fake-news/ |

APPENDIX

President Trump's 100 Days

continued on page 27

| Date | Journalists/ Outlets Involved | Incident | Source |
|--------|-------------------------------------|---|---|
| Feb. 7 | General | President Trump's Deputy Assistant Sebastian Gorka, in an interview with conservative radio host Michael Medved, states the media has "a monumental desire" to "attack" the President, and that "until the media understands how wrong that attitude is," the Administration will continue to use the label "fake news". In the interview, Gorka also alleges that fake news comes from "the clique of media organs that predicted that Hillary (Clinton) would win and that Brexit wouldn't occur," saying "I know what fake news is. And it's coming from those organizations." | Chris Massie, "WH Official: We'll Say 'Fake News' Until Media Realizes Attitude of Attacking the President is wrong," CNN, Feb. 7, 2017, http://www.cnn.com/2017/02/07/politics/kfile-gorka-on-fake-news/index.html |
| Feb. 8 | General | President Trump tweets an article by conservative magazine <i>The Federalist</i> : "16 Fake News Stories Reporters Have Run Since Trump Won". | @realDonaldTrump, Feb 8, 2017, https://twitter.com/realDonaldTrump/status/829357626798530561 |
| Feb. 9 | Chris Cuomo, CNN journalist | President Trump tweets: "Chris Cuomo, in his interview with Sen. Blumenthal, never asked him about his long-term lie about his brave 'service' in Vietnam. FAKE NEWS!" Cuomo, responding to the President, noted that his first question to Blumenthal was in fact about the Senator's military service. | @realDonaldTrump, Feb 9, 2017, https://twitter.com/realDonaldTrump/status/829681034564341760 ; Jon Greenberg, "Trump Wrong on Sen. Blumenthal's CNN Interview and Vietnam," Politifact, February 9, 2017, http://www.politifact.com/truth-o-meter/statements/2017/feb/09/donald-trump/trump-wrong-sen-blumenthals-cnn-interview-and-viet/ |

APPENDIX

President Trump's 100 Days

continued from page 26

| Date | Journalists/ Outlets Involved | Incident | Source |
|---------|-------------------------------------|---|--|
| Feb. 10 | <i>The New York Times</i> | President Trump tweets: "The failing @nytimes does major FAKE NEWS China story saying 'Mr.Xi has not spoken to Mr. Trump since Nov.14.' We spoke at length yesterday!" The story President Trump referenced had been published before the White House released a readout of the recent call between the President and Xi Jinping; updated versions of <i>The New York Times</i> story did include reference to the February conversation. | @realDonaldTrump, Feb 10, 2017, https://twitter.com/realDonaldTrump/status/830047626414477312 ; Alex Griswold, "Donald Trump Calls <i>New York Times</i> 'Fake News' for Perfectly Accurate Reporting," Mediaite.com, February 10, 2017, http://www.mediaite.com/online/donald-trump-calls-new-york-times-fake-news-for-perfectly-accurate-reporting/ ; Tom Kludt, "Trump's Outburst at the <i>New York Times</i> A Preference for Print?", CNN Money, February 10, 2017, http://money.cnn.com/2017/02/10/media/new-york-times-donald-trump-xi-jinping/ |
| Feb. 12 | General | President Trump tweets: "Just leaving Florida. Big crowds of enthusiastic supporters lining the road that the FAKE NEWS media refuses to mention. Very dishonest!" | @realDonaldTrump, Feb 12, 2017, https://twitter.com/realDonaldTrump/status/830904083519242241 |
| Feb. 12 | CNN | President Trump tweets: "While on FAKE NEWS @CNN, Bernie Sanders was cut off for using the term fake news to describe the network. They said technical difficulties!" In the CNN interview Trump references, Sen. Bernie Sanders, in remarks critical of President Trump, had joked about "CNN fake news" before explicitly stating that he was joking. | @realDonaldTrump, Feb 12, 2017, https://twitter.com/realDonaldTrump/status/830751875578355713 ; Allison Graves, "Donald Trump Wrongly Says CNN Cut Off Bernie Sanders For Calling Network 'Fake News'," POLITIFACT, Feb. 12, 2017, http://www.politifact.com/truth-o-meter/statements/2017/feb/12/donald-trump/donald-trump-wrongly-says-cnn-cut-bernie-sanders-c/ |

