

Press Briefing by Press Secretary Josh Earnest, 10/5/2016

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James S. Brady Press Briefing Room

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MR. EARNEST: Good afternoon, everybody. I apologize for keeping you waiting this afternoon.

You all had an opportunity to hear from the President a little bit earlier today who traveled to FEMA and got an update from officials at DHS, including the FEMA Administrator. The President indicated that Hurricane Matthew is a very serious storm and that people should take it seriously. The federal government is certainly undertaking an important effort to prepare for the storm, mobilizing personnel and resources, pre-staging them in strategically valuable locations so that we can mobilize a response in the event that the storm takes the worst possible track.

We want people to be mindful of taking this seriously, as well. So there are essentially three things that we're encouraging them to do. The first is to listen carefully to weather reports and to track this storm, particularly if you live in the Southeastern region of the country.

The second thing is we want people to go to Ready.gov and understand exactly what preparation they can undertake in advance of the storm to ensure that they and their family are safe.

And then the last thing -- and in some ways this is the most important thing -- we want people to listen very carefully to the advice and instructions that are provided by local officials. Local officials are the ones who know their communities best. They are getting up-to-the-minute information about the track of the storm and the intensity of the storm from scientists at the federal government, and they are making determinations about what steps people must take to ensure their safety and security.

And obviously we want to make sure that we're looking out for all the human lives that are involved. And so we encourage people to listen carefully to the instructions that they receive from local officials in the days ahead.

So, with that, Nancy, do you want to get us started?

Q Thanks, Josh. Can you give us any sense of the scale of the classified information theft that was announced today at Justice?

MR. EARNEST: Well, Nancy, this is -- there was a complaint that was made public today by my colleagues at the Department of Justice. The existence of that complaint obviously is an indication that there is an ongoing criminal investigation. That's going to limit quite sharply what I'm able to discuss from here.

Fortunately, the complaint that they released does include quite a bit of information about what they've uncovered thus far in the context of their investigation. So for the facts of this case, I'd refer you to that complaint that has been unsealed. But there's not much additional information that I can share from here to shed additional light on that investigation other than to point to the fact that this investigation is still ongoing.

Q Is it troubling, though?

MR. EARNEST: Well, I think anytime that information like this is released in the context of a criminal complaint, the federal government is reminded of how important it is to be vigilant about protecting the national security of the country and information that is relevant to our national security. So this is certainly a situation that the Department of Justice takes seriously, as evidenced by their complaint. This is also a situation that President Obama takes quite seriously. And it is a good reminder for all of us with security clearances about how important it is for us to protect sensitive national security information.

Q Can you give us some sense of thoughts on the French Foreign Minister's efforts to restart U.S.-Russia talks on the ceasefire in Syria?

MR. EARNEST: Well, I know that there have been a variety of statements from diplomats around the world who are seeking to address the deeply troubling situation in Aleppo. And I know that there has been an effort at the United Nations that the French have been promoting to express the international community's grave concern about the situation there.

The United States, in fact, is participating in diplomatic conversations in Europe through the ISSG -- this is the International Syria Support Group. This is a multilateral organization that's been formed to address the situation in Syria and try to promote international cooperation to confront the situation inside of Syria.

Obviously, there's a U.N.-led effort by Mr. de Mistura, the U.N. envoy. He is trying to facilitate the kind of diplomatic conversations that could reduce violence inside of Syria. And the United States continues to be involved in a range of diplomatic efforts with other countries in the region that have deep concerns about the situation in Syria, and share the U.S. deep concerns -- the United States' deep concerns about the potential national security impacts of the chaos inside of Syria.

So there are extensive diplomatic conversations taking place in a variety of settings, and the United States is continuing to expend significant effort in diplomacy to reduce the violence in Syria, to expedite the provision of humanitarian assistance inside of Syria, and to facilitate the kind of political talks that would lead to a political transition inside of Syria.

Q So the U.N. today released a pretty compelling satellite imagery from Aleppo showing recent devastation and damage there. Is that the type of thing that the President would be receiving in his briefings? And do you have any thoughts on --

MR. EARNEST: Well, the President is certainly being regularly updated about the situation in Syria. And the satellite imagery that was released by the United Nations illustrating the terrible impact of the bombing campaign of the Syrians and the Russians tragically is not particularly surprising. There are a wide variety of anecdotal reports of cluster munitions, bunker busters, bunker buster bombs, and other incendiary explosive devices that are taking an extraordinary toll on the civilian population in Aleppo. The widespread reports of the children that have been killed in Aleppo just in the last few weeks are gut-wrenching, to say nothing of the innocent men and women who have been killed in those military operations.

Ordinarily, you would be heartbroken to learn that this was the result of some sort of accident. But it's clear that the Syrian regime, backed by the Russians, is engaged in a strategy of bombing those civilians intentionally to try to get them to bend to the will of the Assad regime. They are seeking to drive those innocent civilians out of their homes and out of their communities to accomplish a military and political objective.

It's why the United States has supported a range of diplomatic efforts, including at the U.N., to ensure that those who are responsible for these actions are held accountable. So the images are deeply troubling. And the President is regularly updated on this situation, but anybody who reads the newspaper isn't surprised by what those jarring images reveal.

Roberta.

Q Reuters reported yesterday that the U.S. government directed Yahoo! to build a software program to scan arriving emails. And I'm wondering if you could tell us why the government wanted to do this, and whether orders have been -- similar orders have been issued to similar companies looking to scan incoming traffic for certain words or characters, or build custom software to do that.

MR. EARNEST: Well, Roberta, I appreciate the question. As I think you would anticipate, I'm quite limited in what I can say because the report purportedly refers to intelligence programs, and I don't spend a lot of time discussing the intelligence programs here, and I certainly don't confirm the existence of individual intelligence programs or individual intelligence tools.

