

THE HONORABLE JAMES L. ROBART

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON**

STATE OF WASHINGTON, and
STATE OF MINNESOTA,

Plaintiffs,

v.

DONALD TRUMP, in his official
capacity as President of the United
States; U.S. DEPARTMENT OF
HOMELAND SECURITY; JOHN
F. KELLY, in his official capacity as
Secretary of the Department of
Homeland Security; REX W.
TILLERSON, in his official capacity
as Secretary of State; and the
UNITED STATES OF AMERICA,

Defendants.

Civil Action No. 2:17-cv-00141-JLR

RESPONSE TO DEFENDANTS'
NOTICE OF FILING OF EXECUTIVE
ORDER

I. INTRODUCTION

When a court enjoins a defendant from implementing policies, the defendant cannot evade that injunction simply by reissuing the same basic policies in a new form. Courts do not issue injunctive relief in a game of whack-a-mole, forced to start anew at a defendant's whim. *See, e.g., Sys. Fed'n No. 91, Ry. Emps.' Dep't v. Wright*, 364 U.S. 642, 647 (1961) (“[N]either the plaintiff nor the court should be subjected to the unnecessary burden of re-establishing what has once been decided.”). Of course, a defendant need not be bound forever by an

1 injunction, and can request its modification or termination under well-settled rules, but it is the
2 court—not the defendant—that decides whether modification is warranted.

3 President Trump here seeks to evade these fundamental principles. On February 3, this
4 Court enjoined key provisions of Executive Order No. 13769 (First Executive Order). The
5 Ninth Circuit unequivocally rejected President Trump’s request to stay or narrow this Court’s
6 injunction. Nonetheless, on March 6, President Trump signed a new Executive Order (Second
7 Executive Order) that, in the words of his own senior advisers, adopts “the same basic policy”
8 as the first: “the goal is obviously to maintain the way that we did it the first time.” In
9 particular, the policy purports to reinstate two provisions of the prior order that this Court
10 enjoined: (1) a 90-day ban on entry of persons from several Muslim-majority countries, and
11 (2) a 120-day suspension of the U.S. Refugee Admissions Program. *See* First Executive Order
12 §§ 3(c), 5(a) (imposing these bans), *and* ECF No. 52, at 5 (enjoining §§ 3(c), 5(a)), *and* Second
13 Executive Order §§ 2(c), 6(a) (reinstating these bans).

14 Although seeking to reinstate the “same basic policy” this Court already enjoined,
15 President Trump did not first ask this Court to modify or dissolve its injunction. Instead, in a
16 “Notice” filed with the Court on Monday, the President simply asserted that “[t]his Court’s
17 injunctive order does not limit [his] ability to immediately begin enforcing the [Second
18 Executive Order].” ECF No. 108, at 14 (Notice of Filing). Saying it does not make it so. While
19 this assertion may be in keeping with the President’s position that courts are powerless to
20 review his executive orders related to immigration, it is utterly inconsistent with basic legal
21 principles. It is the judicial branch, not the President, that decides whether actions are lawful,
22 and this Court should confirm that its injunction applies to these reissued provisions. The
23 burden is on Defendants to show that modification or termination of the injunction as to these
24 provisions is warranted, a burden they have not met. This Court should confirm that its
25 injunction applies to reinstated provisions 2(c) and 6(a) in the Second Executive Order and
26 direct Defendants to file a motion for modification if they wish to enforce those provisions.

II. FACTUAL AND PROCEDURAL BACKGROUND

A. This Court and Other Courts Enjoined Key Provisions of the First Executive Order on Multiple Grounds

President Trump campaigned on the promise of “a total and complete shutdown of Muslims entering the United States.”¹ First Amended Complaint ¶¶ 42-43, Ex. 1, ECF No. 18 (Am. Compl.). Although he was repeatedly asked to reconsider this campaign promise, he refused. *See* Am. Compl. ¶¶ 46-47, Exs. 4-5 (refusing to “pull-back” the Muslim ban; instead, referring to “extreme vetting” as “an expansion” of his position); Declaration of Noah G. Purcell in Support of Response to Defendants’ Notice of Filing of Executive Order (Purcell Decl.) ¶ 3, Ex. A (declining to “re-think” his position in the Republican primary debate); ¶ 4, Ex. B (responding to a question about his position on Muslims after being elected: “You know my plans. All along, I’ve been proven to be right”); *see also* Am. Compl. ¶ 43, Ex. 1 (noting President Trump’s call for a Muslim ban, to date, remains available on his campaign website). Put simply, “[t]he ‘Muslim ban’ was a centerpiece of the president’s campaign for months[.]” *Aziz v. Trump*, No. 1:17-cv-1116-LMB/TCB, 2017 WL 580855, at *8 (E.D. Va. Feb. 13, 2017).

One week after his inauguration, President Trump acted on his campaign promise by issuing the First Executive Order. Am. Compl. ¶ 49, Ex. 7. President Trump confirmed that the First Executive Order was meant to “follow[] through” on his campaign promise. *See* Purcell Decl. ¶ 5, Ex. C (“I’m here following through on what I pledged to do. That’s all I’m doing.”); *see also id.* (“I keep my campaign promises.”). President Trump’s advisors confirmed that the First Executive Order was meant to fulfill the campaign promise. *See, e.g.*, Am. Compl. ¶ 61, Ex. 17 (citing cybersecurity advisor’s statement that the executive order was designed to be a “legal” ban on Muslims).

¹ On or before March 15, 2017, a motion for leave to file a Second Amended Complaint, to include allegations related to the Second Executive Order, shall be filed with the Court. It is anticipated that other states may join as plaintiffs at that time.

On February 3, following a week of chaos and confusion at airports across the country, this Court enjoined five sections of the First Executive Order. ECF No. 52, at IV(1)(a)-(e). The Court found that the States had established: (1) both proprietary and *parens patriae* standing; (2) that they were “likely to succeed on the merits of the claims that would entitle them to relief”; (3) that they were likely to suffer irreparable harm absent an injunction; and (4) that the equities and public interest tipped in their favor. ECF 52, at 4-5. Defendants sought an emergency stay, but the Ninth Circuit declined to stay the injunction or alter it in any respect. *Washington v. Trump*, 847 F.3d 1151 (9th Cir. 2017). In particular, the Ninth Circuit refused Defendants’ request to narrow the injunction to cover only lawful permanent residents and other previously admitted aliens who wished to travel. *Id.* at 1166. Defendants have since abandoned their preliminary injunction appeal and it has been dismissed. 9th Cir. ECF Nos. 186-87.

Many other courts agreed with this Court and the Ninth Circuit that the First Executive Order was likely unconstitutional.² In particular, the district court for the Eastern District of Virginia issued a detailed opinion reviewing the history of the President’s statements regarding the order and holding that the plaintiff State of Virginia was “likely to succeed on an Establishment Clause claim.” *See Aziz*, 2017 WL 580855, at *8.

B. The Second Executive Order Adopts “the Same Basic Policy” as the First and Retains Two Key Provisions Already Enjoined by this Court

After being restrained from implementing the First Executive Order, President Trump issued a second. According to his senior staff, the revisions in the Second Executive Order are intended to address only “very technical issues” and achieve “the same basic policy outcome” as the first. Purcell Decl. ¶ 6, Ex. D (statements of Senior Policy Advisor Stephen Miller); *see*

² In addition to this Court’s preliminary injunction, federal courts in the following cases have enjoined parts or all of the travel ban: *Arab Am. Civil Rights League v. Trump*, No. 2:17-cv-10310, ECF 8 (E.D. Mich. Feb. 2, 2017) (order granting permanent injunction, in part); *Darweesh v. Trump*, No. 1:17-cv-00480, ECF 8 (E.D.N.Y. Jan. 28, 2017) (order granting stay of removal and TRO); *Vayeghan v. Kelly*, No. 2:17-cv-00702, ECF 5 (C.D. Cal. Jan. 29, 2017) (granting TRO); *Mohammed v. United States*, No. 2:17-cv-00786, ECF 7 (C.D. Cal. Jan. 31, 2017) (granting TRO).

1 *also id.* ¶ 7, Ex. E (statement of White House Press Secretary Sean Spicer on March 6, that “if
 2 you think about it, the principles of the executive order remain the same”). In the words of the
 3 President’s spokesman: “the goal is obviously to maintain the way that we did it the first time.”
 4 *Id.* ¶ 8, Ex. F. President Trump likewise tied the Second Executive Order to his previous
 5 campaign promises, sending a fundraising email the day that he signed the Second Executive
 6 Order citing it as an example of keeping a campaign promise and again emphasizing its focus
 7 on “radical” Muslims. *Id.* ¶ 9, Ex. G.

8 The Second Executive Order purports to reinstate two key provisions that have already
 9 been enjoined by this Court. While the provisions differ slightly from their original
 10 incarnations, the differences do not remove them from the ambit of this Court’s injunction.

11 The first reinstated provision is the bar on entry of individuals based on their national
 12 origin. Enjoined section 3(c) of the First Executive Order barred entry of individuals for 90
 13 days from seven Muslim-majority countries: Iran, Iraq, Libya, Somalia, Sudan, Syria, and
 14 Yemen. The Second Executive Order retains this unconstitutional provision. Section (2)(c) of
 15 the Second Executive Order bars entry of individuals for 90 days from the same Muslim-
 16 majority countries, with the exception of Iraq. While section 3 of the Second Executive Order
 17 differs from the original in that it excludes lawful permanent residents, visa-holders, and
 18 refugees living in the United States from its travel ban, it bars entry for virtually all other aliens
 19 from the listed countries, including: relatives of U.S. citizens from the listed countries; students
 20 who have been admitted to state universities but not yet received visas; prospective employees
 21 of state universities or private businesses who have been offered positions but not yet obtained
 22 visas; students and employees who may need to renew their visas; and many other individuals
 23 protected by this Court’s order. The Ninth Circuit explicitly rejected Defendants’ request to
 24 narrow the injunction to exclude these categories of individuals. *Washington*, 847 F.3d at 1166.

25 The second reinstated provision is the 120-day suspension of the U.S. Refugee
 26 Admissions Program. Section 6(a) of the Second Executive Order is almost identical to its

1 predecessor—enjoined section 5(a)—and differs only cosmetically, such as by modifying the
 2 refugee suspension to exclude those already scheduled for travel. While the Second Executive
 3 Order removes other provisions related to refugees enjoined by this Court (particularly section
 4 5(c), which indefinitely suspended entry of Syrian refugees, and section 5(e)’s explicit
 5 preference based on religious minority status), removal of those provisions does not alter the
 6 virtually complete overlap between new section 6(a) and enjoined section 5(a).

7 As with the First Executive Order, the Second Executive Order states that the six-
 8 country and refugee bans are subject to possible waivers. For the six-country ban, the Second
 9 Executive Order provides that “case-by-case waivers could be appropriate.” Second Executive
 10 Order § 3(c). This parallels the “national interest” waivers following “case-by-case
 11 determinations” available under section 3(g) of the First Executive Order. Likewise, the
 12 refugee ban remains subject to waivers on the same terms as the First Executive Order: “[O]n a
 13 case-by-case basis, in their discretion, but only so long as [the Secretaries of State and
 14 Homeland Security] determine” that the refugee’s admission (1) “is in the national interest,”
 15 and (2) does not pose a threat “to the security or welfare of the United States.” First Executive
 16 Order § 5(e); Second Executive Order § 6(c).

17 In short, with the retention of these provisions, it remains apparent that President
 18 Trump is not backing down from his campaign promise. Like their predecessors, new sections
 19 2(c) and 6(a) have the same effect as sections of the First Executive Order that have already
 20 been enjoined: they broadly ban aliens from listed majority-Muslim countries and suspend the
 21 U.S. Refugee Admissions Program.

22 **III. ARGUMENT**

23 The President cannot unilaterally declare himself free of this Court’s injunction and
 24 reinstate policies that this Court already enjoined. Rather, President Trump bears the burden of
 25 showing that the factual or legal background has changed significantly enough to warrant a
 26 modification of this Court’s injunction. He has not met and cannot meet this burden.

A. Defendants Must Show a Significant Change in Fact or Law, and that Inequity Will Result if the Status Quo Remains in Place

“A party seeking modification or dissolution of an injunction bears the burden of establishing that a significant change in facts or law warrants revision or dissolution of the injunction.” *Sharp v. Weston*, 233 F.3d 1166, 1170 (9th Cir. 2000). This standard applies to motions to dissolve preliminary injunctions. *Alto v. Black*, 738 F.3d 1111, 1118 (9th Cir. 2013). Modification may be appropriate where a significant change “threaten[s] to convert a previously proper injunction ‘into an instrument of wrong,’” such that “judicial intervention may be necessary to prevent inequities.” *Gooch v. Life Inv’rs Ins. Co. of Am.*, 672 F.3d 402, 414 (6th Cir. 2012) (quoting *Salazar v. Buono*, 559 U.S. 700, 714-15 (2010)).

In considering a motion to modify or dissolve a preliminary injunction, the Court does not revisit its underlying order, but limits its consideration to “new material presented with respect to the motion to dissolve.” *Sharp*, 233 F.3d at 1170; *see also Credit Suisse First Boston Corp. v. Grunwald*, 400 F.3d 1119, 1124 (9th Cir. 2005) (“[A] motion to modify a preliminary injunction is meant only to relieve inequities that arise *after* the original order.” (emphasis added) (quoting *Favia v. Ind. Univ. of Pa.*, 7 F.3d 332, 337 (3d Cir. 1993))). Finally, the moving party must show that its proposed modification is “suitably tailored to the changed circumstance.” *Bellevue Manor Assocs. v. United States*, 165 F.3d 1249, 1255 (9th Cir. 1999) (quoting *Rufo v. Inmates of Suffolk Cty. Jail*, 502 U.S. 367, 393 (1992)).

B. Defendants Are Not Excused From Proving the Modification Requirements

Here, Defendants do not even attempt the required showing, apparently assuming that the Second Executive Order exempts them from the normal rules.³ They are mistaken.

³ Despite baldly asserting that the Second Executive Order will operate free of the injunction, Defendants neglect to note their Notice of Filing as a motion, cite the Court to the applicable standard for modification or dissolution, or explain how maintaining the injunction results in inequity to them. Defendants’ attempt to slip their request for relief into the Notice of Filing violates Federal Rule of Civil Procedure 7(b). Under that Rule, Defendants are required to “state with particularity the grounds” for relief and “state the relief sought.” *Id.* 7(b)(1)(b)-(c). They do neither. If the Court is inclined to grant Defendants’ motion, the undersigned respectfully request that the Court first set a hearing and consider argument on Defendants’ claim that they may ignore the preliminary injunction. *See* LCR 7(b)(4).

Under well-settled law, this Court’s preliminary injunction remains in effect unless it is altered by this Court or an appellate court, or until a final judgment on the merits is rendered. *See* Order, ECF No. 78, at 4 (“[T]he Court agrees that the Ninth Circuit has construed the TRO as a preliminary injunction”); *U.S. Philips Corp. v. KBC Bank N.V.*, 590 F.3d 1091, 1094 (9th Cir. 2010) (“[T]he very purpose of a preliminary injunction . . . is to preserve the status quo and the rights of the parties until a final judgment issues in the cause.” (citing *Univ. of Texas v. Camenisch*, 451 U.S. 390, 395 (1981))). “The ‘purpose of a preliminary injunction is to preserve the status quo ante litem pending a determination of the action on the merits.’” *Boardman v. Pac. Seafood Grp.*, 822 F.3d 1011, 1024 (9th Cir. 2016) (quoting *Sierra Forest Legacy v. Rey*, 577 F.3d 1015, 1023 (9th Cir. 2009)). “‘Status quo ante litem’ refers to ‘the last uncontested status which preceded the pending controversy.’” *Boardman*, 822 F.3d at 1024 (quoting *GoTo.com, Inc. v. Walt Disney Co.*, 202 F.3d 1199, 1210 (9th Cir. 2000)). Until then, “neither the plaintiff nor the court should be subjected to the unnecessary burden of re-establishing what has once been decided.” *Sys. Fed’n No. 91, Ry. Emps.’ Dep’t*, 364 U.S. at 647.

It should go without saying that Defendants cannot evade this rule by unilaterally declaring that they have made sufficient changes to the enjoined policy to take it outside the scope of the prior injunction. *See, e.g., Movers Conference of Am. v. United States*, 251 F. Supp. 882, 885 (S.D. Cal. 1966) (holding that federal government should have sought modification of injunction rather than simply adopting revised policy that purported to address court’s prior holding); *McCarty Corp. v. Rice*, No. 89-2668-OG, 1989 WL 201077, at *1 (D.D.C. Dec. 22, 1989) (holding that “[d]efendants may not evade the legal effect of [the] preliminary injunction by circumventing normal legal channels,” and enforcing preliminary injunction against Defendants’ proposed actions that were “inconsistent with the injunctive order still in effect”); *see also id.* (“[D]efendants may not effectively remove from this Court jurisdiction and control over a case which is still pending before it.”); *see also Innovation*

1 *Ventures, LLC v. N2G Distrib., Inc.*, No. 08-CV-10983, 2013 WL 2145677, at *6 (E.D. Mich.
 2 May 15, 2013) (holding defendants in contempt for making only “minor changes” to enjoined
 3 conduct in an effort “to hide from and avoid [their] obligations under this Court’s order”),
 4 *aff’d*, 763 F.3d 524 (6th Cir. 2014). Issuing a Second Executive Order that repeats two of the
 5 five enjoined provisions, while within the President’s prerogative, does nothing to alter or
 6 dispose of this Court’s injunction. Sections 2(c) and 6(a) of the Second Executive Order, which
 7 have “the same effect as the already-enjoined . . . policy,” may not be implemented without
 8 this Court first agreeing to modify or terminate the injunction. *Potter v. District of Columbia*,
 9 Nos. 01-1189-JR, 05-1792-JR, 2007 WL 2892685, *2 (D.D.C. Sept. 28, 2007) (confirming that
 10 preliminary injunction of employer’s “grooming policy,” which required that firefighters who
 11 wear beards for religious reasons be clean-shaven, also enjoined subsequent “safety policy,”
 12 which forbade certain workers to have facial hair); *see also Movers Conference of Am.*, 251 F.
 13 Supp. at 885; *McCarty Corp.*, 1989 WL 201077, at *1.

14 Defendants make only a passing argument to the contrary, citing *Fusari v. Steinberg*,
 15 419 U.S. 379 (1975), and *Diffenderfer v. Central Baptist Church of Miami, Fla., Inc.*, 404 U.S.
 16 412 (1972), for the proposition that the Second Executive Order “falls outside of this Court’s
 17 injunction” because it is substantially different from the now-revoked First Executive Order.
 18 Notice of Filing, ECF No. 108, at 14. But *Fusari* and *Diffenderfer* provide no authority for that
 19 proposition. In *Fusari*, a federal district court held that aspects of Connecticut’s unemployment
 20 compensation scheme violated due process and enjoined the state from denying benefits under
 21 that scheme, but it stayed its injunction pending appeal. While the case was on appeal, the
 22 legislature “completely altered” the challenged system. *Fusari*, 419 U.S. at 379-80, 384-85.
 23 The Supreme Court expressed no opinion about the injunction, which was stayed in any event,
 24 and instead declined to rule in the first instance on the constitutionality of the “completely
 25 altered” scheme, remanding to the trial court for “reconsideration in light of the intervening
 26 changes in Connecticut law.” *Fusari*, 419 U.S. at 389-90. The case is an example of appellate

1 restraint to avoid ruling in the first instance on a constitutional question where the underlying
 2 law had changed dramatically; it says nothing about a district court’s ability to enforce its own
 3 injunction in the face of a defendant’s attempt to reinstate enjoined policies. *Diffenderfer* is
 4 even less relevant, as it did not involve an injunction at all and instead simply held that changes
 5 to state law while the appeal was pending had rendered the case moot, an argument that
 6 Defendants have not advanced and could not plausibly advance here. *Diffenderfer*, 404 U.S. at
 7 414-15.

8 To the extent Defendants mean to imply that they have mooted the entire injunction by
 9 revising some of the enjoined provisions, they are mistaken. *Compare* Second Executive Order
 10 § 1(i) (“revoking” and “replacing” the First Executive Order), with *Ne. Fla. Chapter of*
 11 *Associated Gen. Contractors of Am. v. City of Jacksonville*, 508 U.S. 656, 660-62 (1993)
 12 (concluding controversy was not moot where City “repealed” and “replaced” challenged
 13 ordinance, though new ordinance differed in certain respects from the prior one, because it
 14 disadvantaged complainants “in the same fundamental way”); *see also Rosenstiel v. Rodriguez*,
 15 101 F.3d 1544, 1548 (8th Cir. 1996) (“The Supreme Court has held that where a new statute ‘is
 16 sufficiently similar to the repealed [statute] that it is permissible to say that the challenged
 17 conduct continues’ the controversy is not mooted by the change” (alteration in original)
 18 (quoting *Ne. Fla. Chapter of Associated Gen. Contractors*, 508 U.S. at 662 n.3)); *Smith v.*
 19 *Exec. Dir. of Ind. War Mem’ls Comm’n*, 742 F.3d 282, 287 (7th Cir. 2014) (“When a
 20 challenged policy is repealed or amended mid-lawsuit—a ‘recurring problem when injunctive
 21 relief is sought’—the case is not moot if a substantially similar policy has been instituted or is
 22 likely to be instituted.” (quoting *ADT Sec. Servs., Inc. v. Lisle-Woodridge Fire Prot. Dist.*, 724
 23 F.3d 854, 864 (7th Cir. 2013))).

24 Simply put, Defendants cannot unilaterally declare that they are free to implement
 25 Sections 2(c) or 6(a) of the Second Executive Order. Absent a successful motion to modify the
 26 preliminary injunction, “such injunction will remain in force as applied to [the] amended

[Executive Order].” *See Mescall v. Rochford*, No. 75 C 3913, 1976 WL 1672, *2 (N.D. Ill. May 3, 1976) (denying motion to vacate preliminary injunction issued against challenged rule because “amended [rule] remains of questionable constitutionality”).

C. To the Extent Defendants’ Notice Is Construed as a Motion, It Should Be Denied

Even assuming that Defendants’ notice can be construed as a motion to modify the preliminary injunction with respect to the six-country or refugee bans, the Court should deny Defendants’ request. Not only do the Second Executive Order’s provisions share fundamental features with those enjoined in the First Executive Order, but, by Defendants’ own admission, they were motivated by the same goals and designed to achieve the “same basic policy outcome.” *See Purcell Decl.* ¶¶ 6-8, Exs. D-F.

First, the President admits that the Second Executive Order redeploys “critical provisions” of the First Executive Order. Second Executive Order § 1(c). Sections 2(c) and 6(a) have the same basic effects as sections of the First Executive Order that this Court already enjoined, namely sections 3(c) and 5(a). Although section 2(c) now exempts certain individuals covered by the prior section 3(c) (including green card holders and visa holders), the Ninth Circuit already rejected the idea that the prior injunction protected only these individuals. *Washington*, 847 F.3d at 1166. And although the revised order eliminates other provisions related to refugees that this Court enjoined, it makes no material change to section 5(a) in new section 6(a). The bottom line is that this Court already enjoined Defendants from suspending the U.S. Refugee Admissions Program and the entry of nationals from Iran, Libya, Somalia, Sudan, Syria, and Yemen. The President cannot unilaterally reinstate these provisions just by repackaging them.

To the extent Defendants seek to treat the Second Executive Order’s waiver provisions as a get-out-of-jail free card, it is inappropriate because materially identical waiver provisions applied to the First Executive Order. *Compare* First Executive Order §§ 3(g), 5(e), *with* Second Executive Order §§ 3(c), 6(a). As before, waivers, if any, will be granted exclusively at

1 Defendants’ discretion. *See* Second Executive Order § 3(c) (identifying circumstances where a
 2 case-by-case waiver “*could be* appropriate”) (emphasis added). And, unlike almost all other
 3 provisions in the Second Executive Order—which instruct federal agencies to submit detailed
 4 reports on their progress, implement “uniform screening and vetting standards,” and issue
 5 appropriate “directives,”—the waiver provisions carry no such procedural requirements.
 6 *Cf.* Second Executive Order § 2(b) (report on worldwide review); § 2(e) (submission of
 7 recommendations); § 2(g) (joint report); § 5(a) (“implement a program”); § 5(b) (reports at 60,
 8 100, and 200 days of the order); § 6(a) (review and implement procedures); § 7 (reconsider
 9 certain authority, directives, and guidance); § 8(b) (periodic reports at 100, 180, 200, and 365
 10 days); § 11(a)-(b) (collect and publish information every 180 days). In light of Defendants’
 11 alleged motivations in issuing the Second Executive Order, the lack of any implementing
 12 provisions suggests the waivers may be nothing more than an empty promise. *See also*
 13 *Washington*, 847 F.3d at 1169 (rejecting argument that “waiver provisions are a sufficient
 14 safety valve”).