APPENDIX

President Trump's 100 Days

continued on page 29

| Date | Journalists/ Outlets Involved | Incident | Source |
|---------|---|---|---|
| Feb. 13 | April Ryan, White House correspondent for American Urban Radio Networks | White House reporter April Ryan claims that White House Communications official Omarosa Manigault "physically intimidated her" during a White House encounter and made verbal threats against her, including the assertion that Ryan was among several African American journalists on whom Trump officials had collected "dossiers" of negative information. Manigault disputes this account. | Paul Farhi, "Journalist Says Omarosa Manigault Bullied Her And Mentioned A 'Dossier' on Her," Washington Post, Feb. 13, 2017, https://www.washingtonpost.com/lifestyle/style/journalist-says-omarosa-manigault-bullied-her-and-mentioned-a-dossier-on-her/2017/02/13/d852926e-f131-11e6-8d72-263470bf0401_story.html?utm_term=.ecbc1e36188d |
| Feb. 15 | General | At a bilateral press conference with Israeli Prime Minister Benjamin Netanyahu, Trump calls on the Christian Broadcasting Network and TownHall.com for questions. Upon leaving, Trump ignores shouted questions from reporters including CNN's Jim Acosta and ABC's Jonathan Karl. <i>Politico</i> notes that the press conference "continue[s] [Trump's] streak of calling only on conservative-leaning outlets at his bilateral press conferences with foreign leaders . . . The result of that selection of questioners was that some of the most urgent questions of the day continued to go unanswered." | Hadas Gold, "At Netanyahu Presser, Trump Continues Trend of Calling on Conservative Outlets," <i>Politico</i> , Feb. 15, 2017, http://www.politico.com/blogs/on-media/2017/02/at-netanyahu-presser-trump-continues-to-only-call-on-conservative-outlets-235060 |
| Feb. 15 | <i>The New York Times</i> , <i>The Washington Post</i> | President Trump tweets: "Information is being illegally given to the failing @nytimes & @washingtonpost by the intelligence community (NSA and FBI?). Just like Russia" | @realDonaldTrump, Feb 15, 2017, https://twitter.com/realDonaldTrump/status/831840306161123328 |
| Feb. 15 | MSNBC, CNN | President Trump tweets: "The fake news media is going crazy with their conspiracy theories and blind hatred. @MSNBC & @CNN are unwatchable. @foxandfriends is great!" | @realDonaldTrump, Feb 15, 2017, https://twitter.com/realDonaldTrump/status/831830548565852160 |

APPENDIX

President Trump's 100 Days

continued from page 28

| Date | Journalists/ Outlets Involved | Incident | Source |
|---------|-------------------------------------|--|--|
| Feb. 16 | CNN, <i>The New York Times</i> | President Trump, in an 80-minute impromptu press conference, engages in numerous attacks on the media. Trump's remarks included the claims "many of our nation's reporters and folks will not tell you the truth, and will not treat the wonderful people of our country with the respect that they deserve." "Much of the media in Washington, D.C., along with New York, Los Angeles, in particular, speaks not for the people, but for the special interests and for those profiting off a very, very obviously broken system." "So much of the news is fake." "You're dishonest people." "I've never seen more dishonest media than, frankly, the political media." "Russia is fake news. Russia –this is fake news put out by the media." President Trump also stated that "the press should be ashamed of themselves" for using leaked information in their reporting, and repeated his assertion that the <i>New York Times</i> is "failing". | Aaron Blake , "Donald Trump's Combative, Grievance-Filled News Conference, Annotated," <i>The Washington Post</i> , Feb. 16, 2017, https://www.washingtonpost.com/news/the-fix/wp/2017/02/16/donald-trumps-grievance-filled-press-conference-annotated/?utm_term=.bf33acfd10a5 ; Ed Kilgore, "Trump Ends the Presidential Press Conference As We Know It," <i>New York Magazine</i> , Feb. 16, 2017, http://nymag.com/daily/intelligencer/2017/02/trump-ends-the-presidential-press-conference-as-we-know-it.html |
| Feb. 16 | General | During a meeting between State Secretary Tillerson and Russian Foreign Minister Sergei Lavrov, State Department aides usher journalists out of the room in the middle of Secretary Tillerson's opening remarks. | Nick Wadhams, Patrick Donahue, and Ilya Arhipov, "Tillerson Has Awkward First Encounter With Lavrov at G-20," <i>Bloomberg</i> , Feb. 16, 2017, https://www.bloomberg.com/news/articles/2017-02-16/tillerson-has-uneven-first-meeting-with-lavrov-at-g-20-meeting ; Gardiner Harris, "Rex Tillerson Meets Russian Counterpart in First Trip as Top U.S. Diplomat," <i>New York Times</i> , Feb. 16, 2017, https://www.nytimes.com/2017/02/16/world/europe/rex-tillerson-russia.html?_r=0 |