But let me try to respond to your question knowing that I can't discuss the details of the report, or even confirm that the report itself is accurate. But let me just say that we have discussed -- what we have discussed in here many times -- and we discussed this a lot last

summer as the United States Congress was working to implement a bunch of reforms championed by the President to ensure that we were protecting our national security and the civil liberties of the American people. But what I can tell you and what we've discussed in the context of that debate is that the intelligence community has specific tools available to collect intelligence information, including the Foreign Intelligence Surveillance Act. And collection under FISA is subject to rigorous oversight by all three branches of government.

Under FISA, activity is narrowly focused on specific foreign intelligence targets and does not involve bulk collection or the use of generic keywords or phrases. The United States only uses signals intelligence for national security purposes, and not for the purpose of indiscriminately reviewing the emails or phone calls of ordinary people, and certainly not of law-abiding American citizens.

The reforms that the President has championed, both using his executive authority and in supporting the USA FREEDOM Act, does bring a measure of greater transparency to these programs, with obvious limits. But those reforms also include beefed-up oversight of the use of these tools. So in the context of FISA, we have previously discussed the existence of FISA courts, essentially federal judges who, in a classified setting, act independently to review requests from intelligence professionals about tools or tactics that they intend to deploy. Those judges obviously have a very important role in this process, and these are federal judges that are able to provide oversight.

In addition to that, within the executive branch there are independent inspectors general offices that have jurisdiction over these kinds of programs. These are attorneys who take very seriously the responsibility that they have to ensure that reforms are implemented and that the rules are followed.

There has also been an expedited schedule for our intelligence professionals reporting to Congress about their activities. And providing that information to the legislative branch also enhances oversight.

The President has also been determined to ensure that we are prioritizing self-reporting -- and again, within the constraints of classified programs. So, for example -- I'll just give you two examples. The first is, there's a Privacy and Civil Liberties Oversight Board that is a bipartisan agency within the executive branch, and earlier this year released its most recent recommendations assessment report. You'll recall that in 2014, they issued a report putting forward 22 suggested reforms. And they have on a regular basis -- I believe it's an annual basis -- been submitting public reports to update the American public on how effectively those reforms have been implemented.

In addition to that, the President has also mandated an annual schedule in which the Office of the Director of National Intelligence issues reports about the effectiveness of implementing reforms that balance our civil liberties with our national security needs. And there have been a couple of versions of that report that have come out. And I can tell you that the Office of the Director of National Intelligence will issue another of those annual reports before the President leaves office in January.

So there is a mechanism for the public -- again, within the constraints of our ability to discuss classified information -- to evaluate the effectiveness of the reforms that President Obama has championed to ensure that the civil liberties of law-abiding Americans are protected, even as we use powerful tools to protect our homeland security.

Q So just to make sure I understand, you're not confirming the use of any of these tools that were reported on. But if any tool was used, it would be subject to that kind of oversight that you described.

MR. EARNEST: Let me just say that, in general, the tools that are used by the intelligence community to keep us safe are subjected to rigorous oversight by all three branches of government, particularly when these tools are approved in a FISA court.

Q And the lead European regulator on privacy issues said today that they're very concerned about this report. And I'm wondering whether U.S. officials have been able to give assurances to their counterparts about whether non-American citizens are caught up in the use of these kinds of tools, and whether any assurances -- whether the government was able to provide any assurances in this case.

MR. EARNEST: Well, the United States has an important information-sharing relationship with intelligence agencies around the world, and a number of those agencies that are based in Europe are some of our closest partners.

I can't speak to any of the specific conversations that have taken place between U.S. intelligence officials and their foreign intelligence counterparts, but the principles of the reforms that the President initiated over the last couple of years has been rooted in the idea that the United States does not collect signals intelligence for the purpose of suppressing criticism or dissent. The United States does not collect intelligence for the purpose of disadvantaging people based on ethnicity, race, gender, sexual orientation, or religion. The United States does not collect intelligence information to provide a competitive advantage to U.S. companies or U.S. commercial sectors. And in fact, this administration has made clear that we recognize the difference between what we are able to do with our intelligence capability and what the United States should do with our intelligence capability.

That is the intellectual bedrock of many of these reforms, particularly as it relates to some of the concerns that have previously been raised by foreign intelligence agencies. And, again, the President is quite proud of the success that we have had in instituting reforms that certainly protect the privacy and civil liberties of the American people, but also do have a positive impact on the privacy and civil liberties of people outside the United States, as well.

But the President, at each step in implementing these reforms, has also gone to great lengths to make sure that we're using these tools effectively to protect our national security. And as the President of the United States, he certainly takes very seriously the responsibility that he has to prioritize U.S. national security.

Michelle.

Q Thanks, Josh. The fact that these two thefts of information, both from the NSA -- two in just a couple of years -- involved contractors, does the White House think that that necessitates some greater scrutiny on the process of who these people are, how they come to get into that system?

MR. EARNEST: And when you say these two cases, you're talking about the case of Mr. Snowden as well, I assume.

Q Mm-hmm.

MR. EARNEST: Well, Mr. Snowden is obviously somebody who has been charged with very serious crimes related to classified information and related to his failure to live up to the commitment that he made to protect that information.

Since 2013, the year that all of us heard of Edward Snowden for the first time, the federal government has taken a number of steps to enhance the protection and security of classified information, including guarding against unauthorized disclosures, especially intentional disclosures. Those steps include building up an effort at the Director of National Intelligence, called the National Insider Threat Task Force. This task force has essentially established government-wide minimum standards for insider threat programs for all agencies that handle classified information. This task force has also launched continuous evaluation programs within the intelligence community to ensure that the high standards that they have set are being adhered to.