15 Second, Defendants have not shown and cannot show that the unlawful, discriminatory
 16 motives that played a part in the adoption of the First Executive Order somehow disappeared in
 17 adopting nearly identical provisions of the Second Executive Order. *See Aziz*, 2017 WL
 18 580855, at *8 (“the world is not made brand new every morning” (quoting *McCreary Cty. v.*
 19 *ACLU*, 545 U.S. 844, 866 (2005))). This Court, the Ninth Circuit, and other courts have all
 20 found that states’ Establishment Clause and equal protection claims based on improper
 21 religious intent are quite strong. *See, e.g.*, ECF 52, at 4; *Washington*, 847 F.3d at 1168 (“The
 22 States’ [Establishment Clause and Equal Protection] claims raise serious allegations and
 23 present significant constitutional questions.”); *Aziz*, 2017 WL 580855, at *8 (same). Thus,
 24 Defendants are simply incorrect to claim that “the concerns relied upon by the States in
 25 bringing this action are no longer at issue.” Notice of Filing, ECF No. 108, at 14.
 26

1 Indeed, senior Administration officials have reiterated that Defendants’ current
 2 motivations are no different than the first time around. *See* Purcell Decl. ¶ 6, Ex. D; (Second
 3 Executive Order designed to achieve “the same basic policy outcome”); *see also id.* ¶ 7, Ex. E
 4 (“[I]f you think about it, the principles of the executive order remain the same.”); *Peacock v.*
 5 *Duval*, 694 F.2d 644, 646 (9th Cir. 1982) (holding “*post hoc* rationalizations” cannot prevent a
 6 “searching inquiry” into the motives behind alleged constitutional violations). And the
 7 evidence that has appeared since the Court’s initial injunction only further highlights that
 8 Defendants’ purported national security motivations for issuing the executive orders are
 9 pretextual. *See* Purcell Decl. ¶ 10, Ex. H at 1 (“Key Finding[]” by Department of Homeland
 10 Security Office of Intelligence and Analysis that “country of citizenship is unlikely to be a
 11 reliable indicator of potential terrorist activity”); *id.* ¶ 11, Ex. I at 1 (“Key Judgment[]” of same
 12 office that “most foreign-born, US-based extremists likely radicalized several years after their
 13 entry to the United States, limiting the ability of screening and vetting officials to prevent their
 14 entry because of national security concerns”). The Administration’s rejection of intelligence
 15 reports that conflict with its preferred outcome only adds to the mountain of motive evidence
 16 already present in this case. *See* Purcell Decl. ¶ 12, Ex. J (lamentation by senior Administration
 17 official that “[t]his is not the intelligence assessment the president asked for”).

18 Finally, Defendants point to no evidence that inequity will result from maintaining the
 19 status quo until the merits are determined. *Cf. Credit Suisse First Boston Corp.*, 400 F.3d at
 20 1124 (“[A] motion to modify a preliminary injunction is meant only to relieve inequities that
 21 arise after the original order.”). Instead, equity favors “preserv[ing] the status quo and the
 22 rights of the parties until a final judgment issues[.]” *U.S. Philips Corp.*, 590 F.3d at 1094. As
 23 the Ninth Circuit held in rejecting Defendants’ claim that they would suffer irreparable harm
 24 absent a stay of this Court’s injunction, “the Government submitted no evidence to rebut the
 25 States’ argument that the district court’s order merely returned the nation temporarily to the
 26 position it has occupied for many previous years.” *Washington*, 847 F.3d at 1168; *accord Aziz*,

1 2017 WL 580855, at *10 (finding that Defendants had shown no harm from enjoining the First
2 Executive Order by presenting no “evidence of harm they or the nation will suffer” beyond
3 “bare assertions that the [Executive Order] is necessary for national security”). That analysis
4 remains correct. Defendants will suffer no inequity from leaving the status quo in place until
5 the merits are settled.

6 In summary, Defendants show no significant change in fact, law, or equity that would
7 warrant modification of this Court’s preliminary injunction. Sections 2(c) and 6(a) of the
8 Second Executive Order are materially indistinguishable from provisions this Court already
9 enjoined, and are motivated by the same religious animus as the First Executive Order. Absent
10 modification by this Court following a properly noted motion and opportunity to be heard, the
11 injunction applies and restrains Defendants from implementing these provisions.

12 IV. CONCLUSION

13 Defendants unilaterally declare that “[t]his Court’s injunctive order does not limit the
14 Government’s ability to immediately begin enforcing the New Executive Order.” Notice of
15 Filing, ECF No. 108, at 14. Defendants are incorrect. This Court should confirm that its
16 preliminary injunction continues to restrain Defendants from implementing sections 2(c) and
17 6(a) of the Second Executive Order, which purport to reinstate provisions of the First
18 Executive Order already enjoined by the Court.

1 RESPECTFULLY SUBMITTED this 9th day of March 2017.

2 ROBERT W. FERGUSON
3 Washington Attorney General

4 s/ Robert W. Ferguson
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March 9, 2017

s/ Noah G. Purcell
NOAH G. PURCELL, WSBA 43492

The Honorable James L. Robart

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**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON**

STATE OF WASHINGTON and
STATE OF MINNESOTA,

Plaintiffs,

v.

DONALD TRUMP, in his official
capacity as President of the United
States; U.S. DEPARTMENT OF
HOMELAND SECURITY; JOHN F.
KELLY, in his official capacity as
Secretary of the Department of
Homeland Security; REX W.
TILLERSON, in his official capacity
as Secretary of State; and the UNITED
STATES OF AMERICA,

Defendants.

CIVIL ACTION NO. 2:17-cv-00141-JLR

DECLARATION OF NOAH G.
PURCELL IN SUPPORT OF
RESPONSE TO DEFENDANTS'
NOTICE OF FILING OF
EXECUTIVE ORDER

Pursuant to 28 U.S.C. § 1746(2), I, Noah G. Purcell, hereby declare as follows:

1. I am over the age of eighteen and competent to testify.
2. I am the Solicitor General for the State of Washington. I make this declaration as a representative of the State of Washington ("State") in support of Response to Defendants' Notice of Filing of Executive Order.

3. Attached hereto as **Purcell Declaration Exhibit A** is a true and correct copy of a transcript from the Republican primary debate held on January 14, 2016, printed from <http://www.presidency.ucsb.edu/ws/index.php?pid=111395>.

4. Attached hereto as **Purcell Declaration Exhibit B** is a true and correct copy of printout from the C-SPAN webpage containing a video of President Trump's remarks on December 21, 2016. The video is available at: <https://www.c-span.org/video/?420583-101/presidentelect-trump-speaks-reporters-palm-beach-florida>.

5. Attached hereto as **Purcell Declaration Exhibit C** is a true and correct copy of a printout of a Washington Post news article dated February 16, 2017, titled "Donald Trump's combative, grievance-filled news conference, annotated," which includes a transcript of President Trump's February 16, 2017 press conference.

6. Attached hereto as **Purcell Declaration Exhibit D** is a true and correct copy of a transcript of a February 21, 2017, Fox News interview with President Trump's advisor, Stephen Miller, titled "Miller: New order will be responsive to the judicial ruling; Rep. Ron DeSantis: Congress has gotten off to a slow start," printed from <http://www.foxnews.com/transcript/2017/02/21/miller-new-order-will-be-responsive-to-judicial-ruling-rep-ron-desantis>.

7. Attached hereto as **Purcell Declaration Exhibit E** is a true and correct copy of a transcript of White House Press Secretary Sean Spicer's Press Gaggle held on March 6, 2017, printed from <https://www.whitehouse.gov/the-press-office/2017/03/06/press-gaggle-press-secretary-sean-spicer>.

8. Attached hereto as **Purcell Declaration Exhibit F** is a true and correct copy of a transcript of White House Press Secretary Sean Spicer's Press Conference held on February 27, 2017, printed from <https://www.whitehouse.gov/the-press-office-2017/02/27/press-briefing-press-secretary-sean-spicer-2272017-17>.

9. Attached hereto as **Purcell Declaration Exhibit G** is a true and correct copy of a printout of a Washington Post news article dated March 6, 2017, titled “Revised executive order bans travelers from six Muslim-majority countries from getting new visas.”

10. Attached hereto as **Purcell Declaration Exhibit H** is a true and correct copy of a draft report linked to a Washington Post news article dated February 24, 2017, titled “DHS report casts doubt on need for Trump travel ban.” The draft report is available at <https://assets.documentcloud.org/documents/3474730/DHS-intelligence-document-on-President-Donald.pdf>.

11. Attached hereto as **Purcell Declaration Exhibit I** is a true and correct copy of a final report published in an MSNBC news article dated March 3, 2017, titled “TRMS Exclusive: DHS document undermines Trump case for travel ban.” The final report, titled *Intelligence Assessment: Most Foreign-born, US-based Violent Extremists Radicalized after Entering the Homeland; Opportunities for Tailored CVE Programs Exist*, is available at <http://i2.cdn.turner.com/cnn/2017/images/03/03/dhs.intell.assessment.pdf>.

12. Attached hereto as **Purcell Declaration Exhibit J** is a true and correct copy of a printout of a Fox news article dated February 25, 2017, titled “Trump rejects DHS intelligence report on travel ban.”

I declare under penalty of perjury that the foregoing is true and correct.

Executed this 9th day of March, 2017

s/ Noah G. Purcell

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Purcell Declaration Exhibit A

The American Presidency Project



John Woolley and Gerhard Peters

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Republican Candidates Debate in North Charleston, South Carolina

January 14, 2016



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PARTICIPANTS:

Former Governor Jeb Bush (FL);
Ben Carson;
Governor Chris Christie (NJ);
Senator Ted Cruz (TX);
Governor John Kasich (OH);
Senator Marco Rubio (FL);
Donald Trump;

MODERATORS:

Maria Bartiromo (Fox Business Network); and
Neil Cavuto (Fox Business Network)

CAVUTO: It is 9:00 p.m. here at the North Charleston Coliseum and Performing Arts Center in South Carolina. Welcome to the sixth Republican presidential of the 2016 campaign, here on the Fox Business Network. I'm Neil Cavuto, alongside my friend and co-moderator Maria Bartiromo.

BARTIROMO: Tonight we are working with Facebook to ask the candidates the questions voters want answered. And according to Facebook, the U.S. election has dominated the global conversation, with 131 million people talking about the 2016 race. That makes it the number one issue talked about on Facebook last year worldwide.

CAVUTO: Now, the seven candidates on the stage tonight were selected based on their standing in six national polls, as well as polls in the early-voting states of Iowa and New Hampshire, those standings determining the position on the stage of the candidates tonight. And here they are.

Businessman Donald Trump. *[applause]*

Texas senator Ted Cruz. *[applause]*

Florida senator Marco Rubio. *[applause]*

Neurosurgeon Ben Carson. *[applause]*

New Jersey governor Chris Christie. *[applause]*

Former Florida governor Jeb Bush.

And Ohio governor John Kasich. *[applause]*

BARTIROMO: Tonight's rules are simple: up to 90 seconds for each answer, one minute for each follow-up response. And if a candidate goes over the allotted time, you'll hear this. *[bell rings]* So let's get started. Candidates, jobs and growth — two of the biggest issues facing the country right now. In his State of the Union address earlier this week, the president said, quote, "we have the strongest, most durable economy in the world."

And according to our Facebook research, jobs is one of the biggest issues resonating across the country, including here in South Carolina. The president is touting 14 million new jobs and an unemployment rate cut in half.

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this collaboration.*

The president said that anyone who claims America's economy is in decline is peddling fiction. Senator Cruz, what do you see that he doesn't?

CRUZ: Well, Maria, thank you for that question, and let me say thank you to the state of South Carolina for welcoming us.

Let me start — I want to get to the substance of the question on jobs, but I want to start with something. Today, many of us picked up our newspapers, and we were horrified to see the sight of 10 American sailors on their knees, with their hands on their heads.

In that State of the Union, President Obama didn't so much as mention the 10 sailors that had been captured by Iran. President Obama's preparing to send \$100 billion or more to the Ayatollah Khamenei. And I'll tell you, it was heartbreaking.

But the good news is the next commander-in-chief is standing on this stage. *[applause]* And I give you my word, if I am elected president, no service man or service woman will be forced to be on their knees, and any nation that captures our fighting men will feel the full force and fury of the United States of America. *[applause]*

Now, on to your substantive question. The president tried to paint a rosy picture of jobs. And you know, he's right. If you're a Washington lobbyist, if you make your money in and around Washington, things are doing great. The millionaires and billionaires are doing great under Obama. But we have the lowest percentage of Americans working today of any year since 1977. Median wages have stagnated. And the Obama-Clinton economy has left behind the working men and women of this country.

The reason all of us are here is we believe we should be fighting for the working men and women of this country, and not Washington, D.C.

BARTIROMO: Thank you, sir. *[applause]*

CAVUTO: Governor Kasich, we are not even two weeks into this stock trading year, but *[inaudible]* investors already lost \$1.6 trillion in market value. That makes it the worst start to a new year ever. Many worry that things will get even worse, and that banks and financial stocks are particularly vulnerable.

Now, if this escalates, like it did back when Barack Obama first assumed the presidency, what actions would you take if this same thing happens all over again just as, in this example, you are taking over the presidency?

KASICH: Look, it takes three things basically to grow jobs. And I've done it when I was in Washington when we had a balanced budget; had four years of balanced budgets; paid down a half-trillion of debt. And our economy was growing like crazy. It's the same thing that I did in Ohio. It's a simple formula: common sense regulations, which is why I think we should freeze all federal regulations for one year, except for health and safety. It requires tax cuts, because that sends a message to the job creators that things are headed the right way. And if you tax cuts — if you cut taxes for corporations, and you cut taxes for individuals, you're going to make things move, particularly the corporate tax, which is the highest, of course, in the — in the world.

But in addition to that, we have to have fiscal discipline. We have to show that we can march to a balanced budget. And when you do that, when you're in a position of managing regulations; when you reduce taxes; and when you have fiscal discipline, you see the job creators begin to get very comfortable with the fact that they can invest.

Right now, you don't have the — you have taxes that are too high. You have regulations — I mean, come on, they're affecting everybody here, particularly our small businesses. They are — they're in a position where they're smothering people. And I mean, are you kidding me? We're nowhere close to a balanced budget or fiscal discipline.

Those three things put together are going to give confidence to job creators and you will begin to see wages rise. You will begin to see jobs created in a robust economy. And how do I know it? Because I've done it. I did it as the chairman of the Budget Committee, working with Senator Domenici. And I've done it in the state of Ohio as the chief executive.

Our wages are growing faster than the national average. We're running surpluses. And we can take that message and that formula to Washington to lift every single American to a better life. *[applause]*

BARTIROMO: We know that recent global events have many people worried — Iran detaining American sailors, forcing them to apologize; North Korea and its nuclear ambitions; an aggressive China; and a Middle East that continues to

deteriorate, not to mention ISIS is getting stronger.

Governor Christie, sometimes it seems the world is on fire. Where and when should a president use military action to restore order?

CHRISTIE: Well, Maria, I'm glad to have heard from you in the summary of that question about what's going on in the world. Because Tuesday night, I watched story time with Barack Obama. And I've got to tell you, it sounded like everything in the world was going amazing, you know? *[applause]*

The fact is, there's a number of things that the next president is going to have to do to clean up this mess. The first thing is we have to strengthen our alliances around the world. And the best way to do that is to start talking to our allies again and having them be able to count on our word.

Lots of people will say lots of different things about me in this campaign and others, but the one thing they've never said about me is that I'm misunderstood. And so when we talk to our allies and we give them our word, in a Christie administration, they know we're going to keep it.

Next, we have to talk to our adversaries, and we have to make sure they understand the limits of our patience. And this president, given what Ted said right at the beginning, he's absolutely right. It's a — it's absolutely disgraceful that Secretary Kerry and others said in their response to what's going on in Iran that this was a good thing; it showed how the relationship was getting better.

The president doesn't understand — and by the way, neither does Secretary Clinton — and here's my warning to everybody out in the audience tonight. If you're worried about the world being on fire, you're worried about how we're going to use our military, you're worried about strengthening our military and you're worried most of all about keeping your homes and your families safe and secure, you cannot give Hillary Clinton a third term of Barack Obama's leadership.

I will not do that. If I'm the nominee, she won't get within 10 miles of the White House. *[applause]*

BARTIROMO: Just to be clear Governor, where and when would you use military action?

CHRISTIE: Military action, Maria, would be used when it was absolutely necessary to protect American lives and protect American interests around the world. We are not the world's policeman, but we need to stand up and be ready.

And the problem, Maria, is that the military is not ready, either. We need to rebuild our military, and this president has let it diminish to a point where tinpot dictators like the mullahs in Iran are taking our Navy ships. It is disgraceful, and in a Christie administration, they would know much, much better than to do that. *[applause]*

CAVUTO: Governor Bush, the president just told the nation two nights ago that America is back and that the idea that our enemies are getting stronger or that this country is getting weaker, well, it's just rhetoric and hot air. Now other Democrats go even further, sir, saying Republicans even suggesting such comments actually embolden our enemies. I guess they would include you. What do you say?

BUSH: Well first of all, the idea that somehow we're better off today than the day that Barack Obama was inaugurated president of the United States is totally an alternative universe. The simple fact is that the world has been torn asunder.

Think about it. With grandiose language, the president talks about red lines and nothing to follow it up; talks about ISIS being the JV team, they form a caliphate the size of Indiana with 35 (thousand) to 40,000 battle-tested terrorists. He's missing the whole point, that America's leadership in the world is required for peace and stability.

In the crowd today is Major General James Livingston, who's the co-chairman of my campaign here in South Carolina, a Medal of Honor recipient. *[applause]*

I've learned from him that what we need to achieve is peace through strength, which means we need to rebuild the military. In this administration, every weapon system has been gutted, in this administration, the force levels are going down to a level where we can't even project force. Our friends no longer think we have their back and our enemies no longer fear us, and we're in a much difficult — we're in a much different position than we should be.

And for the life of me, I have no understanding why the president thinks that everything is going well. Terrorism is on the run, China, Russia is advancing their agenda at warp speed, and we pull back.

As president of the United States, I will be a commander in chief that will have the back of the military. We will rebuild the

military to make sure that it is a solid force, not to be the world's policeman, but to make sure that in a peaceful world, people know that the United States is there to take care of our own national interests and take care of our allies. [applause]

CAVUTO: So I take it from that you do not agree with the president.

BUSH: No. And worse — worse yet, to be honest with you, Hillary Clinton would be a national security disaster.

Think about it. She wants to continue down the path of Iran, Benghazi, the Russian reset, Dodd-Frank, all the things that have — that have gone wrong in this country, she would be a national security mess. And that is wrong.

And you know what? Here's the problem. If she gets elected, she's under investigation with the FBI right now. If she gets elected, her first 100 days, instead of setting an agenda, she might be going back and forth between the White House and the courthouse. We need to stop that. [laughter and applause]

CAVUTO: Senator Rubio, the president says that ISIS doesn't threaten our national existence like a Germany or a Japan back in World War II, that the terror group is nothing more than twisted souls plotting attacks in their garages.

But House Homeland Security Committee recently said that over 1,000 ongoing investigations of homegrown extremism in 50 states. So how do you define the threat? Germany then or dangerous nut cases now?

RUBIO: Yeah, I would go, first of all, one step further in this description of Hillary Clinton. She wouldn't just be a disaster, Hillary Clinton is disqualified from being commander in chief of the United States. [applause]

Someone who cannot handle intelligence information appropriately cannot be commander in chief and someone who lies to the families of those four victims in Benghazi can never be president of the United States. Ever. [applause]

On the issue of Barack Obama, Barack Obama does not believe that America is a great global power. Barack Obama believes that America is a arrogant global power that needs to be cut down to size. And that's how you get a foreign policy where we cut deals with our enemies like Iran and we betray our allies like Israel and we gut our military and we go around the world like he has done on 10 separate occasions and apologized for America.

He doesn't understand the threat in ISIS. He consistently underestimates it but I do not. There is a war against ISIS, not just against ISIS but against radical jihadists terrorists, and it is a war that they win or we win.

When I'm president of the United States, we are going to win this war on ISIS. The most powerful intelligence agency in the world is going to tell us where we are, the most powerful military in the world is going to destroy them. And if we capture any of them alive, they are getting a one-way ticket to Guantanamo Bay, Cuba, and we are going to find out everything they know. [applause]

CAVUTO: Thank you, Senator.

BARTIROMO: Dr. Carson, the president says he does not want to treat ISIS as a foreign army, but ISIS is neither a country nor a government. How do you attack a network that does not respect national borders?

CARSON: Well, I'm very happy to get a question this early on. I was going to ask you to wake me up when that time came. [laughter]

You know, I find it really quite fascinating some of the president's proclamations. The fact of the matter is he doesn't realize that we now live in the 21st century, and that war is very different than it used to be before. Not armies massively marching on each other and air forces, but now we have dirty bombs and we have cyber attacks and we have people who will be attacking our electrical grid. And, you know, we have a whole variety of things that they can do and they can do these things simultaneously. And we have enemies who are obtaining nuclear weapons that they can explode in our exoatmosphere and destroy our electric grid.

I mean, just think about a scenario like that. They explode the bomb, we have an electromagnetic pulse. They hit us with a cyberattack simultaneously and dirty bombs. Can you imagine the chaos that would ensue at that point? He needs to recognize that those kinds of things are in fact an existential threat to us.

But here's the real key. We have the world's best military, even though he's done everything he can to diminish it. And the fact of the matter is if we give them a mission and we don't tie their hands behind their back, they can get it accomplished. [applause]

CAVUTO: Mr. Trump, at the State of the Union, the president pointed to a guest who was a Syrian refugee you might recall whose wife and daughter and other family members were killed in an air attack. Now he fled that country seeking asylum here, ultimately ended up in Detroit where he's now trying to start a new life.

The president says that that doctor is the real face of these refugees and not the one that you and some of your colleagues on this stage are painting; that you prefer the face of fear and terror and that you would refuse to let in anyone into this country seeking legitimate asylum. How do you answer that?

TRUMP: It's not fear and terror, it's reality. You just have to look today at Indonesia, bombings all over. *[applause]*

You look at California, you look, frankly, at Paris where there's a — the strictest no-gun policy of any city anywhere in the world, and you see what happens: 130 people dead with many to follow. They're very, very badly wounded. They will — some will follow. And you look around, and you see what's happening, and this is not the case when he introduced the doctor — very nice, everything perfect but that is not representative of what you have in that line of migration.

That could be the great Trojan Horse. It could be people that are going to do great, great destruction. When I look at the migration, I looked at the line, I said it actually on your show recently, where are the women? It looked like very few women. Very few children. Strong, powerful men, young and people are looking at that and they're saying what's going on?

You look at the kind of damage that two people that two people that got married, they were radicalized — they got married, they killed 15 people in actually 15 — going to be probably 16 but you look at that and you take a look — a good strong look and that's what we have. We are nineteen trillion dollars — our country's a mess and we can't let all these people come into our country and break our borders. We can't do it. *[applause]*

BARTIROMO: Senator Cruz, the New York Times is reporting that you failed to properly disclose a million dollars in loans from Goldman Sachs and CitiBank. During your senate race, your campaign said, "it was inadvertent." A million dollars is inadvertent?

CRUZ: Well Maria, thank you for passing on that hit piece in the front page of the New York Times. You know the nice thing about the mainstream media, they don't hide their views. The New York Times a few weeks back had a columnist who wrote a column saying, "Anybody But Cruz." Had that actually — that same columnist wrote a column comparing me to an evil demonic spirit from the movie, "It Follows" that jumps apparently from body to body possessing people.

So you know the New York Times and I don't have exactly have the warmest of relationships. Now in terms of their really stunning hit piece, what they mentioned is when I was running for senate — unlike Hillary Clinton, I don't have masses of money in the bank, hundreds of millions of dollars. When I was running for senate just about every lobbyist, just about all of the establishment opposed me in the senate race in Texas and my opponent in that race was worth over 200 million dollars. He put a 25 million dollar check up from his own pocket to fund that campaign and my wife Heidi and I, we ended up investing everything we owned.

We took a loan against our assets to invest it in that campaign to defend ourselves against those attacks. And the entire New York times attack — is that I disclosed that loan on one filing with the United States Senate, that was a public filing. But it was not on a second filing with FDIC and yes, I made a paperwork error disclosing it on one piece of paper instead of the other. But if that's the best the New York Times has got, they better go back to the well.

BARTIROMO: Thank you.

[commercial break]

CAVUTO: All right. Welcome back to the Republican presidential , right here in North Charleston, South Carolina. Let's get right back to the questions. And I'll start with you, Senator Cruz.

