

Press Briefing by Press Secretary Josh Earnest, 9/10/15

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James S. Brady Press Briefing Room

** Please see below for a correction, marked with an asterisk.

12:52 P.M. EDT

MR. EARNEST: Good afternoon, everybody. I do not have any announcements to make at the top, so we can go straight to your questions. Nancy, would you like to start?

Q Sure. Josh, on the Iran nuclear deal, if the votes on the Hill go as expected, would the President plan to start lifting sanctions on September 17th?

MR. EARNEST: Well, Nancy, I believe that both Majority Leader McConnell and the Senate committee chairman who wrote the legislation codifying how Congress would consider the international agreement to prevent Iran from obtaining a nuclear weapon have acknowledged that the 60-day clock for Congress's consideration of that agreement expires on September 17th. And essentially I've described previously that Congress's role here is not to provide their approval for the agreement, but they essentially had 60 days to play the spoiler. And if the votes go the way that we think that they will, and I think everyone expects that they will, Congress' opportunity to play that role will expire next week.

And that will be good news and it will mean that the international community can move forward with implementing the agreement.

Q So how quickly would the President move on the sanctions? Instantaneous or how does that --

MR. EARNEST: Well, I don't have a specific timeframe to lay out at this point, but obviously this would -- September 17th would signal the end of the opportunity that Congress said they wanted to have to try to kill the agreement. Hopefully they will not be successful in that effort, and it does not appear that they will. And we'll be able to move forward with the rest of the international community to implement this agreement.

Now, the other thing that's important to remember, Nancy, and this is important for members of Congress to remember as well, Iran does not begin receiving sanctions relief until they fulfill the requirements that are included in the deal. That means reducing their nuclear stockpile -- or their uranium stockpile by 98 percent. It means rendering harmless their plutonium reactor at Arak, essentially shuts down any plutonium path that they may have had to build a nuclear weapon. It means essentially disconnecting thousands of centrifuges. It means cooperating with the IAEA in their request for the access and information they need to write their report about the possible military dimensions of Iran's nuclear program.

And it's only after those steps have been taken and verified that the international community will move forward with offering sanctions relief to Iran.

Q And how concerned or not is the White House about this possibility of a lawsuit from House Republicans over the fact that they don't have access to the side agreements of the IAEA?

MR. EARNEST: Well, it strikes me that this is not a coincidence that what we've taken to calling the Tortilla Coast gambit is something that emerged just hours after it became clear that this resolution of disapproval would not move through the United States Senate. Now the House -- again, because of this plan, this gambit -- has decided to abandon that approach and to consider three other pieces of legislation that the Senate has made pretty clear they're not going to consider.

So there is a clear difference of opinion in the approach within the Republican Party on Capitol Hill about exactly how to move forward here. But what we feel confident in is that after September 17th, Congress's opportunity to spoil this agreement will have expired, and we'll be able to move forward with the international community to implement the agreement to prevent Iran from obtaining a nuclear weapon.

Q Can you shed any light on the meeting between U.S. and Israeli officials that Vice President Biden referred to last night? What officials would be involved when this would meet?

MR. EARNEST: We'll have more information about that in the days and weeks ahead. We've made clear that consultation between U.S. and Israeli officials is something that has been ongoing. And the President reaffirmed in his telephone call with Prime Minister Netanyahu a couple of months ago that the security cooperation between our two countries would continue.

The Prime Minister himself has described the security cooperation between the Obama administration and the Israeli government as "unprecedented," and that's an indication of this President's commitment to not just building and maintaining that relationship, but actually strengthening and deepening it.

We have not yet received from the Israelis an interest in detailed discussions about deepening that security cooperation relationship, but we stand ready to have it when the Israelis are. But I don't have any specific meetings to tell you about right now.

Julia.

Q Josh, in the President's remarks that he just gave after meeting with veterans and the mothers of veterans, he said that he wanted people to realize -- as we enter into the next political cycle, to listen to the veterans, to realize that military actions have consequences, and he's speaking about their support for the Iran deal, using diplomacy over military actions. Who is he speaking to specifically? Is this a reaction to yesterday's rally on the Hill?

MR. EARNEST: I think the President is referring to the broader debate that I think we can expect will take place in the context of the presidential election about the conduct of U.S. foreign policy, and the most effective way to use all of the elements of American power to advance our interests around the world.

The President has remarked on a number of occasions that he's not been reluctant to use American military power. There are a number of occasions where he's used that capability very effectively to advance our interests. He also recognizes that there are a variety of tools that we have to advance our interests -- whether that is, to use the Iran example, using our diplomatic influence around the world to unite the international community to confront Iran, to implement economic sanctions -- another tool in our toolbox -- to coordinate those sanctions with the rest of the international community, to compel Iran to come to the negotiating table and agree to do more to limit their nuclear program than any military strike could.

That is an indication -- I guess that is a good illustration of the way the President believes that U.S. authority and influence can be wielded to advance our interests in the most effective way. But this is the subject of an active debate in the context of presidential campaign, and the fact is it should be. Obviously, not everyone agrees with the approach that the President has taken, but the President feels -- has a lot of confidence in the way that he's been able to use our influence around the world to advance our interests around the world. But that's a legitimate subject of political debate. It's one he anticipates will occur in the context of the presidential election, and that's what he was referring to.

Q Also, the Justice Department today issued new guidance in dealing with white-collar crimes, and what we're wondering now is why is this being issued so far after the financial crisis, when a lot of these white-collar suits came up, and now it's passed the statute of limitations to really go after more senior-level people in these organizations. Why now?

MR. EARNEST: Well, Julia, I think to answer that question you'd have to ask the Justice Department. And obviously, this is a policy that they announced earlier this -- just earlier today. I think what I would make clear is that this is an area that the administration has taken very seriously since 2009, and for good reason. We know that there were concerns about some of the strategies and even behavior of large financial entities on Wall Street. And what we saw is that some of that risky behavior had deep consequences for not just the U.S. but, in fact, the global economy.