There are also some more basic changes that have been made with regard to the way background investigations are conducted. For example, there's now a five-year reinvestigation requirement for all individuals with a security clearance. There's also been an effort undertaken to enhance the quality of background investigations. Part of this involves the creation of a National Background Investigations Bureau that will ensure that these background investigations are conducted more efficiently and more effectively.

Coincidentally or not, it is a coincidence. Just earlier this week, the new director of the National Background Investigations Bureau was announced. And that's an indication that they're moving forward on implementing these kinds of reforms.

One other reform that was promoted in the context of the review about what we could do to counter insider threats was reducing the number of people that have access to classified information. And just in the last couple of years, we've succeeded in reducing the number of people that hold classified clearances by 17 percent. So that's an indication of some tangible progress that we have made in ensuring that this information is well protected.

Q So seeing two pretty high-profile cases in just three years, what's your confidence level then that there aren't more thefts and leaks out of what is supposed to be the most secure agency really in the country?

MR. EARNEST: Well, listen, the President has got a lot of confidence that the vast majority of people who serve this country in the national security arena, particularly our professionals in the intelligence community, are genuine American patriots. These are

professionals who, in many cases, could pursue a rather lucrative private-sector career based on their specific skills and expertise, but have chosen to use those skills to serve the American people and to protect the United States of America and our allies. These people are patriots. And these are people who take very seriously the responsibility that they have to protect the United States of America and to protect the information that could endanger the United States of America.

So that said, we have a responsibility to those professionals and to the American people to be vigilant about ensuring that we are doing everything possible to protect this sensitive information and allow our intelligence professionals to do the important work that they're charged with to protect the American people.

Q Okay, and other news. Did the President watch the debate last night? How much did he watch? What did he think of it?

MR. EARNEST: I didn't have an opportunity to talk to him about it. I know that he was planning to watch the debate.

We've talked in here a couple of times now about the warm feelings that the President has for Senator Kaine. Senator Kaine is somebody who in the early days of then-Senator Obama's presidential campaign was among the first, if not the first, statewide elected officials to endorse President Obama's campaign.

That was a pretty good sign to the President that he could count on somebody like Tim Kaine to have his back when he needed it. And throughout his campaign, Tim Kaine had the President's back. In the earliest days of the presidency, the President asked then-Governor Kaine to serve as the chairman of the DNC. He served in that role with distinction. And while he served the Commonwealth of Virginia in the United States, President Obama has been able to work effectively with Senator Kaine and has been able to count on Senator Kaine having his back there, too.

And I think Senator Kaine was able to demonstrate publicly that when he makes a commitment to back you up, that that's exactly what he's going to do. And that's a testament to his character, and it's a testament to his leadership. It's a testament to his commitment to a whole set of principles and values that Secretary Clinton shares. It's also a testament to why the President thinks he's such a good friend.

Q Did Mike Pence win the debate last night?

MR. EARNEST: I know there's been lots of analysis that's been done here, and I'll let others weigh in with their personal opinion. I'm obviously more than a little biased.

Q Fair enough.

MR. EARNEST: Chris.

Q One thing that didn't come up during the debate last night was Governor Pence's decision to sign into law a measure that was seen to enable anti-LGBT discrimination, a measure that you have criticized from the podium --

MR. EARNEST: Yes.

Q -- that was signed last year. Would a question on Pence taking that action have been useful in highlighting his record?

MR. EARNEST: I'm not going to second-guess the efforts of Elaine Quijano, who was the moderator last night. She came prepared with a long list of very serious, direct questions for each of the candidates. And I suspect based on the sharpness of her questions that that was almost certainly one of the questions that she had in her stack. She probably just didn't get around to it.

But look, I'm not going to second-guess the moderators here. They've got a very difficult job. And the most important responsibility that they have is to be fair and ask tough questions. And it seems to me that's exactly what Ms. Quijano did last night.

Q Aside from whether or not the question was asked, do you think it's important that voters are reminded of Pence's record on signing this anti-LGBT law as evidence of the way that he would govern if elected to the number-two position at the White House?

MR. EARNEST: The President certainly feels strongly that voters across the country should carefully consider the agenda, priorities, and record of the president and vice presidential candidates in this race. So that is worthy of scrutiny. And so again, I'm not going to second-guess the moderator in terms of which questions were asked. But it certainly would have been a relevant and fair question to have been asked because his actions as governor should weigh on the decision that voters make, but ultimately it will be up to voters to decide how they factor that criteria into their decision.

Q In your opinion, his decision to sign that law was a detrimental action?

MR. EARNEST: Well, what I will say is that I've spoken out publicly with some rather sharp criticism of the law, in part because of the impact that that law has on the people of Indiana.

The business climate of the state of Indiana does not benefit from laws that open up potential customers or employees to being discriminated against. And North Carolina has gotten some attention for the negative economic consequences of signing those kinds of bills into law.

I remember rather vividly when Governor Pence was on Mr. Stephanopoulos's show on one Sunday morning a year or two ago and trying to defend his decision to support this law. And he struggled mightily to do so, in part because it's hard to make a case that that's good for the state.

But, again, in terms of what impact this has on people's decision in the presidential election, people are going to have to weigh the factors for themselves. There are obviously a number of things to consider. But it certainly would be legitimate in the mind of the President for somebody to consider that aspect of Governor Pence's record in determining whether or not to support the Republican presidential ticket this fall.

Go ahead, Lynn.