Now you are, of course, a strict constitutionalist — no one would doubt that. And as you know, the U.S. Constitution says only natural-born citizens are eligible for the office of president of the United States. Stop me if you've heard this before. Now, you were born...*[laughter]*... you were born in Canada to an American mother. So you were and are considered an American citizen. But that fellow next to you, Donald Trump — and others — have said that being born in Canada means you are not natural-born, and that has raised questions about your eligibility.

Do you want to try to close this topic once and for all tonight?

CRUZ: Well, Neil, I'm glad we're focusing on the important topics of the evening. *[laughter and applause]*

You know, back in September, my friend Donald said that he had had his lawyers look at this from every which way, and there was no issue there. There was nothing to this birther issue. *[laughter]*

Now, since September, the Constitution hasn't changed. *[laughter]*

But the poll numbers have. *[applause]*

And I recognize — I recognize that Donald is dismayed that his poll numbers are falling in Iowa. But the facts and the law here are really quite clear. Under longstanding U.S. law, the child of a U.S. citizen born abroad is a natural-born citizen.

If a soldier has a child abroad, that child is a natural-born citizen. That's why John McCain, even though he was born in Panama, was eligible to run for president.

If an American missionary has a child abroad, that child is a natural-born citizen. That's why George Romney, Mitt's dad, was eligible to run for president, even though he was born in Mexico.

At the end of the day, the legal issue is quite straightforward, but I would note that the birther theories that Donald has been relying on — some of the more extreme ones insist that you must not only be born on U.S. soil, but have two parents born on U.S. soil.

Under that theory, not only would I be disqualified, Marco Rubio would be disqualified, Bobby Jindal would be disqualified and, interestingly enough, Donald J. Trump would be disqualified. *[applause]*

UNKNOWN: Not me.

CRUZ: Because — because Donald's mother was born in Scotland. She was naturalized. Now, Donald...

TRUMP: But I was born here.

CRUZ: ... on the issue — on the issue of citizenship, Donald...

TRUMP: *[inaudible]*. Big difference.

CRUZ: ... on the issue of citizenship, Donald, I'm not going to use your mother's birth against you.

TRUMP: OK, good. Because it wouldn't work.

CRUZ: You're an American, as is everybody else on this stage, and I would suggest we focus on who's best prepared to be commander-in-chief, because that's the most important question facing the country. *[applause]*

CAVUTO: Mr. Trump...*[crosstalk]*...that you raised it because of his rising poll numbers.

TRUMP: ... first of all, let me just tell you something — and you know, because you just saw the numbers yourself — NBC Wall Street Journal just came out with a poll — headline: Trump way up, Cruz going down. I mean, so don't — so you can't — you can't...*[booing]*...they don't like the Wall Street Journal. They don't like NBC, but I like the poll. *[laughter]*

And frankly, it just came out, and in Iowa now, as you know, Ted, in the last three polls, I'm beating you. So — you know, you shouldn't misrepresent how well you're doing with the polls. *[applause]*

You don't have to say that. In fact, I was all for you until you started doing that, because that's a misrepresentation, number one.

Number two, this isn't me saying it. I don't care. I think I'm going to win fair and square *[inaudible]* to win this way. Thank you.

Lawrence Tribe and *[inaudible]* from Harvard — of Harvard, said that there is a serious question as to whether or not Ted can do this. OK? There are other attorneys that feel, and very, very fine constitutional attorneys, that feel that because he was not born on the land, he cannot run for office.

Here's the problem. We're running. We're running. He does great. I win. I choose him as my vice presidential candidate, and the Democrats sue because we can't take him along for the ride. I don't like that. OK? *[laughter]*

The fact is — and if for some reason he beats the rest of the field, he beats the rest of the field *[inaudible]*. See, they don't like that. They don't like that. *[audience booing]*

No, they don't like he beats the rest of the field, because they want me. *[laughter]*

But — if for some reason, Neil, he beats the rest of the field, I already know the Democrats are going to be bringing a suit. You have a big lawsuit over your head while you're running. And if you become the nominee, who the hell knows if you can even serve in office? So you should go out, get a declaratory judgment, let the courts decide. And you shouldn't have mentioned the polls because I would have been much...*[crosstalk]*

CAVUTO: Why are you saying this now — right now? Why are you raising this issue now?

TRUMP: Because now he's going a little bit better. No, I didn't care *[inaudible]*. It's true. No, it's true. Hey look, he never had a chance. Now, he's doing better. He's got probably a four or five percent chance. *[laughter]*

[crosstalk]

CRUZ: Neil... *[crosstalk]*

TRUMP: The fact is, there is a big overhang. There's a big question mark on your head. And you can't do that to the party. You really can't. You can't do that to the party. You have to have certainty. Even if it was a one percent chance, and it's far greater than one percent because *[inaudible]*.

I mean, you have great constitutional lawyers that say you can't run. If there was a — and you know I'm not bringing a suit. I promise. But the Democrats are going to bring a lawsuit, and you have to have certainty. You can't have a question. I can agree with you or not, but you can't have a question over your head.

CAVUTO: Senator, do you want to respond?

CRUZ: Well, listen, I've spent my entire life defending the Constitution before the U.S. Supreme Court. And I'll tell you, I'm not going to be taking legal advice from Donald Trump.

TRUMP: You don't have to. Take it from Lawrence Tribe. *[applause]* *[crosstalk]*

Take it from your professors...*[crosstalk]*

CRUZ: The chances of any litigation proceeding and succeeding on this are zero. And Mr. Trump is very focused...

TRUMP: He's wrong. He's wrong.

CRUZ: ... on Larry Tribe. Let me tell you who Larry Tribe is. He's a left-wing judicial activist, Harvard Law professor who was Al Gore's lawyer in Bush versus Gore. He's a major Hillary Clinton supporter. And there's a reason why Hillary's supporters are echoing Donald's attacks on me, because Hillary...

TRUMP: He is not the only one.

CRUZ: ... wants to face Donald Trump in the general election.

TRUMP: There are many lawyers.

CRUZ: And I'll tell you what, Donald, you — you very kindly just a moment ago offered me the V.P. slot. *[laughter]*

I'll tell you what. If this all works out, I'm happy to consider naming you as V.P. So if you happen to be right, you could get the top job at the end of the day.

TRUMP: No — no...*[laughter]*... I think if it doesn't... *[applause]* I like that. I like it. I'd consider it. But I think I'll go back to building buildings if it doesn't work out.

CRUZ: Actually, I'd love to get you to build a wall.

[crosstalk]

TRUMP: I have a feeling it's going to work out, actually.

[crosstalk]

RUBIO: Let me [*inaudible*]. I was invoked in that question, so let me just say — in that answer — let me say, the real question here, I hate to interrupt this episode of Court TV. [*laughter*]

But the real — but I think we have to get back to what this election has to be about. OK? Listen, we — this is the greatest country in the history of mankind. But in 2008, we elected a president that didn't want to fix America. He wants to change America. We elected a president that doesn't believe in the Constitution. He undermines it. We elected a president that is weakening America on the global stage. We elected a president that doesn't believe in the free enterprise system.

This election has to be about reversing all of that damage. That's why I'm running for office because when I become president of the United States, on my first day in office we are going to repeal every single one of his unconstitutional executive orders. When I'm president of the United States we are getting rid of Obamacare and we are rebuilding our military. And when I'm president, we're not just going to have a president that gives a State of the Union and says America is the greatest country in the world. When I'm president, we're going to have a president that acts like it.

BARTIROMO: Thank you, senator.

Mr. Trump, South Carolina Governor Nikki Haley in her response to the State of the Union address... [*applause*]...appeared to choose sides within the party, saying Republicans should resist, quote, "the siren call of the angriest voices". She confirmed, she was referring to you among others. Was she out of line? And, how would a President Trump unite the party?

TRUMP: Okay. First of all, Nikki this afternoon said I'm a friend of hers. Actually a close friend. And wherever you are sitting Nikki, I'm a friend. We're friends. That's good. [*laughter*] But she did say there was anger. And I could say, oh, I'm not angry. I'm very angry because our country is being run horribly and I will gladly accept the mantle of anger. Our military is a disaster. [*applause*]

Our healthcare is a horror show. Obamacare, we're going to repeal it and replace it. We have no borders. Our vets are being treated horribly. Illegal immigration is beyond belief. Our country is being run by incompetent people. And yes, I am angry. [*applause*] And I won't be angry when we fix it, but until we fix it, I'm very, very angry. And I say that to Nikki. So when Nikki said that, I wasn't offended. She said the truth.

One of your colleagues interviewed me. And said, well, she said you were angry and I said to myself, huh, she's right. I'm not fighting that. I didn't find it offensive at all. I'm angry because our country is a mess. [*applause*]

BARTIROMO: But what are you going to do about it?

CAVUTO: Marco Rubio. I'm sorry, it's the time constraints. You and Governor Christie have been exchanging some fairly nasty words of late, and I will allow the governor to respond as well.

The governor went so far to say, you won't be able to slime your way to the White House. He's referring to a series of ads done by a PAC, speaking on your behalf, that say quote, "One high tax, Common Core, liberal, energy-loving, Obamacare, Medicaid-expanding president is enough. You think you went too far on that and do you want to apologize to the governor?"

RUBIO: You know, as I said already twice in this , we have a very serious problem in this country. [*applause*] We have a president of the United States that is undermining this country's security and expanding the role of...

CAVUTO: That is not my question.

RUBIO: Well, I am going to answer your question, Neil. He is — this president is undermining the constitutional basis of this government. This president is undermining our military. He is undermining our standing in the world. I like Chris Christie, but we can not afford to have a president of the United States that supports Common Core. [*applause*]

We can not afford to have a president of the United States that supports gun control. This president, this president is more interested in funding — less interested in funding the military, than he is in funding planned — he's more interested in funding Planned Parenthood than he is in funding the military.

Chris Christie wrote a check to Planned Parenthood. All I'm saying is our next president has to be someone that undoes the damage Barack Obama has done to this country. It can not be someone that agrees with his agenda.

Because the damage he has done to America is extraordinary. Let me tell you, if we don't get this election right, there may

be no turning back for America. We're on the verge of being the first generation of Americans that leave our children worse off than ourselves.

So I just truly, with all my heart belief, I like everybody on the stage. No one is a socialist. No one here is under FBI investigation. So we have a good group of people.

CAVUTO: Is he a liberal?

RUBIO: Our next president...

CAVUTO: Is he a liberal?

RUBIO: Unfortunately, Governor Christie has endorsed many of the ideas that Barack Obama supports, whether it is Common Core or gun control or the appointment of Sonia Sotomayor or the donation he made to Planned Parenthood. Our next president, and our Republican nominee can not be someone who supports those positions.

CAVUTO: Governor? *[applause]*

CHRISTIE: I stood on the stage and watched Marco in rather indignantly, look at Governor Bush and say, someone told you that because we're running for the same office, that criticizing me will get you to that office.

It appears that the same someone who has been whispering in old Marco's ear too. *[laughter]*

So the indignation that you carry on, some of the stuff, you have to also own then. So let's set the facts straight. First of all, I didn't support Sonia Sotomayor. Secondly, I never wrote a check to Planned Parenthood.

Third, if you look at my record as governor of New Jersey, I have vetoed a 50-caliber rifle ban. I have vetoed a reduction this clip size. I vetoed a statewide I.D. system for gun owners and I pardoned, six out-of-state folks who came through our state and were arrested for owning a gun legally in another state so they never have to face charges.

And on Common Core, Common Core has been eliminated in New Jersey. So listen, this is the difference between being a governor and a senator. See when you're a senator, what you get to do is just talk and talk and talk. And you talk so much that nobody can ever keep up with what you're saying is accurate or not.

When you're a governor, you're held accountable for everything you do. And the people of New Jersey, I've seen it. *[applause]*

CHRISTIE: And the last piece is this. I like Marco too, and two years ago, he called me a conservative reformer that New Jersey needed. That was before he was running against me. Now that he is, he's changed his tune.

I'm never going to change my tune. I like Marco Rubio. He's a good guy, a smart guy, and he would be a heck of a lot better president than Hillary Rodham Clinton would ever be. *[applause]*

BUSH: Neil, my name was mentioned here. Neil, my name was mentioned as well.

Here's the deal, Chris is totally right. He's been a good governor, and he's a heck of a lot better than his predecessor that would have bankrupted New Jersey.

Everybody on this stage is better than Hillary Clinton. And I think the focus ought to be on making sure that we leave this nomination process, as wild and woolly as it's going to be — this is not being bad.

These attack ads are going to be part of life. Everybody just needs to get used to it. Everybody's record's going to be scrutinized, and at the end of the day we need to unite behind the winner so we can defeat Hillary Clinton, because she is a disaster. *[applause]*

Our country rise up again, but we need to have a compelling conservative agenda that we present to the American people in a way that doesn't disparage people, that unites us around our common purpose.

And so everybody needs to discount some of the things you're going to hear in these ads, and discount the — the back-and-forth here, because every person here is better than Hillary Clinton.

CARSON: Neil, I was mentioned too.

CAVUTO: You were?

CARSON: Yeah, he said everybody. *[laughter]*

And — and I just want to take this opportunity to say, you know, in the 2012 election, you know, we — and when I say we, Republicans — tore themselves apart.

You know, we have to stop this because, you know, if we manage to damage ourselves, and we lose the next election, and a progressive gets in there and they get two or three Supreme Court picks, this nation is over as we know it. And we got to look at the big picture here.

BARTIROMO: Governor Kasich...*[applause]*... Governor Kasich, Hillary Clinton is getting some serious competition from Senator Bernie Sanders. He's now at 41 percent in the latest CBS/New York Times poll. Vice President Biden sang his praises, saying Bernie is speaking to a yearning that is deep and real, and he has credibility on it.

So what does it say about our country that a candidate who is a self-avowed socialist and who doesn't think a 90 percent tax rate is too high could be the Democratic nominee?

KASICH: Well, if that's the case, we're going to win every state, if Bernie Sanders is the nominee. That's not even an issue. But look...*[applause]*...and I know Bernie, and I can promise you he's not going to be president of the United States. So here's this — the situation, I think, Maria.

And this is what we have to — I — I've got to tell you, when wages don't rise — and they haven't for a lot of families for a number of years — it's very, very difficult for them.

Part of the reason why it hasn't risen because sometimes we're not giving people the skills they need. Sometimes it's because the Federal Reserve kept interest rates so low that the wealthy were able to invest in — in strong assets like the stock market when everybody else was left behind.

People are upset about it. I'll tell you what else they're upset about: you're 50 or 51 years old, and some kid walks in and tells you you're out of work, and you don't know where to go and where to turn. Do we have answer for that? We do. There are ways to retrain the 50 and 51-year-olds, because they've got great value.

I'll tell you what else people are concerned about. Their kids come out of college, they have high debt and they can't get a good job. We got to do a lot about the high cost of high — higher education, but we've got to make sure we're training people for jobs that exist, that are good jobs that can pay. *[applause]*

Let me tell you that, in this country — in this country, people are concerned about their economic future. They're very concerned about it. And they wonder whether somebody is getting something to — keeping them from getting it.

That's not the America that I've ever known. My father used to say, "Johnny, we never — we don't hate the rich. We just want to be the rich." And we just got to make sure that every American has the tools, in K-through-12 and in vocational education, in higher education.

And we got to fight like crazy so people can think the American dream still exists, because it does, with rising wages, with full employment and with everybody in America — and I mean everybody in America — having an opportunity to realize the American dream of having a better life than their mother and their father.

I'm president — look, I've done it once. I've done it once in Washington, with great jobs and lower taxes. The economy was really booming.

And now in Ohio, with the same formula, wages higher than the — than the national average. A growth of 385,000 jobs.

[bell rings]

It's not that hard. Just know where you want to go, stick to your guts. Get it done, because our — our children and grandchildren are counting on us to get it done. And, folks, we will. You count on it.

BARTIROMO: Dr. Carson, one of the other candidates on this stage has brought Bill Clinton's past indiscretions. Is that a legitimate topic in this election? And what do you think of the notion that Hillary Clinton is an enabler of sexual misconduct?

CARSON: Well, there's not question that we should be able to look at past president whether they're married to somebody who's running for president or not in terms of their past behavior and what it means. But you know, here's the

real issue, is this America anymore? Do we still have standards? Do we still have values and principles?

You know, you look at what's going on, you see all the divisiveness and the hatred that goes on in our society. You know, we have a war on virtual everything — race wars, gender wars, income wars, religious wars, age wars. Every war you can imagine, we have people at each other's throat and our strength is actually in our unity.

You know, you go to the internet, you start reading an article and you go to the comments section — you cannot go five comments down before people are calling each all manner of names. Where did that spirit come from in America? It did not come from our Judeo-Christian roots, I can tell you that. And wherever it came from we need to start once again recognizing that there is such a thing as right and wrong. And let's not let the secular progressives drive that out of us.

The majority of people in American actually have values and principles and they believe in the very things that made America great. They've been beaten into submission. It's time for us to stand up for what we believe in. *[applause]*

CAVUTO: Well, we are not done. Coming up, one of the top things people are talking about on Facebook, guns. And you can join us live us on this stage in the conversation during this commercial break right from home. You can go to Facebook.com/*[inaudible]*. We will be streaming live and talking about how we think the is going so far.

We're back in a moment in Charleston, South Carolina.

[commercial break]

BARTIROMO: Welcome back to the Republican presidential debates, right here in North Charleston. Let's get right back to the questions.

Governor Bush, gun rights, one of the top issues seen on Facebook with close to 3 million people talking about it in the past month. Right here in Charleston, Dylann Roof, who has been accused of killing nine people in a nearby church, reportedly had not passed his background check when he got his gun. What is the harm in tightening standards for not only who buys guns, but those who sell them?

BUSH: First of all, I'd like to recognize Governor Haley for her incredible leadership in the aftermath of the — *[applause]* — the Emanuel AME church killings. And I also want to recognize the people in that church that showed the grace of God and the grace of forgiveness and the mercy that they showed. *[applause]* I don't know if any of us could have done what they did, one after another, within 48 hours of that tragedy taking place. Look, here's the deal, in this particular case, the FBI made a mistake. The law itself requires a background check, but that didn't fulfill their part of the bargain within the time that they were supposed to do.

We don't need to add new rules, we need to make sure the FBI does its job. Because that person should not have gotten a gun, should not — would not have passed a background check. The first impulse of Barack Obama and Hillary Clinton is to take rights away from law-abiding citizens.

That's what they do, whether it's the San Bernardino attack or if it's these tragedies that take place, I think we need to focus on what the bigger issue is. It isn't law-abiding gun owners.

Look, I have an A plus rating in the NRA and we also have a reduction in gun violence because in Florida, if you commit a crime with a gun, you're going away. You're going away for a long, long while.

And that's what we should focus on is the violence in our communities. Target the efforts for people that are committing crimes with guns, and if you do that, and get it right, you're going to be much better off than creating a political argument where there's a big divide.

The other issue is mental health. That's a serious issue that we could work on. Republicans and Democrats alike believe this. *[applause]* The president's first impulse is do this by executive order, power he doesn't have. Why not go to Congress and in a bipartisan way, begin to deal with the process of mental health issues so that people that are spiraling out of control because of mental health challenges don't have access to guns. *[applause]*

BARTIROMO: Thank you, sir.

Mr. Trump, are there any circumstances that you think we should be limiting gun sales of any kind in America?

TRUMP: No. I am a 2nd amendment person. If we had guns in California on the other side where the bullets went in the different direction, you wouldn't have 14 or 15 people dead right now.

If even in Paris, if they had guns on the other side, going in the opposite direction, you wouldn't have 130 people plus dead. So the answer is no and what Jeb said is absolutely correct.

We have a huge mental health problem in this country. We're closing hospitals, we're closing wards, we're closing so many because the states want to save money. We have to get back into looking at what's causing it. The guns don't pull the trigger. It's the people that pull the trigger and we have to find out what is going on. *[applause]*

We have to protect our 2nd amendment and you cannot do this and certainly what Barack Obama was doing with the executive order. He doesn't want to get people together, the old-fashioned way, where you get Congress. You get the Congress, you get the Senate, you get together, you do legislation. He just writes out an executive order. Not supposed to happen that way. *[applause]*

BARTIROMO: Thank you sir.

TRUMP: You get the Congress. You get the Senate. You get together. You do legislation. He just writes out an order, executive order. It's not supposed to happen that way. *[applause]*

BARTIROMO: Thank you, sir. *[applause]*

CAVUTO: Senator Rubio, you said that President Obama wants to take people's guns away. Yet under his presidency, gun sales have more than doubled. That doesn't sound like a White House unfriendly to gun owners.

RUBIO: That sounds like people are afraid the president's going to take their guns away. *[applause]*

Look, the Second Amendment is not an option. It is not a suggestion. It is a constitutional right of every American to be able to protect themselves and their families. I am convinced that if this president could confiscate every gun in America, he would. I am convinced that this president, if he could get rid of the Second Amendment, he would. I am convinced because I see how he works with his attorney general, not to defend the Second Amendment, but to figure out ways to undermine it.

I have seen him appoint people to our courts not to defend the Second Amendment, but to figure out ways to undermine it.

Here's my second problem. None of these instances that the president points to as the reason why he's doing these things would have been preventive. You know why? Because criminals don't buy their guns from a gun show. They don't buy their guns from a collector. And they don't buy their guns from a gun store. They get — they steal them. They get them on the black market.

And let me tell you, ISIS and terrorists do not get their guns from a gun show. These...*[laughter and applause]*... his answer — you name it. If there's an act of violence in America, his immediate answer before he even knows the facts is gun control. Here's a fact. We are in a war against ISIS. They are trying to attack us here in America. They attacked us in Philadelphia last week. They attacked us in San Bernardino two weeks ago. And the last line standing between them and our families might be us and a gun.

When I'm president of the United States, we are defending the Second Amendment, not undermining it the way Barack Obama does. *[applause]*

CAVUTO: But what fact can you point to, Senator — what fact can you point to that the president would take away everyone's gun? You don't think that's *[inaudible]*?

RUBIO: About every two weeks, he holds a press conference talking about how he can't wait to restrict people's access to guns. He has never defended...*[crosstalk]*...I'll give you a fact. Well, let me tell you this. Do you remember when he ran for president of the United States, and he was a candidate, and he went and said, "These Americans with traditional values, they are bitter people, and they cling to their guns and to their religion." That tells you right away where he was headed on all of this.

This president every chance he has ever gotten has tried to undermine the Second Amendment. *[applause]*

He doesn't meet — here's the difference. When he meets with the attorney general in the White House, it's not "how can we protect the Second Amendment rights of Americans." It's "give me options on how I can make it harder for law-abiding people to buy guns." That will never happen when I am president of the United States. *[applause]*

CAVUTO: Governor Christie, you, too, have criticized the president's recent executive action on gun control, saying it's unconstitutional, another step to bypass Congress. But hasn't your own position on guns evolved, sir? The New Jersey Star-Ledger reports that you signed several laws to regulate the possession of firearms, and that you argued back in August 2013, and I quote, "These common sense measures will strengthen New Jersey's already tough gun laws."

So isn't that kind of what the president wants to do now?

CHRISTIE: No, absolutely not. The president wants to do things without working with his Congress, without working with the legislature, and without getting the consent of the American people. And the fact is that that's not a democracy. That's a dictatorship. And we need to very, very concerned about that.

See, here's the thing. I don't think the founders put the Second Amendment as number two by accident. I don't think they dropped all the amendments into a hat and picked them out of a hat. I think they made the Second Amendment the second amendment because they thought it was just that important.

The fact is in New Jersey, what we have done is to make it easier now to get a conceal and carry permit. We have made it easier to do that, not harder. And the way we've done it properly through regulatory action, not by signing unconstitutional executive orders. This guy is a petulant child. That's what he is. I mean, you know...[*applause*]... the fact is, Neil, let's think about — let's think about — and I want to maybe — I hope the president is watching tonight, because here's what I'd like to tell him.

Mr. President, we're not against you. We're against your policies. When you became president, you had a Democratic Congress and a filibuster-proof Democratic Senate. You had only 21 Republican governors in this country. And now after seven years of your policies, we have the biggest majority we've had since the 1920s in the House; a Republican majority in the Senate; and 31 out of 50 Republican governors.

The American people have rejected your agenda and now you're trying to go around it. That's not right. It's not constitutional. And we are going to kick your rear end out of the White House come this fall. [*applause*]

BARTIROMO: So what is the answer, Senator Cruz, to stop mass shootings and violent crime, up in 30 cities across the country?

CRUZ: The answer is simple. You prosecute criminals. You target the bad guys. You know, a minute ago, Neil asked: What has President Obama do — done to illustrate that he wants to go after guns?

