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THE WHITE HOUSE  
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May 8, 2017

PRESS BRIEFING  
BY PRESS SECRETARY SEAN SPICER

James S. Brady Press Briefing Room

1:13 P.M. EDT

MR. SPICER: Good afternoon. I want to thank Sarah for standing in for me on Friday. She did a great job. I missed you all tremendously. (Laughter.) Now that I realize that we can do that a little more I'll spend a little more time at the Pentagon.

I moved this up a little bit -- I appreciate your flexibility today so that the pool has enough time to cover the Vice President and Secretary Shulkin as they welcome Honor Flight our veterans to Washington on the anniversary of VA Day. The Vice President is hosting more than 120 veterans of World War II, the Korean War and the Vietnam War as part of National Military Appreciation Month, and Public Service Recognition Week, highlighting the Trump administration's commitment to our military and public service.

Also today, the Vice President, Secretary Price, Secretary Shulkin all attended an event on the scientific opportunities in biomedicine. Key leaders from government, the private sector and academia discussed the United States' comprehensive biomedical landscape and further educated White House staff, including assistants to the President, Ivanka Trump and Reed Cordish, on this important topic.

The meeting was organized by the National Institutes of Health and was led by its director, Dr. Francis Collins. Leaders in the medical, education and research joined executives from companies who invest in biotech to provide analysis and real-life examples of how America's sustained leadership in the biomedical industry has resulted in immeasurable benefits to both our country's economic and physical well-being.

Among the participants were Bill Ford, the CEO of General Atlantic; Dr. Craig Thompson, the president of Memorial Sloan Kettering Cancer Center; Dr. Cornelia Bargmann, the president of science at the Chan Zuckerberg Initiative; Dr. Marc Tessier-Lavigne, president of Stanford University; and Dr. Rick Lifton, the president of Rockefeller University.

The United States currently sits atop the list of global investors in innovation in the life sciences, responsible for 44 percent of global research and development. This investment is dependent on the NIH and the important research it funds. In order to maintain our international leadership in biomedicine, we must strengthen the partnerships between government agencies, investors, academics, the bio-pharma industry and research foundations. This meeting was an important step in reinforcing that essential cooperation.

Moving on, I'm pleased to announce that today, shortly after this briefing, we will release a list of the President's third wave of federal court nominees. These 10 individuals that the President has chosen were chosen for their deep knowledge of the law and their commitment to upholding constitutional principles.

Two of the nominees today came from the list of potential Supreme Court nominees that the President released during the campaign. If confirmed, Justice Joan Larsen will be a circuit court judge on the U.S. Court of Appeals for the 6th Circuit. Justice Larsen is currently serving on the Michigan Supreme Court. And Justice David Stras will be a circuit court judge on the U.S. Court of Appeals for the 8th Circuit. He currently serves as a justice of the Minnesota Supreme Court.

The campaign list was put together from the Heritage Foundation, as well as the Federalist Society. And as the President said last September when it was released, these "highly respected people are the kind of scholars that we need to preserve the very core of our country and make it greater than ever before." The President followed the principles that were used to guide that list to select the additional eight individuals. And as I mentioned, the full list should be out very shortly.

In terms of the President's schedule for today, this morning he met with his National Security Advisor, General McMaster. He also spoke with the French President-elect to congratulate him on his victory. A readout of that call should be out very shortly. The Prime Minister of Georgia was also at the White House, meeting with the Vice President. The Prime Minister then dropped by with the Vice President into the Oval Office to greet the President. And earlier this afternoon, the President had lunch with the Vice President.

In about an hour, he'll meet with Secretary of State Tillerson. Secretary Tillerson has also been meeting with several foreign leaders today at the State Department, including the Prime Minister of Montenegro, the Foreign Minister of Slovakia, and the Foreign Minister of Qatar.

Secretary Mattis is also meeting with many foreign leaders during his European trip this week to reaffirm key United States military alliances. The Secretary is in Denmark to co-host a meeting with the Danish Minister of Defense, with senior leaders from 15 countries that are key contributors to the ISIS military campaign.