Q Thank you so much. On another topic. Last year, Obama pulled for the Cubs once his White Sox were eliminated. The Cubs now are in the playoffs this year. I'd like to know what you can say about what Obama might be viewing or thinking about the Cubs. And they play in the playoffs Friday and Saturday night, this weekend, when Obama will be in Chicago. Do you know if Obama has any chance of maybe going to Wrigley Field, or watching it from Chicago? Can you just reflect then on the President and the Cubs?

MR. EARNEST: Well, the President is a loyal Chicago White Sox fan. And in his mind, when it comes to evaluating baseball teams, that's the team that comes first. But the President is also a champion of his hometown, and he certainly has been pleased to see the Chicago Cubs play so well this year. It's been a long time coming, and Cubs fans have been waiting a long time for a team that looks like this. And there's a reason that they are considered by just about everybody the favorites to win the World Series.

But the playoffs in baseball are exciting, and I know the President is looking forward to tracking their progress through the playoffs.

Q Do you think there's a chance, though, that he might go to Wrigley? And as you consider that answer, the Ricketts family that owns the Cubs, a wing of it, are conservative Republicans who are helping to bankroll efforts to elect President Trump. Can you comment on that and what you make of that?

MR. EARNEST: Well, I know there's at least one member of the family who's a pretty enthusiastic support of President Obama. But I'm confident that the political leanings of the team's ownership would have no impact on the President's decision to attend a game. The President has talked about how much fun he has had in taking in games at Wrigley Field in the past. The vast majority of those were before anybody knew they were sitting next to somebody famous when he attended. But I am not aware currently of any plans that the President has when he travels to Chicago to go to Wrigley Field. But if that changes, we'll obviously let you know.

Mark.

Q As long as you're on the issue of Chicago, can you now say whether the President will be casting his vote when he's in Chicago this weekend?

MR. EARNEST: I don't have a more detailed update on the President's schedule. Obviously, he is pretty enthusiastic about publicly demonstrating his support for Secretary Clinton's campaign. We have indicated in the past that part of our conversations with the campaign have involved a discussion about the most effective way

to leverage the time that the President can dedicate and support Secretary Clinton. So that means ensuring that his trips often coincide with voter registration deadlines, or the starting of early voting. But I don't have any updated -- a detailed update on his schedule. But we'll be sure to keep you posted.

Q I'd also like to ask about a State Department statement today, which used the phrase "strongly condemn" the Israeli government about its decision to advance a plan to create a new settlement in the West Bank. I was struck by the phrase "strongly condemn." That's something that the government usually uses to denounce acts of terrorism. We're talking about a friend and a strategic ally. Why isn't that an overly harsh way to describe the U.S. position?

MR. EARNEST: Well, Mark, the recent announcement from the Israeli government does provoke strong feelings in the administration. The fact is, every U.S. administration since 1967 -- Democratic and Republican alike -- has opposed Israeli settlement activity in the Occupied Territories. This administration, on a number of occasions, unfortunately has publicly restated that view. And our concern is based on our longstanding view that settlement activity and other efforts to change the facts on the ground in the West Bank and East Jerusalem undermines the goal of a two-state solution to the Israeli-Palestinian conflict.

Expanding these settlements only makes it harder to negotiate a sustainable and equitable peace agreement in good faith between the two parties. It's also troubling, I would add, that in the wake of Israel and the United States concluding an unprecedented agreement on military assistance designed to further strengthen Israel's security, that Israel would take a decision contrary to its long-term security interest -- a long-term security interest that the United States is prepared to dedicate billions of dollars to protect.

The United States has long believed, and we continue to believe, that it's within the clear interest of Israel's national security to resolve the Israeli-Palestinian conflict in a way that allows a democratic and Jewish state of Israel to live side by side in peace and security, with a viable and contiguous Palestinian state. And the announcement of these settlements makes that national security priority harder to achieve.

I think another aspect of this that's troubling is this announcement was made while the world was mourning the death of Shimon Peres. Mr. Peres was a great champion of peace. And the plans that were announced by the Israeli government fundamentally undermine the prospects for the kind of two-state solution that Mr. Peres dedicated his life to passionately supporting.

So one other thing about this, Mark, that distinguishes this announcement from so many others is the location. This settlement's planned location is deep in the West Bank. In fact, the settlement location is far closer to Jordan than it is to Israel. And it would effectively link a string of outposts that could divide the West Bank and it would make the possibility of a viable Palestinian state all the more remote.

So I think all of those factors -- the location of the settlement, the timing of the announcement, the recent announcement of the U.S. commitment to Israel's security -- all of that combined would explain why the United States is so disappointed and even sharply critical of this decision that's announced by the Israeli government.

Q I understand the disappointment, but wouldn't a less vitriolic phrase be more appropriate when dealing with a friend and a strategic ally.

MR. EARNEST: Well, Mark, I think, in some ways, this is one of those situations where actions are more important than words. And if there are people who are wondering about the U.S. commitment to Israel's national security, they have to look no further than the announcement from a few weeks ago that the United States was prepared to make the single largest commitment that we've made in our history to another country's security. That decade-long commitment of, I believe it's \$38 billion, I think it's an indication of how strongly the United States feels about protecting Israel's national security and protecting Israel's qualitative military edge in the region.

Israel is the United States' closest ally in the Middle East. That's based on our shared values and the longstanding bipartisan commitment to Israel's security that has endured for decades.

But -- well, as long as we're talking about actions, the actions of the Israeli government in announcing this settlement undermine the pursuit of peace. And our concerns about that are rooted in the policy that's been championed by Democratic and Republican Presidents alike, which is that the pursuit of peace and the pursuit of a two-state solution is squarely within Israel's national security interests. It also happens to advance the interests of the United States, as well.

Andrew.

Q A follow up on that question. Does the White House consider that Bibi broke his word on this?