And that's why you've seen everything from the Department of Justice conduct more than 60 enforcement actions against financial institutions. They recovered \$85 billion for taxpayers. That is separate from the work that was performed by the Obama administration in conjunction with 49 state attorneys general across the country to reach a national mortgage servicing settlement, which provided about \$50 billion in relief for consumers. And that does not include the actions that were taken by the CFPB -- this is the independent enforcement agency that was stood up by Wall Street reform, championed by President Obama -- that has provided \$10 billion in relief to 17 million consumers across the country who were harmed by illegal practices.

So it's clear that the administration, through the Department of Justice -- through our coordinated efforts with state attorneys general, and through the newly created CFPB -- have taken important steps to protect consumers. And the fact is probably the most important step, however, was the successful passage and implementation of Wall Street reform. This is a piece of legislation that will make sure that taxpayers are not on the hook for risky bets that are made by large Wall Street institutions.

Q Okay, but in this plan, the Justice Department says that it's now going to try to focus on the individuals who have committed a crime rather than the civil cases against companies themselves. Is that an admission that maybe these cases were prosecuted as heartily as they should have been in the past?

MR. EARNEST: I think you'd have to talk to the Department of Justice about that. Again, I think that the record of the administration, and even just the Department of Justice, in recovering more than \$85 billion for taxpayers since 2009 is an indication that they've been quite aggressive. But again, for the explanation for the policy change, I'd refer you to the Department of Justice.

Michelle.

Q We, again today, heard Republican leadership say they don't want a shutdown to happen. What kind of confidence do you have in the leadership at this point that they can actually avert that?

MR. EARNEST: Right now, we're going to need to see leaders in Congress accept the invitation from Democrats in Congress to try to negotiate a bipartisan agreement on the budget. If Republican leaders maintain their insistence on trying to pass a budget along party lines, then we are going to be headed for a shutdown, because it's clear to anybody who's been paying attention over the last several months that they don't have the votes to pass a budget and that will result in a government shutdown.

The way to avoid that is for Democrats and Republicans to do what they did two years ago, which is finally sit down and try to work in bipartisan fashion to negotiate the kind of budget agreement that neither side would think is perfect, but that both sides would acknowledge are in the best interests of the United States and our economy.

The administration would certainly participate in that process. We'd be sitting on the side of the table as the congressional Democrats there because we share their values and priorities. But surely we can find some common ground in the way that Paul Ryan and Patty Murray did two years ago, and we believe that they should do that again. And if they don't, the risk of a shutdown looms larger.

Q You don't sound very optimistic that it can be avoided.

MR. EARNEST: Well, I take heart in the comments of the Republican leaders in Congress about their goal of preventing a government shutdown. I'm certainly pleased to hear them acknowledge that that would not be in the best interest of our economy and it certainly would undermine many of the priorities that all Americans share.

But at the same time, the administration, and I think the American people, will judge the Republican leaders by their actions. It's one thing for them to say they don't want a government shutdown; it's yet another thing for them to say they won't even talk to Democrats to figure out how to avoid it. But yet, that's exactly what's taken place for so long. And there is concern that we now stand just three weeks before the end of the fiscal year and despite an open invitation that was extended months ago, Republicans have refused to negotiate with Democrats.

And that's unfortunate. It's not in the best interest of the country, and it does make the likelihood of a shutdown bigger than it should be.

Q Is there a point at which the administration prepares for a shutdown? Are agencies actually actively preparing for that as we speak?

MR. EARNEST: There is a process for this, unfortunately, and my colleagues at the Office of Management and Budget can describe that process to you. There have been a couple of occasions over the last six years where, because of congressional inaction, the federal government has come perilously close to shutting down, and there's been even one instance a couple years ago where that occurred. So there's a regular process for agencies to prepare. I don't know if those preparations have begun or not, but my colleagues at the Office of Management and Budget can fill you in.

Q Okay. And just quickly on the Syrian refugee question. Yesterday, on the background call, it was announced basically that the recommendation is that more numbers will be taken in, but there was no number given or even an approximate number. But then it was also said that the plan all along was to take in more Syrian refugees. So, again, what really has changed? And why not mention a number at this point?

MR. EARNEST: Well, let me answer your question this way, Michelle. The United States, at the direction of the President of the United States, has played a leading role in addressing the dire humanitarian crisis in the Middle East and North Africa. And the best evidence I can direct you toward is the \$4 billion in financial assistance that the United States has provided to relief agencies and others who are trying to meet the humanitarian needs of those who are fleeing violence in Syria.

That makes the United States the largest bilateral donor of humanitarian assistance in the world. And that's an example of the United States leading the way. This kind of financial assistance is by far the most effective way for us to meet this urgent humanitarian need.

That said, the President has directed his team to consider how we can further scale up our response. And one thing that the United States can do is to begin to admit more Syrian refugees into the United States. This year, the fiscal year that will end at the end of this month, the United States is on track to take in about 1,500 Syrian refugees. The President has directed his team to scale up that number next year. And he's informed his team that he would like them to accept -- at least make preparations to accept at least 10,000 Syrian refugees in the next fiscal year.

Now, we know the scale of this problem. It's significant. And there are millions of people who have been driven from their homes because of this violence. We know that it certainly is not feasible for millions of Syrians to come to this country. But what we can do is make sure that we are doing everything we can to try to provide for their basic needs.

And that's why the United States has continue to be the largest donor of humanitarian assistance. We've offered that assistance to organizations that are serving the needs of Syrians inside of Syria who have been displaced. We're also providing financial assistance to organizations that have set up refugee camps in places like Turkey and Lebanon and in Jordan.

