

Press Briefing by Press Secretary Josh Earnest, 4/11/16

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PRESS BRIEFING

BY PRESS SECRETARY JOSH EARNEST;

DR. ANTHONY FAUCI, DIRECTOR OF THE NATIONAL INSTITUTE OF
ALLERGY AND INFECTIOUS DISEASES AT NIH;

AND DR. ANNE SCHUCHAT, PRINCIPAL DEPUTY DIRECTOR OF
THE CENTERS OF DISEASE CONTROL AND PREVENTION

James S. Brady Press Briefing Room

1:04 P.M. EDT

MR. EARNEST: Good afternoon, everybody. I hope you all had a good weekend. As advertised, we are going to do a follow-up to the Zika briefing that we did at the top of a briefing here a couple of months ago. So I'm joined once again by Dr. Anne Schuchat from the Centers for Disease Control, and Dr. Tony Fauci, from the National Institute of Health. Both of them will be able to provide you with an update on some additional information that we have learned about this virus and the risk that it poses to the American public. They'll also be able to provide us some additional information about the funding request that the administration put forward to the United States Congress a couple of months ago.

As we discussed in the briefing last week, we have not seen the kind of response from Congress that we would expect, and frankly, we haven't seen the kind of response from Congress that is clearly in the interest of the safety and well-being of the American people. And so both Dr. Schuchat and Dr. Fauci should be able to provide you some insight into how those resources will be used.

Each of them will make brief opening statements, and then for questions on this topic, we'll do those at the top so that they can answer them and then we'll let them go. And we can discuss the wide array of other topics that are likely to come up today.

So, Dr. Schuchat, why don't I turn it over to you first?

DR. SCHUCHAT: Thanks so much. It's a pleasure to be here today. Since we last discussed the Zika virus, we continue to be learning pretty much every day, and most of what we're learning is not reassuring. We have learned that the virus is linked to a broader set of complications in pregnancy, not just the microcephaly, but also prematurity, eye problems and some other conditions. We have learned that the mosquito vector, the *Aedes aegypti* mosquito, is present in a broader range of states in the continental U.S.. So instead of about 12 states where the mosquito, *Aedes aegypti* is present, we believe about 30 states have the mosquito present.

We've also learned that the virus is likely to be a problem at much of the pregnancy period, not just probably the first trimester but potentially throughout the pregnancy. This information is, of course, of concern, and CDC has been working 24/7 to protect pregnant women, to support the state and local health departments that are that front line of defense, to learn as much as we can about the mosquito that can spread the virus and about the virus itself, and to work with other countries to learn what we may be seeing later in the continental U.S.

We are quite concerned about Puerto Rico, where the virus is spreading throughout the island. We think there could be hundreds of thousands of cases of Zika virus in Puerto Rico, and perhaps hundreds of affected babies. We know that the pregnant women in Puerto Rico are very keen to protect themselves and to have community protection, and we're working closely with the authorities in Puerto Rico to support that response with mosquito control beginning and with the distribution of what we call Zika prevention kits for pregnant women.

We've learned that mosquito transmission is the usual way that the virus can spread, but it also appears to be spread through sexual transmission, and that has meant we've had to issue updated guidance for couples on how to prevent spread of the virus, particularly to pregnant women.

The other thing that we've learned is that there is a resounding interest in preventing this disease and controlling it as well as we can. Last week -- or on April 1st, the CDC and U.S. government convened a Zika Action Plan summit in Atlanta. Leaders from more than 30 states and territories joined in Atlanta to do Zika action planning to get ready for mosquito season. There's a lot to do to increase laboratory diagnostic testing, to increase mosquito surveillance, to increase human surveillance and birth defect surveillance, and to improve our communication so people have the best information to protect themselves and their families.

So that's what's been going on since we talked a couple weeks ago. And I'll turn things over to Dr. Fauci.

DR. FAUCI: Thank you very much, Anne. And in a similar vein, since we spoke last, at the same week that the CDC had their summit in Atlanta we had a research meeting on Monday and Tuesday of that same week right in Rockville and North Bethesda. And to underscore what Dr. Schuchat said, we're learning more and more about this, and I'm just

giving you a very brief summary about that, but the more and more we learn, the more and more you get concerned about the scope of what this virus is doing. Bottom line is we still have a lot to learn.

The first thing was a very important study at the very fine, molecular level, looking at the virus and seeing if it is any different from dengue -- because the question we keep asking it's a flavivirus; it's transmitted by the same mosquito. What is the difference between Zika and dengue? And it looks really very much the same molecularly, except there's a very short, small run of amino acids -- namely, the building blocks of protein -- at the part of the virus that binds to cells. So it may be that that's the clue of why it acts different, particularly being neurotropic, or being -- having a propensity to infect neurological tissue.

Good news is that we developed two animal models, two mouse models since we spoke last. And again, the mouse models underscore what Dr. Schuchat said, because when you infect a mouse, there's a very strong propensity to infect neurological tissue. We've developed a monkey model, which is interesting because the monkey now -- you can get a monkey pregnant and look at the difference between the virus in a pregnant monkey and a monkey who's not pregnant.

And what we've seen -- and this is just preliminary data but it's really quite scintillating -- is that the virus stays around the blood significantly longer in the pregnant monkey than it does in the non-pregnant. And the reason that's important -- you might remember we had a case here of a Washington resident who was infected during pregnancy, affected the fetus, and that person had weeks of viremia, which is very unusual because viremia only usually lasts a couple of days.

Again, the neurological issues are important. In vitro studies of getting the virus and putting it in neural stem cells showing that it has a very strong propensity to destroy tissue, which could explain why besides interfering with the development of a fetus, it might directly attack brain tissue, even when the fetus is later on in the period of gestation.

We also are continuing with the vaccine studies that I mentioned to you. I told you that we would very likely have our first vaccine candidate in phase one in September. That looks like it's on time. We're producing it in our pilot plant outside of Bethesda, and we're going to then be processing it to be able to get it through the FDA to put into a human.

And then finally, we have a screening program for drugs that I mentioned to you. We hadn't screened any drugs the last time we spoke; we've now screened about 62 drugs and have 15 of them that have some degree of activity. Caution: That doesn't mean they're going to turn out to be good drugs, but they do have some activity.

So in summary, a lot of things have gone on, things that are pointing to serious issues that we need to address. But we've learned an awful lot since we spoke, and we really do need to learn a lot more. Because this is a very unusual virus that we can't even pretend that we know everything about it that we need to know.

Thank you.

Q Thank you. Doctor, you mentioned you expected there to be hundreds of thousands of cases in Puerto Rico. Do you have a prediction or a range of how many you expect in the United States broadly?

DR. SCHUCHAT: You know, much of our predictions come from what we saw with dengue virus and chikungunya virus, and those two viruses are also spread by the same mosquito. In Puerto Rico, they ranged between 25 and 80 percent of the population getting infected with one or the other of those viruses over the course of one or multiple seasons.

In the continental U.S., those -- we have seen travel-associated cases of chikungunya and dengue. We haven't seen large numbers, we haven't seen thousands of cases of locally transmitted disease from the mosquitoes. We've seen dozens of cases. But we absolutely need to be ready.

As Dr. Fauci was saying, everything we look at with this virus seems to be a bit scarier than we initially thought. And so while we absolutely hope we don't see widespread local transmission in the continental U.S., we need the states to be ready for that. And that was part of what our summit was about -- learning all they could about mosquito control, what do we know, what do we now know, what can we do with the tools that we have today, and how to get ready for mosquito season; when they have a case of travel-associated, how to look around that individual for the mosquitoes nearby.

We really want the traveling public, when they come back from the Caribbean or Latin America, to use repellent for the couple weeks after they return, because if they silently got Zika infection and they get bit by a mosquito in the continental U.S., that mosquito can then spread the virus.

So I don't expect there to be large outbreaks in the continental U.S. I can't give a number to how many cases, but I can say that we can't assume we're not going to have a big problem. We know with other viruses we've had bigger problems than we expected, so we're taking this very seriously.

Q And that number is for regions in the world?

DR. SCHUCHAT: What we know from the other viruses is that 25 to 80 percent of the population may get the infection. We know, for instance, in Puerto Rico right now they're have dengue virus, as well as the Zika virus at the same time. So that makes it even more difficult to tease out what's causing a person's fever and rash. So I would say that in Latin America we know they're at risk for very high attack rates of the virus.

In terms of pregnant women, we don't know yet when you have Zika virus infection during pregnancy, what percent of the time the baby will be totally normal and what percent of the time there will be a complication. That's one of the most important

questions for us to answer, and teams are working in Colombia, in Brazil, in Panama trying to answer that question, because that's the most important question for pregnant women.

MR. EARNEST: Kevin.