APPENDIX

President Trump's 100 Days

continued on page 31

| Date | Journalists/ Outlets Involved | Incident | Source |
|---------|---|---|---|
| Feb. 16 | General | President Trump tweets: "FAKE NEWS media, which makes up stories and 'sources,' is far more effective than the discredited Democrats—but they are fading fast!" | @realDonaldTrump, Feb 16, 2017, https://twitter.com/realDonaldTrump/status/832230758299340800 |
| Feb. 16 | <i>The New York Times</i> | President Trump tweets: "Leaking, and even illegal classified leaking, has been a big problem in Washington for years. Failing @nytimes (and others) must apologize!" | @realDonaldTrump, Feb 16, 2017, https://twitter.com/realDonaldTrump/status/832197515248275456 |
| Feb. 17 | CNN | The Wall Street Journal reports that Jared Kushner, Trump's son-in-law and advisor, had recently met with CNN's Vice President of Corporate Marketing and Communications. During this meeting, Kushner reportedly "expressed the Administration's deep concerns about CNN's news coverage." A White House official, commenting for the article, alleged that CNN engaged in "dishonest coverage" of the President, both during the campaign and since his Inauguration. | Keach Hagey and Damian Paletta, "Jared Kushner Delivers Critique of CNN to Time Warner Executive," Wall Street Journal, February 17, 2017, https://www.wsj.com/articles/jared-kushner-delivers-critique-of-cnn-to-time-warner-executive-1487292962?mg=id-wsj |
| Feb. 17 | <i>The New York Times</i> , NBC News, ABC, CBS, CNN | President Trump tweets: "The FAKE NEWS media (failing @nytimes, @NBCNews, @ABC, @CBS, @CNN) is not my enemy, it is the enemy of the American People!" | Max Greenwood, "Trump Tweets: The Media Is the 'Enemy of the American People'," The Hill, Feb. 17, 2017, http://thehill.com/homenews/administration/320168-trump-the-media-is-the-enemy-of-the-american-people ; @realDonaldTrump, Feb 17, 2017, 1:48 pm, https://twitter.com/realDonaldTrump/status/832708293516632065?ref_src=twsrc%5Etfw&ref_url=https%3A%2F%2F |

APPENDIX

President Trump's 100 Days

continued from page 30

| Date | Journalists/ Outlets Involved | Incident | Source |
|---------|-------------------------------------|--|---|
| Feb. 18 | General | White House Chief of Staff Reince Priebus, in a CBS interview, says that people should take the President's recent tweet—labeling several media outlets as enemies of the American people—"seriously." Priebus also argues that the press should stop using anonymous sources in their reporting, and claims the media is "obsessed with a lot of false, hollow stories without sourcing." | Reena Flores, "White House Chief of Staff Says Take Trump Seriously When He Calls Press 'the Enemy'," CBS News, Feb. 18, 2017, http://www.cbsnews.com/news/white-house-chief-of-staff-says-take-trump-seriously-press-is-the-enemy/ |
| Feb. 18 | General | President Trump tweets: "Don't believe the main stream (fake news) media.The White House is running VERY WELL. I inherited a MESS and am in the process of fixing it." | @realDonaldTrump, Feb 18, 2017, https://twitter.com/realDonaldTrump/status/832945737625387008 |
| Feb. 20 | General | President Trump tweets: "Give the public a break—The FAKE NEWS media is trying to say that large scale immigration in Sweden is working out just beautifully. NOT!" | @realDonaldTrump, Feb 20, 2017, https://twitter.com/realDonaldTrump/status/833681539997253636 |
| Feb. 23 | General | Chief White House Strategist Steve Bannon, speaking at conservative gathering the Conservative Political Action Conference (CPAC), repeatedly refers to the media as "the opposition party." In his remarks, Bannon labels the media the "corporatist, globalist media" that is "going to get worse every day." | Tom Kludt, "Bannon Rips 'Corporatist, Globalist Media' at CPAC," CNN, Feb. 23, 2017, http://money.cnn.com/2017/02/23/media/steve-bannon-media-cpac/ ; Ryan Teague Beckwith, "Read Steve Bannon and Reince Priebus's Joint Interview at CPAC," Time, Feb. 23, 2017, http://time.com/4681094/reince-priebus-steve-bannon-cpac-interview-transcript/ |

APPENDIX

President Trump's 100 Days

continued on page 33

| Date | Journalists/ Outlets Involved | Incident | Source |
|---------|---|--|--|
| Feb. 24 | BBC, CNN, <i>The New York Times</i> , the <i>Los Angeles Times</i> , BuzzFeed, <i>The Huffington Post</i> , and <i>Politico</i> | The White House blocks several major news outlets—including <i>The New York Times</i> , the <i>Los Angeles Times</i> , and the BBC—from attending an off-camera briefing with Press Secretary Sean Spicer. | Hadas Gold, "White House Selectively Blocks Media Outlets From Briefing With Spicer," <i>Politico</i> , Feb. 24, 2017, http://www.politico.com/story/2017/02/reporters-blocked-white-house-gaggle-235360 ; Michael Calderone, "Trump White House Bars News Organizations from Press Briefing," <i>The Huffington Post</i> , Feb. 24, 2017, http://www.huffingtonpost.com/entry/white-house-bars-news-organizations_us_58b08a76e4b0a8a9b78213ae |
| Feb. 24 | General | Trump, speaking at the Conservative Political Action Conference (CPAC), makes several attacks against the media, including through his claim "A few days ago I called the fake news the enemy of the people. And they are. They are the enemy of the people." Trump also states that "we're going to do something about [fake news]" although he does not elaborate. | Ryan Teague Beckwith, "Read A Transcript of President Trump's CPAC Speech," <i>TIME</i> , Feb. 24, 2017, http://time.com/4682023/cpac-donald-trump-speech-transcript/ |
| Feb. 24 | <i>The New York Times</i> , CNN | Hours after his CPAC speech, President Trump tweets: "FAKE NEWS media knowingly doesn't tell the truth. A great danger to our country. The failing @nytimes has become a joke. Likewise @CNN. Sad!" | @realDonaldTrump, Feb 24, 2017, https://twitter.com/realdonaldtrump/status/83532571858251776?lang=en |
| Feb. 24 | | President Trump tweets: "The FBI is totally unable to stop the national security 'leakers' that have permeated our government for a long time. They can't even.....find the leakers within the FBI itself. Classified information is being given to media that could have a devastating effect on U.S. FIND NOW" | @realDonaldTrump, Feb 24, 2017, https://twitter.com/realDonaldTrump/status/835104946034991106 ; @realDonaldTrump, Feb 24, 2017 https://twitter.com/realdonaldtrump/status/835106143462703104?lang=en |