MR. EARNEST: Well, we did receive public assurances from the Israeli government that contradict this announcement. And that's -- I guess when we're talking about how good friends treat one another, that that's a source of serious concern, as well.

Q And is the timing annoying to you? I mean, you just agreed on the MOU, the President was just in Israel for the funeral.

MR. EARNEST: And the world was observing the -- the world was mourning the death of Shimon Peres, somebody who had dedicated a significant portion of his career to trying to achieve the kind of two-state solution that would resolve the Israeli-Palestinian conflict. This kind of announcement from the Israelis only puts that kind of solution farther from reach. And that is not good for Israel's national security. It's not good for the security interests of the United States. It's inconsistent with the public assurances that have been offered by the Israeli government. And all that's the source of disappointment and deep concern here at the White House.

Rich.

Q Josh, at the opening of the briefing, you gave a very detailed list and explanation of safeguards that the administration and federal law has for Americans' privacy. Would the screening of all incoming emails violate those policies?

MR. EARNEST: Well, Rich, let me try to answer that in a couple different ways. Again, I can't -- as much as I would like to discuss publicly the details of this report, I'm just not going to be in a position to. And that means that -- so that's going to limit my ability to answer your question as directly as I would like.

But we have been quite clear, since the Obama administration initiated a set of wide-ranging reforms three years ago, that we draw a clear distinction between what capability the United States has and the capability that we should use; that this discretion should be exercised to protect civil liberties, to protect privacy without limiting those tools in a way that contradicts or undermines our national security.

The point is, we can do both. And the fact is, we can do both. And I think the observation that the President made is that failing to draw that distinction does undermine our national security. The way that some of those tools were deployed prior to these reforms raised serious concerns around the globe and affected our ability to work with our intelligence agencies. That's not a good thing.

So the judicious and effective use of these programs, consistent with the reforms that we've implemented, consistent with independent oversight among three different branches of government is good for protecting privacy and civil liberties of law-abiding American citizens. It also happens to advance our national security interests.

That's why the President has not just pursued these reforms but also ensured that we built in mechanisms to report back to the public about how effective the implementation of these reforms has been. So we've made important progress with regard to appropriately striking the balance between protecting civil liberties and protecting the United States of America. But as we develop new tools and as innovations occur that give us new capabilities, it's important for our national security professionals to use these principles to guide their decisions as they appropriately strike this balance.

And, again, the President is pleased with the progress that we've been able to make over the last three years. The truth is, the progress that we've made on this actually dates back even prior to the emergence of Mr. Snowden. This administration had initiated a set of reforms in pursuit of these goals even before the alleged criminal acts of Mr. Snowden were disclosed.

So the President is proud of his record on these issues. But the President would also be the first to acknowledge that the successful implementation of these reforms is going to require some vigilance on the part of our national security professionals.

Q So he got it?

MR. EARNEST: Well, again, I think the public reporting that we've gotten from the Director of -- of the Office of National Intelligence, the public reporting that we've gotten from the Privacy and Civil Liberties Oversight Board would indicate that we have been effective in implementing these reforms, in part because the Commander-in-Chief has made them a priority.

But again, it's going to require sustained vigilance. And this is a challenge that the next President will have to also prioritize; that again, as the United States develops additional capabilities -- the United States has the best intelligence and national security apparatus in the world. There's a reason that other countries around the world want to partner with the United States, want to find a way to improve their communication with the United States, because they understand how they can benefit from the kinds of capabilities that we have.

And the evolution and improvement of those capabilities is going to require the intelligence community, under the direction of policymakers, to make smart decisions about balancing the need to protect our basic constitutional rights and the need to protect the United States of America.

Q How would the administration describe its relationship with the tech community in reference to this?

MR. EARNEST: Well, I think I would acknowledge, as I think the tech community would, that there are some places where we don't see eye-to-eye about the most effective way for us to strike this balance.

I think what is undeniable is that the administration has significantly improved the way that we communicate with technology companies in Silicon Valley. That's important because we know that the innovators and experts in Silicon Valley should be partners of the United States.

We know that the engineers and executives at technology companies didn't build these platforms so that terrorists would be more effective. They didn't build these tools so that people who want to harm innocent people can be more violent. In fact, they built these tools because they're committed to the potential impact they could have in making people freer to communicate or express their views, or to associate with people who share their opinions on a range of topics.

So there's a lot of common ground to be shared. This administration, this government is certainly committed to protecting those kinds of rights to free speech and expression and association.

And we've also found that the innovation in the tech sphere has also been extraordinarily good for the U.S. economy. We certainly don't want to do anything that would inhibit the continued innovation of that technology. We also want to make sure that those innovations aren't used by people who are seeking to do harm to the United States of America.

And so there is an opportunity for the United States government and tech companies here in the United States to effectively coordinate. And we have -- there is one example. Well, there are many examples. But let me just cite one example of where the United States government and technology companies have become more effective at coordinating their efforts.

We know that extremists affiliated with ISIL use a wide range of social media tools to propagate their hateful ideology. And there are documented cases where the propagation of that ideology through social media has radicalized people in far-flung corners of the world. And the United States government has worked effectively with Twitter and other social media organizations to shut down the channels that are being used by those extremists. That's a good thing. And that's an indication of the kind of effective coordination between the U.S. government and technology.

I don't want to leave you with the impression that Twitter or any other social media company agrees on all these issues with the U.S. government. They don't. They probably disagree with us more often than they do agree. But these are complicated issues. And our ability to communicate with them and work through these challenges and identify common ground that will enhance the national security and the privacy of the American people is important. And we have succeeded in doing that in a way that hadn't been done before.

Q And finally, on Obamacare very quickly. Do you think that former President Clinton's comments from a couple of days ago will hamper efforts to get people to sign up in this open enrollment season?