While in Copenhagen, Secretary Mattis will also meet separately with the Minister of Defense to discuss European security and the importance of the NATO Alliance, and with the Danish Prime Minister to reaffirm the close ties between Denmark and the United States.

In other Cabinet news, Secretary Zinke is in Utah today, continuing his four-day listening tour on the Bears Ears National Monument and Grand Staircase-Escalante National Monument, putting into action President Trump's April 27th executive order to review these monuments. Secretary Zinke will be accompanied by the governor and a number of Utah's congressional delegation and local stakeholders for a morning aerial tour of the million-plus-acre monument and an afternoon hiking tour and a roundtable meeting this evening with Friends of Cedar Mesa Museum.

While in Utah, the Secretary and other officials are holding daily press briefings on the ground. You can reach out to the Interior Department for more details.

And with that, I'd be glad to take a few questions.

Kristen.

Q Sean, thank you. Former President Obama warned then President-elect Trump against hiring Mike Flynn as his national security advisor. Why did he ignore that?

MR. SPICER: Well, the President doesn't disclose details of meetings that he has, which, in this case, was an hour-long meeting. But it's true that the President made it -- President Obama made it known that he wasn't exactly a fan of General Flynn's, which is, frankly, shouldn't come as a surprise to anyone that given that General Flynn had worked for President Obama, was an outspoken critic of President Obama's shortcomings, specifically as it related to his lack of strategy confronting ISIS and other threats around -- that were facing America.

So the question that you have to ask yourself really is, if President Obama was truly concerned about General Flynn why didn't he suspend General Flynn's security clearance, which they had just reapproved months earlier. Additionally, why did the Obama administration let Flynn go to Russia for a paid speaking engagement, which he did? There were steps that they could have taken -- if that was truly a concern, more than just a person that didn't -- had bad blood.

Q I want to follow up on a couple points, because you raised the security clearance. But before that, if a sitting President raises the name of one individual, why wouldn't that give the President-elect pause? I understand what you're saying, the caveat about the fact of the campaign, et cetera, but wouldn't that give the incoming President pause?

MR. SPICER: Well, I think that -- I don't know that I agree with your characterization. He made it clear that he wasn't a fan of his, and I don't think that should have come as a surprise considering the role that General Flynn played in the campaign, criticizing his --

Q It didn't give him any pause at all?

MR. SPICER: No. I think, again, I think if you know what we knew at the time, which is that the security clearance that he had had been reapproved in April of that year, and not only did they reapprove it, but then they took no steps to suspend it. So the question has to be what did they do if they had real concerns beyond just not having -- not liking him for some of the comments that he made.

Q And it's our understanding -- and if you could clarify this -- did Mike Flynn not need an upgraded security clearance in order to serve as the national security advisor?

MR. SPICER: He'd been head of the Defense Intelligence Agency. That's the same --

Q And you vetted him, as well, correct?

MR. SPICER: That's the same clearance that -- the security clearance -- we went over this a while ago -- it's the same clearance at any level. Once you get it, you get it for the time you had -- he had his reinvestigation in April of 2016, and the Obama administration took no steps -- not only did they reaffirm that security clearance, they took no steps to suspend it or take any other action.

Q But did you not vet him yourselves?

MR. SPICER: Well, you don't vet -- on a security clearance, that's why you get a security clearance. Everyone in the government goes through the same process. So the answer is, is that those same -- that same process worked for General Flynn as it did for me, or for anyone else who works here. There's no difference of a security clearance once it's issued.

Zeke.

Q What we do know is what we knew at the time. So knowing what the White House knows now, does the White House, does the President think that General Flynn should not have had that clearance reissued last year, number one? And number two, does the White House believe that General Flynn was truthful when he filled out his SF-86 for that reinvestigation last

year?

MR. SPICER: Well, I'm not going to get into those details. Obviously, that was something that was adjudicated by the Obama administration in April of 2016. They took no steps to suspend that. So that's not really a question for us; it's a question for them at that time.

Q Knowing what you know now --

MR. SPICER: I think the President took appropriate action when he did. Once he felt as though General Flynn had misled the Vice President, he took appropriate action at the time, and he stands by that today.

Q His ties to Russia, and his work as a registered foreign agent now -- registered foreign agent for the government of Turkey lead to his firing in February?