Well, he appointed Eric Holder as attorney general. Eric Holder said he viewed his mission as brainwashing the American people against guns. He appointed Sonia Sotomayor to the Supreme Court, someone who has been a radical against the Second Amendment right to keep and bear arms.

He launched Fast and Furious, illegally selling guns to Mexican drug lords that were then used to shoot law enforcement officials. And I'll tell you what Hillary Clinton has said: Hillary Clinton says she agrees with the dissenters — the Supreme Court dissenters in the Heller case.

There were four dissenters, and they said that they believe the Second Amendment protects no individual right to keep and bear arms whatsoever, which means, if their view prevailed and the next president's going to get one, two, three, maybe four Supreme Court justices, the court will rule that not a single person in this room has any right under the Second Amendment and the government could confiscate your guns.

And I'll note that California senator — Democratic Senator Dianne Feinstein said, if she could say to Mr. America and Mrs. America, "give me your guns, I'm rounding them up," she would.

And let me make a final point on this. Listen, in any Republican primary, everyone is going to say they support the Second Amendment. Unless you are clinically insane...[*laughter*]...that's what you say in a primary. But the voters are savvier than that. They recognize that people's actions don't always match their words. I've got a proven record fighting to defend the Second Amendment.

There's a reason Gun Owners of America has endorsed me in this race. There's a reason the NRA gave me their Carter Knight Freedom Fund award...[*bell rings*]...and there's a reason, when Barack Obama and Chuck Schumer came after our right to keep and bear arms, that I led the opposition, along with millions of Americans — we defeated that gun control legislation.

And I would note the other individuals on this stage were nowhere to be found in that fight.

BARTIROMO: Senator...[*applause*]... let me follow up and switch gears. Senator Cruz, you suggested Mr. Trump, quote, "embodies New York values." Could you explain what you mean by that?

CRUZ: You know, I think most people know exactly what New York values are. [*laughter*]

BARTIROMO: I am from New York. I don't.

CRUZ: What — what — you're from New York? So you might not. [*laughter*]

But I promise you, in the state of South Carolina, they do. [*applause*]

And listen, there are many, many wonderful, wonderful working men and women in the state of New York. But everyone understands that the values in New York City are socially liberal or pro-abortion or pro- gay-marriage, focus around money and the media.

And — and I would note indeed, the reason I said that is I was asked — my friend Donald has taken to it as advance playing Bruce Springsteen's "Born in the USA", and I was asked what I thought of that.

And I said, "well, if he wanted to play a song, maybe he could play, 'New York, New York'?" And — and — you know, the concept of New York values is not that complicated to figure out.

Not too many years ago, Donald did a long interview with Tim Russert. And in that interview, he explained his views on a whole host of issues that were very, very different from the views he's describing now.

And his explanation — he said, "look, I'm from New York, that's what we believe in New York. Those aren't Iowa values, but this is what we believe in New York." And so that was his explanation.

And — and I guess I can — can frame it another way. Not a lot of conservatives come out of Manhattan. I'm just saying. [*laughter*]

BARTIROMO: Are you sure about that?

CAVUTO: Maria...

TRUMP: So conservatives actually do come out of Manhattan, including William F. Buckley and others, just so you understand. [*applause*]

And just so — if I could, because he insulted a lot of people. I've had more calls on that statement that Ted made — New York is a great place. It's got great people, it's got loving people, wonderful people.

When the World Trade Center came down, I saw something that no place on Earth could have handled more beautifully, more humanely than New York. You had two one hundred...[*applause*] ...you had two 110-story buildings come crashing down. I saw them come down. Thousands of people killed, and the cleanup started the next day, and it was the most horrific cleanup, probably in the history of doing this, and in construction. I was down there, and I've never seen anything like it.

And the people in New York fought and fought and fought, and we saw more death, and even the smell of death — nobody understood it. And it was with us for months, the smell, the air.

And we rebuilt downtown Manhattan, and everybody in the world watched and everybody in the world loved New York and loved New Yorkers. And I have to tell you, that was a very insulting statement that Ted made. [*applause*]

CAVUTO: Governor bush, for the third time in as many months, the Iranians have provoked us, detaining us, as we've been discussing, with these 10 Navy sailors Tehran had said strayed into their waters. The sailors were released, but only after shown on video apologizing for the incident. This occurring only weeks after Iran fired multiple rockets within 1,500 yards of a U.S. aircraft carrier and then continued to test medium range missiles.

Now you've claimed that such actions indicate Tehran has little to fear from a President Obama. I wonder, sir, what would change if they continued doing this sort of thing under a President Jeb Bush?

BUSH: Well, first of all, under President Jeb Bush, we would restore the strength of the military. Last week, Secretary

Carter announced that the Navy's going to be cut again. It's now half the size of what it was prior to Operation Desert Storm.

The deployments are too high for the military personnel. We don't have procurement being done for refreshing the equipment. The B-52 is still operational as the long range bomber; it was inaugurated in the age of Harry Truman. The planes are older than the pilots. We're gutting our military, and so the Iranians and the Chinese and the Russians and many other countries look at the United States not as serious as we once were.

We have to eliminate the sequester, rebuild our military in a way that makes it clear that we're back in the game.

Secondly, as it relates to Iran, we need to confront their ambitions across the board. We should reimpose sanctions, they've already violated sanctions after this agreement was signed by testing medium-range missiles.

Thirdly, we need to move our embassy from Tel Aviv to Jerusalem to send a serious signal that we're back in the game with Israel...[*applause*]...and sign an agreement that makes sure that the world knows that they will have technological superiority.

We need to get back in the game as it relates to our Arab nations. The rest of the world is moving away from us towards other alliances because we are weak. This president and John Kerry and Hillary Clinton all have made it harder for the next president to act, but he must act to confront the ambitions of Iran. We can get back in the game to restore order and security for our own country. [*applause*]

CAVUTO: Thank you, Governor. Governor Kasich, while everyone has been focusing on Iran's provocations, I'm wondering what you make of what Saudi Arabia has been doing and its recent moves in the region, including its execution of a well-known Shi'ite cleric and its move to dramatically increase oil production, some say in an effort to drive down oil prices and force a lot of U.S. oil producers out of business.

Sure enough, oil prices have tumbled. One brokerage house is predicting a third or more of American oil producers and those heavily invested in fracking will go bankrupt, and soon Saudi Arabia and OPEC will be back in the driver's seat. U.S. energy player Harold Hamrie similarly told me with friends like these, who needs enemies? Do you agree?

KASICH: Well, let me — let me first of all talk a little bit about my experience. I served on the Defense Committee for 18 years, and by the way, one of the members of that committee was Senator Strom Thurmond from South Carolina. Let me also tell you...[*applause*]...that after the 9/11 attacks, Secretary Rumsfeld invited me to the Pentagon with a meeting of the former secretaries of Defense. And in that meeting, I suggested we had a problem with technology, and that I wanted to take people from Silicon Valley into the Pentagon to solve our most significant problems. So I not only had the opportunity to go through the Cold War struggles in Central America, and even after 9/11 to be involved.

With Saudi Arabia and oil production, first of all, it's so critical for us to be energy independent, and we're getting there because of fracking and we ought to explore because, see, energy independence gives us leverage and flexibility, and secondly, if you want to bring jobs back to the United States of America in industry, low prices make the difference.

We're seeing it in my state and we'll see it in this country. And that's why we must make sure we continue to frack.

In terms of Saudi Arabia, look, my biggest problem with them is they're funding radical clerics through their madrasses. That is a bad deal and an evil situation, and presidents have looked the other way. And I was going to tell you, whether I'm president or not, we better make it clear to the Saudis that we're going to support you, we're in relation with you just like we were in the first Gulf War, but you've got to knock off the funding and teaching of radical clerics who are the very people who try to destroy us and will turn around and destroy them. [*applause*]

So look, in foreign policy — in foreign policy, it's strength, but you've got to be cool. You've got to have a clear vision of where you want to go. And I'm going to tell you, that it — I'm going to suggest to you here tonight, that you can't do on the job training.

I've seen so much of it — a Soviet Union, the coming down of a wall, the issues that we saw around the world in Central America, the potential spread of communism, and 9/11 and Gulf War. You see what the Saudi's — deliver them a strong message but at the end of the day we have to keep our cool because most of the time they're going right with us. And they must be part of our coalition to destroy ISIS and I believe we can get that done.

Thank you.

CAVUTO: Thank you John.

BARTIROMO: There's much more ahead including the fight against ISIS. More from Charleston, South Carolina when we come right back.

[commercial break]

BARTIROMO: We welcome back to the Republican Presidential , right back to the questions.

Candidates, the man who made fighting ISIS the cornerstone of his campaign, South Carolina Senator, Lindsey Graham is out the race but he joins us tonight in the audience. [applause]

He says, "the air-strike now in their 16th month have been ineffective." Dr. Carson ...

CARSON: Wait a minute, who in their 16th month?

BARTIROMO: The air-strikes.

CARSON: OK.

BARTIROMO: Now in their 16th month are ineffective. Dr. Carson, do you think Senator Graham is right in wanting to send 20,000 troops — ground troops to Iraq and Syria to take out ISIS?

CARSON: Well, there's no question that ISIS is a very serious problem, and I don't believe that this administration recognizes how serious it is.

I think we need to do a lot more than we're doing. Recognize that the caliphate is what gives them the legitimacy to go out on a jihadist mission, so we need to take that away from them.

The way to take that away from them is to talk to our military officials and ask them, "what do you need in order to accomplish this goal?"

Our decision is, then, do we give them what we need. I say, yes, not only do we give them what they need, but we don't tie their hands behind their backs so that they can go ahead and get the job done.

In addition to that...[applause]...in addition to that, we go ahead and we take the oil from them, their source of revenue. You know, some of these — these engagement rules that the administration has — "we're not going to bomb a tanker that's coming out of there because there might be a person in it" — give me a break.

Just tell them that, you put people in there, we're going to bomb them. So don't put people in there if you don't want them bombed. You know, that's so simple. [applause]

And then we need to shut down — we need to shut down their mechanisms of funding and attack their command-and-control centers. Why should we let their people be sitting there smoking their cigars, sitting in their comfortable chairs in Raqqa?

We know to go ahead and shut off the supply routes, and send in our special ops at 2:00 a.m. and attack them everywhere they go. They should be running all the time, then they won't have time to plan attacks against us. [applause]

BARTIROMO: Thank you, sir. Senator Graham has also said that the U.S. will find Arab support for its coalition if it removes Syrian President Bashar al-Assad. And I quote, "The now king of Saudi Arabia told us, 'you can have our army, you just got to deal with Assad.'

"The emir of Qatar said, 'I'll pay for the operation, but they are not going to fight ISIS and let Damascus fall into the hands of the Iranians. Assad has to go.'"

Governor Christie, how important is it to remove Assad from power and how would you do it?

CHRISTIE: Maria, you look at what this president and his secretary of state, Secretary of State Clinton, has done to get us in this spot. You think about it — this is the president who said, along with his secretary of state — drew a red line in Syria, said, if Assad uses chemical weapons against his people, that we're going to attack.

He used chemical weapons, he's killed, now, over a quarter of a million of his own people, and this president has done nothing. In fact, he's done worse than nothing.

This president — and, by the way, Secretary Clinton, who called Assad a reformer — she called Assad a reformer. Now, the fact is, what this president has done is invited Russia to play an even bigger role, bring in Vladimir Putin to negotiate getting those chemical weapons back from Assad, yet what do we have today?

We have the Russians and the Iranians working together, not to fight ISIS, but to prop up Assad. The fact of the matter is we're not going to have peace — we are not going to have peace in Syria. We're not going to be able to rebuild it unless we put a no-fly zone there, make it safe for those folks so we don't have to be talking about Syrian refugees anymore.

The Syrians should stay in Syria. They shouldn't be going to Europe. And here's the last piece...[*applause*]...you're not going to have peace in Syria with Assad in charge. You're simply not. And so Senator Graham is right about this.

And if we want to try to rebuild the coalition, as Governor Kasich was saying before, then what we better do is to get to the Arab countries that believe that ISIS is a threat, not only to them, but to us and to world peace, and bring them together.

And believe me, Assad is not worth it. And if you're going to leave this to Hillary Clinton, the person who gave us this foreign policy, the architect of it, and you're going to give her another four years, that's why I'm speaking out as strongly as I am about that.

Hillary Clinton cannot be president. It will lead to even greater war in this world. And remember this, after Hillary Clinton and Barack Obama have had nearly 8 years, we have fewer democracies in the world than we had when they started.

That makes the world less peaceful, less safe. In my administration, we will help to make sure we bring people together in the Middle East, and we will fight ISIS and defeat them.

BARTIROMO: Thank you, sir. [*applause*]

Mr. Trump — Mr. Trump, your comments about banning Muslims from entering the country created a firestorm. According to Facebook, it was the most-talked-about moment online of your entire campaign, with more than 10 million people talking about the issue.

Is there anything you've heard that makes you want to rethink this position?

TRUMP: No. [*laughter*] No. [*applause*]

Look, we have to stop with political correctness. We have to get down to creating a country that's not going to have the kind of problems that we've had with people flying planes into the World Trade Centers, with the — with the shootings in California, with all the problems all over the world.

I just left Indonesia — bomb, bomb, bomb, bomb.

We have to find out what's going on. I said temporarily. I didn't say permanently. I said temporarily. And I have many great Muslim friends. And some of them, I will say, not all, have called me and said, "Donald, thank you very much; you're exposing an unbelievable problem and we have to get to the bottom of it."

And unlike President Obama, where he refuses even to use the term of what's going on, he can't use the term for whatever reason. And if you can't use the term, you're never going to solve the problem. My Muslim friends, some, said, "thank you very much; we'll get to the bottom of it."

But we have a serious problem. And we can't be the stupid country any more. We're laughed at all over the world. [*applause*]

BUSH: Donald, Donald — can I — I hope you reconsider this, because this policy is a policy that makes it impossible to build the coalition necessary to take out ISIS. The Kurds are our strongest allies. They're Muslim. You're not going to even allow them to come to our country?

The other Arab countries have a role to play in this. We cannot be the world's policeman. We can't do this unilaterally. We have to do this in unison with the Arab world. And sending that signal makes it impossible for us to be serious about taking out ISIS and restoring democracy in Syria. [*applause*]

So I hope you'll reconsider. I hope you'll reconsider. The better way of dealing with this — the better way of dealing with this is recognizing that there are people in, you know, the — Islamic terrorists inside, embedded in refugee populations.

What we ought to do is tighten up our efforts to deal with the entry visa program so that a citizen from Europe, it's harder if they've been traveling to Syria or traveling to these other places where there is Islamic terrorism, make it harder — make the screening take place.

We don't have to have refugees come to our country, but all Muslims, seriously? What kind of signal does that send to the rest of the world that the United States is a serious player in creating peace and security?

CAVUTO: But you said — you said that he made those comments and they represented him being unhinged after he made them.

BUSH: Yeah, they are unhinged.

CAVUTO: Well — well, after he made them...[*applause*]...his poll numbers went up eight points in South Carolina. Now — now, wait...

TRUMP: Eleven points, to be exact.

CAVUTO: Are you — are you saying — are you saying that all those people who agree with Mr. Trump are unhinged?

BUSH: No, not at all, absolutely not. I can see why people are angry and scared, because this president has created a condition where our national security has weakened dramatically. I totally get that. But we're running for the presidency of the United States here. This isn't — this isn't, you know, a different kind of job. You have to lead. You cannot make rash statements and expect the rest of the world to respond as though, well, it's just politics.

Every time we send signals like this, we send a signal of weakness, not strength. And so it was [*inaudible*] his statement, which is why I'm asking him to consider changing his views. [*applause*]

TRUMP: I want security for this country. OK? [*applause*]

I want security. I'm tired of seeing what's going on, between the border where the people flow over; people come in; they live; they shoot. I want security for this country. We have a serious problem with, as you know, with radical Islam. We have a tremendous problem. It's not only a problem here. It's a problem all over the world.

I want to find out why those two young people — those two horrible young people in California when they shot the 14 people, killed them — people they knew, people that held the wedding reception for them. I want to find out — many people saw pipe bombs and all sorts of things all over their apartment. Why weren't they vigilant? Why didn't they call? Why didn't they call the police?

And by the way, the police are the most mistreated people in this country. I will tell you that. [*applause*]

The most mistreated people. In fact, we need to — wait a minute — we need vigilance. We have to find out — many people knew about what was going on. Why didn't they turn those two people in so that you wouldn't have had all the death?

There's something going on and it's bad. And I'm saying we have to get to the bottom of it. That's all I'm saying. We need security.

BARTIROMO: We — we want to hear from all of you on this. According to Pew Research, the U.S. admits more than 100,000 Muslim immigrants every single year on a permanent lifetime basis. I want to ask the rest of you to comment on this. Do you agree that we should pause Muslim immigration until we get a better handle on our homeland security situation, as Mr. Trump has said?

Beginning with you, Governor Kasich.

KASICH: I — I've been for pausing on admitting the Syrian refugees. And the reasons why I've done is I don't believe we have a good process of being able to vet them. But you know, we don't want to put everybody in the same category.

And I'll go back to something that had been mentioned just a few minutes ago. If we're going to have a coalition, we're going to have to have a coalition not just of people in the western part of the world, our European allies, but we need the Saudis, we need the Egyptians, we need the Jordanians, we need the Gulf states. We need Jordan.

We need all of them to be part of exactly what the first George Bush put together in the first Gulf War.

[*bell rings*]

It was a coalition made up of Arabs and Americans and westerners and we're going to need it again. And if we try to put everybody in the same — call everybody the same thing, we can't do it. And that's just not acceptable.

But I think a pause on Syrian refugees has been exactly right for all the governors that have called for it, and also, of course, for me as the governor of Ohio.

BARTIROMO: Thank you, sir, we want to hear from the rest of you,

Governor Christie, your take.

CHRISTIE: Now Maria, listen. I said right from the beginning that we should take no Syrian refugees of any kind. And the reason I said that is because the FBI director told the American people, told Congress, that he could not guarantee he could vet them and it would be safe. That's the end of the conversation.

I can tell you, after spending seven years as a former federal prosecutor, right after 9/11, dealing with this issue. Here's the way you need to deal with it. You can't just ban all Muslims. You have to ban radical Islamic jihadists. You have to ban the people who are trying to hurt us.

The only way to figure that out is to go back to getting the intelligence community the funding and the tools that it needs to be able to keep America safe.

[bell rings]

And this summer, we didn't do that. We took it away from the NSA, it was a bad decision by the president. Bad by those in the Senate who voted for it and if I'm president, we'll make our intelligence community strong, and won't have to keep everybody out, we're just going to keep the bad folk out and make sure they don't harm us.

BARTIROMO: Senator Rubio, where do you stand?

RUBIO: Well, first of all, let's understand why we are even having this and why Donald tapped in to some of that anger that's out there about this whole issue. Because this president has consistently underestimated the threat of ISIS.

If you listen to the State of the Union the other night, he described them as a bunch of guys with long beards on the back of a pickup truck. They are much more than that. This is a group of people that enslaves women and sells them, sells them as brides.

This is a group of people that burns people in cages, that is conducting genocide against Christians and Yazidis and others in the region. This is not some small scale group.

They are radicalizing people in the United States, they are conducting attacks around the world. So you know what needs to happen, it's a very simple equation, and it's going to happen when I'm president. If we do not know who you are, and we do not know why you are coming when I am president, you are not getting into the United States of America.
[applause]

BARTIROMO: Senator Cruz, where do you stand? Senator Cruz?

CRUZ: You know I understand why Donald made the comments he did and I understand why Americans are feeling frustrated and scared and angry when we have a president who refuses to acknowledge the threat we face and even worse, who acts as an apologist for radical Islamic terrorism.

I think what we need is a commander in chief who is focused like a laser on keeping this country safe and on defeating radical Islamic terrorism. What should we do? First, we should pass the Expatriate Terrorist Act, legislation I've introduced that says if an American goes and joins ISIS and wages jihad against America, that you forfeit your citizenship and you can not come in on a passport. *[applause]*

And secondly, we should pass the legislation that I've introduced...*[bell rings]*...that suspends all refugees from nations that ISIS or Al Qaida controls significant territory. Just last week, we see saw two Iraqi refugees vetted using the same process the president says will work, that were arrested for being alleged ISIS terrorists.

If I'm elected president, we will not let in refugees from countries controlled by ISIS or Al Qaida. When it comes to ISIS, we will not weaken them, we will not degrade them, we will utterly and completely destroy ISIS *[applause]*.

BARTIROMO: Dr. Carson, where do you stand? Do you agree with Mr. Trump?

CARSON: Well, first of all, recognize it is a substantial problem. But like all of our problems, there isn't a single one that can't be solved with common sense if you remove the ego and the politics. And clearly, what we need to do is get a group of experts together, including people from other countries, some of our friends from Israel, who have had experience screening these people and come up with new guidelines for immigration, and for visas, for people who are coming into this country.

That is the thing that obviously makes sense, we can do that. And as far as the Syrians are concerned, Al-Hasakah province, perfect place. They have infrastructure. All we need to do is protect them, they will be in their own country.

And that is what they told me when I was in Jordan in November. Let's listen to them and let's not listen to our politicians.

BARTIROMO: So, to be clear, the both of you do not agree with Mr. Trump?

BUSH: So, are we going to ban Muslims from India, from Indonesia, from countries that are strong allies — that we need to build better relationships with? Of course not. What we need to do is destroy ISIS.

I laid out a plan at the Citadel to do just that and it starts with creating a "No Fly Zone" and "Safe Zones" to make sure refugees are there. We need to lead a force, a Sunni led force inside of Syria. We need to embed with — with the Iraqi military. We need to arm the Kurds the directly. We need to re-establish the relationships with the Sunnis.

We need the lawyers off the back of the war fighters. That's how you solve the problem. You don't solve it by big talk where you're banning all Muslims and making it harder for us to build the kind of coalition for us to be successful.

BARTIROMO: Thank you governor.

CAVUTO: Mr. Trump, sometimes maybe in the heat of the campaign, you say things and you have to dial them back. Last week, the New York Times editorial board quoted as saying that you would oppose, "up to 45 percent tariff on Chinese goods."

TRUMP: That's wrong. They were wrong. It's the New York Times, they are always wrong.

CAVUTO: Well...

TRUMP: They were wrong.

CAVUTO: You never said because they provided that...

TRUMP: No, I said, "I would use —" they were asking me what to do about North Korea. China, they don't like to tell us but they have total control — just about, of North Korea. They can solve the problem of North Korea if they wanted to but they taunt us.

They say, "well, we don't really have control." Without China, North Korea doesn't even eat. China is ripping us on trade. They're devaluing their currency and they're killing our companies. Thousands of thousands — you look at the number of companies and the number in terms of manufacturing of plans that we've lost — 50,000 because of China.

[crosstalk]

CAVUTO: So they've never said to put a tariff on their...

TRUMP: We've lost anywhere between four and seven million jobs because of China. What I said then was, "we have very unfair trade with China. We're going to have a trade deficit of 505 billion dollars this year with China." A lot of that is because they devalue their currency.

What I said to the New York Times, is that, "we have great power, economic power over China and if we wanted to use that and the amount — where the 45 percent comes in, that would be the amount they saw their devaluations that we should get." That we should get.

What I'm saying is this, I'm saying that we do it but if they don't start treating us fairly and stop devaluing and let their currency rise so that our companies can compete and we don't lose all of these millions of jobs that we're losing, I would certainly start taxing goods that come in from China. Who the hell has to lose 505 billion dollars a year?

CAVUTO: I'm sorry, you lost me.

TRUMP: It's not that complicated actually.

CAVUTO: Then I apologize. Then I want to understand, if you don't want a 45 percent tariff, say that wasn't the figure, would you be open — are you open to slapping a higher tariff on Chinese goods of any sort to go back at them?

TRUMP: OK, just so you understand — I know so much about trading about with China. Carl Icahn today as you know endorsed. Many businessmen want to endorse me.

CAVUTO: I know...

TRUMP: Carl said, "no, no — " but he's somebody — these are the kind of people that we should use to negotiate and not the China people that we have who are political hacks who don't know what they're doing and we have problems like this. If these are the kinds of people — we should use our best and our finest.

Now, on that tariff — here's what I'm saying, China — they send their goods and we don't tax it — they do whatever they want to do. They do whatever what they do, OK. When we do business with China, they tax us. You don't know it, they tax us.

I have many friends that deal with China. They can't — when they order the product and when they finally get the product it is taxed. If you looking at what happened with Boeing and if you look at what happened with so many companies that deal — so we don't have an equal playing field. I'm saying, absolutely, we don't have to continue to lose 505 billion dollars as a trade deficit for the privilege of dealing with China.

I'm a free trader. I believe in it but we have to be smart and we have to use smart people to negotiate. I have the largest bank in the world as a tenant of mine. I sell tens' of millions of [*inaudible*].