Q Thanks, Josh. Dr. Fauci, two for you. One, can you tell me more about the Zika prevention kits and what that entails? And for Dr. Schuchat, how concerned should American athletes be that may be traveling to Brazil, especially as the Olympics come? Are we working on something specifically for Americans that may have it? And I guess I should ask you also another one, Dr. Fauci, about resources. Are you confident that you have what you need to maintain this --

DR. FAUCI: Well, I'll answer that question and get the prevention kit to Dr. Schuchat, because that is a CDC thing. The answer is, I don't have what I need right now. What I've done is take money from other areas of non-Zika research to start. We couldn't just stop and wait for the money; we had to go ahead for it. The only trouble is, if we don't get the money that the President has asked for, we're not going to be able to take it to the point where we've actually accomplished what we need to do. So the answer is, we really don't have what we need, but we're still going full blast by drawing money from other areas, and that's how we started. The money that's being transferred over from the Ebola account will help bring us a little bit further, but it's still not what we want. When the President asked for \$1.9 billion, we needed \$1.9 billion.

DR. SCHUCHAT: The Zika prevention kits are being given out to pregnant women in the areas where the virus is already spreading. So in Puerto Rico, the U.S. Virgin Islands, American Samoa, there have been about 5,000 kits distributed so far. They include insect repellent. They include information about how women can protect themselves. They include condoms, because we know that the virus can be spread sexually, not just through mosquitos. They include vouchers for screening materials to help people make sure the mosquitos stay outside the home and not inside the home, and those sorts of things.

We actually initially were considering putting in some permethrin-treated clothing, but then some of our surveillance for mosquito resistance in Puerto Rico revealed that permethrin probably isn't effective, so we didn't end up including that kind of treated clothing. But they're essentially materials and information to help women protect themselves.

In terms of the athletes, we know the Olympics is just a wonderful event and that athletes have been training for their whole lives to go there. We really want to make sure people know that if they're pregnant, they should defer travel. We also want people to know that travel to the area may lead to silent infections or infections with symptoms, and that following infections it's very important to take precautions during sex not to spread the virus. So that type of information has been shared with the Olympic Committee, and of course the CDC is working closely with the Olympic Medical Committee about further advice.

MR. EARNEST: Angela.

Q Thanks, Josh. For the doctors, are you concerned that by transferring the money from the already appropriated funds last week, that it reduces the urgency on Congress to appropriate new funds?

DR. FAUCI: Well, it shouldn't, because as I just said, it is not enough for us to get the job done. I mean, it's just a temporary stopgap. If you look at what we need to do both at the CDC and at the NIH, we have a lot of work to do, and that may, in some people's minds, kind of lessen the intensity of it. But in our minds, it doesn't, because we still don't have enough to do what we need to do.

DR. SCHUCHAT: I was just going to say that we also feel a sense of urgency about Ebola and the global health security agenda. Ebola is still circulating in Liberia and Guinea, and many of the vulnerable countries in Africa are having outbreaks right now. And so we know that we have to be, as a country, ready to support response to more than one outbreak at a time. We think that's really important. So we're working as quickly and as deeply as we can on the Zika response, while continuing to support Ebola response and recovery.

Q We heard the Zika virus is coming to the United States, expecting it summer or fall. Is there any sort of mosquito forecast, any way of knowing if it's going to be a worse year than usual for mosquitos in general? And also, what are you telling travelers, people who are going to some of these countries and returning? Should they be tested? And where can that be done?

DR. SCHUCHAT: The issue of mosquito surveillance and prediction is a really great question. And one of the problems in the past decade or so is that we've really let our mosquito control efforts wither away, and so we don't have the great information that we'd like to have, or even the ability to do better modeling about where in the country the problems are going to be and when they might occur. So strengthening mosquito surveillance before you have to get human disease is a priority for us. So that is something that we're working on. And I think with more resources, we could do a better job.

I'm forgetting what the second part of the question was.

Q Testing --

DR. SCHUCHAT: Oh, testing people -- right. Yeah, we do think that if you come back from an area where Zika is spreading and you're pregnant, we recommend that you be tested whether you were symptomatic or not. We recommend testing in the first trimester and again in the third trimester. In terms of people who don't have symptoms, we don't think they need to be tested -- who aren't pregnant -- but we think that they do need to take precautions with sexual contact, particularly in terms of sex with a pregnant woman. And so we've put out updated guidance on that.

We know a lot of couples were asking, well, I'm not pregnant but I want to get pregnant, and how long do I have to wait? So we put out guidance on that as well, about waiting an eight-week period following travel before trying to conceive for women. And waiting a longer period for men who have symptoms, or in terms of the potential that men can have persistent virus in the semen.

Q Dr. Schuchat, you think these Zika prevention kits would be useful in mainland United States? And also, do you have any projection on the spread of the Zika virus in Puerto Rico? And to Dr. Fauci, what happens when the stopgap runs out?

DR. SCHUCHAT: Yes, we do think the Zika prevention kits may be helpful in some part of the U.S. And there was a lot of interest in them from the state health departments that attended the summit. One of the issues to consider is the living conditions -- do people have screens, do they have air conditioning. We heard that in parts of Key West it's very similar to Puerto Rico -- people like the windows open and they like that breeze. And so that idea of protecting yourself from mosquitos that can live inside the house may be relevant here.

And then the second question -- it was for you. Okay, good.

Q And projection of the spread in Puerto Rico.

DR. SCHUCHAT: Right. We've got a team working closely in Puerto Rico trapping mosquitos and looking at where the mosquitos are that are potentially of concern. They're also testing for resistance, and then the human surveillance. And we are seeing it in multiple parts of the island. And it may be that the cases we're seeing reported on just a small percentage because we think some people can be asymptomatic -- not have symptoms. And the only people that are being tested right now are people who come in with symptoms.

So we're seeing it increasing across the island. And we're worried that as it gets even warmer, it's going to be island-wide.

DR. FAUCI: To be honest here, I can't imagine that we're not going to be given the money when we've reached the point where every time we come in front of you, we tell you things that are more serious. So if we reach the point where the stopgap money runs out, again, hopefully that will never happen, but we're going to have to start raiding other accounts. And very important research on other diseases is going to suffer, and suffer badly.

So I just almost can't imagine that that would happen, because as we keep talking more, I mean, we just spoke to you about the very interesting issue that we're learning. Again, I'm not an alarmist, and most of you who know me know that I'm not. But the more we learn about the neurological aspects, the more we look around and say, this is very serious. I mean, just in the last couple of weeks, we know not only do you have Guillain-Barré, but you have a case of an acute myelitis, you have a meningoencephalitis.

And then you have this new thing that was just recently described -- we need to get more of the cases that it really is associated -- called, ADEM, acute disseminated encephalomyelitis, which is a multiple sclerosis-type of an involvement in the brain. Thankfully, it tends to resolve the way Guillain-Barré resolves. But again, every time we look, we see more and more.

So in the context of your question, I can't imagine, as we learn more and more things that are troublesome, that all of a sudden we're not going to get the money. We really do have to get it.

MR. EARNEST: Bill.

Q Dr. Fauci, how did this seem to catch us so by surprise?

DR. FAUCI: It caught us by surprise not in the sense of what we should of known -- because for essentially, since the virus was first recognized in 1947 and the first human cases were 1952, it was a relatively inconsequential virus in the sense of a rather mild illness, virtually no mortality, no hints or signals of other things that we're seeing now. For example, the microcephaly, the congenital abnormalities, or Guillain-Barré.

And what happened? And we don't have all the answers to this -- when it then had its first outbreak, and the first outbreak was in the Yap Islands, that when things started to explode. And we still didn't get all the information from them. And only when it hit a vulnerable, big population with a lot of mosquitos, with people who have never exposed to this before, did we then start seeing the unfolding of this scenario that every week, every month, it tends to surprise us even more. But the initial part of it, there was really no reason to be very suspicious that this would be bad. It was one of those viruses that just gave a mild illness.

Q With the \$1.9 billion that House Chairman Rogers said that -- they plan to continue to monitor this and then fund it as needed. Why is that approach not appropriate for this virus? Why do you need that \$1.9 billion up front as a big bulk of money versus getting it as this progresses and it goes forward? And when is it going to be too late? Is it the first bite of local transmission? Or is it some other point when you start to see those numbers swell?

DR. SCHUCHAT: I think, as Dr. Fauci said, we haven't been waiting for the money to act, because this is so serious. We've been surging our laboratory testing, for instance -- there's a big backlog on that laboratory testing. To really scale up takes time.

And so knowing that resources are coming helps with the scale-up. There are a lot of commercial partners that are needed for that scale-up. Will they actually help without knowing that resources are coming? The vector control -- yes, we have enough money to start on that, but that's an expensive undertaking, the mosquito-control efforts. And, as I said, we're learning that not all the chemicals or pesticides that are out there will work.

There are multi-year studies that are going to be needed for these babies. Because we really don't know whether a child that looks healthy at birth will actually not have the effect of the Zika virus. So there's longer-term studies that are going to be needed.

So what I would say is that people are acting intensively right now, but that we can't -- if additional resources aren't coming, we won't be able to commit to the long-term work that's needed.

Then the other thing is the places that the resources were taken from were areas where important work was going on. And I think we're quite vulnerable if we're not able to meet the commitments on the global health security or the Ebola response and recovery.