APPENDIX

President Trump's 100 Days

continued from page 32

| Date | Journalists/ Outlets Involved | Incident | Source |
|---------|--|---|---|
| Feb. 26 | General | President Trump tweets: "Russia talk is FAKE NEWS put out by the Dems, and played up by the media, in order to mask the big election defeat and the illegal leaks!" | @POTUS, Feb 26, 2017, https://twitter.com/POTUS/status/835923804983603202 |
| Feb. 26 | <i>The New York Times</i> | President Trump tweets: "For first time the failing @nytimes will take an ad (a bad one) to help save its failing reputation. Try reporting accurately & fairly!" | @realDonaldTrump, Feb 26, 2017, https://twitter.com/realDonaldTrump/status/835817351178301440 |
| Feb. 28 | General | Trump, during an interview on Fox and Friends, comments on media stories: "I believe that a lot of the sources are made up, a lot of the stories are made up. I believe a lot of the stories are pure fiction, they just pull it out of air." Commenting on his use of social media, Trump says, "it does allow me to go around dishonest media [...] if I felt the media were honest, all of it, or most of it, I wouldn't do it." | Chris Cilizza, "Donald Trump's A+/C+ Presidency," Washington Post, Feb. 28, 2017, https://www.washingtonpost.com/news/the-fix/wp/2017/02/28/president-trumps-friendly-fox-and-friends-interview-went-exactly-about-how-you-think-it-would/?utm_term=.e5b58bf8d622 |
| Feb. 28 | Alex Isenstadt, <i>Politico</i> journalist | Erik Wemple of the Washington Post reports that White House Press Secretary Sean Spicer threatened to, and did, plant a story smearing a Politico reporter—journalist Alex Isenstadt—who recently had written a critical story about Spicer. | Erik Wemple, "The White House's Politico Slime Job, From Start to Finish," Washington Post, Feb. 28, 2017, https://www.washingtonpost.com/blogs/erik-wemple/wp/2017/02/28/the-white-houses-politico-slime-job-from-start-to-finish/?utm_term=.c85cefa6ff37 |
| March 6 | General | White House Press Secretary Sean Spicer declines to hold a televised press conference for the seventh day in a row. | Michael M. Grynbaum, "Sean Spicer Meets the Press. No Cameras Allowed, Again." <i>The New York Times</i> , March 6, 2017, https://www.nytimes.com/2017/03/06/business/sean-spicer-press-briefing-off-camera.html?_r=0 |

APPENDIX

President Trump's 100 Days

continued on page 35

| Date | Journalists/ Outlets Involved | Incident | Source |
|----------|---------------------------------------|---|--|
| March 7 | General | President Trump tweets: "Don't let the FAKE NEWS tell you that there is big infighting in the Trump Admin. We are getting along great, and getting major things done!" | @POTUS, Mar 7, 2017, https://twitter.com/POTUS/status/839132604444131330 |
| March 7 | Andrea Mitchell, NBC News journalist | Andrea Mitchell, of NBC News, is ejected from a photo op with State Secretary Tillerson and Ukrainian Foreign Minister Pavlo Klimkin after attempting to ask questions. | Tim Hains, "NBC's Andrea Mitchell Ejected From State Dept. Room Asking Tillerson About Russia, China, Ukraine," RealClear Politics, March 7, 2017, http://www.realclearpolitics.com/video/2017/03/07/nbcs_andrea_mitchell_ejected_from_room_asking_tillerson_about_russia_china_ukraine.html |
| March 9 | General | CNN Money reports that the White House has cancelled two open press events with the President over the week. White House Deputy Press Secretary Stephanie Grisham states that she is responsible for the cancellations, saying that the rooms where the press events were to be held were "too full to accomodate press and equipment." | Dylan Byers, "White House Cancels Open Press Events by Trump," CNN Money, March 9, 2017, http://money.cnn.com/2017/03/09/media/trump-cancels-press-events/ |
| March 13 | General | President Trump tweets: "It is amazing how rude much of the media is to my very hard working representatives. Be nice, you will do much better!" | @realDonaldTrump, Mar 13, 2017, https://twitter.com/realdonaldtrump/status/841270741060464648?lang=en |
| March 15 | Joe Scarborough, NBC News commentator | In response to NBC's Joe Scarborough's argument that Trump himself leaked two pages of his tax returns, President Trump's personal lawyer Michael Cohen tweets " You better have proof to back up your claim and big mouth!" | Matt Shuham, "Trump's Lawyer Warns Scarborough: 'Better Have Proof' For Your 'Big Mouth'," Talking Points Memo, March 15, 2017, http://talkingpointsmemo.com/livewire/michael-cohen-warns-joe-scarborough |