The United States will continue to use our influence to encourage other countries both in the region and around the world -- even people who are not -- even countries who are not traditional donors to those kinds of efforts -- to ramp up their participation. And again, this is indicative of the longstanding commitment that the United States has, when confronted with a significant international crisis, to play a leading role in solving it.

Ultimately, this situation will not be resolved until we can resolve the political crisis inside of Syria right now. That's what is fomenting the violence. That instability is ultimately the responsibility of President Assad.

Q How did you arrive at that number? And when you see Britain changing course and saying, we're going to admit 20,000 now -- the U.S. is a lot larger than Britain. How do you sort of make that comparison when you look at what Europe is doing, you look at what other countries are doing? Where does that number come from?

MR. EARNEST: Well, what it reflects is a significant scaling up of the commitment on the part of the United States to accept more Syrian refugees into this country. However -- and again, this is what our experts tell us and I also think this is what common sense tells us -- that the solution here is to meet -- the most urgent, immediate need of Syrian refugees is to make sure that we can provide basic medical care, basic shelter, basic food and water, and even some other things like internationally run schools in these refugee camps to try to provide for the basic needs of those Syrians that have been forced from their homes. That's how we're going to meet the urgent need.

The other thing that's important for people to recognize -- and I mentioned this earlier this week, as well -- the top concern or the top priority when evaluating these kinds of policy options is the safety and security of the United States and our citizens. And I can tell you that refugees go through the most robust security process of anybody who's contemplating travel to the United States. Refugees have to be screened by the National Counterterrorism Center, by the FBI Terrorist Screening Center. They go through databases that are maintained by DHS, the Department of Defense and the intelligence community. There is biographical and biometric information that is collected about these individuals. They have to submit to in-person interviews to discuss their case.

And that process typically takes 12 to 18 months. And the reason for that process is that the safety and security of the U.S. homeland comes first. That's another reason why the best way to address this urgent need is to try to ramp up our humanitarian assistance in the region.

Ultimately, the vast majority of those who have fled the violence in Syria are hoping that there will be a situation where one day they'll be able to return. And I think that's why you see so many of them seek shelter in other parts of the country or in other parts of the region, because they have the hope of returning. And that is clearly in the best interest of those refugees, and it's clearly in the best interest of those countries right now that are bearing a significant burden of trying to meet their basic humanitarian needs. The President believes it's in the best interest of the United States, as well.

Q Thanks so much, Josh.

MR. EARNEST: Okay. Mark.

Q Can I follow up with a couple points on that?

MR. EARNEST: Sure.

Q First, the 10,000 figure, is that inside, the overall, global cap of 75,000 that Secretary Kerry was talking about on the Hill yesterday?

MR. EARNEST: Well, what the Secretary indicated in his conversations on the Hill yesterday is that the State Department has been contemplating for some time, even before this latest crisis emerged, raising the caps on the number of refugees that are accepted into this country. And so that overall number is something that the State Department is continuing to work on.

Q Right. But what I'm getting at is the 10,000 -- that could be in addition to the global - - if it's inside the 75,000 and you're taking 10,000 more Syrians, you're taking thousands fewer of other refugees, right?

MR. EARNEST: Well, the 75 number is one that I recognize has been widely reported, and what I would say to you is that we have indicated that we're looking to increase the number beyond 70,000, which is the approximate number that is likely to be taken in by

the end of this year, which is the end of this month. So these are all numbers that are being worked through by the State Department, and so once those numbers are resolved I'll be able to talk to you in some detail about it.

Q But inside the overall number -- will these be additional Syrians that you've just spoken about that will be coming at the expense of other categories of people who are regularly allowed to be admitted as refugees?

MR. EARNEST: It's unclear at this point exactly what impact this will have on the specific caps. What we do know is that the overall cap and the cap as it relates to Syrian refugees is going up next year.

Q One more -- a clarification. Chuck Grassley, after speaking -- or given the briefing by Secretary Kerry yesterday, was saying that he's concerned that the administration is looking at additional emergency admissions of Syrians and other refugees. Is this what he's talking about? I mean, should we call this an emergency special admission, or is this just part of the regular process?

MR. EARNEST: Well, I'm not quite sure what Senator Grassley may have been referring to. What I can tell you is that this is an effort that the President has directed to scale up our response to the Syrian refugee crisis. And it does not, however, reflect the intent by the administration to cut any corners when it comes to the security protocols that are in place prior to any refugee traveling to the United States.

Major.

Q So -- and you may not have worked this through yet -- but how do you contemplate dealing with this processing of the refugees? Would that be done at the refugee camp level? And would you say, if you want to come to America, don't try any transit across the Mediterranean, please don't go to Europe, stay where you are and we'll do the processing there -- is that how you contemplate this?

MR. EARNEST: My understanding is that the way that individuals can get the kind of refugee status that would allow them to qualify for a resettlement program like the one that I was describing earlier is something that is coordinated principally by the United Nations. And this is a program that, frankly, represents a rather small percentage of the large number of people who have been displaced by the violence. But this is a program that is in place to deal with migration crises around the globe. And when you take a look at that specific program, you get another illustration of American leadership.

I believe this was mentioned on the call that Michelle referred to yesterday as well. The United States, through that program, actually takes in more refugees to be resettled inside the United States than every other country in the world combined. So, again, the U.S. track record when it comes to trying to meet the humanitarian needs of displaced peoples is quite strong. But in the face of this significant crisis, the President is pushing his national security team to scale it up even further.

Q There are several considerations, and at this particular moment, people are listening to the words from the White House probably more carefully on this than they would, let's say, two or three months ago. So is the message from the administration, don't leave the refugee camps if you want to come to America; your best chance if that's where you want to go is to stay where you are and not seek passage to Europe?

MR. EARNEST: Well, the way that -- we've been through a similar situation before, as recently as last summer. And it is never a good idea for people to entrust themselves or their loved ones to a human trafficker or somebody who claims that they can get them into the United States. That's never a strategy for success and it is not worth the dangerous risk associated with that.