MR. SPICER: Well, again, I don't think we're going to re-litigate this. The President made the right decision back then and he stands by that.

Hunter.

Q Thank you, Sean. Last week, officials indicated that the Pentagon planned to send the President a proposal to send several thousand additional troops to Afghanistan. Can you confirm whether or not the President has made a decision about sending additional troops to Afghanistan? And if so, when are they going? How many are going? And what is their mission?

MR. SPICER: I'll refer you to the Department of Defense on that. They are in contact with them. But we have nothing to share at this time.

Sara.

Q Thanks, Sean. The President tweeted this morning that senators on the Intelligence Committee should ask Sally Yates about her role in classified leaks about General Flynn. Does the President have evidence that ties Sally Yates to the Flynn leaks? Why did he tweet that?

MR. SPICER: Well, I think you guys are well aware of the President's concern about spills of classified and other sensitive information out into the open. It's something that should concern every American. And the President has made it very clear since he took office that that's a big concern of his. And so the idea that classified information made its way into the press is something that I think, while we're asking all of these questions, is one of the ones that I think the senators should ask -- how did that information get out into the open like that. I think that is an equally important question that, frankly, isn't getting asked.

Q But does the President believe that Sally Yates was the leaker in this?

MR. SPICER: Again, I think the tweet speaks for itself. What he's saying is that the Senate should ask those questions.

Q Sean, aside from the announcement today that the President will nominate 10 judges to fill federal vacancies, many conservatives remain concerned the White House is woefully behind on overall appointments. The President recently told the Examiner -- to paraphrase him -- that he doesn't need to fill vacant posts in the administration. After these 10, there will still be 110 judicial vacancies. Does the President still believe vacant administration jobs do not need to be filled? And are there any plans to increase the pace of political appointments?

MR. SPICER: So there's like three questions in there. I'll try to break them down. Number one, we have a very robust schedule of releasing names. There is a method to this in terms of the nominees who are getting put out now, and I think you should expect to see more and more go through. The process this time around is a little bit different. We're actually going through the Office of Government Ethics and FBI clearances before announcing most of these individuals. And so there's a little bit of a difference in how we're doing this. But we are well on pace with respect to many of these to get the government up and running.

But the President's point that he was making in that interview was that part of the review of government is to make sure that we're looking at these positions and figuring out whether or not the taxpayer is getting the best bang for their buck both in terms of productivity and cost. And so we're looking through the entire government -- Director Mulvaney I think briefed you all a while ago about how we look at government to figure out whether or not we can do a better job of filling positions, of staffing the government.

But we're going to continue to have announcements on key positions as this week goes by.

Q -- bureaucracy if you don't fill some of these --

MR. SPICER: We are. And that's what I'm saying. I think that you're going to continue to see, whether it's judicial nominations, ambassadors, other key positions -- I think we have a very healthy clip of announcements that continue to go out.

Q Thanks, Sean. Ahead of her testimony today, does President Trump believe Sally Yates is a trustworthy source of information?

MR. SPICER: That's not up for us to decide. I mean, that is up to the Senate to decide whether or not what she does, and we'll have to wait and see what that --

Q And following up on Sara's question, it seemed that the President was implying that Sally Yates may have had something to do with the leaked information to newspapers. Is that what he was implying?

MR. SPICER: Well, I think the tweet speaks for itself. Sometimes you don't have to read too much into it.

Richard.

Q Thank you, Sean. Two questions on NAFTA. First, the Canadian Prime Minister, on Friday, said that they're considering, as a reaction to what the Prime Minister calls an unfair, punitive duty on Canadian software lumber -- considering banning coal imports from the U.S. Is this the beginning of a trade war between Canada and the U.S.?

MR. SPICER: No. That's why we have dispute settlement mechanisms, to do this in a responsible way. Wilbur Ross, the Commerce Secretary, has been in touch with his counterparts over there and I think -- look, there's a reason that the dispute mechanism is set up the way that it is under this particular trade agreement, but under most trade agreements, so that the two parties can resolve them in a way that allows for both sides to air their concerns. But that's why you have an agreement and that's why you have a mechanism set up to do that.