APPENDIX

President Trump's 100 Days

continued from page 34

| Date | Journalists/ Outlets Involved | Incident | Source |
|----------|--|---|---|
| March 15 | CNN, <i>The New York Times</i> , NBC, CBS, ABC, <i>The Washington Post</i> | In an interview with Fox News' Tucker Carlson, Trump engages in repeated disparaging of the media, including specific outlets, with such comments as "not that I respect the <i>New York Times</i> . I call it the failing <i>New York Times</i> ," "NBC ... they are despicable." "I call it the fake press, the fake media." "The news is not honest, much of the news. It's not honest." | "Exclusive: President Donald Trump," Tucker Carlson Tonight Show, March 15, 2017, video available at https://www.youtube.com/watch?v=4wAMSF3P22A ; "President Trump Interview with Tucker Carlson 3/15/2017 [Full Interview]," Conservative Daily News, March 16, 2017, http://www.conservativedailynews.com/2017/03/president-trump-interview-with-tucker-carlson-31517-full-interview/ ; Chris Cilizza, "Donald Trump's Explanation of his Wire-Tapping Tweets with Shock and Amaze You," Washington Post, March 16, 2017, https://www.washingtonpost.com/news/the-fix/wp/2017/03/16/donald-trump-explained-twitter-the-universe-and-everything-to-tucker-carlson/?utm_term=.24f8afb962a4 |
| March 15 | General | In lieu of the customary traveling press corps, State Secretary Tillerson offers only one press spot on his trip to Asia, to a reporter from the small conservative outlet, The Independent Journal Review. The State Department Correspondents Association responds with a statement saying it is "disappointed" by the Secretary's decision. | Steven Perlberg, "IJR Lands the Only Press Spot on Tillerson's Plane to Asia," BuzzFeed News, March 14, https://www.buzzfeed.com/stevenperlberg/ijr-lands-the-only-press-spot-on-tillersons-plane-to-asia?utm_term=.jkzxc34J46#.ddjmA3KPK8 ; Mark Hensch, "State Dept. Correspondents 'Disappointed' by Tillerson Press Access," The Hill, March 15, 2017, http://thehill.com/policy/international/asia-pacific/324042-state-correspondents-disappointed-by-tillerson-press-access |

APPENDIX

President Trump's 100 Days

continued on page 37

| Date | Journalists/ Outlets Involved | Incident | Source |
|----------|---|--|--|
| March 15 | NBC News, investigative journalist David Cay Johnston | President Trump tweets, in reference to recent reports about his tax returns: "Does anybody really believe that a reporter, who nobody ever heard of, 'went to his mailbox' and found my tax returns? @NBCNews FAKE NEWS!" | @realDonaldTrump, Mar 15, 2017, https://twitter.com/realdonaldtrump/status/841966077005463553?lang=en |
| March 17 | General | During a trip to the Korean Demilitarized Zone (DMZ), Secretary Tillerson bars a "pool reporter", a journalist representing US media organizations, from a meeting at the United Nations Command meeting room. A US Embassy official states that the exclusion was "the Secretary's decision." The Secretary did allow a press team from Fox News to attend the meeting. | Benjamin Mullin, "Secretary Tillerson Allows Fox News, Excludes Others From DMZ Meeting," Poynter, March 17, 2017, http://www.poynter.org/2017/secretary-tillerson-allows-fox-news-excludes-others-from-north-korean-meeting/452720 |
| March 18 | General | Secretary Tillerson, in an interview with the Independent Journal Review, is asked about press access during his foreign visits. In response, Tillerson describes himself as "not a big media press access person. I personally don't need it." | Erin McPike, "Transcript: Independent Journal Review's Sit-Down Interview with Secretary of State Rex Tillerson," Independent Journal Review, March 18, 2017 http://ijr.com/2017/03/827413-transcript-independent-journal-reviews-sit-interview-secretary-state-rex-tillerson/ |