DR. FAUCI: Yes, just -- what Anne said, but also, something that I mentioned to this group the last time we were here, that we have a very important partnership with pharmaceutical companies. And if they don't perceive us as a reliable partner, they tend to back off a bit. And that would be the worst thing, because we won't be able to develop these countermeasures completely on our own. So we need to partner with them. And they would get mistrustful if we say, okay, trust us, we'll give you the money later. That doesn't work in industry -- "Trust us, we'll give you the money later."

Q Are you seeing any hesitation from industry partners since that money hasn't come through yet?

DR. FAUCI: Well, the answer is, thankfully, not yet. But I have considerable experience - - as some of you may have remembered, back in the time when we were building countermeasures for bio-defense, when we were trying to get vaccines for anthrax and things like that -- we were trying to bring companies in, and unless we really had the money up front, that they knew that we were going to be a reliable partner. Many of the important companies backed out. I really don't want to see that now when we need a vaccine and other countermeasures so desperately.

Q The other part of my question was, when will it be too late?

DR. SCHUCHAT: We held our summit with the health departments on April 1st because we know that mosquito season is coming and we didn't want to wait for money for them to get plans done. But they're going to need to actually develop mosquito-control efforts, surveillance and a lot of difficult tasks.

So knowing that there is some resources now is helpful. They're frustrated because some of the resources are coming from other programs that they have.

The problem here is that the mosquitoes come, people get infected, and then it's several months before the baby is born. And we're really trying to protect every pregnant woman we can right now. So we have this double whammy of you see the febrile illness now; you'll see the horrible effects on the child many months from now. And we don't want to wait for that, we need to act before then.

Q First question, Dr. Fauci. You said in the beginning that you were moving money around right now. Where is that money coming from? And the second question is, is there abstinence information in the Zika kits?

DR. FAUCI: Okay. With regard to the moving money around, when you have -- the fiscal year is going to end at the end of September, and we have money that's planned for other things -- that could be malaria, that could be tuberculosis -- and we have that money that is going to go into the projects that are going to just continue to progress the way they are. We're taking that money and now spending it on Zika, and if we don't refurbish that money, those programs are going to stop when they reach the point when they run out of money.

So that's what I mean. What we're trying to do is keep everything going. But you reach a point when you don't come in and backfill it that things stop. And that's what I was referring to -- of my concern.

Q What are those programs?

DR. FAUCI: Well, there are several. I can tell you what we likely would do -- one of them would be malaria, the other thing would be universal flu vaccine, the other one would be tuberculosis. Things like that.

DR. SCHUCHAT: The guidance that we've issued for pregnant women and for couples in terms of preventing the sexual spread of Zika virus include both condoms and abstinence. The actual wording in the materials for Puerto Rico I'm not sure of, because I know we were doing focus testing for the appropriate way to message.

Q Dr. Fauci, can you tell us a little more about -- rightfully, you insist about women want to become pregnant and pregnancy -- can you just tell us a little more about neurological disorder, the Guillan-Barré Syndrome? And how dangerous is it for the rest of the population? And at what point will it be necessary to tell people, try to avoid going south?

DR. FAUCI: Okay. So I'll address the part about the neurological and then I'll have Dr. Schuchat talk about what recommendations likely may or may not come out.

The issue is we're seeing these case reports of things that we had not seen before with other similar viruses. I mentioned the acute myelitis in a young person, an 81-year-old man who developed meningoencephalitis, and now the two cases of what they're calling ADEM. We don't know what the denominator is of that. So that's the reason why you do these prospective cohort studies and you do surveillance studies, which the CDC and others are trying to get exactly what is the extent of that? Are these just outlier cases, or when you look very carefully, are you going to see a lot of them?

The concern we're having is that at the same time we're seeing the clinical manifestations in people, everything that we do in an animal model or in an in-vitro cell line is bad news. The most recent of -- one, when they put Zika virus into neural stem cells, they have these things called organoids, which are kind of a pseudo-brain formation, get completely

destroyed by the Zika virus. And then they have a variety of other things that are related to the neurological system. It appears to be very toxically neurotropic, and that's the thing that's concerning.

How that relates to how many of the clinical cases we'll see, we just have to keep our surveillance up.

DR. SCHUCHAT: Just in terms of the additional travel guidance, we base our updated guidance on the best information we have. At this point, we have enhanced travel recommendations for pregnant women, saying that they defer travel or consider deferring travel. I can't promise that we would never have broader recommendations, but we'll base it on the best information we have.

So far, Guillain-Barré Syndrome in the background, or the general population, is fairly rare. If this is truly causing an increase, it still may be relatively uncommon, and so an individual needs that information, but it may not lead to us saying "Don't go."

MR. EARNEST: John, I'll give you the last one then we'll let the doctors go.

Q Okay, thank you, Josh. Dr. Schuchat, you mentioned spread of the epidemic in Puerto Rico, its seriousness. Now there have been reports from Haiti that it's growing very seriously, and that the problem is compounded by a reluctance of people to report and say what problem they have at medical centers. What precisely are you doing with Haiti, given its proximity to the United States?

DR. SCHUCHAT: Yes. You know, Haiti is a key country for us. We've been working closely with authorities in Haiti since before the earthquake and following the earthquake on intensive support for the public health system there. We share a concern about Haiti, though -- the mosquitoes are there, the virus is there, and the population is quite vulnerable.

And so we do have a CDC country office in Haiti that's working together with the authorities. It's essentially the same principle as what we're doing in Puerto Rico -- that people need to be protected against mosquitoes, particularly pregnant women. And of course, care is not really going to be as strong there. We don't have specific treatment, but you know if you got Guillain-Barré Syndrome in Haiti, it would be quite difficult.

So we share the concern and are working with our CDC counterparts there.

MR. EARNEST: Thank you, Doctors, for coming. Nice to see you.

All right. Hopefully all that is useful. And I suspect it's probably not the last time that we'll have Doctors Schuchat and Fauci here to talk to us about this important issue. But hopefully, it also is -- serves as motivation for members of Congress to pay careful attention to this top priority.

So with that, though, Kathleen, we can get back to our regularly scheduled programming here.

Q I wanted to check on two topics. First, we have a story out today about an AP FOIA request that was related to USAID's Twitter operation in Cuba -- I don't know if you've seen that story --

MR. EARNEST: I've heard about it.

Q Yes.

MR. EARNEST: I anticipated you may ask about it. (Laughter.)

Q So AP got some emails that they requested via FOIA last week, and that's two years after the FOIA was filed. And the story quotes a former USAID official saying that the organization sort of planned on this delay as a way to manage the fallout (inaudible) the program. And I'm just wondering how that kind of two-year delay squares with the administration's claim that it's the most transparent in history, and if you have any concerns that agencies are sort of intentionally using delays to slow-walk requests, and that some requests become basically useless because the information is returned two years later.

MR. EARNEST: Well, listen, as we've discussed in a much more high-profile setting, the individual agencies are responsible for responding to individual Freedom of Information Act requests that they receive from journalists or members of the public.

But the guidelines the administration has put forward make clear that a genuine effort to have a bias toward openness and transparency is the approach that we would expect agencies to use when fulfilling these requests. Obviously, they have a wide range of factors to consider when being responsive to Freedom of Information Act requests, but last year I think is a pretty good measure that 91 percent of the responses that were provided to Freedom of Information Act requests included some or all of the information that was requested. That's an indication that across the administration, the response that you see is consistent with the approach that the administration as a whole strongly supports.

I can't speak to the details of this particular case, because, ultimately, it was the responsibility of that agency to comply with that request. I don't know what merited a two-year delay, or whether or not a two-year delay actually was merited. But I'd refer you to the agency for the answer to that precise question.

Q Okay. And separately, I wanted to go back to a comment the President made in the Fox News Sunday interview that ran yesterday. He said his worst mistake was "probably failing to plan for the day after what I think was the right thing to do in intervening in Libya." And I just wondered if you could kind of expand on that. It was only sort of one sentence, but it seemed sort of meaningful. What exactly does he see as his mistake? And who does he blame for it? And is he saying that he personally should have done more planning, or the U.S. should have done more planning with allies? Or what exactly is the gist of that?

MR. EARNEST: The President talked about this issue a little bit more in his most recent address to the United Nations at the General Assembly there. In that speech, the President noted that "Our coalition" -- I'm quoting now -- "could have and should have done more to fill a vacuum left behind."

Obviously, the situation in Libya was quite unique. You had the Qaddafi regime massing forces prepared to carry out an act of violence against a substantial and defenseless population. And the international community, led by the United States, responded to prevent a good portion of that violence. And that obviously was a good thing. Lives were saved. Many lives were saved.

But what is also true, and what is unique to Libya, is that they had a totalitarian dictator in power for 42 years. And the civil society and governing structures of that country atrophied. And it meant that once that dictator had been removed from power, that the regular structures that are typically in place in a country were not there to govern the country, or to at least ensure some measure of stability in that country until a government could be rebuilt and until security could be restored.