I love China. I love the Chinese people but they laugh themselves, they can't believe how stupid the American leadership is.

CAVUTO: So you're open to a tariff?

TRUMP: I'm totally open to a tariff. If they don't treat us fairly, hey, their whole trade is tariffed. You can't deal in China without tariffs. They do it to us, we don't it. It's not fair trade.

KASICH: Neil, Neil — can I say one thing about this. I'm a free trader. I support NAFTA. I believe in the PTT because it's important those countries in Asia are interfacing against China. And we do need China — Donald's right about North Korea.

I mean the fact is, is that they need to put the pressure on and frankly we need to intercepts ships coming out of North Korea so they don't proliferate all these dangerous materials. But what he's touching — talking about, I think has got merit. And I'll allow putting that tariff or whatever he's saying here...

TRUMP: I'm happy to have him tonight...[*laughter*]

KASICH: For too long — no, for too long, what happens is somebody dumps their product in our country and take our people's jobs, and then we go to an international court and it takes them like a year or two to figure out whether they were cheating us. And guess what? The worker's out of a job.

So when they — be found against that country that's selling products in here lower than the cost of what it takes to produce them, then what do we tell the worker? Oh, well, you know, it just didn't work out for you.

I think we should be for free trade but I think fair trade. And when countries violate trade agreements or dump product in this country, we need — we need to stand up against those countries that do that without making them into an enemy.

And I want to just suggest to you. How do I know this? Because so many people in my family worked in steel mills, and they didn't work with a white collar, they worked in a blue collar. And the fact is those jobs are critical, they're hard working members of the middle class and they need to be paid attention to because they're Americans and they carry the load. So let's demand open trade but fair trade in this country. That's what I think we need to do. [*applause*]

CAVUTO: All right.

RUBIO: But on this point, if I may add something on this point. We are all frustrated with what China is doing. I think we need to be very careful with tariffs, and here's why.

China doesn't pay the tariff, the buyer pays the tariff. If you send a tie or a shirt made in China into the United States and an American goes to buy it at the store and there's a tariff on it, it gets passed on in the price to price to the consumer.

So I think the better approach, the best thing we can do to protect ourselves against China economically is to make our economy stronger, which means reversing course from all the damage Barack Obama is doing to this economy.

It begins with tax reform. Let's not have the most expensive business tax rate in the world. Let's allow companies to immediately expense. *[applause]*

It continues with regulatory reform. Regulations in this country are out of control, especially the Employment Prevention Agency, the EPA, and all of the rules they continue to impose on our economy and hurting us.

How about Obamacare, a certified job killer? It needs to be repealed and replaced. And we need to bring our debt under control, make our economy stronger. That is the way to deal with China at the end of the day.

TRUMP: Neil, the problem...

BARTIROMO: We're getting...

TRUMP: ... with what Marco is saying is that it takes too long, they're sucking us dry and it takes too long. It would just — you absolutely have to get involved with China, they are taking so much of what we have in terms of jobs in terms of money. We just can't do it any longer.

CAVUTO: He is right. If you put a tariff on a good, it's Americans who pay.

BUSH: Absolutely.

TRUMP: You looking at me?

BUSH: Yeah.

BARTIROMO: Prices go higher for...

TRUMP: Can I tell you what? It will never happen because they'll let their currency go up. They're never going to let it happen.

Japan, the same thing. They are devaluing — it's so impossible for — you look at Caterpillar Tractor and what's happening with Caterpillar and Kamatsu. Kamatsu is a tractor company in Japan. Friends of mine are ordering Kamatsu tractors now because they've de-valued the yen to such an extent that you can't buy a Caterpillar tractor. And we're letting them get away with it and we can't let them get away with it.

And that's why we have to use Carl and we have to use our great businesspeople and not political hacks to negotiate with these guys. *[applause]*

BUSH: Here's — apart from the — apart from the higher prices on consumers and people are living paycheck to paycheck, apart from that, there will be retaliation.

BARTIROMO: Yeah.

BUSH: So they soybean sales from Iowa, entire soybean production goes — the equivalent of it goes to China. Or how about Boeing right here within a mile? Do you think that the Chinese, if they had a 45 percent tariff imposed on all their imports wouldn't retaliate and start buying Airbus? Of course, they would. This would be devastating for the economy. We need someone with a steady hand being president of the United States.

BARTIROMO: Real quick, Senator — go ahead, Senator Cruz. *[applause]*

And then we have to get to tax reform.

TRUMP: And we don't need a weak person being president of the United State, OK? Because that's what we'd get if it were Jeb — I tell you what, we don't need that.

AUDIENCE: Boo.

TRUMP: We don't need that. That's essentially what we have now, and we don't need that. And that's why we're in the trouble that we're in now. And by the way, Jeb you mentioned Boeing, take a look. They order planes, they make Boeing build their plant in China. They don't want them made here. They want those planes made in China.

BUSH: They're a mile away from here.

TRUMP: That's not the way the game is supposed to be played.

BARTIROMO: Thank you, Governor Bush. Thank you, Mr. Trump. Very briefly.

BUSH: My name was mentioned. My name was mentioned here. The simple fact is that the plane that's being build here is being sold to China. You can — if you — you flew in with your 767, didn't you? Right there, right next to the plant.

TRUMP: No, the new planes. I'm not talking about now, I'm talking about in the future they're building massive plants in China because China does not want Boeing building their planes here, they want them built in China, because China happens to be smart the way they do it, not the way we do it.

BARTIROMO: Thank you, Mr. Trump.

BUSH: When you head back to airport tonight, go check and see what the...

BARTIROMO: Thank you, Mr. Trmup. Thank you, Governor.

TRUMP: I'll check for you.

BUSH: Check it out. *[laughter]*

BARTIROMO: Senator briefly.

CRUZ: Thanks for coming back to me, Maria. Both Donald and Jeb have good points, and there is a middle ground. Donald is right that China is running over President Obama like he is a child, President Obama is not protecting American workers and we are getting hammered.

You know, I sat down with the senior leadership of John Deere. They discussed how — how hard it is to sell tractors in China, because all the regulatory barriers. They're protectionist.

But Jeb is also right that, if we just impose a tariff, they'll put reciprocal tariffs, which will hurt Iowa farmers and South Carolina producers and 20 percent of the American jobs that depend on exports.

So the way you do it is you pass a tax plan like the tax plan I've introduced: a simple flat tax, 10 percent for individuals, and a 16 percent business flat tax, you abolish the IRS...*[applause]*...and here's the critical point, Maria — the business flat tax enables us to abolish the corporate income tax, the death tax, the Obamacare taxes, the payroll taxes, and they're border-adjustable, so every export pays no taxes whatsoever.

It's tax-free — a huge advantage for our farmers and ranchers and manufacturers — and every import pays the 16 percent business flat tax. It's like a tariff, but here's the difference: if we impose a tariff, China responds.

The business flat tax, they already impose their taxes on us, so there's no reciprocal...*[bell rings]*...tariffs that come against us. It puts us on a level, even playing field, which brings jobs here at home...

UNKNOWN: Maria...

CRUZ: ... and as president, I'm going to fight for the working men and women.

[crosstalk]

BARTIROMO: We've got to get to tax reform, gentlemen. We've got to get to tax reform, and we've got to get to the...

UNKNOWN: Yeah, but I want to talk about taxes.

BARTIROMO: ... we've got to get to the national debt as well. Coming up next, the growing national debt, the war on crime, tax reform. More from North Charleston, South Carolina, when we come right back.

BARTIROMO: Welcome back to the Republican presidential here in North Charleston. Right back to the questions.
[applause]

Governor Christie, we have spoken much about cutting spending, given the \$19 trillion debt. But according to one report, America needs \$3.6 trillion in infrastructure spending by 2020.

Here in South Carolina, 11 percent of bridges are considered structurally deficient, costing drivers a billion dollars a year in auto repairs. What is your plan to fix the ailing roads and bridges without breaking the bank?

CHRISTIE: Well, I'm glad you asked that, Maria. Here's — here's our plan. We've all been talking about tax reforms tonight, and paying for infrastructure is caught right up in tax reform.

If you reform the corporate tax system in this country, which, as was mentioned before, is the highest rate in the world — and we double tax, as you know.

And what that's led to over \$2 trillion of American companies' monies that are being kept offshore, because they don't want to pay the second tax. And who can blame them? They pay tax once overseas. They don't want to pay 35 percent tax on the way back.

So beside reforming that tax code, bringing it down to 25 percent and eliminating those special-interest loopholes that the lobbyists and the lawyers and the accountants have given — bring that rate down to 25 percent, but also, a one-time repatriation of that money.

Bring the money — the \$2 trillion — back to the United States. We'll tax it, that one time, at 8.75 percent, because 35 percent of zero is zero, but 8.75 percent of \$2 trillion is a lot of money. And I would then dedicate that money to rebuilding infrastructure here in this country.

It would not necessitate us raising any taxes. It would bring the money back into the United States to help build jobs by American companies and get our economy moving again, and growing at a higher rate, and it would rebuild those roads and bridges and tunnels that you were talking about. And — and — and the last piece of this, Maria, is this. You know, the fact is that this president has penalized corporations in America. He's penalized — and doesn't understand. In fact, what that hurts is hurt hardworking taxpayers.

You've seen middle-class wages go backwards \$3,700 during the Obama administration. That's wrong for hardworking taxpayers in this country. We'd rebuild infrastructure that would also create jobs in this country, and we'd work with the states to do it the right way, to do it more efficiently and more effectively.

And remember this — I'm credible on this for this reason: Americans for Tax Reform says that I've vetoed more tax increases than any governor in American history. We don't need to raise taxes to get this done.

We need to make the government run smarter and better, and reform this corporate tax system, bring that money back to the United States to build jobs and rebuild our infrastructure, and we need to use it also to protect our grid from terrorists.

All of those things are important, and all those things would happen in a Christie administration.

BARTIROMO: Thank you, sir. Dr. Carson...[applause]...it is true U.S. companies have \$2 trillion in cash sitting overseas right now. That could be used for investment and jobs in America.

Also, several companies right now are pursuing mergers to move their corporate headquarters abroad, and take advantage of much lower taxes. What will you do to stop the flow of companies building cash away from America, and those leaving America altogether?

CARSON: Well, I would suggest a fair tax system, and that's what we have proposed. A flat tax for everybody — no exemptions, no deductions, no shelters, because some people have a better capability of taking advantage of those than others.

You know, and then the other thing we have to do is stop spending so much money. You know, I — my — my mother taught me this. You know, she only had a third-grade education, but — you know, she knew how to stretch a dollar.

I mean, she would drive a car until it wouldn't make a sound, and then gather up all her coins and buy a new car. In fact, if my mother were secretary of treasury, we would not be in a deficit situation. But...[laughter]... you know, the — the — the fact of the matter is — you know, if we fix the taxation system, make it absolutely fair, and get rid of the incredible regulations — because every regulation is a tax, it's a — on goods and services. And it's the most regressive tax there is.

You know, when you go into the store and buy a box of laundry detergent, and the price has up — you know, 50 cents because of regulations, a poor person notices that. A rich person does not. Middle class may notice it when they get to the cash register.

And everything is costing more money, and we are killing our — our — our people like this. And Bernie Sanders and Hillary Clinton will say it's those evil rich people.

It's not the evil rich people. It's the evil government that is — that is putting all these regulations on us so that we can't survive. [applause]

BARTIROMO: Thank you, sir.

Senator Rubio...

TRUMP: Maria — Maria, what you were talking about just now is called corporate inversion. It's one of the biggest problems our country has. Right now, corporations, by the thousands, are thinking of leaving our country with the jobs — leave them behind.

They're leaving because of taxes, but they are also leaving because they can't get their money back and everybody agrees, Democrats and Republicans, that is should come back in. But they can't get along. They can't even make a deal.

Here is the case, they both agree, they can't make a deal. We have to do something. Corporate inversion is one of the biggest problems we have. So many companies are going to leave our country.

BARTIROMO: Which is why we raised it.

Senator Rubio?

Thank you, Mr. Trump.

TRUMP: Thank you.

BARTIROMO: One of the biggest fiscal challenges is our entitlement programs, particularly Social Security and Medicare. What policies will you put forward to make sure these programs are more financially secure?

RUBIO: Well, first let me address the tax issue because it's related to the entitlement issue and I want to thank you for holding a substantive debates where we can have debates about these key issues on taxes. [applause]

Here is the one thing I'm not going to do. I'm not going to have something that Ted described in his tax plan. It's called the value added tax. And it's a tax you find in many companies in Europe.

Where basically, businesses now will have to pay a tax, both on the money they make, but they also have to pay taxes on the money that they pay their employees.

And that's why they have it in Europe, because it is a way to blindfolded the people, that's what Ronald Reagan said. Ronald Regan opposed the value tax because he said it was a way to blindfold the people, so the true cost of government was not there there for them.

Now, you can support one now that's very low. But what is to prevent a future liberal president or a liberal Congress from coming back and not just raising the income tax, but also raising that VAT tax, and that vat tax is really bad for seniors. Because seniors, if they are retired, are no longer earning an income from a job. And therefore, they don't get the income tax break, but their prices are going to be higher, because the vat tax is embedded in both the prices that business that are charging and in the wages they pay their employees.

When I am president of the United States, I'm going to side with Ronald Regan on this and not Nancy Pelosi and we are not having a vat tax. [applause]

BARTIROMO: Thank you senator.

CRUZ: Maria, I assume that I can respond to that.

BARTIROMO: Senator Cruz, yes. You were meant to. Yes, of course.

CRUZ: Well, Marco has been floating this attack for a few weeks now, but the problem is, the business flat tax in my proposal is not a vat. A vat is imposed as a sales tax when you buy a good.

This is a business flat tax. It is imposed on business and a critical piece that Marco seems to be missing is that this 16 percent business flat tax enables us to eliminate the corporate income tax. It goes away. It enables us to eliminate the death tax.

If you're a farmer, if you're a rancher, if you are small business owner, the death tax is gone. We eliminate the payroll tax, we eliminate the Obamacare taxes. And listen, there is a real difference between Marco's tax plan and mine.

Mine gives every American a simple, flat tax of 10 percent. Marco's top tax rate is 35 percent. My tax plan enables you to fill out your taxes on a postcard so we can abolish the IRS. Marco leaves the IRS code in with all of the complexity. We need to break the Washington cartel, and the only way to do it is to end all the subsidies and all...*[bell rings]*...the mandates and have a simple flat tax. The final observation, invoked Ronald Reagan. I would note that Art Laffer, Ronald Reagan's chief economic adviser, has written publicly, that my simple flat tax is the best tax plan of any of the individuals on this stage cause it produces economic growth, it raises wages and it helps everyone from the very poorest to the very richest.

BARTIROMO: Thank you senator. *[applause]*

RUBIO: But that's not an accurate description of the plan. Because, first of all, you may rename the IRS but you are not going to abolish the IRS, because there has to be some agency that's going to collect your vat tax. Someone's going to be collecting this tax.

In fact, Ronald Reagan's treasury, when Ronald Reagan's treasury looked at the vat tax, you know what they found? That they were going to have to hire 20,000 new IRS agencies to collect it.

The second point, it does not eliminate the corporate tax or the payroll tax. Businesses will now have to pay 16 percent on the money they make. They will also have to pay 16 percent on the money they pay their employees.

So there are people watching tonight in business. If you are now hit on a 60 percent tax on both your income and on the wages you pay your employees, where are you going to get that money from? You're going to get it by paying your employees less and charging your customers more, that is a tax, the difference is, you don't see it on the bill.

And that's why Ronald Reagan said that it was a blindfold. You blindfold the American people so that they cannot see the true cost of government. Now 16 percent is what the rate Ted wants it at. But what happens if, God forbid, the next Barack Obama takes over, and the next Nancy Pelosi, and the next Harry Reid...*[bell rings]*...and they decide, we're going to raise it to 30 percent, plus we're going to raise the income tax to 30 percent. Now, you've got Europe.

[crosstalk]

BARTIROMO: Thank you senator. I have to get to a question for Mr. Trump.

CRUZ: Maria...

BARTIROMO: Yes.

CRUZ: Maria, I'd just like to say...*[crosstalk]*

CHRISTIE: Maria, I'd like to interrupt this on the floor of the Senate to actually answer the question you asked, which was on entitlements. Do you remember that, everybody? This was a question on entitlements.

And the reason — and the reason...*[crosstalk]*...no, you already had your chance, Marco, and you blew it. Here's the thing. *[crosstalk]* The fact is, the reason why...

RUBIO: If you'll answer the *[inaudible]* core question.

CHRISTIE: ... the fact is — the fact is the reason why that no one wants to answer entitlements up here is because it's hard. It's a hard problem. And I'm the only one up on this stage who back in April put forward a detailed entitlement

reform plan that will save over \$1 trillion, save Social Security, save Medicare, and avoid this — avoid what Hillary Rodham Clinton will do to you.

Because what she will do is come in and she will raise Social Security taxes. Bernie Sanders has already said it. And she is just one or two more poll drops down from even moving further left than she's moved already to get to the left of Bernie on this.

We have seniors out there who are scared to death because this Congress — this one that we have right now, just stole \$150 billion from the Social Security retirement fund to give it to the Social Security disability fund. A Republican Congress did that.

And the fact is it was wrong. And they consorted with Barack Obama to steal from Social Security. We need to reform Social Security. Mine is the only plan that saves over \$1 trillion and that's why I'm answering your question.

BARTIROMO: Thank you, Governor. Thank you, Governor. *[applause]*

CARSON: Can I just add one very quick thing? And I just want to say, you know, last week we released our tax plan. And multiple reputable journals, including The Wall Street Journal, said ours is the best. Just want to get that out there, just saying.

BARTIROMO: Thank you, Dr. Carson.

Coming up, how would the candidates protect America, and another terror attack, if we were to see it. But first, you can join us live on stage during the commercial break right from home. Go to facebook.com/foxbusiness. We'll be streaming live and answering your questions during this break next.

More from South Carolina coming up. Stay with us.

[commercial break]

BARTIROMO: Mr. Trump, your net worth is in the multi-billions of dollars and have an ongoing thriving hotel and real estate business. Are you planning on putting your assets in a blind trust should you become president? With such vast wealth, how difficult will it be for you to disentangle yourself from your business and your money and prioritize America's interest first?

TRUMP: Well, it's an interesting question because I'm very proud of my company. As you too know, I know I built a very great company. But if I become president, I couldn't care less about my company. It's peanuts.

I want to use that same up here, whatever it may be to make America rich again and to make America great again. I have Ivanka, and Eric and Don sitting there. Run the company kids, have a good time. I'm going to do it for America.

So I would — I would be willing to do that.

BARTIROMO: So you'll put your assets in a blind trust?

TRUMP: I would put it in a blind trust. Well, I don't know if it's a blind trust if Ivanka, Don and Eric run it. If that's a blind trust, I don't know. But I would probably have my children run it with my executives and I wouldn't ever be involved because I wouldn't care about anything but our country, anything.

BARTIROMO: Thank you sir.

TRUMP: Thank you.

CAVUTO: Governor Christie, going back to your U.S. Attorney days, you had been praised by both parties as certainly a tough law and order guy. So I wonder what you make of recent statistics that showed violent crimes that have been spiking sometimes by double digit ratings in 30 cities across the country. Milwaukee Police Chief Ed Flynn said, "most local law enforcement officials feel abandoned by Washington." Former NYC Police Chief Ray Kelly, says that, "police are being less proactive because they're being overly scrutinized and second guessed and they're afraid of being sued or thrown in jail."

What would you do as president to address this?

CHRISTIE: Well, first off, let's face it, the FBI director James Comey was a friend of mine who I worked with as U.S.

Attorney of New Jersey. He was the U.S. Attorney in Manhattan. He said, "there's a chill wind blowing through law enforcement in this country." Here's why, the president of the United States and both his attorney's general, they give the benefit of the doubt to the criminal, not to the police officers.

That's the truth of the matter and you see it every time with this president. Every time he's got a chance, going all the way back to — remember that Great Beer Summit he had after he messed up that time. This is a guy who just believes that law enforcement are the bad guys.

Now, I for seven years was the U.S. Attorney of New Jersey. I worked hard with not only federal agents but with police officers and here's the problem, sanctuary cities is part of the problem in this country. That's where crime is happening in these cities where they don't enforce the immigration laws. And this president turns his back — this president doesn't enforce the marijuana laws in this country because he doesn't agree with them.

And he allows states to go ahead and do whatever they want on a substance that's illegal. This president allows lawlessness throughout this country. Here's what I would do Neil, I would appoint an Attorney General and I would have one very brief conversation with that Attorney General. I'd say, "General, enforce the law against everyone justly, fairly, and aggressively. Make our streets safe again. Make our police officers proud of what they do but more important than that, let them know how proud we are of them."

We do that, this country would be safe and secure again not only from criminals but from the terrorist who threaten us as well. I'm the only person on this stage who's done that and we will get it done as President of the United States.

CAVUTO: Thank you governor.

Governor Kasich, as someone has to deal with controversial police shootings in your own state, what do you make of Chicago's move recently to sort of retrain police? Maybe make them not so quick to use their guns?

KASICH: Well, I created a task force well over a year ago and the purpose was to bring law enforcement, community people, clergy and the person that I named as one of the co-chair was a lady by the name of Nina Turner, a former State Senator, a liberal Democrat. She actually ran against one of my friends and our head of public safety.

And they say down as a group trying to make sure that we can begin to heal some of these problems that we see between community and police.

And they came back with 23 recommendations. One of them is a statewide use of deadly force. And it is now being put into place everywhere across the state of Ohio. Secondly, a policy on recruiting and hiring, and then more resources for — for training.

But let me also tell you, one of the issues has got to be the integration of both community and police. Community has to understand that that police officer wants to get home at night, and not — not to lose their life. Their family is waiting for them.

At the same time, law enforcement understands there are people in the community who not only think that the system doesn't work for them, but works against them.

See, in Ohio, we've had some controversial decisions. But the leaders have come forward to realize that protest is fine, but violence is wrong. And it has been a remarkable situation in our state. And as president of the United States, it's all about communication, folks. It's all about getting people to listen to one another's problems.

And when you do that, you will be amazed at how much progress you can make, and how much healing we can have. Because, folks, at the end of the day, the country needs healed. I've heard a lot of hot rhetoric here tonight, but I've got to tell you, as somebody that actually passed a budget; that paid down a half-a-trillion dollars of our national debt, you can't do it alone. You've got to bring people together. You've got to give people hope.

And together, we can solve these problems that hurt us and heal America. And that is what's so critical for our neighborhoods, our families, our children, and our grandchildren. *[applause]*

CAVUTO: Thank you, Governor.

BARTIROMO: Senator Rubio? *[applause]*

Under current law, the U.S. is on track to issue more new permanent immigrants on green cards over the next five years

than the entire population of South Carolina. The CBO says your 2013 immigration bill would have increased green cardholders by another 10 million over 10 years.

Why are you so interested in opening up borders to foreigners when American workers have a hard enough time finding work?

RUBIO: Well, first of all, this is an issue that's been debated now for 30 years. And for 30 years, the issue of immigration has been about someone who's in this country, maybe they're here illegally, but they're looking for a job. This issue is not about that anymore.

First and foremost, this issue has to be now more than anything else about keeping America safe. And here's why. There is a radical jihadist group that is manipulating our immigration system. And not just green cards. They're looking — they're recruiting people that enter this country as doctors and engineers and even fiances. They understand the vulnerabilities we have on the southern border.

They're looking — they're looking to manipulate our — the visa waiver countries to get people into the United States. So our number one priority must now become ensuring that ISIS cannot get killers into the United States. So whether it's green cards or any other form of entry into America, when I'm president if we do not know who you are or why you are coming, you are not going to get into the United States of America.

BARTIROMO: So your thinking has changed?

RUBIO: The issue is a dramatically different issue than it was 24 months ago. Twenty-four months ago, 36 months ago, you did not have a group of radical crazies named ISIS who were burning people in cages and recruiting people to enter our country legally. They have a sophisticated understanding of our legal immigration system and we now have an obligation to ensure that they are not able to use that system against us.

The entire system of legal immigration must now be reexamined for security first and foremost, with an eye on ISIS. Because they're recruiting people to enter this country as engineers, posing as doctors, posing as refugees. We know this for a fact. They've contacted the trafficking networks in the Western Hemisphere to get people in through the southern border. And they got a killer in San Bernardino in posing as a fiance.

This issue now has to be about stopping ISIS entering the United States, and when I'm president we will.

BARTIROMO: Thank you, Senator. *[applause]*

CRUZ: But Maria, radical Islamic terrorism was not invented 24 months ago; 24 months ago, we had Al Qaida. We had Boko Haram. We had Hamas. We had Hezbollah. We had Iran putting operatives in South America and Central America. It's the reason why I stood with Jeff Sessions and Steve King and led the fight to stop the Gang of Eight amnesty bill, because it was clear then, like it's clear now, that border security is national security. *[applause]*

BARTIROMO: Thank you, Senator.