And I've previously complimented the commitment of our European allies and partners to crack down on those who are trying to prey on these people who are in an obviously very vulnerable situation, making promises that, quite frankly, those human traffickers can't keep.

So from that standpoint, we certainly would not encourage anybody to make a journey like that. But my understanding about the way that this process works to qualify for this refugee settlement program is it is a program that is operated through the United Nations.

Q And it seems clear that because this processing is time-consuming, though you may increase the cap for Syrians, 10,000 may not qualify in the next fiscal year -- you would acknowledge that, correct?

MR. EARNEST: Well, there are a number who are already in the pipeline who are waiting to be resettled in the United States going through the process --

Q -- you anticipate being brought in by the end of this fiscal year. So what are you trying to tell us?

MR. EARNEST: What I'm trying to tell you is that there are people who right now are in -

Q You have almost 10,000 in the pipeline, I guess is what I'm trying to get at.

MR. EARNEST: Well, that may be true, but -- I don't know how many are in the pipeline. What I'm trying to say is this: You're right that it takes 12 to 18 months, typically, to go through this process, so it is possible that somebody who applies today and may otherwise be part of that 10,000 group may not have made their way through this process. However, I don't anticipate at this point that we would have a significant problem in trying to meet the ambitious goal that the President has laid out for admitting 10,000 Syrian refugees next year.

Q I guess to simplify it, if there is someone -- and there very well may be many in these refugee camps -- this does not significantly widen their opportunity of coming to America as a refugee, does it?

MR. EARNEST: Well, given the scale of the problem, I would acknowledge that the most effective response to this urgent humanitarian situation is for the international community to ramp up our humanitarian efforts in the region and even in Syria. The United States is the largest donor of those efforts, and we're going to use our influence to continue to encourage countries in the region and around the world to scale up the amount of assistance that they're providing to those ongoing humanitarian efforts.

It's clear there's a significant need. And there are some anecdotal evidence to indicate that because -- that many of these camps are starting to reach capacity. And that's why you're starting to see people whose needs are not being met in these areas now considering traveling even further to places like Europe.

Q Back on the Iran deal, setting aside its geographical origins of the lawsuit, you were asked to describe what the administration believes about its merits. You skipped over that part. I'd like to ask you again, what does the administration believe are any -- if any legal merits exist with the concept of using litigation to either slow or block implementation?

MR. EARNEST: Well, my sense, Major, is that this obviously is not the first time we've seen Republicans who are unsuccessful in trying to prevent the President from doing something using their official duties as a member of Congress resort in desperation to a piece of litigation. We haven't seen any documents to be filed by House Republicans, so I think it would be premature to comment on it at this point. But this is a strategy that Republicans have tried before, and it's always something they've tried, frankly, out of desperation.

Mara.

Q Just a question about Iran. What's your answer to Republicans who say that these secret side agreements have not been sent to Congress? Is it that you feel that you -- that you have sent them, or the ones they're talking about are not covered by the agreement?

MR. EARNEST: Well, we've been very clear that the documentation that Congress needs to evaluate this agreement was provided to them on July 17th 19th, and we've been clear that that documentation included all of the documentation that was in the possession of the United States government and it had been provided to Congress.

We believe that that is ample information for members of Congress to evaluate this agreement. But we have gone above and beyond that by convening large classified briefings, by sending senior administration officials to participate in committee hearings and to offer committee testimony under oath, to say nothing of the hundreds -- literally hundreds of meetings and conversations and briefings that have been provided by the President of the United States, the Vice President of the United States, the Secretary of State, Secretary of Defense, the Secretary of Energy, the United States ambassador to the United Nations, and a whole host of senior national security officials to members of Congress.

This also included briefings by the individuals who were responsible for negotiating the agreement, people who have the best firsthand knowledge of what's included in the agreement. Those briefings also included classified conversations about the substance of the agreement between Iran and the IAEA. I can tell you that even today there are classified briefings being held for members of Congress about the contents of that agreement. So if there's any member of Congress that says, well, I would like to know what's in that agreement, they can contact the administration and, in an appropriate, classified setting, can be briefed on the contents of that agreement.

Q So to the extent they're talking about the secret side agreement between the IAEA and Iran, you're saying that they've been briefed on that, they just haven't been handed the actual thing itself?

MR. EARNEST: They haven't been handed the actual document because it is an IAEA document that reflects an agreement between the IAEA and Iran. But there's no mystery to at least members of Congress with a security clearance about what's included in that agreement.

Byron.

Q Thanks, Josh. If the goal is ultimately to return the Syrian refugees home, does that require the President to do something more or new in Syria to change Syria policy, given the current stalemate there?

MR. EARNEST: Well, Byron, it certainly does mean that the political failure that was caused by the failed leadership of Bashar al-Assad needs to be addressed. And the United States has been a leading advocate of the efforts led by the U.N. to try to facilitate a political transition inside of Syria. There have been a number of meetings, even a couple of high-profile meetings where the U.N. tried to broker a political settlement. Those efforts have thus far not yielded any fruit. But the United States continues to be strongly supportive of that ongoing effort.

Q Can I ask you some Hillary Clinton questions?

MR. EARNEST: If I say no, you probably will so --

Q Probably do it anyway. (Laughter.) In her interview with ABC this week, which I'm sure you caught, she apologized to the American people. Is it the view of the White House she has anything to apologize for?

MR. EARNEST: Well, again, as it relates to her decision to apologize, I'd encourage you to contact the campaign. She can speak for herself when it comes to her own views about what exactly she needed to apologize for. And I'll let her do that.

Q Is she getting special treatment -- if another federal employee, one her at the White House or one at the State Department, acknowledging that the IT rules are different, did what she did -- ran his or her own personal server -- would that person still have a job?