So the unique confluence of events -- the need for emergent action on the part of the international community -- and governing structures that just didn't exist led to a scenario where the right decision was made at the beginning to prevent significant loss of life, at least in that specific instance. But the rest of the international community did not have time and did not succeed in following through with the plan to compensate for the vacuum that was left behind.

And I think in some ways you could say that the President has tried to apply this lesson in considering the use of military in other circumstances; that asking the question about what situation will prevail and what sort of commitments from the international community will be required after that military intervention has been ordered by the Commander-in-Chief.

And that I think, looking back, at least in the words of the President in his conversation with Mr. Wallace, is something that he regrets that the United States and the rest of the members of our coalition didn't do as it pertains to Libya.

Q And on that sort of notion then, Secretary Carter said that the President is going to be asking for more money to help stabilize, rebuild -- economic aid for Iraq when he goes to this Gulf conference next week. I'm wondering, is that part of what he's going to do there? Do you have any details on how much aid? And is this part of some -- getting a more solid long-term commitment from allies?

MR. EARNEST: Well, the President is traveling to Saudi Arabia next week, where he will be meeting with many of our GCC partners who are making important contributions to our counter-ISIL coalition. The focal point of our strategy all along has been building up the capacity of the government in Iraq, and eventually the government in Syria, to unite the country to confront the threat that they face from extremists. And there will be a series of discussions about what additional steps our coalition can take to press the case

against ISIL in Iraq and in Syria. And I'm confident that there will be a discussion about what additional commitments our GCC partners, in particular, can make to that ongoing effort. I don't have any details about that conversation to preview right now, but that's certainly something that we can talk about a little bit more next week.

Jeff.

Q Josh, why is the President meeting with Fed Chair Yellen today? What does he expect to get out of that meeting and what is the reason for the timing of it?

MR. EARNEST: Jeff, the President has met periodically over the last couple of years with Fed Chair Janet Yellen. This is not something that they do regularly. I think the last one-on-one meeting they had was in late 2014, so it's been a little more than a year since they had a one-on-one meeting. Chair Yellen did participate in the meeting that the President convened earlier this year with financial regulators across the government. And obviously, the Fed plays an important regulatory role, and she participated in the meeting, accordingly.

The goal of the conversation I think, frankly, is just to discuss the current trajectory of the U.S. economy but also the global economy. I'm confident that there will be an additional discussion of some regulatory issues, as well. And the President has talked quite a bit about how his top domestic priority is expanding economic opportunity for the middle class, and obviously pursuing that policy priority involves having a sort of broad understanding of current economic conditions. Obviously, Chair Yellen spends a lot of time examining those conditions and making her own independent policy decisions. And so it's an opportunity for them in some ways to trade notes on something that they're both looking at quite carefully even if the Fed Chair will continue to make the kinds of independent decisions that we believe are critical to the successful functioning of our economy.

Q A long process went into the President's decision to appoint Janet Yellen a couple years ago. Is he happy with that choice?

MR. EARNEST: Well, that's an interesting question. I certainly don't want to say something that would implicitly call into question her independence. But I think the President has been pleased with the way that she has fulfilled what is a critically important job, both as it relates to making policy decisions that have a significant impact not just on the U.S. economy but on the global economy, but also making sure that the Fed is following through on the important regulatory responsibilities that they have.

So, hopefully, I didn't leave anybody with the impression that there is anything less than the utmost respect for the independent nature of her role in the decisions that she must make. But I think that, independently, people across the ideological spectrum, at least when it comes to politics, would acknowledge that she has filled this very important role quite well.

Q And separately, is the White House concerned about the state of events in Ukraine after the Prime Minister stepped down on Sunday -- concerned about the pace of reform that otherwise was going on there?

MR. EARNEST: Well, Jeff, the administration has been concerned about the situation in Ukraine for quite some time now. And obviously, Mr. Yatsenyuk has played an important role throughout this process. As his country has gone through such significant turmoil, he's played an important role in trying to help his country weather those challenges, and he obviously has been an important partner with the United States as we have tried to provide support to our friends in Ukraine.

This would explain why the Vice President of the United States telephoned Mr. Yatsenyuk yesterday. And we obviously are pleased that he has indicated he will remain on to ensure a smooth transition to his successor.

Implementing key economic reforms in Ukraine is going to be critical to that nation's long-term success, and the economic environment in that country right now is different and has certainly not been aided by the actions of the Russians to destabilize that country and to violate their territorial integrity.

So the people of Ukraine and the nation of Ukraine is enduring quite a lot. The United States will continue to stand with them and support them as they endure these challenges. But that also means that the government of Ukraine will need to follow through on the critical economic reforms of which you alluded to, and we're hopeful that the commitment to implementing those reforms will continue in the mind of Mr. Yatsenyuk's successor.

Bill.

Q When did the administration begin its review of the declassification of the so-called "28 pages," the last chapter of the 9/11 Report?

MR. EARNEST: Bill, for the details related to the declassification process I'd actually refer you to the Office of the Director of National Intelligence. His office is responsible for these kinds of declassification exercises, and they'll make the necessary decisions about which of the materials and how much of the materials can be declassified.

I think the President has made clear that trying to prevent bureaucratic over-classification is something that we've identified as a policy priority. And there are a number of steps that we have taken in recent years to make clear that that is a priority even in a national security context where classified material -- preserving classified material is entirely legitimate.

A couple of examples of that -- the first is the administration did support the declassification of the key elements of the Senate's report on the former CIA interrogation program. This is what's often referred to as the RDI report. And there was a vigorous

debate both in the intelligence community but also in Congress about whether or not key elements of that report should be declassified, and the administration did support the release of a declassified version of that report.

The other example that I can cite -- and this is something that we've been talking about for the last few weeks -- which is the commitment that the administration has made to making public instances in which noncombatants are killed in counterterrorism operations overseas. There's some more work to be done on this, but this is something that Lisa Monaco, the President's top counterterrorism advisor, discussed in a speech recently. And so we would anticipate that we'll have more news about how that information will be released in the coming weeks.

But I think it does reflect the important progress that we've made over the course of the administration. You'll recall, Bill, that in the early years of this administration that individuals who were standing where I'm standing wouldn't even acknowledge that those counterterrorism operations were taking place. But now you have a situation where the administration is laying out a key system for not just acknowledging that those operations took place, but also disclosing more detail about the consequences of those actions.

Q Back to this particular case. Do you know when the declassification effort began? Because in the NSC statement today, they say that they hope to have it done by the end of the administration. How long is it supposed to take when you have members of the 9/11 Commission, at least three of them, and two former members of intelligence committees, and according to former Congressman Roemer, even the Saudis say that it should be declassified?

MR. EARNEST: Well, Bill, I haven't seen the 28 pages and I don't know what they contain, so I'm just not in a position to explain what the factors are in their ongoing review. I don't know when that process began.

Q -- it will take until the end of the administration?

MR. EARNEST: Again, it may, but without having seen those materials it's hard for me to explain whether it will or why it would if it does come to that. I mean, because you did mention the 9/11 Commission -- there is an independent investigation that was conducted into 9/11. You had experts who had previously served in government who led this effort, and they did release a report that was declassified. So we do have -- when I say "we," I mean the public does have a lot of insight into what led to the attacks of 9/11 and what steps were taken to try to counter -- prevent it from happening again.

Q But I think the last chapter of that report was never really --

MR. EARNEST: Well, this is a separate report. This is a report that was put together by Congress. And, yes, that report has not been released, but it is currently being reviewed by the Office of the Director of National Intelligence for a potential release. But I just don't have an update on their ongoing efforts.

Q Does the President support the release of this?

MR. EARNEST: I don't know that the President has reviewed those 28 pages. I can tell you that the President certainly does support being as transparent as possible, but he also believes that these national security officials have an important job to do to make sure that if secrets need to be kept that they can be. So I don't know that the President has voiced an opinion in this particular case, but we can check on that.

Q If all of these people who have read the report -- or many of them -- suggest that it should be released, then what's the hang-up? I mean, these are people who have seen the classified information, they know what's in it, and according to Roemer, even the Saudi government supports it. So why the hang-up?

MR. EARNEST: Well, Bill, I think that we have seen -- there have been some high-profile examples in the news recently of how well-intentioned, patriotic national security professionals can arrive at different conclusions about what information can be made public without damaging our national security, and what information must be withheld. And this is always part of a vigorous bureaucratic debate. And I know that "bureaucratic" often has a negative connotation. I don't necessarily mean it that way. I just mean that there are well-intentioned individuals with different points of view who can arrive at different conclusions, or at least engage in a debate that leaves them on different sides of that debate about what information can be made public without risking U.S. national security.

And I can't speak to the nature of the debate in this instance because I haven't read the 28 pages, but the President is certainly hopeful that this is something that they can resolve, consistent with a widely shared view about the need to be transparent but also the need to protect secrets that are critical to our national security.

Pam.

Q The review has been going on, I believe, since 2014, so why does it take two years to review 28 pages?