APPENDIX

President Trump's 100 Days

continued from page 36

| Date | Journalists/ Outlets Involved | Incident | Source |
|----------|-------------------------------------|---|---|
| March 18 | General | President Trump tweets: "Despite what you have heard from the FAKE NEWS, I had a GREAT meeting with German Chancellor Angela Merkel...." | @POTUS, Mar 18, 2017, https://twitter.com/POTUS/status/843138446646501376 |
| March 19 | CNN | President Trump, in an interview with Fox News' Jesse Watters, repeats his assertion that CNN is "fake news". | "BREAKING Latest Trump Interview with Watter World Jesse Watters," Watter World, Mar 18, 2017, available at https://www.youtube.com/watch?v=4JznsHHxsok |
| March 20 | CNN | President Trump tweets: "Just heard Fake News CNN is doing polls again despite the fact that their election polls were a WAY OFF disaster. Much higher ratings at Fox" | @realDonaldTrump, Mar 20, 2017, https://twitter.com/realDonaldTrump/status/843803115044454402 |
| March 23 | NBC, ABC | President Trump tweets: "Just watched the totally biased and fake news reports of the so-called Russia story on NBC and ABC. Such dishonesty!" Both ABC and NBC were reporting on the alleged ties between people affiliated with Trump's election campaign and the Russian government. | @realDonaldTrump, Mar 23, 2017, https://twitter.com/realDonaldTrump/status/844886082663698436 |
| March 28 | <i>The New York Times</i> | President Trump tweets: "The failing @NYTimes would do much better if they were honest!" In the tweet, President Trump links to an article from New York Post columnist John Crudele accusing the <i>New York Times</i> of "ongoing dishonesty". | @POTUS, Mar 28, 2017, https://twitter.com/POTUS/status/846745344528568320 |
| March 28 | General | President Trump tweets: "Why doesn't Fake News talk about Podesta ties to Russia as covered by @FoxNews or money from Russia to Clinton—sale of Uranium?" | @realDonaldTrump, Mar 28, 2017, https://twitter.com/realDonaldTrump/status/846854703183020032 |

APPENDIX

President Trump's 100 Days

continued on page 39

| Date | Journalists/ Outlets Involved | Incident | Source |
|----------|-------------------------------------|---|---|
| March 29 | General | President Trump tweets: "If the people of our great country could only see how viciously and inaccurately my Administration is covered by certain media!—DJT" | @POTUS, Mar 29, 2017, https://twitter.com/potus/status/847077970900602881?lang=en |
| March 29 | The New York Times | President Trump tweets: "Remember when the failing @nytimes apologized to its subscribers, right after the election, because their coverage was so wrong. Now worse!" <i>The New York Times</i> responds by tweet: ".@realdonaldtrump False, we did not apologize. We stand by our coverage & thank our millions of subscribers for supporting our journalism." | @realDonaldTrump, Mar 29, 2017, https://twitter.com/realdonaldtrump/status/847056211006631936 ; @NYTimesComm, Mar 29, 2017, https://twitter.com/NYTimesComm/status/847082735479013376 |
| March 30 | The New York Times | Re-linking to columnist John Crudele's post criticizing <i>The New York Times</i> , President Trump tweets: "The failing @nytimes has disgraced the media world. Gotten me wrong for two solid years. Change libel laws?" | @realDonaldTrump, Mar 30, 2017, https://twitter.com/realdonaldtrump/status/847455180912181249 |
| March 31 | General | President Trump tweets: "Mike Flynn should ask for immunity in that this is a witch hunt (excuse for big election loss), by media & Dems, of historic proportion!" | @realDonaldTrump, Mar 31, 2017, https://twitter.com/realdonaldtrump/status/847766558520856578 |
| April 1 | Chuck Todd, NBC News | President Trump tweets: "When will Sleepy Eyes Chuck Todd and @NBCNews start talking about the Obama SURVEILLANCE SCANDAL and stop with the Fake Trump/Russia story?" | @realDonaldTrump, Apr 1, 2017, https://twitter.com/realdonaldtrump/status/848153860602507264 |
| April 1 | General | President Trump tweets: "It is the same Fake News Media that said there is 'no path to victory for Trump' that is now pushing the phony Russia story. A total scam!" | @realDonaldTrump, Apr 1, 2017, https://twitter.com/realdonaldtrump/status/848158641056362496 |

APPENDIX

President Trump's 100 Days

continued from page 38

| Date | Journalists/ Outlets Involved | Incident | Source |
|----------|--|---|--|
| April 2 | General | President Trump tweets: "Anybody (especially Fake News media) who thinks that Repeal & Replace of ObamaCare is dead does not know the love and strength in R Party!" | @realDonaldTrump, Apr 2, 2017, https://twitter.com/realDonaldTrump/status/848519587675201538 |
| April 7 | General | Education writer Alexander Russo, reviewing press access to Education Secretary Betsy DeVos, notes "DeVos takes press questions at events only occasionally, has yet to grant a formal interview with a major national education reporter, and heads a department that only intermittently provides answers in a timely manner—through a spokesperson whose name reporters are forbidden to use." | Alexander Russo, "Growing Tensions Between DeVos Education Department & Reporters," Kappan Online, April 4, 2017, http://www.kappanonline.org/growing-tensions-secretary-devos-education-reporters/ |
| April 11 | General | Secretary of State Rex Tillerson, on a state visit to Russia, leaves his press pool behind in an unscheduled meeting with Russian President Vladimir Putin. | Nikita Vladimirov, "Tillerson Leaves Press Pool Behind to Meet Putin," The Hill, April 12, 2017, http://thehill.com/policy/international/328520-tillerson-leaves-press-pool-behind-to-meet-putin |
| April 11 | Carol Morello, <i>The Washington Post</i> journalist | During Secretary Tillerson's state visit to Russia, Russian Foreign Minister Sergei Lavrov responds to a question from Carol Morello of <i>The Washington Post</i> about Russian intelligence in an aggressive manner, chiding Morello, "Who was bringing you up? Who was giving you your manners?" Secretary Tillerson, sitting nearby, does not defend her right to ask a question. | The Rachel Maddow Show, "Secretary Tillerson Fails to Defend US Journalists in Russia," MSNBC, April 12, 2017, http://www.msnbc.com/rachel-maddow/watch/secretary-tillerson-fails-to-defend-us-journalist-in-russia-920105027632 |