Would that person be employed? Would that person be in violation of -- is she getting special treatment for being able to run her own server?

MR. EARNEST: Well, Bryon, I think it is pretty clear that she's getting special treatment from Republicans in the Congress. And this is a group of Republicans that originally put together a committee to investigate the terrible tragedy in Benghazi -- the eighth committee that was formed. They've been unable to explain thus far exactly how this is directly related to their ongoing effort. It is clear to see how it's directly related to their political motivation.

So, again, it's hard for me to comment on a hypothetical other than to observe that it does appear that Congress has extended Secretary Clinton some special treatment, as you described.

April.

Q Josh, could you talk to us about the President's, I guess, push, renewed push when it comes to criminal justice and the CDC in his speech -- and beyond that?

MR. EARNEST: April, I am not in a position to preview the President's remarks for that annual event. I can tell you that criminal justice reform is a priority of the administration. And the good news is that there does appear to be an opportunity to capitalize on some bipartisan common ground to advance that goal, and the President is very interested in trying to make the most of that opportunity. There have already been a number of meetings that have been convened here at the White House with Democrats and Republicans who are interested in this issue, and now that Congress has returned from their August recess, I would anticipate that there will be more such meetings.

Q So what are the most pressing pieces that he wants to see passed this fall when it comes to criminal justice? And also, what do you say about the strange bedfellows that you have for this? I mean, you have people that have been -- vehemently fought against this administration and this President, and now they are in lockstep on this issue.

MR. EARNEST: Well, April, I think you're highlighting that the -- an opportunity like this doesn't come around very often, and it certainly hasn't come around very often in the last four and a half years since Republicans took the majority in the House of Representatives. So the President is hoping that he can make the most of it. And this is something that he's talked about quite a bit throughout his career, even before he became President of the United States. So this is an issue that he feels strongly about, and he feels that this is an issue that could have a significant impact on our country. And he's pleased to see that there are people who don't routinely agree with him on much of anything actually indicating that they agree with him on this.

Q Koch brothers?

MR. EARNEST: Yes, including them.

Q All right. And also, again, going back to the question I had, what specifically really does the President want to see out of all of this? What are the key pieces that he would like to see out of the legislation that's going through Congress right now?

MR. EARNEST: Well, at this point, we're still engaged in conversations with members of Congress about where their priorities are. And I would anticipate as we get further down the line in having these conversations and trying to identify exactly where common ground exists, we can talk in more specific detail about what those goals actually are.

James.

Q Josh, thank you. Just a few subjects. First, on the Syrian refugees, Senator McCain gave an impassioned floor speech in which he stated that the correct way to describe these individuals is "refugees" not "migrants." Does the White House agree?

MR. EARNEST: Well, refugee is a specific term of art, as I described before. So the fact is these are human beings who are in a terrible, desperate, vulnerable situation. And that's why the President has directed his national security team to continue to play a leading role in our response to this situation.

Q The President has always, throughout his political career, cast himself as a champion of the oppressed, of the disenfranchised. As you acknowledged, the scale of this problem in Syria is such that the admission of even 10,000 of these refugees amounts basically to a drop in the bucket. What happened to the President's principles of really helping the dispossessed?

MR. EARNEST: James, the President believes that the best way for us to assist the millions of people that have been affected by this violence is to continue to serve as the largest supporter of ongoing efforts to try to meet their basic humanitarian needs. And that includes humanitarian efforts that are underway inside of Syria but also throughout the region.

Q On the ongoing saga of Mrs. Clinton and her emails, as one of my colleagues just noted, in an interview with ABC News this week, former Secretary Clinton apologized, presumably not just in her interview to the American people for the way she handled classified information on that email account and on that server. Does President Obama believe that Mrs. Clinton owes him, her boss, an apology for the way she handled classified information?

MR. EARNEST: No, I don't think that he has asked or sought anything like that. Clearly, Secretary Clinton was speaking about her own views and her own feelings about exactly what had happened. And she made those views know, and clearly that's --

Q Does the President regard that it was appropriate for her to apologize as she did?

MR. EARNEST: He believes that was entirely her decision to make.

Q On her Facebook page, Mrs. Clinton stated -- and I quote -- "My use of a personal email account was above board." She added, "Everyone I communicated with in government was aware of it." You have previously confirmed from the podium that President Obama and Secretary Clinton exchanged some number of emails with the Secretary using that private address. Is she accurate when she says everyone she communicated with in government was aware of that private address, and that would include the President?

MR. EARNEST: Well, James, I've acknowledged before that I think most people who are trading emails with someone are aware of that other person's email address. And so I'm not surprised to hear that the President was aware of what her email address was because he traded emails with her.

Q But previously, the President told my CBS News colleague, Bill Plante that he became aware of this only when everyone else did.

MR. EARNEST: Well, now you're asking me about the email server situation. And I think most people, myself included, are aware of the email address of many people, but I'm not aware, for example, of what the arrangement is that Fox News has set up for Fox News email addresses.

Q Fox News' email system is not at issue here. I think you understand that. (Laughter.)

MR. EARNEST: Well, I don't know that to be true. I think that's the point I'm trying to make here.

Q To your knowledge, at any point in his presidency, did President Obama remarks to any other aide about Mrs. Clinton's use of a private email address?

MR. EARNEST: Not that I'm aware of.

Q Last subject. In an NPR debate in 2007, then Senator Obama, campaigning for the White House, complained about the way that, as he put it, President Bush and Vice President Cheney manipulated the intelligence to the Iraq war concerning WMD. Putting aside the conclusion of the Robb-Silberman panel, which found that there was not a single instance of such manipulation, I wonder what the President makes of the recent Daily Beast report, which alleges that several dozen line analysts in the Defense Department have signed their names to a formal complaint that their intelligence on the conflict with ISIS is being sanitized and distorted and manipulated as it makes its way up to the President.