Q So you trust the mechanism on this?

MR. SPICER: No, no, let's let it play out. But I think Secretary Ross took appropriate action to protect the U.S. industry, and we're going to let the process play out.

Q And 10 days ago, the President said that Mexico and Canada have agreed to fasten the process to renegotiate NAFTA. What has happened in the last 10 days?

MR. SPICER: Well, I think, our officials will start to -- we'll have further updates for you on that. Right now there is nothing to share.

John.

Q Thanks a lot, Sean. Did Sally Yates have to run any of her planned testimony by the General Counsel's office that she'll deliver later this afternoon?

MR. SPICER: I'm not aware of it, no.

Q And also, do you have any reason to doubt that her testimony, which will be under oath, will be truthful before the Senate Subcommittee?

MR. SPICER: No. I would assume that when you raise your right hand and agree to tell the truth and nothing but the truth, that you'll do that. That's the whole reason that you pledge.

Francesca.

Q Thank you, Sean. For weeks during the transition, President Trump was not receiving a daily intelligence briefing; he was receiving his information from General Flynn. Do you think that lack of direct information from the intelligence community contributed to the lapse in vetting with General Flynn?

MR. SPICER: So, first, he did get his -- we extensively went over the PDB briefing throughout the campaign. I believe back then it was three times a week that he was getting it, and, supplanted by his national security team, they would go in and do that. So I think the premise is not there.

Secondly, as I mentioned to Kristen, the processes that were followed by General Flynn are followed by every government employee who receives a clearance at that particular level.

Q On another thing, I wanted to talk about the signing statement that came out on Friday with the spending bill. Senior administration officials, including Education Secretary Betsy DeVos, didn't seem to know about that. Why didn't she or people working on that issue know about that, know it was coming? Whose idea was that? And what happened between when Sarah was out here on Friday saying that she didn't think there was going to be something like that, and then close of business when there was a signing statement? And did you know it was coming?

MR. SPICER: So signing statements are a pro forma activity that occurs during a bill signing that's performed by the Department of Justice Office of Legislative Counsel. It's been used by every President. So I'm not really sure what everyone knew, but that is something that goes along, going back multiple administrations.

Cecilia.

Q Can I follow with HBCUs, on that signing statement, please?

MR. SPICER: Cecilia.

Q Thanks, Sean. On the travel ban, a couple questions, if I may. Back in February, the President said that lifting the travel ban would mean that many bad and dangerous people would be pouring in. Have you seen any evidence that that's been the case in the three months since this ban was lifted?

MR. SPICER: I think that's a question for the Department of Homeland Security.

Q Well, is that something you've been tracking?

MR. SPICER: Personally, no, but I'd be glad to follow up with the Department of Homeland Security. I don't have anything at this time on that.

Q Okay. In the same vein, if this White House is no longer calling this a "Muslim ban" as the President did initially, why does the President's website still explicitly call for "preventing Muslim immigration"? And it says, "Donald J. Trump is calling for a total and complete shutdown of Muslims entering the United States."

MR. SPICER: I'm not aware of what's on the campaign website. You'd have to ask them. I know how we've talked about this from the first day of this administration -- as a travel ban that's in this country's national security interest to make sure that the people who are coming in here are coming in here with the right motives. The reasons that we're having a public safety aspect to making sure that we're protecting our people -- I think that's -- we've been very consistent since the first day of this administration on this.

Q Is it worth standing here, though, and completely disavowing the use of that phrase, "Muslim ban"? I mean, it's still on the website. If the President's words are being used against him in court today, is it worth you clarifying that once and for all?

MR. SPICER: I'm trying to figure out why -- I've been very clear. I don't think I need to clarify what we have said or what the President said.

Q Well, it's stuff that's coming up in court. And that's expected to be --

MR. SPICER: I understand that. And that's, frankly, one of the reasons that we have concerns about how that's being interpreted -- because I think the intent of the travel ban was very clear. I think it was something that the President made very clear in the filings that we have filed why he did it, the motives for doing it. And he was very clear when he spoke about it from the beginning.

So there really shouldn't be any question as to why the President is doing this, and the idea of making sure that we're putting the safety of our country and people first and foremost.

Tamara.