APPENDIX

President Trump's 100 Days

continued on page 41

| Date | Journalists/ Outlets Involved | Incident | Source |
|----------|---|--|---|
| April 12 | General | Trump, in an interview with Fox's Maria Bartiromo, again uses the term "fake news", in describing the media's coverage of his efforts on health care. | Aaron Blake, "President Trump's Thoroughly Confusing Fox Business Interview, Annotated," Washington Post, April 12, 2017, https://www.washingtonpost.com/news/the-fix/wp/2017/04/12/president-trumps-thoroughly-confusing-fox-business-interview-annotated/?utm_term=.431c571f5e89 |
| April 17 | General | President Trump tweets: "The Fake Media (not Real Media) has gotten even worse since the election. Every story is badly slanted. We have to hold them to the truth!" | @realDonaldTrump, Apr 17, 2017, https://twitter.com/realDonaldTrump/status/853945633903923200 |
| April 21 | John Dickerson, Face the Nation; CNN; MSNBC; MSNBC "Morning Joe". | President Trump, in an interview with the Associated Press, made several comments disparaging the media, including specific media outlets. His comments include, in describing his developing relationship with Chinese President Xi Jinping: "And the media, some of them get it, in all fairness. But you know some of them either don't get it, in which case they're very stupid people, or they just don't want to say it." President Trump also states that he refers to "Face the Nation, the CBS news show with moderator John Dickerson, as "Deface the Nation", and singles out CNN and MSNBC—specifically MSNBC's "Morning Joe"—as examples of coverage he considers "false" or "incorrect," as well as "unfair" or "unpleasant." | Transcript of AP Interview with Trump, Associated Press, April 24, 2017, https://apnews.com/c810d7de280a47e88848b0ac74690c83 |

APPENDIX

President Trump's 100 Days

continued from page 40

| Date | Journalists/ Outlets Involved | Incident | Source |
|----------|-------------------------------------|--|---|
| April 23 | General | President Trump tweets: "New polls out today are very good considering that much of the media is FAKE and almost always negative. Would still beat Hillary inpopular vote. ABC News/Washington Post Poll (wrong big on election) said almost all stand by their vote on me & 53% said strong leader." | @realDonaldTrump, Apr 23, 2017, https://twitter.com/realDonaldTrump/status/856233279841849344 ; @realDonaldTrump, Apr 23, 2017, https://twitter.com/realDonaldTrump/status/856234989591121922 |
| April 24 | ABC, NBC | President Trump tweets: "The two fake news polls released yesterday, ABC & NBC, while containing some very positive info, were totally wrong in General E. Watch!" | @realDonaldTrump, Apr 24, 2017, https://twitter.com/realDonaldTrump/status/856481786938916865 |

APPENDIX

President Trump's 100 Days

continued on page 43

| Date | Journalists/ Outlets Involved | Incident | Source |
|----------|-------------------------------------|--|---|
| April 24 | General | Deputy Assistant Sebastian Gorka, speaking at a Georgetown University panel on fake news and cyber-propaganda, tells students protesting his alleged affiliations with an anti-Semitic group that they are "victims of fake news" and that "if you perpetuate fake news, you are helping the bad guys." Gorka, after receiving several critical questions during the Q+A, then abruptly leaves the event. A Georgetown spokesperson later states that Gorka had been scheduled to leave the event early. | Tim Stelloh, "Sebastian Gorka, Trump Adviser Linked to Hungarian Right-Wing Group, Abruptly Leaves 'Fake News' Panel," NBC News, Apr. 24, 2017, http://www.nbcnews.com/politics/white-house/sebastian-gorka-trump-adviser-linked-hungarian-right-wing-group-abruptly-n750451 ; Caitlin Yilek, "Trump adviser Sebastian Gorka abruptly leaves event after he goes on tirade against 'fake news,' Washington Examiner, Apr. 24, 2017, http://www.washingtonexaminer.com/top-trump-adviser-abruptly-leaves-event-after-he-goes-on-tirade-against-fake-news/article/2621103 ; Allegra Kirkland, "Gorka Storms Out of Georgetown Panel After Tough Student Questions," Talking Points Memo, April 24, 2017, http://talkingpointsmemo.com/dc/gorka-storms-out-of-georgetown-panel-after-tough-student-questions ; Adelle Nazarian and Edwin Mora, "Dr. Sebastian Gorka to Astro turf Protestors: You Are 'Victims of Fake News,'" Breitbart, Apr 25, 2017 http://www.breitbart.com/national-security/2017/04/25/gorka-tells-astoturf-protesters-they-are-victims-fake-news/ |
| April 25 | General | President Trump tweets: "Don't let the fake media tell you that I have changed my position on the WALL. It will get built and help stop drugs, human trafficking etc." | @realDonaldTrump, Apr 25, 2017, https://twitter.com/realDonaldTrump/status/856849388026687492 |