MR. EARNEST: Well, James, I'm reluctant to comment on I think what has been publicly acknowledged as part of an ongoing investigation. I can tell you that what the President has repeatedly sought from his national security team is the clearest and best assessment of what exactly is happening on the ground. And that's what the President routinely asks for, and that's what the President has confidence that he is routinely provided by his national security team. The kinds of very difficult decisions that any President is

responsible for making on a daily basis relies on good information, and that's exactly what the President seeks, particularly when he's dealing with a situation as complicated as our efforts to degrade and ultimately destroy ISIL.

Q Have you talked to him about this?

MR. EARNEST: I haven't spoken to him about it.

Q Josh, on Tuesday, the State Department named a transparency coordinator. Can you say who does that job here?

MR. EARNEST: I don't know that there is anybody who specifically has that responsibility here at the White House.

Q You think that's a job that would be worthwhile to assign here at the White House?

MR. EARNEST: Well, I guess off the top of my head I'm not sure exactly what that person would do.

Q Well, their transparency requests that aren't being met. Who do we go to?

MR. EARNEST: You can certainly come to me or anybody in my office and we -- I think I have a pretty good record of not resolving all of those concerns, but many of them.

Q All right. And on Monday, the President said that he's so glad that his name is not on any ballot. Is that more a reflection of the First Lady's view, or is it really his view?

MR. EARNEST: Both.

Q Both. If there were no 22nd Amendment, do you think he'd want to run again? (Laughter.)

MR. EARNEST: I think the President made a pretty robust case, and even in some ways a personal explanation in his speech before the African Union about the benefits of limiting American Presidents to two terms. The President I think spoke very clearly, and many of you all made note of the fact that he felt that if he made the decision to run and that were allowed by our Constitution, that he'd win. But the President also observed that there is a benefit to having some new blood in the job and some fresh thinking, and somebody who hasn't been sort of maintaining the kind of punishing pace that any President has to maintain, and that somebody who can come in with some fresher legs often serves the country well. And certainly, our system has benefited from that over the years.

And again, the President is very proud of what he's been able to accomplish over the last six and a half years. I think he'll be pleased with everything that he'll have done over the last eight. At the same time, I think that he'll acknowledge that it will be somebody else's turn to take over that office.

Q But it's accurate to say that he likes being President?

MR. EARNEST: I think anybody who's been paying attention, particularly over the last nine months or so, would observe that he seems to be having a pretty good time.

Chris.

Q Thanks. Let me address someone who is running for President -- Donald Trump, who now is 30 percent in one national poll, yesterday got a lot of applause when he said not once but twice in the anti-Iran rally that we are led by "very, very stupid people." Any reaction to that?

MR. EARNEST: No. (Laughter.)

Q You prepared long and hard for that, didn't you? Let me get back to the refugee crisis.

MR. EARNEST: Okay.

Q I want to ask you about the 10,000 number. Nancy Pelosi said that -- pointed out, as other people have, that in Vietnam we did 14,000 a month, and she said that was important for setting the bar for the rest of the world. Other people have pointed out that we had an expedited process during the Iraq war and brought about 50,000 refugees in during that time. But you've made it clear that the President thinks that the better way is the \$4 billion and the kind of funding that has support refugee programs in the region of Syria. Why the difference in approach than we had either in Vietnam or Iraq?

MR. EARNEST: Well, I think what I would try to illustrate is that given the scale of the population that's been displaced by this violence in Syria, it's difficult to imagine a practical solution that includes bringing all those people to the United States.

Q I don't think Nancy Pelosi is suggesting that everybody be brought back -- that everybody be brought to the United States, any more than those senators that we talked about who wrote the letter three months ago were suggesting that the United States accept everyone. But maybe just setting a significant number that, as she put it, "sets the bar."

MR. EARNEST: Well, I guess I'd say a couple things about that. The first is that to scale up to a degree that some members of Congress may have in mind would have some significant fiscal consequences. The kind of -- the background check process that I described before is work-intensive and requires a lot of trained manpower. And so Congress would need to make a significant financial commitment to ramping up along those lines.

The other thing that I would say is that Congress can certainly enhance the response by acting on the eminently qualified woman that the President has appointed to be the -- or has nominated to be the next head of the USAID. This is the agency, after all, that's responsible for directing so much of that humanitarian relief, and for months now, we've seen the Senate be slow to act on her nomination despite the fact that she's got strong bipartisan support.

So for those who continue to be concerned about the situation of so many of these people that are in a vulnerable state, we would encourage Congress to put the nomination of Gayle Smith on their to-do list.

Q I also wanted to ask you about -- and I don't know if you know this, but is there any consideration being given to trying to find an expedited process the way they did during Iraq? Or is there too much of a concern, as even James Clapper has pointed out, about potential infiltration of ISIS, of other terrorists into refugees who are coming into this country, which has also been a concern expressed by some Republicans?

MR. EARNEST: At every step of the way, the President and his national security team will put the safety and security of the U.S. homeland at the top of the list.

And so I don't at this point have any announcements to make about shortening that timeframe or shortening that process. But I do feel confident in telling you that the President will not sign off on a process that cuts corners when it comes to the basic safety and security of the American people and the U.S. homeland.

Jared.

Q Josh, this week Hillary Clinton said that she would have a litmus test for new appointees to the Supreme Court if she were elected President on the Citizens United case. The President has said Citizens United would be -- is a bad result from the Supreme Court. If an opening comes up in the next year and a half while he's still President, would he use a similar litmus test for someone he would appoint to the bench?

MR. EARNEST: I wouldn't speculate at this point on what process the President would use to fill a Supreme Court vacancy.

Q Almost every major Democratic candidate for President for the 2016 nomination has said something similar about Citizens United. Is the President playing catch-up with where the party is going on this issue? Is he not willing to go and to lead on this as the head of the party?