MR. EARNEST: I don't think so, because I think people are making decisions based on a very specific consideration of what's best for their family and what's best for the pocketbook.

And the vast majority of people who go shopping on the marketplaces when the open enrollment period starts in November will find quality, affordable health care options available to them for less than a hundred dollars a month. That's an indication -- that's one piece of evidence that the Affordable Care Act is succeeding in its mission in limiting the growth in health care costs -- certainly when you compare it to the explosive growth we saw in health care costs before the Affordable Care Act went into effect. But it's also undeniably succeeding in expanding access to quality affordable health insurance to more Americans than ever before.

Margaret.

Q Josh, the Russian government said today it was suspending an agreement with the U.S. on uranium research, and made a similar announcement about plutonium earlier in the week. Given that nuclear security is such a high priority for the administration, is the White House concerned that nuclear security is being used as a bargaining chip here by Vladimir Putin?

MR. EARNEST: Well, again, I think you'd have to discuss with my Russian counterpart the true intentions of Mr. Putin in this particular policy decision.

What I can tell you is that it's certainly within the national interest of the United States of America for us to prioritize nuclear security. And I think any impartial observer would conclude that it's within the national security interests of Russia for nuclear security to be prioritized.

There is an opportunity for the United States and Russia to work together in pursuit of those goals. In fact, we have recently. And we're hopeful that we'll be able to continue to do that moving forward, even in the midst of some vigorous disagreements on other issues.

Q And you see this as related to those other issues?

MR. EARNEST: Well, again, I will leave it to President Putin to explain exactly what his motive is and whether or not he believes that is somehow connected to other disagreements that he has with the United States. He's obviously making a range of unilateral decisions, so I'll let him explain them.

What I will say is that the United States believes that these are important priorities, and we're hopeful that agreements that were reached by the Russian government -- or between the United States and Russian government that were rooted in each side's national interest will continue to be pursued, not just because of the explicit obligation that they have to pursue those agreements, but because of the clear national interest that they have in seeing those agreements thrive.

Q Did you happen to notice that your face ended up on the Russian Embassy's Twitter feed, next to a weapons system, earlier today?

MR. EARNEST: I only saw it because you helpfully retweeted it. (Laughter.) So thank you for that.

Q I thought it was notable.

MR. EARNEST: I see.

Q Did you have a comment on why they would be posting you next to the line, "Every defensive measure necessary will be taken to protect our personnel stationed in Syria from a terrorist threat"?

MR. EARNEST: I have no idea what message they were trying to send. If they'd like better pictures, though, I'm happy to send some. (Laughter.)

Q Hopefully without an S-300. (Laughter.)

On a more serious note, though, I do want to ask you -- the Syrian regime has announced that people should flee Aleppo, and they have offered safe passage, so to speak, to those who seek to do that. Does the White House believe it's just too late to intervene to save

those people in Aleppo?

MR. EARNEST: Well, I think what's clear is that the Assad regime continues to pursue a strategy of bombing civilians into submission. It's grotesque. It's disgusting. And there are many observers who have declared that it is a violation of international law.

The situation in Aleppo is one that is a source of deep concern. And the willingness of the Russians to aid and abet the Syrians in carrying out this murderous campaign against innocent civilians raises a lot of questions about their credibility. It certainly has isolated them in the international community. And it's something that we're deeply concerned about.

Q Does that concern translate into considering action this week, or some decisions to take action in Aleppo? Or have you ruled that out?

MR. EARNEST: Well, the administration has, as I mentioned earlier, been working through diplomatic channels at the U.N., through the ISSG, through our other bilateral relationship with countries in the region to discuss the ongoing situation in Syria more broadly, but also in Aleppo as well. So there are a range of diplomatic discussions that have taken place. And those kinds of discussions will continue.

I'm not going to stand here and take options off the table for the Commander-in-Chief, but as we discussed yesterday, there are significant consequences for using U.S. military force against the Assad regime. I would say the most important of those consequences that we should be mindful of is dragging the United States into another ground war in the Middle East.

So this is a situation that has been carefully considered by the President and his national security team, including his military advisors. And the President will listen carefully to that advice as he makes decisions moving forward.

Q John McCain had an op-ed today blasting the Syria policy of the administration as having "failed miserably." He said, "The administration still has no strategy to do anything about it. Its diplomacy is toothless, and there appears to be no plan B." Is there a plan B?

MR. EARNEST: Well, I think the most notable thing about Senator McCain's op-ed is that at least he was partially honest about his differences with the Obama administration. Senator McCain advocated in that op-ed for going to war with Syria, for increasing our military commitment and for sending U.S. military forces to Syria.

That's not the advice that the Commander-in-Chief is receiving from our military leadership at the Department of Defense. So to do so goes against the advice the President has received from intelligence community and from the uniform military leadership at the Pentagon.

It also would have grave consequences for our national security. It would be expensive. It would put at risk more American lives. And it's unclear how a conflict like that would end. This is a lesson that leaders in both parties should have learned after the ill-advised invasion of Iraq in 2003.

Q You're talking about a ground conflict. I think some of this had to do with using airpower. At last night's debate, both candidates from both parties, including Tim Kaine, differed from the current Obama administration strategy and suggested using more airpower to have some sort of protected zone. Are you also saying, in that detailed explanation you just gave, that even using military force in another form has been taken off the table or rejected? Does it have all those same risks you just laid out?

MR. EARNEST: Well, I think what is clear -- there's a letter that we'll send to you. This is a letter that was prepared by then-Chairman of the Joint Chiefs of Staff, General Dempsey, in response to questions from the United States Senate about what sort of military options were available to the President. In that letter, General Dempsey outlined the military commitment that would be required to establish a no-fly zone or a safe zone inside of Syria.