Q Thank you. I've got two topics, hopefully fast. So the Kushner family was in China making a pitch for the EB-5 visa program. This came a day after the President signed the omnibus, which of course extended that program without any changes. So two questions on that. One, is it a violation of the conflict of interest agreement that Jared Kushner came to? And also, does the President believe that that investor visa program needs to be modified in any way?

MR. SPICER: So I think I would refer you to the company on that. Jared has done everything to comply with the ethics rules to make sure, and that had nothing to do with him, per se. He wasn't involved. And secondly -- I think we've talked about this before -- the President and Congress are looking at how to look over the entire visa program, all the various visa programs, and whether or not they are serving the purpose that they were intended to, whether or not we're making sure that we do what's in the best interest of the American worker. And so we're going to continue to work with Congress on that.

Q And regarding the opioid commission, it's my understanding that no members of that commission have been named yet. We're more than 30 days into what was supposed to be a 90-day period for that commission to come back with a report to the President. What's up with that? And does that send the wrong signal to people who believe that this is a very urgent crisis, where like more than 100 people are dying every day?

MR. SPICER: Right. Well, let me get back to you on the exact names and the announcement on that. I've got to follow with that. I think when it comes to the opioid crisis, the President, both during the campaign, the transition, and now as President, has made it very clear of his commitment to figuring out how we can address this crisis that plagues so many neighborhoods and communities. And he'll continue to work with -- you know, he appointed Governor Christie in a bipartisan commission. So as soon as we

Q Sean, can I ask you about the presidential nominees really quickly?

MR. SPICER: Kevin.

Q Why is it important for the President to get these 10 individuals out there to serve the country? And on a more broad perspective of this question, there are a number of vacancies -- 129 -- going into today, to say nothing of some of the openings over there in the EEOB that I'm sure could still be filled. The pace seems slow. Is the President aware of that pace? Is he comfortable with the pace? And what's the White House doing, not just to fill those important judicial jobs, but others that are related to the administration?

MR. SPICER: So on the judicial jobs, obviously we're going through it in a very methodical way. As I mentioned earlier, there's a lot of background that goes on in each of these in terms of the Office of Government Ethics, the FBI background check that goes on. And so they're all in pipeline. I think you'll continue to see a very robust amount of announcements on not just the judicial front but on several of the fronts.

And we're really -- we've been tracking where we are. I think we're well on pace with where previous administrations have been -- some ahead, some a little behind -- but we're

doing a great job of filling those key positions and making sure that we get the right person for the right job.

Q I want to ask you a big-picture question about Afghanistan. You were asked about troop levels and don't have an answer to that, but last week the Special Inspector General for Afghanistan Reconstruction painted a very grim picture. Security incidents through March reached the highest level in a decade. Civilian casualties were the highest on record. There's rampant drug use in Afghanistan. So as the President weighs this request for more troops, what's going to be his ultimate goal? Is it going to be stability? Is it outright victory in the 16th, 17th year of this war?

MR. SPICER: Well, I think number one, he wants to make sure that we defeat ISIS -- that is something that is in our national security interests -- and to make sure that we protect our people, but does so in a responsible, smart way. I mean, he's talked about not projecting where he's going and what he's going to do to let the enemy know ahead of time, and part of that guidance that his national security team is giving him are different pieces that you're talking about. How do we achieve those key outcomes? How do we do what's in the country's best interest and utilize our military and our treasure to the best of our ability? That is something that we're continuing to work on and do, and that's part of what he is getting briefed on and is implementing.

So I'm not entirely sure that answers where you're going, but that is what he has been getting briefed on, and that is the kind of decision-making process that is currently underway.

Q Is the President displeased with the current state of affairs in Afghanistan?

MR. SPICER: Well, I think he wants to make sure that we do what we can to win. And that's why he charged the generals and other military advisors and national security team to come up with a plan that can get us there.

Ronica.

Q Sean, thank you. Does the President believe that healthcare is a right or a product?

MR. SPICER: Well, I think the President has been very clear in his statements that, whether or not you call it a right or not, he wants every person to have access to healthcare that covers preexisting conditions, that is affordable. And I think the steps that he's taken over the last week, and the bill that he worked to pass through the House clearly highlight those priorities.