MR. EARNEST: Well, I think, Jared, the President has been speaking out on this topic for years now, and I think quite famously had an interaction with a Supreme Court justice when discussing this particular case and raising his concerns about the impact it would have -- the negative impact it would have on our political system. So I think the President's views on this are well known and have been for quite some time.

Q But when it comes to appointing justices or considering appointments to the bench, is that the next President's problem?

MR. EARNEST: Well, at this point it's not clear to me that there will be a Supreme Court vacancy. But if there is, we can probably have a more fruitful discussion about it.

Q But the question about, I mean, litmus tests is not completely -- I mean, it is hypothetical, but it's not out of the ordinary for Presidents and presidential candidates to discuss. It's not like we don't have conversations like this all the time about abortion and other major issues, so it's not like this is out of the realm of possibility.

MR. EARNEST: Yes, I guess it's not. But I'm not going to speculate on a litmus test that the President may or may not use for a Supreme Court vacancy that may or may not open up.

Q Iran's Supreme Leader said yesterday that there would be no talk with the U.S. outside the nuclear negotiation -- and in his words, that "we will not negotiate with them." Some families of the Americans held over there found that quite ominous. I wanted to get your reaction to those words, and does it complicate -- does it end the talks that you've said are ongoing for those -- to get those Americans back?

MR. EARNEST: Well, Devon, I don't have an update to provide you on our ongoing efforts to try to secure the release of those Americans who are being unjustly detained in Iran other than to tell you that those efforts are ongoing. And the President, I think in the variety of settings in which he's had the opportunity to speak about the plight of those Americans, I think has made quite clear that it isn't just a priority of the United States government to secure their release, it's a personal priority of the President of the United States to secure their release. And we're going to continue to do everything that we can to try to secure their release.

Q Can I ask you about Hillary Clinton?

MR. EARNEST: You won't be the first.

Q Many questions today. In an interview earlier this year, the President said of Mrs. Clinton, "If she's her wonderful self, I'm sure she's going to do great in the campaign." A number of new polls out now showing she's having a hard time specifically in Iowa and New Hampshire. Does the President think that voters are getting to see her "wonderful self" up there as she campaigns?

MR. EARNEST: Well, the President -- I think his initial observation about this would be that Secretary Clinton's standing in the polls here a little over a year before the general election are certainly better than the kind of poll numbers he had a little more than a year before the general election in 2008. And so I think at this point it's far too early to make judgments about how this process will end.

Q Is there some daylight between the President and the Secretary of State on the numbers? Because, of course, when the Secretary of State went up to Capitol Hill, our understanding is that in some of these conversations, he discussed raising the bar for the number of people next year to as much as 100,000, which would require -- if you continue with your very strong vetting process -- significant hiring of a lot more people. Are the President and the Secretary of State in agreement about the need and how to meet that need?

MR. EARNEST: They are. I think where the breach might be between -- I'll just say this in a way that's not going to get me in trouble. (Laughter.) I don't really need this fight today. It's almost too late to stop now, but I don't think it is.

Q Well, you used the word "breach" -- keep on going.

MR. EARNEST: Yes, exactly. Let me just say it this way. I think that there may have been some members of Congress who may have been anonymous sources for your reporters who may have misunderstood the message delivered by the Secretary of State.

The Secretary of State is in complete alignment with the President when it comes to our refugee policy and the direction that the President has given to the Secretary of State to begin to ramp up those numbers, particularly as it relates to those fleeing violence in Syria. But as you point out, the prospect of an increase from 70,000 this fiscal year that's just about to end, and ramping it up to 100,000 in the next fiscal year seems quite ambitious and probably not possible without a significant commitment of additional resources by Congress.

So that's why I'd be a little skeptical of suggestions that were made by some in Congress that that's what the Secretary was advocating for. I don't think that's what he was advocating for.

Q Josh, is there something different about the Syrian refugee crisis? As was noted before, the United States has taken in tens of thousands of refugees on a monthly basis before. We've waived a lot of these difficult vetting process before in the face of a massive humanitarian crisis. You've chosen not to do that this time. These refugees are flowing into Europe. They're obviously not getting vetted at the Austrian border there. Germany is taking in 800,000 this year. Is this the way it's going to be forever on that all refugee crises are still going to have to go through this very narrow pipe in the United States? Or is there something about Syria in particular that raises security concerns in the United States?

MR. EARNEST: Well, you raise the prospect of -- or the challenge that's facing Germany right now. I think we first have to acknowledge that the German government and even the German people are demonstrating tremendous generosity and hospitality to these fellow human beings who are in a desperate situation and are particularly vulnerable right now. That's a credit to the German government and to the German people.

But what's also true is that many of these migrants or refugees are showing up at train stations in Germany. And they are facing a much more direct and significant burden that they have to bear. So the question becomes, how do we all do our part? And as the most influential, powerful nation in the world, how can the United States do our part to try to assist in solving this large-scale humanitarian crisis?

And what the President has done is to direct his team to do as much as we can to try to provide for the basic humanitarian needs of those individuals, whether or not they're in Syria or in the region. And that's why the United States is the largest bilateral donor of humanitarian assistance -- we're up to \$4 billion at this point. And the United States

continues to strongly encourage countries in the region and around the world to also contribute to that effort. And the United States has a certain amount of influence that we can bring to bear, and we certainly have set an important example for others to follow. That is the most effective way for us to meet the urgent need of those who have fled Syria.

At the same time, I think you could also interpret this policy directive to scale up the number of refugees that are brought to the United States as another example of the President hoping that the international community will follow the example of the United States -- moving from 1,500 Syrian refugees one year to 10,000 in the next does represent a significant scaling up.

As I mentioned to Major, I would acknowledge readily that the scale of the problem is such that the problem will persist long after those 10,000 or more Syrians have made it into the United States by the end of the next fiscal year. That's why we need to continue to redouble our humanitarian efforts that are underway inside of Syria and around the region.