He pointed out the significant cost that that safe zone would cost in excess of a billion dollars a month. He noted that it would require the deployment of thousands of U.S. military personnel on the ground to secure that area. He noted that it would require significant air assets because it would have to include enforcing a no-fly zone above the area. He noted that it could present to extremists or even to the Assad regime a large target because there was a concentrated area of refugees. We know that the Assad regime and extremists have both targeted innocent people in their murderous campaign over the last few years.

We also know that many of those attacks don't come from the air, they come from the ground. We also know that extremists could potentially use that safe zone to organize attacks in that area. There's the danger of extremists infiltrating through refugee populations inside that safe zone.

So the United States wouldn't just be on the hook for protecting the air above that safe zone; the United States wouldn't just be on the hook for protecting the perimeter of that safe zone; the United States would be on the hook for policing the interior of that safe zone. It would require a substantial commitment of military assets. It would require a substantial financial commitment.

And there might be some who would say, well, General Dempsey wrote that letter before the United States committed substantial military personnel to going after ISIL. And I think the answer that I have in response is pretty direct. Are you suggesting that we could divert our attention from ISIL and al Qaeda to start another war with the Assad regime in Syria? That doesn't seem like it makes a lot of sense. It certainly would go against the advice that General Dempsey has put forward. I haven't spoken to General Dunford about it directly, but I am confident, based on his public statements that he agrees with the assessment that General Dempsey put forward.

But it does go back to a fundamental difference between the approach that's been pursued by the Obama administration and the approach that's pursued -- or advocated, at least by Senator McCain, which is the President doesn't believe that it's in our national interest to start another ground war in the Middle East.

So the President has demonstrated a willingness -- effective willingness -- to use military action to go after ISIL, to pressure their leadership, to support forces on the ground that are retaking territory that ISIL previously held. But the President has done that in smart way to protect our national security without entangling us into the kind of ground war in the Middle East that would have long-term consequences for our national security. And they aren't -- most of them are not positive.

Q But the other half of the Syria policy is that the vacuum and war that involves Assad will only continue to feed the carnage and the terrorism, and the growth of extremists from there. So that's the other half of the equation, right?

MR. EARNEST: Yes.

Q So what are your going to do to address that? And not to divert attention, but to complete the policy that you've laid out.

MR. EARNEST: And what we have been very clear about, Margaret -- and, again, this is the difference between the approach that's advocated by Senator McCain. The administration does not believe that there is a military solution to that problem. It's going to require tough, principled diplomacy, and that's exactly what we've been engaged in.

And again, Senator McCain did lay this out in his op-ed, and that's why I'm willing to give him partial credit for what he included in there. He did note that the political failures of the Assad regime are the root cause, and those political failures must be addressed. But the President does not believe that those political failures should be addressed by commencing a ground invasion by the United States military. The President believes that we're going to have to work through diplomacy and we're going to have to find ways to work with our allies, and partners, and occasionally with even countries like Russia to figure out how we can reduce the violence, reduce the suffering, and initiate the kind of political talks that everybody acknowledges are necessary to bring about a transition in Syria that will address the root cause of this problem.

And I don't want to say that's even harder than it sounds -- because it sounds pretty complicated when I describe it -- but it's even more complicated than that. And again, this is something that Secretary Kerry has been tireless and dogged in his pursuit of, but we have not succeeded in reducing that violence in a sustained way. We have not succeeded in ensuring the sustained flow of humanitarian assistance there. So we're continuing to work very diligently through the U.N., through other international bodies like the ISSG, but also through the use of our bilateral relationships to try to address the situation.

Karen.

Q Yesterday, the Vice President call Governor Pence “qualified.” We’ve heard the President on many occasions talk about how Donald Trump is not qualified to be President. What are the President’s thoughts on Pence? Does he share the Vice President’s view?

MR. EARNEST: I haven’t heard the -- I haven’t talked to the President about Governor Pence. Obviously, I think it was evident from the debate that there are a number of vigorous differences that we have with him on a wide range of policies, both foreign and domestic. But I haven’t asked the President the direct question that you just posed.

Q And later today, the First Lady is going to announce an expansion and preservation effort of the garden. Can you talk a little bit more about that? And also, has there been outreach from the White House from the East Wing to the transition teams about what would happen after January 20th?

MR. EARNEST: I’m not aware of any discussions with the transition teams. Presumably, this would be the kind of discussion that would take place after the voters have had their say.

But you’ve heard the First Lady talk on a number of occasions that the White House Garden is a personal passion of hers. And she had sought to use the White House Garden as an educational tool to talk to the public but also to kids about the benefits associated with eating healthy and how much fun it can be to be engaged in growing food, and eating healthy, and spending time outside. These are all personal passions of hers, and it’s something that I think has really sparked the imagination of people all across the country. And I’m confident that in future houses she’ll have an opportunity to talk about gardening and her passion for this topic.

Yes, sir.

Q Thanks, Josh. I wanted to ask you about Colombia. The State Department confirmed today that Bernie Aronson was going to go back to Havana for this next round of talks. I just wanted to get -- what are the White House expectations for his role? Also, there’s \$390 million in the budget for Peace Colombia. I wanted to know what is that money going to be spent on now? As Marco Rubio has said, since the Colombian citizens voted against the plan, the U.S. shouldn’t be spending the tax money on that plan that was rejected by Colombians.

MR. EARNEST: Well, as it relates to the activities of the special envoy, I’d refer you to the State Department who can give you a specific update. I will say, in general, that his approach will be similar to the approach that he took in offering support to the negotiations that led to this agreement, and that is that he’ll continue to encourage all sides to maintain a commitment to the ceasefire. And fortunately, we have seen a public expressions of that commitment by all parties. And we certainly -- Special Envoy Aronson will certainly be committed to trying to -- using the influence of the United States to facilitate the kind of agreement that can win the support of the Colombian people.