MR. EARNEST: Again, Pam, I haven't read the pages so I don't know what's in it, but you can try to check with the Office of the Director of National Intelligence who will oversee that process, is overseeing that process, and maybe will provide you some greater insight into what kinds of factors are affecting the ultimate decision.

Q Is the President bound by the outcome of that review? Could he decide on his own to say, I'm going to release it anyway despite what you're recommending?

MR. EARNEST: Well, I don't know the answer to that. I know that people often discuss the fact that the President does have the ability to decide on his own what information can be declassified. But obviously there is a process in place to consider the various points of view of releasing sensitive national security information. In some cases, there was a conclusion reached that this information can be released without damaging national security. In other situations, there conclusion was reached that the information can't be

released because, for example, it could reveal sources and methods through which information is obtained. So the need to protect those sources and methods is often a justification for not releasing information.

But again, I don't know whether or not that's relevant in the context of this specific decision, because I haven't reviewed the 28 pages.

Q If the information included evidence or indications that the Saudi government or other institutions in Saudi Arabia had some sort of support for the hijackers, would the President feel that he could release that?

MR. EARNEST: I think that's a hypothetical that's hard to address from here. I just don't know whether or not that applies in this case.

Q On the issue of the Wall Street reform, the President said when he had Janet Yellen here in early March that Wall Street reform has worked. Today, there was another settlement as a result of the financial meltdown. Why has there been no major criminal actions for people who were involved in that? The savings and loan crisis, which was a smaller financial crisis, there were something like a thousand major criminal referrals out of that.

MR. EARNEST: Well, let me start by saying that any sort of decisions about a prosecution for a financial crime would be made by an independent federal prosecutor. So those kinds of decisions are made by prosecutors. The reason that those decisions are not made by people who are in political jobs is because we have an expectation in this country that the law is going to be applied fairly and evenly without regard to political considerations.

So in this case, those kinds of decisions are made by federal prosecutors, and I'd refer you to the Department of Justice for an answer or an update, to the extent they can provide one, about an ongoing investigation.

What I will say is that people who have taken a close look at the financial crisis that this country endured in 2007 and 2008, many of them concluded that the problem was not predominantly that individuals were engaged in legal activity, but rather that the risky bets that they were making were entirely legal. And that was obviously a problem. Because when those risky bets went bad, it shook the global financial markets. It weakened confidence in the U.S. economy. And it reverberated around the world. That's a problem, obviously.

And that is why the President, working closely with members of Congress, was committed to reforming Wall Street in a way that would not leave taxpayers on the hook for bailing out a bank or another financial institution that made bad bets. The reform legislation also included measures that prevented, or at least reduced, the riskiness of the bets that these financial institutions were allowed to make. For example, one of the chief reforms that were considered by the law and were implemented successfully is an increase in the capital buffer that many banks have to maintain. Essentially, they can't -- they need to keep in hand more financial reserves to leverage against bets that could go bad. And that had brought greater stability to our financial system.

And the irony of this is, is that we saw many of the leading advocates of banks and traders and people on Wall Street said that those kinds of reforms would throw a wet blanket over the economy, that they would inhibit innovation and inhibit the kind of investment that's critical to the dynamism of our economy.

But I think the kind of strength, and sustained strength, that we've seen in our economy over the last several years indicates that they were wrong, that it is possible to implement the kind of Wall Street reform that would protect taxpayers, that would protect the global economy, without overly inhibiting the ability of the U.S. economy to continue to thrive. And the President has been very satisfied that not only is it possible to strike that right balance, but that these reforms succeeded in striking that right balance in terms of protecting the American people, protecting the U.S. economy, while allowing our economy overall to thrive and to become the envy of the world.

Q Those are forms of protecting things going forward. Do you think that the fact that there have been no, or very few, criminal prosecutions of any major players in the meltdown is a factor in the simmering anger that a lot of Americans have that nobody was really punished for what happened?

MR. EARNEST: Well, I don't have them in front of me, but there are certainly some statistics that we can provide related to settlements that were obtained by the Department of Justice and other actions that were taken by the Department of Treasury that indicate that there was important accountability brought to bear. And that is important, and the President has spoken to how important that is.

What's important, though, and what is also critical to building confidence in the financial system is demonstrating that laws can be put in place to prevent those kinds of things from happening again. And we've been very gratified over the last several years to see Wall Street reform be implemented over the strenuous objections of many on Wall Street. In a way, that has succeeded in making our financial system safer and more stable without inhibiting the growth of a thriving U.S. economy.

Cheryl.

Q Thanks, Josh. Do you have any update on when the TPP trade agreement is going to be submitted to Congress, or has the Supreme Court nomination thrown off your schedule?

MR. EARNEST: I don't have any update for when this would be submitted to Congress. Obviously, the text of the agreement has been public for quite some time, and it continues to be available for public review and for review by individual members of Congress. But for an official submission to Congress, I just don't have a timeframe to lay out for you.

At this point, it's not clear to me that that would in any way be affected by the ongoing effort to get members of the United States Senate to do their jobs and actually give Chief Judge Garland the kind of fair public hearing and timely yes or no vote that he surely deserves.

Jordan.

Q Thanks, Josh. In trading notes with the chairwoman, will the President discuss the level of interest rates right now?

MR. EARNEST: I would not anticipate that, even in a confidential setting, that the President would have a conversation with the Chair of the Fed that would undermine her ability make these kinds of critical monetary policy decisions independently. So the conversation hasn't occurred yet, so I don't want to prejudge too much. But I know that the President cares deeply about preserving both the appearance of and the fact of the independence of the Federal Reserve and the chair. And I'm sure the President will keep that priority in mind, even in the context of their private discussion.

Julie.

Q I want to go back to something the President said over the weekend with regard to this issue of classified information. He seemed to make a distinction when he was talking about Hillary Clinton's emails between classified information and really classified information, as if there were some sort of gray area between whether something deserved to be kept secret for national security reasons or not. But this administration has been pretty absolute about going after leakers of classified information of whatever it might be, going as far as to prosecute them for divulging some of this stuff.

So I guess I'm wondering, which is it? Does the President actually believe that there is some classified information that is more deserving of protection for national security purposes than others? Or does he believe that in all cases you have to follow the law, and classified is classified?

MR. EARNEST: Well, that's an interesting question. Let me try to answer it in a couple of different ways here. I think what is true is that there are always going to be, always have been and will be in the future -- there will be disputes in the national security bureaucracy -- again, I use that word not perjoratively -- about what information can safely be released and what information can't.

So why don't I just give one general example that I think has been discussed in this context -- and when I say discussed in this context, I mean reported by all of you publicly -- which is the question about whether or not information continues to be classified, even though it's been publicly reported. There are some in the national security establishment who would say, well, it doesn't matter if it's been reported by The Washington Post -- this information is still classified, because it could, if confirmed by the U.S. government, undermine our ability to protect sources and methods. I think other people -- probably many other people -- would conclude that there's not all significant interest that the U.S. government has in keeping something secret if everybody can read about it in The Washington Post -- just to cite one example.

And this is part of a debate that goes on not just in the context of Secretary Clinton's emails, but in the context of making decisions about releasing information that's requested as a result of a Freedom of Information Act request. And considering the

administration responded to more than 700,000 Freedom of Information Act requests just last year, I think that should be an indication to all of us that this is a conversation that happens quite frequently. So that's the first thing.

I think the second thing is -- and this is something that the President did allude to in his answer -- there are secrets that are critical to our national security. There are secrets that I think that even journalists occasionally would acknowledge should be kept secret in order to protect the American people. Now, how to keep that secret and for how long to keep that information secret is surely the subject of legitimate debate. But at its core, there are some things that I think we all acknowledge should be kept secret, and that means when information like that is not kept secret by people who have taken an oath to protect it, that those individuals should be held accountable.

Now, when it comes to prosecutions by the Department of Justice of people who are accused of leaking classified information, violating the pledge that they signed to protect that information, those are decisions that are made by independent prosecutors. And so I can't weigh in at this point about whether or not those prosecutions were justified or whether or not they were legitimate, or even handled appropriately. Many of the investigations that you refer to were actually begun by the previous administration. And I think that should be an indication to you of how serious this administration takes the responsibility of ensuring that those kinds of investigations are insulated from political influence.

The fact that they were commenced under a previous administration I think is an indication that they aren't subjected to second-guessing by people who have politics in their job description. That's a good thing for our country. That's a good thing for inspiring confidence in the ability of our investigators and prosecutors to make decisions on the merits, to make decisions in pursuit of justice and not in pursuit of a political agenda.

And I think that's why you saw the President draw such a hard line with Chris Wallace in the interview in indicating that he could guarantee that there will not be any political influence in the ongoing investigation of Secretary Clinton's email system. And that's an important part of preserving the integrity of the justice system and protecting the generally accepted notion of what justice actually is -- that this is a decision that should be made by federal prosecutors with regard to the law, not with regard to politics. And the President believes in the principle quite strongly, and I think that's why he was so categorical in discussing it with Mr. Wallace.