Q Josh, would you -- you described the German response as tremendous generosity and hospitality. Would you describe the U.S. response that way?

MR. EARNEST: Well, there's no doubt that for years the United States has been the leading donor of humanitarian assistance. And I think that is indicative of the tremendous generosity of the American people.

Q And hospitality? You're not offering very many homes to these people.

MR. EARNEST: We have significantly scaled up the kind of assistance that we're prepared to provide next year. But again, this is about each nation playing their role. It certainly is quite possible that -- well, the challenge that is facing Germany right now is different than the challenge that we're facing. And that's why the President is hopeful that we can use the significant benefits with which this country has been blessed to provide humanitarian assistance to those fellow human beings that are in a terribly desperate situation, and we're going to strongly encourage others to follow our example.

Q The State Department had already said that the goal for the next fiscal year is 5,000 to 8,000 refugees. So isn't this actually just an increase of 2,000? And what does this mean for those fleeing Iraq and Afghanistan?

MR. EARNEST: I don't think I quite get the math on the 5, 8 and 10 thing.

Q They already said the goal was for the next fiscal year was a total of 5,000 to 8,000 refugees from Syria. So is this just 2,000 more?

MR. EARNEST: Well, my understanding is -- I guess I can't account for what they've previously said about what they were hoping to do for next year. What we had identified is an opportunity for us to scale up our response and to talk about how the United States

could accept more Syrian refugees into this country next year -- and that was a directive from the President of the United States, and that's what they're working on. So that's what the State Department will do.

Q Do you approve of the way the Hungarian government is treating their refugees?

MR. EARNEST: Well, I don't think I'm going to sort of stand in judgment of individual countries at this point as they deal with what I think we can all acknowledge is a terribly difficult challenge. And we are hopeful that other countries will do what the United States and Germany have done, which is to play an important role in contributing to the response to meeting the needs of millions of people that are in a desperate situation.

Q Just one more for you. The Russian foreign minister now acknowledges that the Russian military is conducting some operations in Syria, but he says it's just part of an ongoing military cooperation. Do you believe him?

MR. EARNEST: Well, there have been a couple of conversations between the Secretary of State and his Russian counterpart in the last week -- both last Saturday and again yesterday. In those conversations, Secretary Kerry conveyed to his counterpart that the United States continues to believe that there must urgently be a political solution to the conflict in Syria. And while in general we would welcome constructive Russian contributions to counter ISIL efforts, we would oppose any actions in Syria that would empower the regime to escalate the conflict. And that's the challenge in Syria right now, and we're hopeful that the Russians will find a way to play a constructive effort.

Q What do you think the Russians are doing there now?

MR. EARNEST: Well, I think that's, as you've heard me say on many occasions, it's often difficult to clearly assess precisely what their intentions are, but obviously we continue to be in close touch and we've made clear what our position is when it comes to assessing priorities in the region.

We'll do one more. Go ahead, Bob. I'll give you the last one.

Q Thank you, Josh. On the Iran deal, I know you're going to disagree with this analogy in a sense, but there's an expression in sports about a team backing into the playoffs because another team lost. And with having to sustain a filibuster to avoid disapproval from Congress, is the President upset that he wasn't able to get one Republican onboard with this agreement?

MR. EARNEST: Well, Bob, it's fair to say that the administration has been disappointed that an issue so important has been filtered through a partisan lens in Congress. And, again, we saw that partisanship rear its ugly head even before this agreement was announced.

You've heard me say many times that on the Sunday before the agreement was announced, you had the Speaker of the House, the Republican Leader in the Senate, the Republican Chairman of the Senate Foreign Relations Committee all come out against a

deal that hadn't yet been announced. And the President was pretty disappointed by that kind of reaction, and I don't think it's in the best interest of the country.

And it's not exactly what the American people sent their members of Congress up here to do. I think what they sent them up here to do is to carefully consider issues like this where the stakes are so high. And we have been gratified that as the days and weeks have gone by, that the more that members of Congress have spent time looking at this agreement that more of them have announced their support for it.

And I think it's pretty clear when you look at the state of relations between Republicans in the House and Republicans in the Senate and everything from the Donald Trump rally to the Tortilla Coast gambit, it gives you I think a pretty clear indication that momentum is on the side of those who support the agreement.

And the fact is, Bob, it's not just Democrats in the House who are blocking consideration of a resolution of disapproval in the Senate. The resolution of disapproval is not even going to be considered by the House, based on the latest schedule that I saw. So it's not even a situation where this is particularly close to passing. Right now -- I mean, look, if we were sitting here just a month ago, if you think back to mid-August, and we'd been sort of talking about how things would be resolved in the Congress as it relates to the Iran agreement, and I told you that neither house of Congress would pass a resolution of disapproval for this agreement, you'd be shocked. And that's an indication of the kind of progress that we've made in this regard. And it's evidence of the fact that the more that people understand about the agreement, the more support we've been able to build in support of the agreement.

Q But that's not because of a lack of majority disapproval in both of those Houses, would you agree?

MR. EARNEST: Well, it is an indication that there isn't sufficient support in either body of Congress to pass those resolutions of disapproval. That's why the Speaker of the House had to pull the rule from the floor yesterday.

So, again, everyone in here was assuming that success for the administration would be one house of Congress successfully sustaining the veto of the President of the United States when, in fact, we'd built enough to support to actually block the passage of a resolution of disapproval in either house of Congress. And I think that's an indication of the amount of progress that we've been able to make in building support for this agreement.

Q What are your official new numbers on the vote tally?

MR. EARNEST: I haven't seen one, but they're starting to hold votes here pretty soon so we'll be able to see in black and white.

Thanks, everybody.

Q Will we see the President after the votes?

MR. EARNEST: I don't think so.

END

2:02 P.M. EDT