What exactly that process looks like is one that will be determined by President Santos, but you can certainly expect that Special Envoy Aronson and other U.S. officials will be supportive of that ongoing effort to complete negotiations around a peace agreement and build public support for it.

With regard to Peace Colombia, the United States is going to continue to remain engaged in the ongoing efforts of the Colombian people to end the longest-running civil conflict in the hemisphere. And the United States, for more than a decade now, has been supportive of the Colombian government and the Colombian people as they've undertaken this effort. And this is -- the Peace Colombia effort is just the next stage of the support that we can offer.

And so now seems like a pretty bad time to withdraw our support and abandon the Colombian government and the Colombian people, particularly when you consider that all sides remain committed to peace. All sides have abided by the ceasefire. All sides have demonstrated a commitment to trying to figure out how to negotiate the kind of peace that will have the strong support of the Colombian people. So that's what they're working on, and this administration is determined to support the Colombian people in pursuit of peace.

Q Can you explain what the \$390 million will be spent on under this new scenario that the Colombian citizens didn't support?

MR. EARNEST: I'm not aware of any significant changes that will be made to this peace proposal based on the outcome of the plebiscite. This is -- the United States government continues to be strongly supportive of the Colombian government and the Colombian people. That includes not just through our vocal support of the peace process, but also providing them the kinds of resources that will strengthen their democracy, strengthen their economy, and enhance the security of communities all across the country.

Q Can you address Marco Rubio's comments more directly, that the U.S. should not be spending taxpayer money on a plan that the Colombians didn't support?

MR. EARNEST: Well, given the commitment by all parties to pursuing peace, now seems like a bad time to walk away from the Colombian people. And that's not something that the President is going to do.

Jane.

Q Thank you, Josh. On North Korea. For the implementation of U.S. individual sanctions against North Korea, recently the U.S. Treasury Department announced ongoing financial sanctions against the North Korea. Do you have any detail on this?

MR. EARNEST: I don't, but I encourage you to check with my colleagues at the Treasury Department who may be able to provide you some more specifics.

Q Is there any additional sanctions, except the Chinese oil company? Do you have any update?

MR. EARNEST: I don't. And the reason is simply that we refrain from discussing publicly any plans we have to put in place additional sanctions. And the reason for that is a common-sense one: We don't want to telegraph our intentions because we don't want to give the potential targets of those sanctions the opportunity to take actions that would evade the sanctions.

So we're not going to be in a position to talk publicly about what plans we may have in the future, but for more detailed understanding of what kind of sanctions have already been implemented, I'd encourage you to check with the experts at the Treasury Department and they can work with that -- work through that with you.

Q A THAAD missile deploy in South Korea. Do you have any particular date for the THAAD deploying in Korea?

MR. EARNEST: I'm not aware of a deadline that has been set for the implementation or the installation of the THAAD battery. The United States will work in close coordination with our allies in South Korea to determine the most effective location and date for the installation of that system that will significantly enhance the safety and security of our allies in South Korea.

Q How did you convince China? Because Chinese is opposing THAAD.

MR. EARNEST: I think they'd probably tell you they're not convinced. But the argument that we have made that is rooted in fact is that the system is oriented to the threat that South Korea faces from North Korea. And it should in no way inhibit or destabilize the situation with regard to China's capabilities.

And this is a -- there's been a more technical explanation that's been provided at a variety of levels by U.S. officials to their Chinese counterparts. Chinese officials remain unconvinced. But South Korea has a legitimate threat that they need to counter, and they're turning to the United States, one of their closest friends and allies in the world, to offer up additional resources that can be used to protect their country. And while the threat from North Korea is so urgent, it makes sense that South Korea would look for a way to further enhance their security. And the United States is glad that we can be there to support our ally in a time of need and that we can provide this sophisticated system to enhance their national security.

Q And when they continue (inaudible)?

MR. EARNEST: Well, no. We will maintain an open dialogue with the Chinese, and that will include regular offers of technical explanations about why this is something that they should not be unduly concerned about.

John Bennett, I'll give you the last one.

Q Thanks, Josh. Maybe we can go back to the baseball theme for a moment.

MR. EARNEST: I'm happy to do that. (Laughter.)

Q Apologies in advance for the metaphor. But the President is entering the campaign kind of in the ninth inning, seems kind of in a closing role. Does he view it as -- does he view the race as it stands right now as a save opportunity, or does he think Secretary Clinton has a larger lead?

MR. EARNEST: That's a creative way to ask that question. Well, let me -- I'm trying to think of a way to respond to your question in the appropriate spirit.

Let me just say that I think the President views himself as a clean-up hitter. He's got the biggest bat in the line-up. He's the guy with the high approval rating. He's the guy with the enormous influence among young people and African Americans and Hispanics and women who are likely to play an important role in determining the outcome of this race. And the President has had a couple of opportunities to step to the plate, but he'll have many more in the five weeks that remain until Election Day to make a case while the whole stadium is watching.

And he's looking forward to that opportunity, and he feels like he's got a strong case to make in support of somebody that he has seen up-close be an effective, powerful advocate for middle class families and for the interests of the United States of America all around the globe.

Q So he feels like he's got to go up swinging, like we saw last night in the late stages of --

MR. EARNEST: Well, I think -- again, I think when the game is this important, you're not just going to walk up there and leave the bat on your shoulder. The President is definitely going to go up there swinging, and that would be true regardless of the score. And again, the President is looking forward to the opportunity.

Thanks. See you guys. We'll see you tomorrow.

END

2:49 P.M. EDT