Q Two things. You seem to be suggesting that the President and this administration is not supportive of some of these leak prosecutions that have happened since he's been President that --

MR. EARNEST: I think the point that I'm making is, it doesn't matter whether or not we support them; they're going to move forward because the decisions that are made about those investigations are made independent of the preference of anyone with politics in their job description. And that's how it should be. So whether or not the President or

some other elected official approves of, or disapproves of, those investigations is irrelevant. These are decisions that are made by the independent federal prosecutors, and that the way, in this country, that we ensure that our system of justice is conducted with regard to the law and to evidence and facts, not politics.

Q Back to key question of whether -- I mean, he seemed to be saying that there can be a debate over what's classified and what's not classified. You said that earlier. But if that's the case, then how can this administration expect compliance with the law? I mean, is something classified if it's marked classified? Is it classified if the President or somebody else decides that it is really vital to national security? I mean, it seems like there's a distinction there that's not being captured by the classification process that he's trying to get at, that it's not clear under the law.

MR. EARNEST: Well, I think the President is just making the observation -- and I think you're drawing a pretty clear illustration here, too -- of how complicated this picture is. And obviously there is a need for individuals who sign an oath to protect classified information to protect that information. I signed that oath. That's something that I abide by. Even in the context of these kinds of discussions that we have, it's not uncommon for me to be asked about classified information and I certainly do my best to try to help all of you work on your stories, but I also do so with the knowledge that I need to protect that information. And I'm certainly not the only official in the government that has that kind of responsibility. And it certainly is a responsibility that I take seriously, and I think it's a responsibility that the vast majority of government officials take quite seriously.

And I think as the President alluded, Secretary Clinton has acknowledged that with regard to this information, none of which was stamped classified, that she was a little careless, and that if she had an opportunity to do it differently and to handle this information differently, she would have done that. But what's also true is, she has said from the beginning that none of the information that she received or sent from that email account was stamped or marked classified. And I haven't read all the emails that have been released -- many of you have -- but I haven't seen any evidence publicly that what she said about that was wrong. And considering that we're talking about tens of thousands of emails, I think that's a relevant fact.

Suzanne.

Q Josh, can I just follow up on that? So the President also said he doesn't believe that Hillary Clinton put national security at risk. So just to be clear, is this a belief, or is this knowledge based on knowing the emails or being briefed that these emails did not put national security at risk?

MR. EARNEST: Well, let me be clear about this, Suzanne. The President has neither sought nor received a confidential briefing or confidential information about the ongoing investigation. The President's knowledge about this situation is based entirely on public reporting. This is one of the benefits of the approach that Secretary Clinton and her team have taken to dealing with this matter. Secretary Clinton said, let's just make all the email public. And all of you and your news organizations have spent God knows how many

hours reviewing all those emails, some of them interesting, most of them mundane, but it does give the American public some insight into what is included in those emails. And when you hear the President's public comments on this matter, it's based entirely on the reporting that you and your news organizations have done on this matter.

Q So he's confident that there is nothing that is missing in any -- I mean, he's absolutely confident that he has all the information he needs to come up with that conclusion?

MR. EARNEST: Well, I think the President was asked a specific question and he shared his view based on public reporting on this that has been done. At the same time, the President was careful, both at the beginning and at the end of the questioning, to acknowledge -- and this goes back to what Julie was asking -- to acknowledge that the opinion that really matters here is the opinion of the independent investigators who are taking a close look at this. And the President does have confidence that those prosecutors and other investigators will exercise their independent judgment, that they'll set politics aside and they'll focus on the facts of the case and they will allow the facts to guide them as they pursue their investigation.

And that is certainly what the President would expect, and it's consistent with what both Attorney General Lynch and Director Comey have said about the investigation.

Q And just another point on what the President talked about with Fox. He said, regarding the worst mistake, probably failing to plan the day after the U.S.-led invasion of Libya. There are a lot of people who criticize President Bush and his administration for their lack of planning after intervening in Iraq and not having sufficient understanding, historical understanding of the sectarian violence there between Sunni and Shia. Does the administration, does the President, do they see parallels? Do they see any kind of inherent risk in the administration leading a coalition in the Middle East in a volatile situation such as that and in terms of his own thinking of lessons learned?

MR. EARNEST: Well, I think it's difficult to compare the two situations because, obviously, the previous administration ordered military action as a result of intelligence that didn't prove to be true. The intervention in Libya was different. The intervention in Libya was based on an emergent situation where you had a bloodthirsty dictator vowing to slaughter thousands, if not tens of thousands of innocent people. And the President of the United States led an international coalition to try to prevent that from happening and, by and large, they did. So I think it's difficult to compare these two situations.

Q In the post-planning, not understanding or not having the commitment of allies come through, is there any kind of parallel that the administration sees in the risk, the inherent risk of working and depending on those allies and having it fall through? Because you talk about the power vacuum and that's the same thing we see here.

MR. EARNEST: Well, I do think that the point that the President was making is not that any specific ally of the United States had utterly failed to follow through on a specific commitment that they had made, but rather that the United States and our broader

coalition had not succeeded in mobilizing the necessary resources to bring about the scenario that we would have eventually liked to see.

Now, the good news in Libya is that we have made some important progress in recent years. It's just taken a whole lot longer than we planned for. And I think that's the point that the President has made. Obviously the United Nations has done some really important work in building up this government of national accord that is now in Tripoli and working to establish itself as the legitimate government of Libya, and to persuade the militias on -- the varying militias that exercise significant influence over that country to lay down their arms and to support the government of the country that can eventually try to bring the security situation inside of Libya under control.

This is going to be a long process, but the United States, certainly our coalition partners at that time, and the broader international community have been critical to the success of this effort or at least of the progress that they have been able to make thus far.

Serena.

Q Thanks, Josh. So Lt. Commander Edward Lin charged with espionage and attempted espionage -- given the fact that he was a high-ranking naval officer assigned to the maritime reconnaissance unit and the type of information he would have access to, is the President being kept updated on this case? Is he expressing any sentiments regarding it? And how damaging is the information he had access to in the hands of the Chinese and Taiwanese is that for American national security?

MR. EARNEST: I can't speak to the substance of the allegations against the naval officer that you've just described. The Department of the Navy may be able to provide you some guidance around that. As it relates to this investigation and potential prosecution, I am quite limited in what I can say because the Department of the Navy has indicated that this individual has been charged with violations, including espionage, under the Uniform Code of Military Justice, and there is a risk that saying much of anything about it could be perceived as the Commander-in-Chief influencing the chain of command with this matter.

So there's very little that I can say. I can just confirm for you that these charges have been filed, that there is an officer that is in custody at the Naval Consolidated Brig in Chesapeake. But other than that, I'd just refer you to the Department of the Navy for additional steps that will be taken.

Q Can you confirm that the President is being updated about the case, or has he expressed any kind of interest in --

MR. EARNEST: I actually do not know whether or not the President has been briefed on this particular matter. But we'll see if we can get you some information about that.

Q On North Carolina, the controversial law making it illegal for a transgender person to use the bathroom of their choice, New York Governor Andrew Cuomo banned nonessential travel to the state, the Boss cancelling his show there -- has the President --

would he consider not traveling to North Carolina as a result of this law, or its impact on federal employees traveling to the state?

MR. EARNEST: I'm not aware of any decision like that having been reached on the part of the President or any other federal government official. But obviously we've seen some of the other leaders in entertainment and in business come forward and express their significant discomfort with this law that the state of North Carolina has passed and the governor has signed into law.

Again, I talked about this a little bit before, but I think it relevant, particularly in this case, in light of even some of the more recent developments, that the state of North Carolina, over the last couple of decades, has really thrived economically by aggressively marketing a friendly business climate. They've talked about how they've really been able to harness the innovation in the Research Triangle to create an environment where small businesses with a good idea can succeed. And we've seen big businesses look to try to get in on the action and to try to capitalize on that kind of environment to ensure the success of their business or to even advance their business model.

I think what is also true, though, is you're detracting from the business environment if you essentially are going to make it legal to discriminate against that business's employees or customers. And I think that is a question that the governor of North Carolina, in particular, failed to account for, but one that ultimately he'll have to answer for.

Dave.

Q Josh, when you said earlier that the President was taking the lesson of Libya and trying to apply it in other situations since then, we're you referring to Syria or ISIL? What were you talking about?

MR. EARNEST: Well, I think this is the kind of lesson that can be applied in a variety of situations. I think there's some relevant lessons to draw in thinking about the situation in Syria. For example, the President has received sustained criticism, predominantly from Republicans but not just from Republicans, for not ordering a military strike against the Assad regime back in 2013 once the intelligence community had concluded that the Assad regime had used chemical weapons against innocent civilians. I don't know if the President had the situation in Libya in mind as he considered what should happen next, but there is a relevant analogy to be drawn in asking the question about what would happen next in Syria after that military strike was taken.

And I think that's -- understanding the longer-term consequences of military action is important for the Commander-in-Chief to consider. And, frankly, it's the kind of thing that the Commander-in-Chief should consider before ordering military action. And it certainly guides the decision-making that President Obama has made in the context of responding to ISIL both in Iraq and in Syria.