CRUZ: It is also the case that that Rubio-Schumer amnesty bill, one of the things it did is it expanded Barack Obama's power to let in Syrian refugees. It enabled him — the president to certify them en masse without mandating meaningful background checks.

I think that's a mistake. That's why I've been leading the fight to stop it. And I would note the Senate just a few weeks ago voted to suspend refugees from Middle Eastern countries. I voted yes to suspend that. Marco voted on the other side. So you don't get to say we need to secure the borders, and at the same time try to give Barack Obama more authority to allow Middle Eastern refugees coming in, when the head of the FBI tells us they cannot vet them to determine if they are ISIS terrorists.

RUBIO: Maria, let me clear something up here. This is an interesting point when you talk about immigration. Ted Cruz, you used to say you supported doubling the number of green cards, now you say that you're against it. You used to support a 500 percent increase in the number of guest workers, now you say that you're against it. You used to support legalizing people that were here illegally, now you say you're against it. You used to say that you were in favor of birthright citizenship, now you say that you are against it.

And by the way, it's not just on immigration, you used to support TPA, now you say you're against it. I saw you on the Senate floor flip your vote on crop insurance because they told you it would help you in Iowa, and last week, we all saw

you flip your vote on ethanol in Iowa for the same reason. [applause]

That is not consistent conservatism, that is political calculation. When I am president, I will work consistently every single day to keep this country safe, not call Edward Snowden, as you did, a great public servant. Edward Snowden is a traitor. And if I am president and we get our hands on him, he is standing trial for treason. [applause]

And one more point, one more point. Every single time that there has been a Defense bill in the Senate, three people team up to vote against it. Bernie Sanders, Rand Paul and Ted Cruz. In fact, the only budget you have ever voted for, Ted, in your entire time in the Senate is a budget from Rand Paul that brags about how it cuts defense.

Here's the bottom line, and I'll close with this. If I'm president of the United States and Congress tries to cut the military, I will veto that in a millisecond. [applause]

BUSH: There's — look, there's —

CAVUTO: Gentlemen, gentlemen —

CRUZ: I'm going to get a response to that, Neil. There's no way he launches 11 attack —

CAVUTO: Very quick, very quick.

CRUZ: I'm going to — he had no fewer than 11 attacks there. I appreciate your dumping your [inaudible] research folder on the stage.

RUBIO: No, it's your record.

CRUZ: But I will say —

CAVUTO: Do you think they like each other?

CRUZ: — at least half of the things Marco said are flat-out false. They're absolutely false.

AUDIENCE: Boo.

CRUZ: So let's start — let's start with immigration. Let's start with immigration and have a little bit of clarity. Marco stood with Chuck Schumer and Barack Obama on amnesty. I stood with Jeff Sessions and Steve King. Marco stood today, standing on this stage Marco supports legalization and citizenship for 12 million illegals. I opposed and oppose legalization and citizenship.

And by the way, the attack he keeps throwing out on the military budget, Marco knows full well I voted for his amendment to increase military spending to \$697 billion. What he said, and he said it in the last, it's simply not true. And as president, I will rebuild the military and keep this country safe.

CAVUTO: All right, gentlemen, we've got to stop. I know you are very passionate about that. [applause]

Governor Bush, fears have gripped this country obviously, and you touched on it earlier since the San Bernardino attacks. Since our last, the national conversation has changed, according to Facebook data as well.

Now this first graphic shows the issues that were most talked about right before those attacks and now after: the issues of Islam, homeland security and ISIS now loom very large. The FBI says Islamic radicals are using social media to communicate and that it needs better access to communication. Now the CEO of Apple, Governor, Tim Cook said unless served with a warrant private communication is private, period. Do you agree, or would you try to convince him otherwise?

BUSH: I would try to convince him otherwise, but this last back and forth between two senators — back bench senators, you know, explains why we have the mess in Washington, D.C. We need a president that will fix our immigration laws and stick with it, not bend with the wind.

The simple fact is one of the ways, Maria, to solve the problem you described is narrow the number of people coming by family petitioning to what every other country has so that we have the best and the brightest that come to our country. We need to control the border, we need to do all of this in a comprehensive way, not just going back and forth and talking about stuff —

CAVUTO: Would you answer this question?

BUSH: Oh, I'll talk about that, too. But you haven't asked me a question in a while, Neil, so I thought I'd get that off my chest if you don't mind. *[laughter]*

CAVUTO: Fair enough. So Tim Cook — so Tim Cook says he's going to keep it private.

BUSH: I got that. And the problem today is there's no confidence in Washington, D.C. There needs to be more than one meeting, there needs to complete dialogue with the large technology companies. They understand that there's a national security risk. We ought to give them a little bit of a liability release so that they share data amongst themselves and share data with the federal government, they're not fearful of a lawsuit.

We need to make sure that we keep the country safe. This is the first priority. The cybersecurity challenges that we face, this administration failed us completely, completely. Not just the hacking of OPM, but that is — that is just shameful. 23 million files in the hands of the Chinese? So it's not just the government — the private sector companies, it's also our own government that needs to raise the level of our game.

We should put the NSA in charge of the civilian side of this as well. That expertise needs to spread all across the government and there needs to be much more cooperation with our private sector.

CAVUTO: But if Tim cook is telling you no, Mr. President.

BUSH: You've got to keep asking. You've got to keep asking because this is a hugely important issue. If you can encrypt messages, ISIS can, over these platforms, and we have no ability to have a cooperative relationship —

CAVUTO: Do you ask or do you order?

BUSH: Well, if the law would change, yeah. But I think there has to be recognition that if we — if we are too punitive, then you'll go to other — other technology companies outside the United States. And what we want to do is to control this.

We also want to dominate this from a commercial side. So there's a lot of balanced interests. But the president leads in this regard. That's what we need. We need leadership, someone who has a backbone and sticks with things, rather than just talks about them as though anything matters when you're talking about amendments that don't even actually are part of a bill that ever passed.

CAVUTO: Governor, thank you. *[applause]*

BARTIROMO: When we come right back, closing statements. Stay with us.

[commercial break]

BARTIROMO: Welcome back.

Candidates, it is time for your closing statements. You get 60 seconds each.

Governor John Kasich, we begin with you.

KASICH: You know, in our country, there are a lot of people who feel as though they just don't have the power. You know, they feel like if they don't have a lobbyist, if they're not wealthy, that somehow they don't get to play.

But all of my career, you know, having been raised in — by a mailman father whose father was a coal miner, who died of black lung and was losing his eyesight; or a mother whose mother could barely speak English. You see, all of my career, I've fought about giving voice to the people that I grew up with and voice to the people that elected me.

Whether it's welfare reform and getting something back for the hard-earned taxpayers; whether it's engaging in Pentagon reform and taking on the big contractors that were charging thousands of dollars for hammers and screw drivers and ripping us off; or whether it's taking on the special interests in the nursing home industry in Ohio, so that mom and dad can have the ability to stay in their own home, rather than being forced into a nursing home.

Look, that's who I stand up for. That's who's in my mind...*[bell rings]*...And if you really want to believe that you can get your voice back, I will tell you, as I have all my career, I will continue to fight for you, because you're the ones that built this country, and will carry it into the future. Thank you. *[applause]*

CAVUTO: Governor Bush?

BUSH: Who can you count on to keep us safer, stronger and freer? Results count, and as governor, I pushed Florida up to the top in terms of jobs, income and small business growth.

Detailed plans count, and I believe that the plan I've laid out to destroy ISIS before the tragedies of San Bernardino and Paris are the right ones.

Credibility counts. There'll be people here that will talk about what they're going to do. I've done it. I ask for your support to build, together, a safer and stronger America. *[applause]*

BARTIROMO: Governor Chris Christie?

CHRISTIE: Maria, Neil, thank you for a great tonight.

When I think about the folks who are out there at home tonight watching, and I think about what they had to watch this week — the spectacle they had to watch on the floor of the House of Representatives, with the president of the United States, who talked a fantasy land about the way they're feeling.

They know that this country is not respected around the world anymore. They know that this country is pushing the middle class, the hardworking taxpayers, backwards, and they saw a president who doesn't understand their pain, and doesn't have any plan for getting away from it.

I love this country. It's the most exceptional country the world has ever known. We need someone to fight for the people. We need a fighter for this country again.

I've lived my whole life fighting — fighting for things that I believe in, fighting for justice and to protect people from crime and terrorism, fighting to stand up for folks who have not had enough and need an opportunity to get more, and to stand up and fight against the special interests.

But here's the best way that we're going to make America much more exceptional: it is to make sure we put someone on that stage in September who will fight Hillary Clinton and make sure she never, ever gets in the White House again.

I am the man who can bring us together to do that, and I ask for your vote. *[applause]*

CAVUTO: Dr. Ben Carson?

CARSON: You know, in recent travels around this country, I've encountered so many Americans who are discouraged and angry as they watch our freedom, our security and the American dream slipping away under an unresponsive government that is populated by bureaucrats and special interest groups.

We're not going to solve this problem with traditional politics. The only way we're going to solve this problem is with we, the people. And I ask you to join me in truth and honesty and integrity. Bencarson.com — we will heal, inspire and revive America for our children. *[applause]*

BARTIROMO: Senator Marco Rubio?

RUBIO: You know, 200 years ago, America was founded on this powerful principle that our rights don't come from government. Our rights come from God.

That's why we embraced free enterprise, and it made us the most prosperous people in the history of the world. That's why we embraced individual liberty, and we became the freest people ever, and the result was the American miracle.

But now as I travel the country, people say what I feel. This country is changing. It feels different. We feel like we're being left behind and left out.

And the reason is simple: because in 2008, we elected as president someone who wasn't interested in fixing America. We elected someone as president who wants to change America, who wants to make it more like the rest of the world.

And so he undermines the Constitution, and he undermines free enterprise by expanding government, and he betrays our allies and cuts deals with our enemies and guts our military. And that's why 2016 is a turning point in our history. If we elect Hillary Clinton, the next four years will be worse than the last eight, and our children will be the first Americans ever to inherit a diminished country.

But if we elect the right person — if you elect me — we will turn this country around, we will reclaim the American dream and this nation will be stronger and greater than it has ever been. [applause]

CAVUTO: Senator Ted Cruz?

CRUZ: "13 Hours" — tomorrow morning, a new movie will debut about the incredible bravery of the men fighting for their lives in Benghazi and the politicians that abandoned them. I want to speak to all our fighting men and women.

I want to speak to all the moms and dads whose sons and daughters are fighting for this country, and the incredible sense of betrayal when you have a commander-in-chief who will not even speak the name of our enemy, radical Islamic terrorism, when you have a commander-in- chief who sends \$150 billion to the Ayatollah Khamenei, who's responsible for murdering hundreds of our servicemen and women.

I want to speak to all of those maddened by political correctness, where Hillary Clinton apologizes for saying all lives matter. This will end. It will end on January 2017.

And if I am elected president, to every soldier and sailor and airman and marine, and to every police officer and firefighter and first responder who risk their lives to keep us safe, I will have your back. [applause]

BARTIROMO: Mr. Donald Trump?

TRUMP: I stood yesterday with 75 construction workers. They're tough, they're strong, they're great people. Half of them had tears pouring down their face. They were watching the humiliation of our young ten sailors, sitting on the floor with their knees in a begging position, their hands up.

And Iranian wise guys having guns to their heads. It was a terrible sight. A terrible sight. And the only reason we got them back is because we owed them with a stupid deal, \$150 billion. If I'm president, there won't be stupid deals anymore.

We will make America great again. We will win on everything we do. Thank you. [applause]

BARTIROMO: Candidates, thank you.

CAVUTO: Gentlemen, thank you all. All of you. That wraps up our debate. We went a little bit over here. But we wanted to make sure everyone was able to say their due. He's upset. All right. Thank you for joining us. Much more to come in the Spin Room ahead.

NOTE: The criteria for appearing in the main debate is explained as, "Candidates must either: 1) Place in the top six nationally, based on an average of the five most recent national polls recognized by FOX News; OR 2) Place in the top five in Iowa, based on an average of the five most recent Iowa state polls recognized by FOX News; OR 3) Place in the top five in New Hampshire, based on an average of the five most recent New Hampshire state polls recognized by FOX News."

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DECEMBER 21, 2016

Report Video Issue

President-Elect Trump Remarks in Palm Beach, Florida President-elect Donald Trump spoke briefly with reporters following a meeting with members of his incoming national security team and... [read more ▾](#)

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00:00:00



Unidentified Speaker

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00:00:09



Donald J. Trump

>> THE F-35, WE ARE TRYING TO GET THE COST DOWN
GET THE COST DOWN AND THESE ARE GREAT PEOPLE
IMRESSED WITH THEM. WE HAD THE CHAIRMAN...

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00:01:33



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President-elect Trump spoke briefly to reporters about his transition, saying the process was going very smoothly.



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The Fix ▫ Analysis

Donald Trump’s combative, grievance-filled news conference, annotated



By Aaron Blake

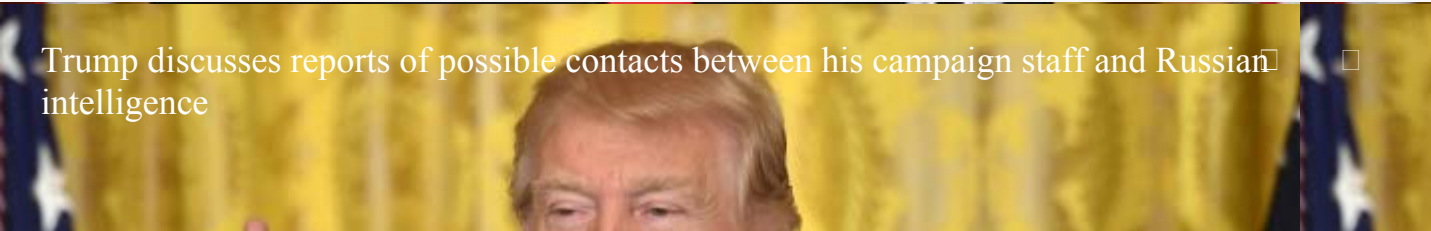
The Fix

▫ Analysis

▫

Analysis is interpretation of the news based on evidence, including data, as well as anticipating how events might unfold based on past events

February 16 at 1:30 PM ▫





President Trump denied he has any connections to Russia during a news conference at the White House on Feb. 16. (Reuters)

A solemn President Trump turned his Thursday afternoon announcement of a new labor secretary nominee into a screed against the media and large-scale defense of his first four weeks as president.

It was remarkable. Trump hit all the usual points: the polls, the electoral college, the media, etc. He even said that he inherited a “mess” four separate times. There were grievances galore.

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Below is the transcript, which we'll update as it comes in, along with our analysis and annotations.

TRUMP: Thank you very much.

I just wanted to begin by mentioning that the nominee for secretary of the Department of Labor will be Mr. Alex Acosta. He has a law degree from Harvard Law School, was a great student; former clerk for Justice Samuel Alito. And he has had a tremendous career. He's a member and

has been a member of the National Labor Relations Board, and has been through Senate confirmation three times, confirmed; did very, very well.

And so Alex, I've wished him the best. We just spoke. And he's going to be — I think he'll be a tremendous secretary of Labor.

And also as you probably heard just a little while ago, Mick Mulvaney, former congressman, has just been approved, weeks late, I have to say that, weeks, weeks late, Office of Management and Budget. And he will be I think a fantastic addition.

Paul Singer just left. As you know, Paul was very much involved with the anti-Trump or as they say, “never Trump.” And Paul just left, and he's given us his total support. And it's all about unification. We're unifying the party, and hopefully we're going to be able to unify the country. It's very important to me. I've been talking about that for a long time. It's very, very important to me.

So I want to thank Paul Singer for being here and for coming up to the office. He was a very strong opponent, and now he's a very strong ally. And I appreciate that.

I think I'll say a few words, and then we'll take some questions. And I had this time. We've been negotiating a lot of different transactions to save money on contracts that were terrible, including airplane contracts that were out of control and late and terrible; just absolutely catastrophic in terms of what was happening. And we've done some

And then right after that, you prepare yourselves, we'll do some questions, unless you have enough questions. That's always a possibility.

I'm here today to update the American people on the incredible progress that has been made in the last four weeks since my inauguration. We have made incredible progress. I don't think there's ever been a president elected who in this short period of time has done what we've done.

A new Rasmussen poll, in fact — because the people get it — much of the media doesn't get it. They actually get it, but they don't write it. Let's put it that way. But a new Rasmussen poll just came out just a very short while ago, and it has our approval rating at 55 percent and going up. The stock market has hit record numbers, as you know. And there has been a tremendous surge of optimism in the business world, which is — to me means something much different than it used to. It used to mean, “Oh, that's good.” Now it means, “That's good for jobs.” Very different.

Plants and factories are already starting to move back into the United States, and big league — Ford, General Motors, so many of them. I'm making this presentation directly to the American people, with the media present, which is an honor to have you. This morning, because many of our nation's reporters and folks will not tell you the truth, and will not treat the wonderful people of our country with the respect that

they deserve. And I hope going forward we can be a little bit — a little bit different, and maybe get along a little bit better, if that's possible.

Maybe it's not, and that's okay, too.

Unfortunately, much of the media in Washington, D.C., along with New York, Los Angeles, in particular, speaks not for the people, but for the special interests and for those profiting off a very, very obviously broken system. The press has become so dishonest that if we don't talk about it, we are doing a tremendous disservice to the American people.

Tremendous disservice. We have to talk about it, to find out what's going on, because the press honestly is out of control. The level of dishonesty is out of control.



I ran for president to represent the citizens of our country. I am here to change the broken system so it serves their families and their communities well. I am talking — and really talking on this very entrenched power structure, and what we're doing is we're talking about the power structure; we're talking about its entrenchment. As a result, the media is going through what they have to go through too often times distort — not all the time — and some of the media is fantastic, I have to

say — they're honest and fantastic.

But much of it is not a — the distortion — and we'll talk about it, you'll be able to ask me questions about it. But we're not going to let it happen, because I'm here again, to take my message straight to the people. As you know, our administration inherited many problems across the government and across the economy. To be honest, I inherited a mess. It's a mess. At home and abroad, a mess. Jobs are pouring out of the country; you see what's going on with all of the companies leaving our country, going to Mexico and other places, low pay, low wages, mass instability overseas, no matter where you look. The Middle East is a disaster. North Korea — we'll take care of it folks; we're going to take care of it all. I just want to let you know, I inherited a mess.

Beginning on day one, our administration went to work to tackle these challenges. On foreign affairs, we've already begun enormously productive talks with many foreign leaders, much of it you've covered, to move forward toward stability, security and peace in the most troubled regions of the world, which there are many. We have had great conversations with the United Kingdom, and meetings. Israel, Mexico, Japan, China and Canada, really, really productive conversations. I would say far more productive than you would understand.

We've even developed a new council with Canada to promote women's business leaders and entrepreneurs. It's very important to me, very important to my daughter Ivanka. I have directed our defense community headed by our great general, now Secretary [James] Mattis.

He's over there now working very hard to submit a plan for the defeat of ISIS [another name for the Islamic State], a group that celebrates the murder and torture of innocent people in large sections of the world. It used to be a small group, now it's in large sections of the world.

They've spread like cancer. ISIS has spread like cancer — another mess I inherited. And we have imposed new sanctions on the nation of Iran, who has totally taken advantage of our previous administration, and they're the world's top sponsor of terrorism, and we're not going to stop until that problem is properly solved. And it's not properly solved now, it's one of the worst agreements I've ever seen drawn by anybody. I've ordered plans to begin for the massive rebuilding of the United States military. Had great support from the Senate, I've had great support from Congress, generally.

We've pursued this rebuilding in the hopes that we will never have to use this military, and I will tell you that is my — I would be so happy if we never had to use it. But our country will never have had a military like the military we're about to build and rebuild. We have the greatest people on Earth in our military, but they don't have the right equipment and their equipment is old. I used it; I talked about it at every stop. Depleted, it's depleted — it won't be depleted for long. And I think one of the reason I'm standing here instead of other people is that frankly, I talked about we have to have a strong military.

We have to have a strong law enforcement also. So we do not go abroad in search of war, we really are searching for peace, but it's peace through strength. At home, we have begun the monumental task of

returning the government back to the people on a scale not seen in many, many years. In each of these actions, I'm keeping my promises to the American people. These are campaign promises.

Some people are so surprised that we're having strong borders. Well, that's what I've been talking about for a year and a half, strong borders. They're so surprised, oh, he having strong borders, well that's what I've been talking about to the press and to everybody else. One promise after another, after years of politicians lying to you to get elected. They lied to the American people in order to get elected. Some of the things I'm doing probably aren't popular but they're necessary for security and for other reasons.

And then coming to Washington and pursuing their own interests which is more important to many politicians. I'm here following through on what I pledged to do. That's all I'm doing. I put it out before the American people, got 306 electoral college votes. I wasn't supposed to get 222. They said there's no way to get 222, 230 is impossible.

270 which you need, that was laughable. We got 306 because people came out and voted like they've never [done] before, so that's the way it goes. I guess it was the biggest electoral college win since Ronald Reagan. In other words, the media's trying to attack our administration because they know we are following through on pledges that we made, and they're not happy about it for whatever reason.

And — but a lot of people are happy about it. In fact, I'll be in Melbourne, Florida, five o'clock on Saturday and I heard — just heard

that the crowds are massive that want to be there. I turn on the TV, open the newspapers, and I see stories of chaos. Chaos. Yet, it is the exact opposite. This administration is running like a fine-tuned machine, despite the fact that I can't get my Cabinet approved.

And they're outstanding people like Sen. Dan Coats who's there, one of the most respected men of the Senate. He can't get approved [for director of National Intelligence]. How do you not approve him? He's been a colleague — highly respected. Brilliant guy, great guy, everybody knows it. We're waiting for approval. So we have a wonderful group of people that's working very hard, that's being very much misrepresented about, and we can't let that happen.

So, if the Democrats who have — all you have to do is look at where they are right now. The only thing they can do is delay because they screwed things up royally, believe me. Let me list to you some of the things that we've done in just a short period of time. I just got here. And I got here with no Cabinet. Again, each of these actions is a promise I made to the American people.

I'll go over just some of them, and we have a lot happening next week and in the weeks — in the weeks coming. We've withdrawn from the job-killing disaster known as Trans Pacific Partnership. We're going to make trade deals but we're going to have one-on-one deals, bilateral. We're going to have one-on-one deals.

We've directed the elimination of regulations that undermine manufacturing and call for expedited approval of the permits needed

for America and American infrastructure and that means plant, equipment, roads, bridges, factories. People take 10, 15, 20 years to get disapproved for a factory. They go in for a permit, it's many, many years. And then at the end of the process — they spend tens of millions of dollars on nonsense and at the end of the process, they get rejected.

Now, they may be rejected with me, but it's going to be a quick rejection. Not going to take years. But mostly it's going to be an acceptance. We want plants built, and we want factories built, and we want the jobs. We don't want the jobs going to other countries. We've imposed a hiring freeze on nonessential federal workers. We've imposed a temporary moratorium on new federal regulations.

We've issued a game-changing new rule that says for each one new regulation, two old regulations must be eliminated. Makes sense. Nobody's ever seen regulations like we have. You go to other countries and you look at indexes they have, and you say “let me see your regulations,” and they're fraction, just a tiny fraction of what we have. And I want regulations because I want safety, I want environmental — all environmental situations to be taken properly care of. It's very important to me. But you don't need four or five or six regulations to take care of the same thing.

We've stood up for the men and women of law enforcement, directing federal agencies to ensure they are protected from crimes of violence. We've directed the creation of a task force for reducing violent crime in America, including the horrendous situation — take a look at Chicago and others, taking place right now in our inner cities. Horrible.

We've ordered the Department of Homeland Security and Justice to coordinate on a plan to destroy criminal cartels coming into the United States with drugs. We're becoming a drug infested nation. Drugs are becoming cheaper than candy bars. We are not going to let it happen any longer.

We've undertaken the most substantial border security measures in a generation to keep our nation and our tax dollars safe. And are now in the process of beginning to build a promised wall on the southern border, met with general — now [Homeland Security] Secretary [John] Kelly yesterday, and we're starting that process. And the wall is going to be a great wall, and it's going to be a wall negotiated by me. The price is going to come down just like it has on everything else I've negotiated for the government. And we are going to have a wall that works, not gonna have a wall like they have now which is either nonexistent or a joke.

We've ordered a crackdown on sanctuary cities that refuse to comply with federal law and that harbor criminal aliens, and we have ordered an end to the policy of catch and release on the border. No more release. No matter who you are, release. We have begun a nationwide effort to remove criminal aliens, gang members, drug dealers and others who pose a threat to public safety. We are saving American lives every single day.