He wants to make sure that people have access to care. He is concerned when he hears about companies leaving the marketplace and not giving consumers a choice. He is concerned when he hears about deductibles going through the roof, costs going through the roof, and people not having the access that they can to healthcare. And he is very concerned that we are facing a choice right now where Obamacare is failing and dying, and that if we don't act, that people won't have access to healthcare and they won't be able to afford it. And so the steps that he is taking are to achieve those principles that he has laid out.

Blake.

Q Two questions as it relates to President Trump and former President Obama. Back to that November conversation, were there specific reasons given, as it relates to Michael Flynn? And if so, was that based on private information?

MR. SPICER: I don't know the answer to that. I know that, like I said, he passed along exactly what I mentioned to Kristen at the outset.

Michael.

Q Two clarifications. On the signing statement, broadly, not just the subject of HBCUs, are you saying that the President was not aware of the details of that very long signing statement, and it was just something done at --

MR. SPICER: No, no, no. That's not -- I'm sorry. No, the President is obviously aware of what happened. The question was asked is -- it is a process. It has happened for administrations going back generations, I'm sure. I don't have the precise nature of when signing statements came into being. But this is a normal pro forma piece that goes along with a bill signing to make sure that the executive branch's intent is as understood.

Q But a lot of the things that were in that signing statement were things that were essentially carryovers from things that Obama had also objected to. But the President and the senior staff here was aware of what those things were and approved those being --

MR. SPICER: Of course, yes.

Q Okay. Second question, on Flynn and the security clearance. You guys have made, both from the podium here and also the President made a big deal of this question of the Obama people gave him the clearance or re-upped the clearance earlier. Are you suggesting now, knowing what you guys know with hindsight and whatever, are you saying that they should have -- you believe that the Obama administration should have denied him his clearance back in April based on the information that you're now aware of -- connections with Russia, et cetera, et cetera? Are you suggesting that they should have denied it?

MR. SPICER: No. What I'm suggesting is, is that you can't have it both ways. That the folks who are coming out and saying Obama expressed some concern about Flynn -- well, number

one, it was pretty expected. This is a guy who was very outspoken in his criticism of President Obama's policies. So the idea that President Obama didn't like the guy doesn't seem shocking.

But the point that you have to ask yourself is, if the Obama administration, or under the Obama administration, if they reissued one of the highest security clearances that you can get -- knowing what they knew then -- and then didn't do anything to take a proactive step to suspend it in any way, shape, or form, the question you have to ask yourself is, if they were concerned, why didn't they take any steps? They're the ones who had, at that point, all the access and all the knowledge to everything that was on his SF-86 security clearance -- not us.

So if President Obama or anyone else, frankly, in the government was concerned, the question should be asked, what did they do? And if nothing, then why not, if they really truly were concerned? I think that is a fair question.

Dave.

Q Sean, over the weekend, North Korea detained a fourth U.S. citizen. Are you concerned that they're trying to escalate tensions even further? Do you consider these Americans hostages? And what are you doing diplomatically, back-channel or otherwise, to try and get them released?

MR. SPICER: Yeah, obviously this is concerning. We're well aware of it and we're going to work through the embassy of Sweden that has a facility in North Korea -- or an embassy in North Korea -- through our State Department to seek the release of the individuals there. But I would refer you to the State Department on that.

Q Sean, thanks very much. Just to follow up on your answer on Afghanistan, you mentioned ISIS but you didn't mention the Taliban. Should we read that to mean that the focus will be on ISIS?

MR. SPICER: No, it's to defeat both the ISIS and Taliban. I mean, there's no -- it's to make sure that we put our national security interests first, and defeat all of those folks that seek to do us harm.

Q Are you willing to negotiate with the Taliban?

MR. SPICER: Look, I think right now the whole point of this is the President is receiving a plan and guidance from his national security team as he had asked for. That guidance is coming forward as we speak. He's continued to meet with them, and there will be further updates from the Department of Defense as we move forward.

As I mentioned at the outset, the Vice President has an event. I want to make sure the pool has time to set for it. We're around all afternoon. Take care. Thank you.

END

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