ENDNOTES

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- 3 Brendan Fitzgerald, “White House ‘Skype Seats’ offer fodder for local journalists,” *Columbia Journalism Review*, Feb. 2, 2017, https://www.cjr.org/covering_trump/skype_seats_white_house_spicer.php.
- 4 Ben Schreckinger and Hadas Gold, “Trump’s fake war on the fake news,” *Politico Magazine*, May/June 2017, <http://www.politico.com/magazine/story/2017/04/23/trump-loves-media-reporters-white-house-215043>.
- 5 Daniel Dale, “Donald Trump Said 16 False Things in that Bizarre Oval Office Interview with the Associated Press,” *Toronto Star*, April 25, 2017 (last updated), <https://www.thestar.com/news/world/2017/04/25/daniel-dales-donald-trump-fact-check-updates.html>; “100 Days of Trump Claims,” *Washington Post Fact Checker*, https://www.washingtonpost.com/graphics/politics/trump-claims/?utm_term=.476b142d476d
- 6 Dan Barry, “In a swirl of ‘untruths’ and ‘falsehoods,’ calling a lie a lie,” *New York Times*, Jan. 25, 2017, <https://www.nytimes.com/2017/01/25/business/media/donald-trump-lie-media.html>
- 7 Anthony Zurcher, “The birth of the Obama ‘birther’ conspiracy,” *BBC News*, Sept. 16, 2016, <http://www.bbc.com/news/election-us-2016-37391652>; Gregory Krieg, “14 of Trump’s most outrageous ‘birther’ claims—half from after 2011,” *CNN Politics*, Sept. 16, 2016, <http://www.cnn.com/2016/09/09/politics/donald-trump-birther/>
- 8 Maggie Haberman and Alan Rappeport, “Trump drops false ‘birther’ theory, but floats a new one: Clinton started it,” *New York Times*, Sept. 16, 2016, https://www.nytimes.com/2016/09/17/us/politics/donald-trump-birther-obama.html?_r=0
- 9 @realDonaldTrump, Nov. 27, 2016 (3:30 pm), <https://twitter.com/realDonaldTrump/status/802972944532209664>
- 10 Kasie Hunt, “Trump again makes debunked claim: ‘Illegals’ cost me popular vote,” *NBC News*, Jan. 24, 2017, <http://www.nbcnews.com/politics/white-house/trump-lawmakers-illegals-cost-me-popular-vote-n711136>; Alexander Bolton, “Trump taps Pence to head voter fraud investigation,” *The Hill*, Feb. 5, 2017, <http://thehill.com/homenews/administration/317996-trump-taps-pence-to-head-voter-fraud-investigation>
- 11 Andrew Restuccia, “Trump’s baseless assertions of voter fraud called ‘stunning,’” *Politico*, Nov. 27, 2016, <http://www.politico.com/story/2016/11/trump-illegal-voting-clinton-231860>; Jeremy Stahl, “Where did 9/11 conspiracies come from?,” *Slate*, Sept. 6, 2011, http://www.slate.com/articles/news_and_politics/trutherism/2011/09/where_did_911_conspiracies_come_from.html
- 12 Eric Bradner, “Trump praises 9/11 truther’s ‘amazing’ reputation,” *CNN Politics*, Dec. 2, 2015, <http://www.cnn.com/2015/12/02/politics/donald-trump-praises-9-11-truther-alex-jones/>
- 13 *Donald J. Trump and Donald J. Trump for President, Inc.’s Objections to Dr. Jill Stein’s Recount Petition*, Dec. 1, 2016, http://www.michigan.gov/documents/sos/Objection_to_Recount_Petition_544089_7.pdf
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15 Michael Wines, “One rationale for voter ID debunked, G.O.P. has another,” *New York Times*, Mar. 23, 2017, <https://www.nytimes.com/2017/03/23/us/election-fraud-voter-ids.html>; Brennan Center for Justice, “Voting Laws Roundup 2017,” Mar. 27, 2017, <http://www.brennancenter.org/analysis/voting-laws-roundup-2017>

16 Julie Hirschfeld Davis and Matthew Rosenberg, “With False Claims, Trump Attacks Media on Turnout and Intelligence Rift,” *New York Times*, Jan. 21, 2017, <https://www.nytimes.com/2017/01/21/us/politics/trump-white-house-briefing-inauguration-crowd-size.html>

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18 Aric Jenkins, “Read President Trump’s Speech Claiming the Press Doesn’t Report Terror Attacks,” *Time*, Feb. 6, 2017, <http://time.com/4661658/donald-trump-terror-attacks-speech-macdill-air-force-base/>

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