The court system has not made it easy for us. And are even creating a new office in Homeland Security dedicated to the forgotten American victims of illegal immigrant violence, of which there are many. We have

taken decisive action to keep radical Islamic terrorists out of our country. No parts [that] are necessary and constitutional actions were blocked by judges, in my opinion, incorrect, and unsafe ruling. Our administration is working night and day to keep you safe, including reporters safe. And is vigorously defending this lawful order.

I will not back down from defending our country. I got elected on defense of our country. I keep my campaign promises, and our citizens will be very happy when they see the result. They already are, I can tell you that. Extreme vetting will be put in place, and it already is in place in many places.

In fact, we had to go quicker than we thought because of the bad decision we received from a circuit [court] that has been overturned at a record number. I have heard 80 percent, I find that hard to believe, that is just a number I heard, that they are overturned 80 percent of the time. I think that circuit is — that circuit is in chaos and that circuit is frankly in turmoil. But we are appealing that, and we are going further.

We're issuing a new executive action next week that will comprehensively protect our country. So we'll be going along the one path and hopefully winning that, at the same time we will be issuing a new and very comprehensive order to protect our people. That will be done sometime next week, toward the beginning or middle at the latest part.

We have also taken steps to begin construction of the Keystone Pipeline and Dakota Access Pipeline. Thousands and thousands of jobs, and put

new American measures in place to require American steel for

American pipelines. In other words, they build a pipeline in this country, and we use the powers of government to make that pipeline happen, we want them to use American steel. And they are willing to do that, but nobody ever asked before I came along. Even this order was drawn, and they didn't say that. And I'm reading the order, I'm saying, why aren't we using American steel? And they said, that's a good idea, we put it in.

To drain the swamp of corruption in Washington, D.C., I've started by imposing a five-year lobbying ban on White House officials and a lifetime ban on lobbying for a foreign government.

We've begun preparing to repeal and replace Obamacare. Obamacare is a disaster, folks. It it's disaster. I know you can say, oh, Obamacare. I mean, they fill up our alleys with people that you wonder how they get there, but they are not the Republican people that our representatives are representing.

So we've begun preparing to repeal and replace Obamacare and are deep in the midst of negotiations on a very historic tax reform to bring our jobs back, to bring our jobs back to this country. Big league. It's already happening. But big league.

I've also worked to install a Cabinet over the delays and obstruction of Senate Democrats. You've seen what they've done over the last long number of years. That will be one of the great Cabinets ever assembled in American history.

You look at [Secretary of State] Rex Tillerson. He's out there negotiating right now. General Mattis I mentioned before, General Kelly. We have great, great people. Mick is with us now. We have great people.

Among their responsibilities will be ending the bleeding of jobs from our country and negotiating fair trade deals for our citizens.

Now look, fair trade. Not free, fair. If a country is taking advantage of us, not going to let that happen anymore. Every country takes advantage of us almost. I may be able to find a couple that don't. But for the most part, that would be a very tough job for me to do.

Jobs have already started to surge. Since my election, Ford announced it will abandon its plans to build a new factory in Mexico, and will instead invest \$700 million in Michigan, creating many, many jobs.

Fiat Chrysler announced it will invest \$1 billion in Ohio and Michigan, creating 2,000 new American jobs. They were with me a week ago. You know you were here.

General Motors, likewise, committed to invest billions of dollars in its American manufacturing operation, keeping many jobs here that were going to leave. And if I didn't get elected, believe me, they would have left. And these jobs and these things that I'm announcing would never have come here.

Intel just announced that it will move ahead with a new plant in Arizona that [they] probably were never going to move ahead with. And that will result in at least 10,000 American jobs.

Walmart announced it will create 10,000 jobs in the United States just this year because of our various plans and initiatives. There will be many, many more, many more, these are a few that we're naming.

Other countries have been taking advantage of us for decades — decades, and decades, and decades, folks. And we're not going to let that happen anymore. Not going to let it happen.

And one more thing, I have kept my promise to the American people by nominating a justice of the United States Supreme Court, Judge Neil Gorsuch, who is from my list of 20, and who will be a true defender of our laws and our Constitution, highly respected, should get the votes from the Democrats. You may not see that. But he'll get there one way or the other. But he should get there the old-fashioned way, and he should get those votes.

This last month has represented an unprecedented degree of action on behalf of the great citizens of our country. Again, I say it. There has never been a presidency that's done so much in such a short period of time. And we have not even started the big work yet. That starts early next week.

Some very big things are going to be announced next week. So we are just getting started. We will be giving a speech, as I said, in Melbourne, Florida, at 5 p.m. I hope to see you there.

And with that, I just say, God bless America, and let's take some questions.

Mara, Mara, go ahead. You were cut off pretty violently at our last news conference.

QUESTION: (OFF-MIKE)

TRUMP: Mike Flynn is a fine person, and I asked for his resignation. He respectfully gave it. He is a man who there was a certain amount of information given to Vice President Pence, who is with us today. And I was not happy with the way that information was given.

He didn't have to do that, because what he did wasn't wrong — what he did in terms of the information he saw. What was wrong was the way that other people, including yourselves in this room, were given that information, because that was classified information that was given illegally. That's the real problem.

And, you know, you can talk all you want about Russia, which was all a, you know, fake news, fabricated deal, to try and make up for the loss of the Democrats and the press plays right into it. In fact, I saw a couple of the people that were supposedly involved with all of this — that they know nothing about it; they weren't in Russia; they never made a phone call to Russia; they never received a phone call.

It's all fake news. It's all fake news. The nice thing is, I see it starting to turn, where people are now looking at the illegal — I think it's very important — the illegal, giving out classified information. It was — and let me just tell you, it was given out like so much.

I'll give you an example. I called, as you know, Mexico. It was a very, very confidential, classified call. But I called Mexico. And in calling Mexico, I figured, oh, well that's — I spoke to the president of Mexico; I had a good call. All of a sudden, it's out there for the world to see. It's supposed to be secret. It's supposed to be either confidential or classified, in that case.

Same thing with Australia. All of a sudden, people are finding out exactly what took place. The same thing happened with respect to General Flynn. Everybody saw this. And I'm saying — the first thing I thought of when I heard about it is: How does the press get this information that's classified? How do they do it?

You know why? Because it's an illegal process, and the press should be ashamed of themselves. But more importantly, the people that gave out the information to the press should be ashamed of themselves, really ashamed.

Yes, go ahead.

QUESTION: (OFF-MIKE)

TRUMP: Because when I looked at the information, I said, "I don't think he did anything wrong; if anything, he did something right." He was coming into office. He looked at the information. He said, "Huh, that's fine." That's what they're supposed to do. They're supposed to — he didn't just call Russia. He called and spoke to both ways, I think there were 30-some-odd countries. He's doing the job.

You know, he was doing his job. The thing is, he didn't tell our vice president properly, and then he said he didn't remember. So either way, it wasn't very satisfactory to me. And I have somebody that I think will be outstanding for the position. And that also helps, I think, in the making of my decision.

But he didn't tell the vice president of the United States the facts. And then he didn't remember. And that just wasn't acceptable to me.

Yes?

QUESTION: (inaudible) clarification here. During your campaign, did anyone from your team (inaudible) Russian government or Russian intelligence? And if so, what was the nature of those conversations (inaudible)?

TRUMP: The failing New York Times wrote a big, long front-page story yesterday. And it was very much discredited, as you know. It was — it's a joke. And the people mentioned in the story, I notice they were on television today saying they never even spoke to Russia. They weren't even a part, really — I mean, they were such a minor part. They — I hadn't spoken to them.

I think the one person — I don't think I've ever spoken to him. I don't think I've ever met him. And he actually said he was a very low-level member of, I think, a committee for a short period of time. I don't think I ever met him. Now, it's possible that I walked into a room, and he was sitting there, but I don't think I ever met him. I didn't talk to him ever. And he thought it was a joke.

The other person said he never spoke to Russia; never received a call. Look at his phone records, et cetera, et cetera. And the other person, people knew that he represented various countries, but I don't think he represented Russia, but knew that he represented various countries. That's what he does. I mean, people know that.

That's Mr. [Paul] Manafort, who's — by the way, who's by the way a respected man. He's a respected man. But I think he represented the Ukraine or Ukraine government or somebody, but everybody — people knew that. Everybody knew that.

So, these people — and he said that he has absolutely nothing to do and never has with Russia. And he said that very forcefully. I saw his statement. He said it very forcefully. Most of the papers don't print it because that's not good for their stories.

So the three people that they talked about all totally deny it. And I can tell you, speaking for myself, I own nothing in Russia. I have no loans in Russia. I don't have any deals in Russia. President [Vladimir] Putin called me up very nicely to congratulate me on the win of the election.

He then, called me up extremely nicely to congratulate me on the inauguration, which was terrific. But so did many other leaders, almost all other leaders from almost all of the countries. So that's the extent.

Russia is fake news. Russia — this is fake news put out by the media. The real news is the fact that people, probably from the Obama administration because they're there, because we have our new people

going in place, right now.

As you know, Mike Pompeo has — has now taken control of the CIA, James Comey at FBI, Dan Coats is waiting to be approved, I mean he is a senator and a highly respected one, and he's still waiting to be approved. But our new people are going in.

And just while you're at it, because you mentioned this, Wall Street Journal did a story today that was almost as disgraceful as the failing New York Times' story, yesterday. And it talked about — these are front page.

So director of national intelligence just put out, acting a statement, any suggestion that the United States intelligence community, this was just given to us, is withholding information and not providing the best possible intelligence to the president and his national security team is not true.

So they took this front page story out of the Wall Street Journal top, and they just wrote the story that is not true. And I'll tell you something, I'll be honest, because I sort of enjoy this back and forth that I guess I have all my life but I've never seen more dishonest media than frankly, the political media. I thought the financial media was much better, much more honest.

But I will say that, I never get phone calls from the media. How did they write a story like that in the Wall Street Journal without asking me or how did they write a story in the New York Times, put it on front page?

That was like the story they wrote about the women and me, front page, big massive story. And it was nasty and then they called, they said we never said that, we like Mr. Trump. They called up my office, we like Mr. Trump, we never said that.

And it was totally — they totally misrepresented those very wonderful women, I have to tell you, totally misrepresented. I said give us the retraction. They never gave us a retraction and frankly, I then went on to other things.

Okay, go ahead.

QUESTION: (OFF-MIKE) said today that you have big intellectual margins (inaudible) 300 or more, or 350 electoral votes. President Obama about 365 (OFF-MIKE).

(CROSSTALK)

TRUMP: Yeah.

QUESTION: Obama (OFF-MIKE) 426 on (OFF-MIKE). So why should Americans ...

(CROSSTALK)

TRUMP: ... I'm skipping that information, I don't know, I was just given, we had a very, very big margin.

QUESTION: (OFF-MIKE) why should Americans trust you (OFF-MIKE) the information (OFF-MIKE)?

TRUMP: Well, I don't know, I was given that information. I was given — I actually, I've seen that information around. But it was a very substantial victory, do you agree with that? Okay, thank you, that's ...

(CROSSTALK)

TRUMP: Go ahead, sir, yes?

QUESTION: Can you tell us in determining that Lieutenant General Flynn did — whether there was no wrongdoing in your mind, what evidence was weighed? Did you ask for transcripts of these telephone intercepts with Russian officials, particularly the [Russian] Ambassador Sergey Kislyak, who he was communicating with?

What — what evidence did you weigh to determine that there was no wrongdoing? Further to that, sir, you said on a couple of occasions this morning, you are going to aggressively pursue the source of these leaks.

TRUMP: We are.

QUESTION: Can we ask what you're going to do and also, we've heard about a — a review of the intelligence community headed up by Steven Feinberg, what can you tell us about that?

TRUMP: Well, first of all about that, we now have Dan Coats, hopefully soon, Mike Pompeo and James Comey, and they're in position, so I hope that we'll be able to straighten that out without using anybody else.

The gentleman you mentioned is a very talented man, very successful man, and he's offered his services, and you know, it's something we may take advantage of. But I don't think we will need that at all because of the fact that you know, I think that we are gonna be able to straighten it out very easily on its own.

As far as the general's concerned, when I first heard about it, I said huh, that doesn't sound wrong. My counsel came, Don McGahn, White House Counsel, and he told me, and I asked him, he can speak very well for himself. He said he doesn't think anything is wrong, you know, really didn't think.

It was really, what happened after that, but he didn't think anything was done wrong. I didn't either because I waited a period of time, and I started to think about it, I said "well I don't see" -- to me, he was doing the job.

The information was provided by — who I don't know, Sally Yates. And I was a little surprised because I said "doesn't sound like he did anything wrong there." But he did something wrong with respect to the vice president, and I thought that was not acceptable. As far as — as far as the actual making the call, fact I've watched various programs, and I've read various articles where he was just doing his job.

That was very normal. You know, first everybody got excited because they thought he did something wrong. After they thought about it, it turned out he was just doing his job. So — and I do. And by the way, with all of that being said, I do think he's a fine man.

QUESTION: Sir, if I could, on the leaks — on the leaks, sir ...

TRUMP: ... Go ahead. Finish off then I'll get you.

QUESTION: I'm sorry. What will you do on the leaks? You've said twice today ...

TRUMP: ... Yes, we're looking at them very — very, very serious. I've gone to all of the folks in charge of the various agencies, and we're — I've actually called the Justice Department to look into the leaks. Those are criminal leaks. They're put out by people either in agencies — I think you'll see it stopping because now we have our people in. You know, again, we don't have our people in because we can't get them approved by the Senate.

We just had Jeff Sessions approved. In Justice, as an example. So, we are looking into that very seriously. It's a criminal act. You know what I say, when I — when I was called out on Mexico, I was shocked because all this equipment, all this incredible phone equipment — when I was called out on Mexico, I was — honestly, I was really, really surprised.

But I said 'you know, it doesn't make sense. That won't happen,' but that wasn't that important a call, it was fine, I could show it to the world, and he could show it to the world, the president who's a very fine man, by the way. Same thing with Australia. I said “that's terrible that it was leaked,” but it wasn't that important. But then I said to myself “what happens when I'm dealing with the problem of North Korea?”

What happens when I'm dealing with the problems in the Middle East?

Are you folks going to be reporting all of that very, very confidential information, very important, very — you know, I mean at the highest level? Are you going to be reporting about that, too? So, I don't want classified information getting out to the public, and in a way that was almost a test.

So I'm dealing with Mexico, I'm dealing with Argentina, we were dealing on this case with Mike Flynn. All this information gets put into The Washington Post and gets put into the New York Times, and I'm saying 'what's going to happen when I'm dealing on the Middle East? What's going to happen when I'm dealing with really, really important subjects like North Korea?'

We got to stop it. That's why it's a criminal penalty.

QUESTION: I just want to get you to clarify this very important point. Can you say definitively that nobody on your campaign had any contacts with the Russians during the campaign? And on the leaks, is it fake news or are these real leaks?

TRUMP: Well the leaks are real. You're the one that wrote about them and reported them, I mean the leaks are real. You know what they said, you saw it, and the leaks are absolutely real. The news is fake because so much of the news is fake. So one thing that I felt it was very important to do — and I hope we can correct it. Because there's nobody I have more respect for — well, maybe a little bit but the reporters, good reporters.

It's very important to me and especially in this position. It's very important. I don't mind bad stories. I can handle a bad story better than anybody as long as it's true and, you know, over a course of time, I'll make mistakes, and you'll write badly and I'm okay with that. But I'm not okay when it is fake. I mean, I watch CNN, it's so much anger and hatred and just the hatred.

I don't watch it any more because it's very good — he's saying no. It's okay, Jim. It's okay, Jim, you'll have your chance. But I watch others, too. You're not the only one so don't feel badly. But I think it should be straight. I think it should be — I think it would be frankly more interesting. I know how good everybody's ratings are right now but I think that actually — I think that'd actually be better.

People — I mean, you have a lower approval rate than Congress. I think that's right. I don't know, Peter, is that one, right? Because you know I think they have lower — I heard lower than Congress. But honestly, the public would appreciate it, I'd appreciate it — again, I don't mind bad stories when it's true, but we have an administration where the Democrats are making it very difficult.

I think we're setting a record or close to a record in the time of approval of a Cabinet. I mean, the numbers are crazy. When I'm looking, some of them had them approved immediately.

I'm going forever, and I still have a lot of people that we're waiting for. And that's all they're doing, is delaying. And you look at [Senate Minority Leader Chuck] Schumer and the mess that he's got over there,

and they have nothing going. The only thing they can do is delay. And, you know, I think that they'd be better served by, you know, approving and making sure that they're happy, and everybody's good.

And sometimes — I mean, I know President [Barack] Obama lost three or four, and you lose them on the way, and that's okay. That's fine. But I think it would — I think they would be much better served, John, if they just went through the process quickly. This is pure delay tactics.

And they say it, and everybody understands it. Yeah, go ahead, Jimmy.

QUESTION: (OFF-MIKE)

TRUMP: Well, I had nothing to do with it. I have nothing to do with Russia. I told you, I have no deals there, I have no anything. Now, when WikiLeaks, which I had nothing to do with, comes out and happens to give, they're not giving classified information. They're giving stuff — what was said at an office about Hillary [Clinton] cheating on the debates.

Which, by the way, nobody mentions. Nobody mentions that Hillary received the questions to the debates. Can you imagine — seriously — can you imagine if I received the questions? It would be the electric chair. Okay, he should be put in the electric — you would even call for the reinstitution of the death penalty, okay. Maybe not you, John. Yes? We'll do you next, Jim, I do you next.

QUESTION: (OFF-MIKE) clarify —

TRUMP: Yes, yes, sure

QUESTION: Did you direct Mike Flynn to discuss sanctions with the Russian ambassador —

TRUMP: No, I didn't.

QUESTION: — prior to your — TRUMP: No, I didn't.

QUESTION: — inauguration.

TRUMP: No, I didn't.

QUESTION: And then fired him —

TRUMP: Excuse me.

QUESTION: (OFF-MIKE)

TRUMP: No, I fired him because of what he said to Mike Pence. Very simple. Mike was doing his job. He was calling countries and his counterparts. So, it certainly would have been okay with me if he did it. I would have directed him to do it if I thought he wasn't doing it.

I didn't direct him, but I would have directed him because that's his job. And it came out that way — and in all fairness, I watched Dr. Charles Krauthammer the other night say he was doing his job, and I agreed with him. And since then, I've watched many other people say that.

No, I didn't direct him, but I would have directed him if he didn't do it.

Okay? Jim?

QUESTION: Thank you very much, and just for the record, we don't hate you. I don't hate you.

TRUMP: Okay.

QUESTION: So, pass that along —

TRUMP: Ask — ask Jeff Zucker how he got his job. Okay?

QUESTION: If I may follow up on some of the questions that have taken place so far here, sir —

TRUMP: Well, that's — well, you know, we do have other people. You do have other people, and your ratings aren't as good as some of the other people that are waiting.

QUESTION: It's pretty good right now, actually.

TRUMP: Okay, go ahead, John.

QUESTION: If I may ask, sir, you said earlier that WikiLeaks was revealing information about the Hillary Clinton campaign during the election cycle. You welcomed that. At one time —

TRUMP: I was okay with it.

QUESTION: -- you said — you said that you loved WikiLeaks. At another campaign news conference you called on the Russians to find the missing 30,000 emails. I'm wondering, sir, if you —

TRUMP: Well, she was actually missing 33 and then that got extended with a pile after that.

QUESTION: Then ..., your ... numbers ... were off, too.

TRUMP: No — no, but I did say 30. But it was actually higher than that.

QUESTION: If — if I may ask you, sir, it — it sounds as though you do not have much credibility here when it comes to leaking if that is something that you encouraged during the campaign —

TRUMP: Okay, fair question. Ready?

QUESTION: Well, if I may ask you that —

TRUMP: No — no, but let me do one at a time.

QUESTION: If I may as a follow up?

TRUMP: Do you mind?

QUESTION: Yes, sir.

TRUMP: All right. So, in one case, you're talking about highly classified information. In the other case, you're talking about John Podesta saying bad things about the boss. I will say this, if John Podesta said that about me, and he was working for me, I would have fired him so fast, your head would have spun.

He said terrible things about her. But it wasn't classified information.

But in one case, you're talking about classified — regardless, if you look at the RNC, we had a very strong — at my suggestion — and I give Reince [Preibus] great credit for this — at my suggestion, because I know something about this world, I said I want a very strong defensive mechanism.

I don't want to be hacked. And we did that. And you have seen that they tried to hack us, and they failed. The DNC did not do that. And if they did it, they could not have been hacked. But they were hacked, and terrible things came in. And, you know, the only thing that I do think is unfair is some of the things were so — they were — when I heard some of those things I picked up the papers the next morning and said, oh, this is going to be front page, it wasn't even in the papers.

Again, if I had that happen to me, it would be the biggest story in the history of publishing or the head of newspapers. I would have been headline in every newspaper. I mean, think of it. They gave her the questions to a debate, and she — and she should have reported herself.

Why did Hillary Clinton announce that, “I'm sorry, but I have been given the questions to a debate or a town hall, and I feel that it's inappropriate, and I want to turn in CNN for not doing a good job.”

QUESTION: And if I may follow up on that, just something that Jonathan Karl was asking you about. You said that the leaks are real, but the news is fake. I guess I don't understand. It seems that there's a disconnect there. If the information coming from those leaks is real, then how can the stories be fake?

TRUMP: The reporting is fake. Look, look ...

(CROSSTALK)

TRUMP: You know what it is? Here's the thing. The public isn't — you know, they read newspapers, they see television, they watch. They don't know if it's true or false because they're not involved. I'm involved. I've been involved with this stuff all my life. But I'm involved. So I know when you're telling the truth or when you're not. I just see many, many untruthful things.

And I'll tell you what else I see. I see tone. You know the word “tone.”

The tone is such hatred. I'm really not a bad person, by the way. No, but the tone is such — I do get good ratings, you have to admit that — the tone is such hatred.

I watched this morning a couple of the networks. And I have to say, Fox & Friends in the morning, they're very honorable people. They're very — not because they're good, because they hit me also when I do something wrong. But they have the most honest morning show. That's all I can say. It's the most honest.

But the tone, Jim. If you look — the hatred. The, I mean, sometimes — sometimes somebody gets ...

(CROSSTALK)

TRUMP: Well, you look at your show that goes on at 10 o'clock in the evening. You just take a look at that show. That is a constant hit. The

panel is almost always exclusive anti-Trump. The good news is he doesn't have good ratings. But the panel is almost exclusive anti-Trump. And the hatred and venom coming from his mouth; the hatred coming from other people on your network.

Now, I will say this. I watch it. I see it. I'm amazed by it. And I just think you'd be a lot better off, I honestly do. The public gets it, you know. Look, when I go to rallies, they turn around, they start screaming at CNN. They want to throw their placards at CNN. You know.

I — I think you would do much better by being different. But you just take a look. Take a look at some of your shows in the morning and the evening. If a guest comes out and says something positive about me, it's — it's brutal.

Now, they'll take this news conference — I'm actually having a very good time, okay? But they'll take this news conference — don't forget, that's the way I won. Remember, I used to give you a news conference every time I made a speech, which was like every day. Okay?

(CROSSTALK)

TRUMP: No, that's how I won. I won with news conferences and probably speeches. I certainly didn't win by people listening to you people. That's for sure. But I'm having a good time.

Tomorrow, they will say, "Donald Trump rants and raves at the press." I'm not ranting and raving. I'm just telling you. You know, you're dishonest people. But — but I'm not ranting and raving. I love this. I'm

having a good time doing it.

But tomorrow, the headlines are going to be, “Donald Trump rants and raves.” I’m not ranting and raving.

Go ahead.

QUESTION: If I may, just one more follow-up ...

TRUMP: Should I let him have a little bit more? What do you think, Peter? Peter, should I have — let him have a little bit more?

Sit down. Sit down. We’ll ...

(CROSSTALK)

QUESTION: Just because of the attack of fake news and attacking our network, I just want to ask you, sir ...

TRUMP: I’m changing it from fake news, though.

QUESTION: Doesn't that under ...

TRUMP: Very fake news.

QUESTION: ... I know, but aren't you ...

(LAUGHTER)

TRUMP: Go ahead.

QUESTION: Real news, Mr. President, real news.

TRUMP: And you're not related to our new ...

QUESTION: I am not related, sir. No. I do like the sound of Secretary [Alex] Acosta, I must say.

TRUMP: I looked — you know, I looked at that name. I said, wait a minute, is there any relation there? Alex Acosta.

QUESTION: I'm sure you checked that out, sir.

TRUMP: Okay. Now I checked it — I said — they said, “No, sir.” I said, “Do me a favor, go back and check the family tree.”