Q Is it accurate, then, to say that Libya made him more reluctant to go into Syria? Or he wasn't predisposed to go into Syria in the first place, was he?

MR. EARNEST: Well, I don't know about -- well, I guess I don't know entirely what you mean by predisposed to go into Syria.

Q I mean that he started from a position of not wanting to go into Syria and getting involved in their civil war, right?

MR. EARNEST: That is certainly true that the President would have preferred to not be in a situation where he had to order a small number of U.S. special operators on the ground in Syria. That's true.

But, look, that's also true that he would have preferred to not be in a situation in which the United States was carrying out airstrikes or providing assistance to fighters on the ground inside of Syria. But because of the failure of the Assad regime to effectively govern that country, it created a vacuum. And we saw an extremist organization like ISIL attempt to set up a safe haven inside of Syria, and that led to some significant problems. And the President at every turn has been focused on making sure that the kinds of decisions that he's making to counter ISIL are consistent with our long-term national security interests.

But I guess the premise of your question that I would disagree with is the President hasn't done so reluctantly. The President has understood that, at least in this case, it was important for him to order military action in order to protect the American people, in order to protect our interests around the world. Of course, he would have welcomed a scenario in which that use of military force was not necessary. He would certainly have preferred an Assad regime that was much more effective in respecting and protecting basic human rights and effectively governing that country. That's not what we have seen.

And the President has not hesitated to use military force where necessary to take ISIL fighters off the field, to try to have an influence over the battlefield against ISIL so that we can degrade and ultimately destroy that terrorist organization.

Q Quickly one other thing, does the White House have any comment on the \$5 billion settlement payment by Goldman Sachs that was finalized today in the mortgage crisis?

MR. EARNEST: I don't think I have a specific reaction to it. I mean I think it's -- this obviously goes back to Pam's question from earlier. Obviously, decisions about prosecutions and settlements are made by prosecutors at the Department of Justice. And so I wouldn't second-guess the conclusions that they have reached. But I think obviously the President believes that people should be held accountable for their actions. And that's particularly if there's a situation in which your actions may have been a contributor to the worst economic downturn since the Great Depression.

Kevin.

Q Thanks, Josh. Interesting conversation between the President and my colleague Chris Wallace on Sunday. The President used the word "careless" to describe Secretary Clinton's use of her private email server. And I'm wondering if he feels like there is a

difference, as a constitutional lawyer, scholar, as a President, between the words careless and negligent? Are they not the same under the law?

MR. EARNEST: Well, I think it's hard for me to parse the President's answer on this. I do think the President was not careless in choosing which words to use in answering this question. But why he chose one word over another is not something I can speak to.

Q Do you see them as the same?

MR. EARNEST: Well, I guess the point here is that in some ways it doesn't matter what I think. In the most important way it doesn't matter what I think because this is something that is being looked at by federal prosecutors, and they'll take a look at how the decisions were made about setting up the email system, and they'll ultimately make their own conclusions. And they'll make their own determination about what are the appropriate questions to ask.

And again, that is the way that we instill confidence in the public in our criminal justice system -- if the questions that are being asked by independent federal prosecutors are questions that they themselves decide to ask. They'll decide who should answer them, and they will reach a conclusion about what consequences that means for the law and whether or not a prosecution should move forward. That's a process that has served the American people quite well.

This is not the tradition in many countries. In other countries, there are situations where political officials are essentially in charge of the justice system or wield inordinate influence over the justice system such that people with different political views are treated differently in the criminal justice system. And we value the political independence of our justice system in this country because it gives us all confidence that people are going to be considered fairly under the law without regard to their political views.

And this is a principle that is worth protecting. And sometimes it does mean that I, for example, will not be able to answer your questions in as detailed a fashion as I would like because it's not just that this is a principle that we want to protect. I think all of you, for example, take the Attorney General at her word when she testifies before Congress that she's "aware of no efforts to undermine our review or investigation into this matter at all;" or when Director Comey says that he's taken a close look at the case and being regularly updated on it because he wants to make sure that "there's no outside influence." So they've been able to -- the individuals who are responsible for conducting this investigation have been able to publicly conclude that they don't feel like they're subject to influence.

You've heard the President of the United States say definitively in the context of his interview that he would guarantee that there is no political influence that was going to be brought to bear in this kind of situation. And I think the combination of those three comments I think can give people a lot of confidence that everybody who goes through the

criminal justice system -- whether they're as well-known as Secretary Clinton or not -- is going to be treated fairly, and that the public interest will be served by the fair treatment of those individuals.

Q Just a couple more very quickly. If the President emailed the Secretary on her private server, or her clintonemail.com address, would he not then have an obligation to at least somehow report that? Because you're talking about government business going to a private email -- presumably unsecure email server. Would he not have to at least report that?

MR. EARNEST: Well, Kevin, the point here is that while the President was certainly aware of her email address, he was not aware of the system that had been put in place to support it.

There are many reasons why an individual might have -- particularly somebody who is in a position like the Secretary of State who might have an email address that cannot be easily guessed by the general public or by our nation's adversaries. For example, there is a reason that she was not at hclinton@state.gov. And so I think that is the reason that no one who emailed with the Secretary of State -- at least that I'm aware of -- from the White House knew of her private email server arrangement. They certainly were aware that she had a different email address than other State Department employees. But I'm not aware of anybody at the White House who knew of the arrangement that she had in place.

Q Is it also, then, fair to say that no one at the White House makes it a regular occurrence -- or the President, at least, doesn't make it a regular occurrence to email private email addresses conducting government business?

MR. EARNEST: That's true. The instructions that the White House has provided to all federal employees is that they should use their government email for government business. And if there are isolated situations in which individuals had to use their personal email, that information is transferred over the official system so it can be properly archived and used to respond to specific inquiries.

There are a variety of situations where this could come up. If your Blackberry stops working, which has happened on more than one occasion, or if you're traveling overseas and you're having some trouble with connectivity, you may have access to your personal email. But what's important is that this is a situation that's not the norm, and then in those rare instances when it is used, that those personal emails are properly maintained on the official system by either cc'ing your official address or just forwarding the exchange over to your official account.

Q Just so I'm clear, so no government business should be transacted between, say, the President's account and some private account?

MR. EARNEST: Well, certainly when the President is doing business -- and he does not do very much business over email. As you would expect, much of the business that the President is engaged in would be reasonably described as either classified or at least

sensitive information. So when the President is doing that kind of business, yes, it is generally over government email.

Q Last one. Eight of the 11 remaining Obamacare health insurance co-ops according to reporting are likely to fail this year. And I'm just curious of knowing now what we know about the dollars spent, about the commitment made, was this the right strategy for the American people?

MR. EARNEST: Well, Kevin, the focal point of the Affordable Care Act was making sure that we are expanding access to as many people across the country as possible. And when I say access I mean access to quality, affordable health insurance. And we've seen that some 13 million people now have taken advantage of the Affordable Care Act to get coverage. And this is good, quality, affordable coverage in the vast majority of cases that they didn't previously have access to.

And our goal here was to use competition, and we have seen positive progress in building competition in individual marketplaces. So in individual states in 2014, the average number of issuers per state was eight. In -- I'm going to make sure I get the years right. In 2013, it was eight; 2014 it was nine. And this most recent year it was 10. So we've seen a steady increase in the average number of issuers per state in these individual marketplaces.

The premise here is that by increasing competition, we can create an environment in which individual insurers are competing for people's business. That means that individual insurers are going to be competing to drive down costs and to drive up benefits. And that's how we've arrived at a scenario where more people have access to quality, affordable health insurance than ever before.

The consequence of that is that when you do see situations where particular health care arrangements don't pan out, the good news for the customers of those arrangements is that they've got lots of other options. They've got lots of other viable options where they can go and get quality, affordable health insurance on the private market, something that was not previously available to them.

Q So you're okay with \$2.5 billion spent, invested in 2010, and eight of the 11 remaining failing -- that's okay because the ends justify the means?

MR. EARNEST: I think what we would like to see, in general, is increased competition. That's exactly what we've got. We also were looking to save money. And over the next 10 years, we will find -- and this is something that even the CBO has concluded -- tens of billions of dollars in deficit reduction as a result of the Affordable Care Act.

So there is no denying that millions of Americans got access to quality, affordable health insurance for the first time because of the Affordable Care Act, and the American taxpayers are going to see health care costs that are paid by the federal government limited in such a way that we're actually going to reduce the deficit by tens of billions of

dollars. And that's a significant achievement, one that our naysayers long thought was not possible. And that's probably why many of those naysayers won't even acknowledge the important progress that we've been able to make.

Kristin.

Q Thanks, Josh. Can you talk a little bit about three, four months into the year, the state of the President's relationship with Speaker Paul Ryan? Do they talk? Do they talk often? When is the last time that they spoke? Does the President think that he's doing a good job?

MR. EARNEST: The President certainly does continue to respect Speaker Ryan. I think no one underestimates the significance of the challenge that he's undertaken. Certainly the President hasn't. They do speak with some frequency. Oftentimes those are conversations that we don't disclose. So I can't tell you the last time that they spoke, but it certainly is not unusual for the two men to trade phone calls. That's typically how they'll communicate.

I don't want to leave you with the impression this happens every day or every week, even. But it's not unusual for them to engage in a conversation. And the President certainly respects the important responsibilities that Speaker Ryan has as the leader of the Republicans in the House of Representatives. And Speaker Ryan is somebody who has demonstrated that he is -- takes quite seriously the responsibilities that he has. He is somebody who has been quite thoughtful about his views and his prescription for how to further strengthen the country.

Obviously, the two men have some pretty significant differences of opinion. And what we've tried to focus on are areas where there is common ground. Passing funding to make sure that our health care professionals have the necessary resources to fight Zika is something where Democrats and Republicans should be able to find common ground. Hopefully, Speaker Ryan will take action on that.

Speaker Ryan has talked before about how expanding the earned income tax credit could be a powerful way to fight poverty. The President has considered this a reasonable and maybe even promising policy approach. Hopefully, Democrats and Republicans in the Congress could work together to arrive at an expansion of the earned income tax credit in a way that would be good for our economy.

Democrats and Republicans along the campaign trail have certainly spent a long time talking about how to fight heroin abuse and opioid addiction. President Obama believes this is a priority. You'll recall he traveled down to Atlanta a couple of weeks ago to talk about this. Hopefully, this is something -- the President was actually introduced by the Chairman of the House Appropriations Committee, a Republican from Kentucky named Hal Rogers. Hopefully, Mr. Rogers and Mr. Ryan can work together to advance this important priority. The President would certainly welcome that.

Mr. Ryan -- Speaker Ryan made clear that the House would begin to take action to help Puerto Rico address the significant financial challenges that are plaguing Puerto Rico. The administration has obviously played an important role, and we've seen Democrats and Republicans come together to begin to make some progress. There's a lot of work that remains to be done, but they're obviously off to a good start, and we're pleased about that.

So there's no shortage of opportunities for Speaker Ryan and President Obama to work together in a way that doesn't require either of them to capitulate on core principles. But there is an opportunity and a requirement that both of them put the interests of the country ahead of more narrow political considerations. And I think it remains to be seen how serious House Republicans are about setting aside the grouching that they may find in some corners of their party for cooperating with President Obama so that they can actually find some common ground on something that Democrats and Republicans agree would be good for the country.

Q On politics, does President Obama have a position on the possibility that the Republicans could have a brokered convention?

MR. EARNEST: He does not. (Laughter.)

Q So, hypothetically, if Paul Ryan were to be part of that brokered convention, he would have no feeling on that either?

MR. EARNEST: Well, my rudimentary understanding of the Republican nomination process is that as the Speaker of the House -- Speaker Ryan actually is the chair of the convention. So if an open convention or a brokered convention does come about, it does seem that Speaker Ryan would, whether he likes it or not, play a prominent role in that prospect.

Q And finally, does the White House believe its strategy to confirm Merrick Garland is working?

MR. EARNEST: We certainly have made a lot of important progress in confirming -- or getting the Senate, frankly, to do its job and to give Chief Judge Garland a fair hearing and a timely yes or no vote.

This is a good opportunity for me to talk about what I think will be a pretty important week in this nomination process. I'm not aware of any meetings that Chief Judge Garland has today on Capitol Hill, but over the course of this week, he'll be meeting with 14 difference senators, six of them Republicans. And he'll be starting tomorrow by having breakfast with the Chairman of the Senate Judiciary Committee, Chuck Grassley.

Now, you'll recall that just hours after the announcement of Justice Scalia's untimely death, that Republican Leader in the Senate, Mitch McConnell announced that the Senate would not be considering a presidential nomination to fill a vacancy on the Supreme

Court. So the fact that Judge Garland is meeting this week with six different Republican senators to discuss his nomination I think is an indication that we've made important progress. And let me explain to you why.

After meeting with these Republican senators, I think -- I guess by the end of the week, he'll be up to nine, because he's already met with three different Republican senators -- Senators Collins, Kirk and Boozman. But after having those meetings, I think an obvious question will be begged of those Republican senators, and it's simply this: If you've had an opportunity to hear from Chief Judge Garland directly, why shouldn't your constituents?

After all, you're the one making the case that the people's voice should be heard in this process, so why shouldn't the people have the opportunity to hear from Chief Judge Garland about his views, about his record? He obviously has spent 19 years on the federal bench, serving in the -- what's often described as the second-highest court in the land, the D.C. Circuit Court of Appeals. He has more federal judicial experience than any other Supreme Court nominee in history. So he certainly has the capacity to answer these questions. He's prepared to do it on camera, under oath. He's prepared to take whatever questions Democrats and Republicans on the Senate Judiciary Committee may have to put forward. He can handle it. I guess the question is, why can't the people asking the questions handle it?

I suspect -- I have a theory, to the extent that I'm able to divine much insight into the mind of any Republican senator -- I think this is what Republicans are concerned about. They're concerned about giving him that opportunity because, if they do, it will be clear to the American public that he's deserving of a lifetime appointment on the Supreme Court. And it's going to make it a lot harder for them to justify blocking it. So that's why you've seen Leader McConnell try to shut this down at the pass.

But the fact that, at the end of the week, Chief Judge Garland will have met with nine Republican senators is an indication that we're making some important progress. There's a long way to go, but it certainly is going to -- as Chief Judge Garland does these meetings, it's not going to reduce the number of questions that Republican senators are facing about why they're blocking his nomination and refusing to do their job. It's only going to increase the frequency of those questions.

And that's significant because we know, for example, that this is an accusation that Chairman Grassley himself is pretty uncomfortable with. He himself has said that he resents the notion that he's not doing his job. But the fact is, as the Chair of the Senate Judiciary Committee, he has as much influence as anyone over whether or not Chief Judge Garland is going to get a fair hearing. He'll have as much say as anyone about the way the Senate Judiciary Committee reports out his nomination. And that will have a significant impact on how individual members of the United States Senate vote on his nomination.

So, look, these tough questions of the senators are just getting started. And it's ironic that in the back halls of Congress, you see a lot of Republican senators sort of ducking questions from members of the media about why they're blocking Chief Judge Garland's nomination while at the same time you see Chief Judge Garland eager to go out in public, under oath, on camera and answer all the questions that these senators can think of to ask.

That is why the position that Republicans have adopted is so difficult to defend, both as a matter that's central to their constitutional responsibilities, but it's also why, frankly, as a matter of politics, it's a tough question for them to answer.

Angela.

Q Thanks, Josh. Back to the topic of the meeting with the Fed Chairwoman. The L.A. Times reported last year that there's a Federal Reserve regulatory job, the Vice Chair for Supervision, that was created back in Dodd-Frank, but that has never been filled. And now, Chairman Shelby is holding up other Fed nominations, saying that this is -- the fact that this job hasn't been filled is the reason for those holes. Does the President have any intention to ever nominate somebody to be the Fed's Vice Chair for Supervision?

MR. EARNEST: Well, listen, I think it is -- I don't have any personnel announcements to make at this point in terms of individuals who may be considered or when a nomination could be put forward. But I think it is a tough case to make for Senator Shelby to say that he's not going to fill any vacancies on the Fed until one specific vacancy has been filled. I don't think it sort of matches people's common sense about how the Senate should fulfill its duties, particularly when you consider that there are two individuals, highly qualified Federal Reserve nominees, that have been put forward -- almost a year ago in one case, and more than a year ago in the other case -- to fill important positions on the board.

And we're going to continue to make a forceful case for these two individuals. And Chairman Grassley doesn't exactly have a strong record to stand on -- I'm sorry, Senator Shelby doesn't have a strong record to stand on when considering nominees to the Senate Banking Committee. It obviously is his failure to act expeditiously in this area. It's something that has already garnered strong criticism of his conduct. And his continued obstruction of two highly qualified Federal Reserve nominees is only going to enhance that criticism.

Q One other business matter. Does the White House have any comment on Canadian Pacific's decision to abandon its merger attempt with Norfolk Southern Railroad?

MR. EARNEST: I actually am not aware of those reports. I don't know if that's something that just broke, but if there's a specific reaction we have, we can get it to you.

Scott, I'll give you the last one.

Q Thanks, Josh. Has the President had any conversations with Congresswoman Wasserman Schultz about her payday lending bill?

MR. EARNEST: Not that I'm aware of. And I don't know the details of the legislation that she has put forward. Obviously, the President has put out a statement announcing his enthusiastic support for her reelection. But I'm not aware of any position the administration has taken on her legislative proposal.

Q Her legislative proposal would sort of undermine the CFPB's rule that the President was touting a year ago.

MR. EARNEST: Why don't we -- when I do a little work on learning more about her legislation, we'll get back to you on it, okay?

All right. Thanks, everybody.

END

2:47 P.M. EDT