QUESTION: But aren't you — aren't you concerned, sir, that you are undermining the people's faith in the First Amendment, freedom of the press, the press in this country, when you call stories you don't like “fake news”? Why not just say it's a story I don't like.

TRUMP: I do that.

QUESTION: When you call it “fake news,” you're undermining confidence in our news media (inaudible) important.

TRUMP: No, no. I do that. Here's the thing. Okay. I understand what you're — and you're right about that, except this. See, I know when I should get good and when I should get bad. And sometimes I'll say, “Wow, that's going to be a great story.” And I'll get killed.

I know what's good and bad. I'd be a pretty good reporter, not as good

as you. But I know what's good. I know what's bad. And when they change it and make it really bad, something that should be positive — sometimes something that should be very positive, they'll make okay. They'll even make it negative.

So I understand it. So, because I'm there. I know what was said. I know who's saying it. I'm there. So it's very important to me.

Look, I want to see an honest press. When I started off today by saying that it's so important to the public to get an honest press. The press — the public doesn't believe you people anymore. Now, maybe I had something to do with that. I don't know. But they don't believe you. If you were straight and really told it like it is, as Howard Cosell used to say, right?

Of course, he had some questions also. But if you were straight, I would be your biggest booster. I would be your biggest fan in the world, including bad stories about me. But if you go — as an example, you're CNN, I mean it's story after story after story is bad. I won. I won. And the other thing, chaos because zero chaos. We are running — this is a fine-tuned machine, and Reince happens to be doing a good job but half of his job is putting out lies by the press.

You know, I said to him yesterday this whole Russia scam that you guys are building so that you don't talk about the real subject which is illegal leaks, but I watched him yesterday working so hard to try and get that story proper. And I'm saying “here's my chief of staff,” a really good guy, did a phenomenal job at RNC. I mean, he won the election, right?

We won the presidency. We got some senators, we got some — all over the country, you take a look, he's done a great job. And I said to myself, you know — and I said to somebody that was in the room, I said “you take a look at Reince, he's working so hard just putting out fires that are fake fires.” I mean, they're fake. They're not true. And isn't that a shame because he'd rather be working on health care, he'd rather be working on tax reform, Jim.

I mean that. I would be your biggest fan in the world if you treated me right. I sort of understand there's a certain bias maybe by Jeff or somebody, you know — you know, whatever reason. But — and I understand that. But you've got to be at least a little bit fair and that's why the public sees it. They see it. They see it's not fair. You take a look at some of your shows and you see the bias and the hatred.

And the public is smart, they understand it. Go ahead.

QUESTION: (inaudible) ... for those who believe that there is something to it, is there anything that you have learned over the last few weeks that you might be able to reveal that might ease their concerns that this isn't fake news? And second ...

TRUMP: ... I think they don't believe it. I don't think the public — that's why the Rasmussen poll just has me through the roof. I don't think they believe it. Well, I guess one of the reasons I'm here today is to tell you the whole Russian thing, that's a ruse. That's a ruse. And by the way, it would be great if we could get along with Russia, just so you understand that.

Now tomorrow, you'll say "Donald Trump wants to get along with Russia, this is terrible." It's not terrible. It's good. We had Hillary Clinton try and do a reset. We had Hillary Clinton give Russia 20 percent of the uranium in our country. You know what uranium is, right? This thing called nuclear weapons like lots of things are done with uranium including some bad things.

Nobody talks about that. I didn't do anything for Russia. I've done nothing for Russia. Hillary Clinton gave them 20 percent of our uranium. Hillary Clinton did a reset, remember? With the stupid plastic button that made us all look like a bunch of jerks. Here, take a look. He looked at her like, what the hell is she doing with that cheap plastic button?

Hillary Clinton — that was the reset, remember it said reset? Now if I do that, oh, I'm a bad guy. If we could get along with Russia, that's a positive thing. We have a very talented man, Rex Tillerson, who's going to be meeting with them shortly and I told him. I said "I know politically it's probably not good for me." The greatest thing I could do is shoot that ship that's 30 miles off shore right out of the water.

Everyone in this country's going to say "oh, it's so great." That's not great. That's not great. I would love to be able to get along with Russia. Now, you've had a lot of presidents that haven't taken that tack. Look where we are now. Look where we are now. So, if I can — now, I love to negotiate things, I do it really well, and all that stuff. But — but it's possible I won't be able to get along with Putin.

Maybe it is. But I want to just tell you, the false reporting by the media, by you people, the false, horrible, fake reporting makes it much harder to make a deal with Russia. And probably Putin said 'you know.' He's sitting behind his desk, and he's saying 'you know, I see what's going on in the United States, I follow it closely. It's going to be impossible for President Trump to ever get along with Russia because of all the pressure he's got with this fake story.' Okay?

And that's a shame because if we could get along with Russia — and by the way, China and Japan and everyone. If we could get along, it would be a positive thing, not a negative thing.

QUESTION: Is tax reform on the line?

QUESTION: Mr. President? Mr. President? Mr. President, since you ...

TRUMP: Tax reform is going to happen fairly quickly. We're doing Obamacare. We're in final stages. We should be submitting the initial plan in March, early March, I would say. And we have to, as you know, statutorily and for reasons of budget, we have to go first. It's not like, frankly, the tax would be easier, in my opinion, but for statutory reasons and for budgetary reasons, we have to submit the health care sooner.

So we'll be submitting health care sometime in early March, mid-March. And after that, we're going to come up, and we're doing very well on tax reform.

Yes?

QUESTION: Mr. President, you mentioned Russia. Let's talk about some serious issues that have come up in the last week that you have had to deal with as president of the United States.

TRUMP: Okay.

QUESTION: You mentioned the vessel — the spy vessel off the coast of the United States.

TRUMP: Not good.

QUESTION: There was a ballistic missile test that many interpret as a violation of an agreement between the two countries; and a Russian plane buzzed a U.S. destroyer.

TRUMP: Not good.

QUESTION: I listened to you during the campaign ...

TRUMP: Excuse me, excuse me. When did it happen? It happened when, if you were Putin right now, you would say, 'Hey, we're back to the old games with the United States; there's no way Trump can ever do a deal with us.' Because the — you have to understand. If I was just brutal on Russia right now, just brutal, people would say, you would say, 'Oh, isn't that wonderful.' But I know you well enough.

Then you would say, 'Oh, he was too tough; he shouldn't have done that.' Look, all of the ...

(CROSSTALK)

QUESTION: I'm just trying to find out your orientation to those ...

(CROSSTALK)

TRUMP: Wait a minute. Wait, wait. Excuse me just one second.

(CROSSTALK)

TRUMP: All of those things that you mentioned are very recent, because probably Putin assumes that he's not going to be able to make a deal with me because it's politically not popular for me to make a deal. So Hillary Clinton tries a reset. It failed. They all tried. But I'm different than those people.

Go ahead.

QUESTION: How are you interpreting those moves? And what do you intend to do about them? Have you given Rex Tillerson any advice or counsel on how to deal?

TRUMP: I have. I have. And I'm so beautifully represented. I'm so honored that the Senate approved him. He's going to be fantastic.

Yes, I think that I've already ...

QUESTION: Is Putin testing you, do you believe, sir?

TRUMP: No, I don't think so. I think Putin probably assumes that he can't make a deal with me anymore because politically it would be

unpopular for a politician to make a deal. I can't believe I'm saying I'm a politician, but I guess that's what I am now.

Because, look, it would be much easier for me to be tough on Russia, but then we're not going to make a deal.

Now, I don't know that we're going to make a deal. I don't know. We might. We might not. But it would be much easier for me to be so tough — the tougher I am on Russia, the better. But you know what? I want to do the right thing for the American people. And to be honest, secondarily, I want to do the right thing for the world.

If Russia and the United States actually got together and got along — and don't forget, we're a very powerful nuclear country and so are they. There's no upside. We're a very powerful nuclear country and so are they. I have been briefed. And I can tell you one thing about a briefing that we're allowed to say because anybody that ever read the most basic book can say it, nuclear holocaust would be like no other.

They're a very powerful nuclear country and so are we. If we have a good relationship with Russia, believe me, that's a good thing, not a bad thing.

QUESTION: So when you say they're not good, do you mean that they are ...

TRUMP: Who did I say is not good?

QUESTION: No, I read off the three things that have recently

happened. Each one of them you said they're not good.

(CROSSTALK)

TRUMP: No, it's not good, but they happened.

QUESTION: But do they damage the relationship? Do they undermine

...

TRUMP: They all happened recently.

No ...

(CROSSTALK)

QUESTION: ... this country's ability to work with Russia?

TRUMP: They all happened recently. And I understand what they're doing because they're doing the same thing.

Now, again, maybe I'm not going to be able to do a deal with Russia, but at least I will have tried. And if I don't, does anybody really think that Hillary Clinton would be tougher on Russia than Donald Trump? Does anybody in this room really believe that? Okay?

But I tell you one thing, she tried to make a deal. She had the reset. She gave all that valuable uranium away. She did other things. You know, they say I'm close to Russia. Hillary Clinton gave away 20 percent of the uranium in the United States. She's close to Russia.

QUESTION: Can we ...

TRUMP: I gave — you know what I gave to Russia? You know what I gave? Nothing.

QUESTION: Can we conclude there will be no response to these particular provocations?

TRUMP: I'm not going to tell you anything about what response I do. I don't talk about military response. I don't say I'm going into Mosul in four months. 'We are going to attack Mosul in four months.' Then three months later, 'We are going to attack Mosul in one month.' 'Next week, we are going to attack Mosul.'

In the meantime, Mosul is very, very difficult. Do you know why? Because I don't talk about military, and I don't talk about certain other things, you're going to be surprised to hear that. And by the way, my whole campaign, I'd say that. So I don't have to tell you. I don't want to be one of these guys that say, 'Yes, here's what we're going to do.' I don't have to do that. I don't have to tell you what I'm going to do in North Korea.

(CROSSTALK)

TRUMP: Wait a minute. I don't have to tell you what I'm going to do in North Korea. And I don't have to tell you what I'm going to do with Iran. You know why? Because they shouldn't know. And eventually, you guys are going to get tired of asking that question.

TRUMP: So when you ask me what am I going to do with a ship, the

Russian ship as an example, I'm not going to tell you. But hopefully, I won't have to do anything, but I'm not going to tell you.

Okay.

QUESTION: Could I just ask you — thank you very much, Mr. President. The trouble ...

TRUMP: Where are you from?

QUESTION: BBC.

TRUMP: Here's another beauty.

QUESTION: That's a good line. Impartial, free and fair.

TRUMP: Yeah. Sure.

QUESTION: Mr. President ...

TRUMP: Just like CNN right?

QUESTION: On the travel ban — we could banter back and forth. On the travel ban would you accept that that was a good example of the smooth running of government ...

TRUMP: Yeah, I do. I do. Let me tell you about this government ...

QUESTION: Were there any mistakes ...

TRUMP: Wait. Wait. I know who you are. Just wait.

Let me tell you about the travel ban. We had a very smooth rollout of the travel ban. But we had a bad court. Got a bad decision. We had a court that's been overturned. Again, may be wrong. But I think it's 80 percent of the time, a lot.

We had a bad decision. We're going to keep going with that decision. We're going to put in a new executive order next week some time. But we had a bad decision.

That's the other thing that was wrong with the travel ban. You had Delta with a massive problem with their computer system at the airports. You had some people that were put out there, brought by very nice buses, and they were put out at various locations.

Despite that the only problem that we had is we had a bad court. We had a court that gave us what I consider to be, with great respect, a very bad decision. Very bad for the safety and security of our country. The rollout was perfect.

Now, what I wanted to do was do the exact same executive order, but said one thing. I said this to my people. Give them a one-month period of time. But General Kelly, now Secretary Kelly, said if you do that, all these people will come in and (inaudible) the bad ones.

You do agree there are bad people out there, right? That not everybody that's like you. You have some bad people out there.

So Kelly said you can't do that. And he was right. As soon as he said it I said 'wow, never thought of it.' I said 'how about one week?' He said no

good. You got to do it immediately because if you do it immediately they don't have time to come in.

Now nobody ever reports that. But that's why we did it quickly.

Now, if I would've done it a month, everything would've been perfect.

The problem is we would've wasted a lot of time, and maybe a lot of lives because a lot of bad people would've come into our country.

Now in the meantime, we're vetting very, very strongly. Very, very strongly. But we need help. And we need help by getting that executive order passed.

QUESTION: Just a brief follow-up. But if it's so urgent, why not introduce ...

TRUMP: Yes? Go ahead.

QUESTION: Thank you. I was just hoping that we could get a yes or no answer on one of these questions involving Russia. Can you say whether you are aware that anyone who advised your campaign had contacts with Russia during the course of the election?

TRUMP: Well I told you, Gen. Flynn obviously was dealing. So that's one person. But he was dealing, as he should have been.

QUESTION: During the election?

TRUMP: No. Nobody that I know of. Nobody ...

QUESTION: So you're not aware of any contact during the course.

TRUMP: Look, look, look ...

QUESTION: ... of the election?

TRUMP: How many times do I have to answer this question?

QUESTION: Can you just say yes or no?

TRUMP: Russia is a ruse.

I know you have to get up and ask a question. It's so important.

Russia is a ruse. I have nothing to do with Russia. Haven't made a phone call to Russia in years. Don't speak to people from Russia. Not that I wouldn't. I just have nobody to speak to.

I spoke to Putin twice. He called me on the election. I told you this. And he called me on the inauguration, a few days ago.

We had a very good talk, especially the second one, lasted for a pretty long period of time. I'm sure you probably get it because it was classified. So I'm sure everybody in this room perhaps has it. But we had a very, very good talk.

I have nothing to do with Russia. To the best of my knowledge no person that I deal with does.

Now, Manafort has totally denied it. He denied it. Now people knew that he was a consultant over in that part of the world for a while, but

not for Russia. I think he represented Ukraine or people having to do with Ukraine, or people that — whoever. But people knew that. Everybody knew that.

QUESTION: But in his capacity as your campaign manager, was he in touch with Russian officials during the election?

TRUMP: You know what? He said no. I could only tell you what he — now he was replaced long before the election. You know that, right?

He was replaced long before the election. When all of this stuff started coming out, it came out during the election. But Paul Manafort, who's a good man also by the way, Paul Manafort was replaced long before the election took place. He was only there for a short period of time.

QUESTION: Mr. President ...

TRUMP: How much longer should we stay here, folks?

QUESTION: Mr. President ...

TRUMP: Five more minutes. Is that okay? Five?

QUESTION: Mr. President, on national ...

TRUMP: Wait. Let's see. Who's — I want to find a friendly reporter.

QUESTION: Mr. ...

TRUMP: Are you a friendly reporter? Watch how friendly he is. Wait.

Wait. Watch how friendly he is. Go ahead.

QUESTION: (OFF-MIKE) ...

TRUMP: Go ahead.

QUESTION: So first of all, my name is (Inaudible) from (Inaudible) magazine. I (inaudible). I haven't seen anybody in my community, including yourself or any of the — anyone on your staff of being (OFF-MIKE).

Because (OFF-MIKE). However, what we've already heard about and what we (OFF-MIKE) is (OFF-MIKE) so you're general forecast like 48 (OFF-MIKE). There are people who are everything ... happens through their packs ... is one of the (OFF-MIKE) ...

(CROSSTALK)

TRUMP: ... he said he was gonna ask a very simple, easy question. And it's not, it's not, not — not a simple question, not a fair question. Okay, sit down, I understand the rest of your question.

So here's the story, folks. No. 1, I am the least anti- Semitic person that you've ever seen in your entire life. No. 2, racism, the least racist person. In fact, we did very well relative to other people running as a Republican — quiet, quiet, quiet.

See, he lied about — he was gonna get up and ask a very straight, simple question, so you know, welcome to the world of the media. But let me just tell you something, that I hate the charge, I find it repulsive.

I hate even the question because people that know me and you heard the [Israeli] prime minister, you heard Ben Netanyahu yesterday, did you hear him, Bibi? He said, I've known Donald Trump for a long time and then he said, forget it.

So you should take that instead of having to get up and ask a very insulting question like that.

(CROSSTALK)

TRUMP: Yeah, go ahead. Go ahead.

QUESTION: Thank you, I'm Lisa ... from the ...

(CROSSTALK)

TRUMP: See, it just shows you about the press, but that's the way the press is.

QUESTION: Thank you, Mr. President. Lisa Desjardins from the PBS News Hour. On national security and immigration, can you give us more details on the executive order you plan for next week? Even its broad outlines?

TRUMP: Yeah.

QUESTION: Will it be focused on specific ...

TRUMP: It's a very fair question.

QUESTION: ... countries? And in addition, on the DACA program for immigration.

TRUMP: Right.

QUESTION: What is your plan, do you plan to continue that program or to end it?

TRUMP: We're gonna show great heart, DACA is a very, very difficult subject for me, I will tell you. To me, it's one of the most difficult subjects I have because you have these incredible kids.

In many cases, not in all cases. And some of the cases, having DACA, and they're gang members, and they're drug dealers, too. But you have some absolutely, incredible kids, I would say mostly. They were brought here in such a way — it's a very — it's a very, very tough subject.

We're gonna deal with DACA with heart. I have to deal with a lot of politicians, don't forget, and I have to convince them that what I'm saying is — is right. And I appreciate your understanding on that.

But the DACA situation is a very, very — it's a very difficult thing for me because you know, I love these kids, I love kids, I have kids and grandkids. And I find it very, very hard doing what the law says exactly to do, and you know, the law is rough.

I'm not talking about new laws, I'm talking the existing law, is very rough, it's very, very rough. As far as the new order, the new order is going to be very much tailored to the what I consider to be a very bad

decision.

But we can tailor the order to that decision and get just about everything, in some ways, more. But we're tailoring it now to the decision, we have some of the best lawyers in the country working on it.

And the new executive order, is being tailored to the decision we got down from the court. Okay?

QUESTION: Mr. President ...

(CROSSTALK) QUESTION: ... reopening of the White House Visitors Office?

TRUMP: Yes.

QUESTION: And she does a lot of great work for the country as well. Can you talk a little bit about what's first for Melania Trump does for the country and (inaudible) so opening White House Visitors Office, what does that mean ...

TRUMP: Now, that's what I call a nice question. That is very — who are you with?

QUESTION: (OFF-MIKE)

TRUMP: Good, I'm gonna start watching, all right? Thank you very much. Melania's terrific, she was here last night, we had dinner with Sen. [Marco] Rubio and his wife who is by the way, lovely.

And we had a really good discussion about Cuba because we have very similar views on Cuba. And Cuba was very good to me in the Florida election, as you know the Cuban Americans. And I think that Melania's gonna be outstanding, that's right, she just opened up the visitors center, in other words, touring of the White House.

She, like others that she's working with, feel very, very strongly about women's issue, women's difficulties. Very, very strongly, she's a very, very strong advocate. I think she's a great representative for this country.

And a funny thing happens, because she gets — she gets so unfairly — Melania, the things they say. I've known her for a long time, she was a very successful person, she was a very successful model. She did really well.

She would go home at night and didn't even want to go out with people. She was a very private person. **She was always the highest quality that you'll ever find.** And the things they say — I've known her for a long time — the things they say are so unfair. And actually, she's been apologized to, as you know, by various media because they said things that were lies.

I'll just tell you this. I think she's going to be a fantastic first lady. She's going to be a tremendous representative of women and of the people. And helping her and working with her will be Ivanka, who is a fabulous person and a fabulous, fabulous woman. And they're not doing this for money.

They're not doing this for pay, they're doing this because they feel it; both of them. And Melania goes back and forth and after Barron finishes school — because it's hard to take a child out of school with a few months left — she and Barron will be moving over to the White House. Okay, thank you, that's a very nice question.

(CROSSTALK)

TRUMP: Go ahead.

QUESTION: Mr. Trump?

TRUMP: Yes, oh, this is going to be a bad question, but that's okay.

QUESTION: It doesn't have to be a bad question.

TRUMP: Good, because I enjoy watching you on television. Go ahead.

QUESTION: Well, thank you so much. Mr. President, I need to find out from you, you said something as it relates to inner cities. That was one of your platforms during your campaign. Now you're —

TRUMP: Fix the inner cities.

QUESTION: -- president. Fixing the inner cities.

TRUMP: Yep.

QUESTION: What will be that fix and your urban agenda as well as your HBCU Executive Order that's coming out this afternoon? See, it

wasn't bad, was it?

TRUMP: That was very professional and very good.

QUESTION: I'm very professional.

TRUMP: We'll be announcing the order in a little while, and I'd rather let the order speak for itself. But it could be something that I think that will be very good for everybody concerned. But we'll talk to you about that after we do the announcement. As far as the inner cities, as you know, I was very strong on the inner cities during the campaign.

I think it's probably what got me a much higher percentage of the African American vote than a lot of people thought I was going to get. We did, you know, much higher than people thought I was going to get. And I was honored by that, including the Hispanic vote, which was also much higher.

And by the way, if I might add, including the women's vote, which was much higher than people thought I was going to get. So, we are going to be working very hard on the inner cities, having to do with education, having to do with crime. We're going to try and fix as quickly as possible — you know, it takes a long time.

It's taken more than a hundred years and more for some of these places to evolve, and they evolved, many of them, very badly. But we're going to be working very hard on health and health care, very, very hard on education, and also we're going to be working in a stringent way, in a very good way, on crime.

You go to some of these inner city places, and it's so sad when you look at the crime. You have people — and I've seen this, and I've sort of witnessed it — in fact, in two cases I have actually witnessed it. They lock themselves into apartments, petrified to even leave, in the middle of the day.

They're living in hell. We can't let that happen. So, we're going to be very, very strong. That's a great question and — and it's a — it's a very difficult situation because it's been many, many years. It's been festering for many, many years. But we have places in this country that we have to fix.

We have to help African American people that, for the most part, are stuck there. Hispanic American people. We have Hispanic American people that are in the inner cities and they are living in hell. I mean, you look at the numbers in Chicago. There are two Chicagos, as you know.

There's one Chicago that's incredible, luxurious and all — and safe. There's another Chicago that's worse than almost any of the places in the Middle East that we talk, and that you talk about, every night on the newscasts. So, we're going to do a lot of work on the inner cities.

I have great people lined up to help with the inner cities. Okay?

QUESTION: Well, when you say the inner cities, are you going — are you going to include the CBC, Mr. President, in your conversations with your — your urban agenda, your inner city agenda, as well as —

TRUMP: Am I going to include who?

QUESTION: Are you going to include the Congressional Black Caucus and the Congressional —

TRUMP: Well, I would. I tell you what, do you want to set up the meeting?

QUESTION: — Hispanic Caucus —

TRUMP: Do you want to set up the meeting?

QUESTION: No — no — no. I'm not —

TRUMP: Are they friends of yours?

QUESTION: I'm just a reporter.

TRUMP: Well, then, set up the meeting.

QUESTION: I know some of them, but I'm sure they're watching right now.

TRUMP: Let's go set up a meeting. I would love to meet with the Black Caucus. I think it's great, the Congressional Black Caucus. I think it's great. I actually thought I had a meeting with Congressman [Elijah] Cummings, and he was all excited. And then he said, well, I can't move, it might be bad for me politically. I can't have that meeting.

I was all set to have the meeting. You know, we called him and called him. And he was all set. I spoke to him on the phone, very nice guy.

QUESTION: I hear he wanted that meeting with you as well.

TRUMP: He wanted it, but we called, called, called and can't make a meeting with him. Every day I walk and say I would like to meet with him because I do want to solve the problem. But he probably was told by Schumer or somebody like that, some other lightweight. He was probably told — he was probably told “don't meet with Trump. It's bad politics.”

And that's part of the problem in this country. Okay, one more.

QUESTION: (inaudible)

TRUMP: No, no, one question. Two we can't handle. This room can't handle two. Go ahead, give me the better of your two.

QUESTION: (inaudible) ... not about your personality or your beliefs, talking about (inaudible), some of it by supporters in your name. What do you ...

TRUMP: ... And some of it — can I be honest with you? And this has to do with racism and horrible things that are put up. Some of it written by our opponents. You do know that. Do you understand that? You don't think anybody would do a thing like that. Some of the signs you'll see are not put up by the people that love or like Donald Trump, they're put up by the other side, and you think it's like playing it straight?

No. But you have some of those signs and some of that anger is caused

by the other side. They'll do signs, and they'll do drawings that are inappropriate. It won't be my people. It will be the people on the other side to anger people like you. Okay.

(CROSSTALK)

TRUMP: Go ahead, go ahead.

QUESTION: You're the president now. What are you going to do about it?

TRUMP: Who is that? Where is that?

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QUESTION: What are you going to do about — what are you going to do about (inaudible).

TRUMP: Oh, I'm working on it. I'm working on it very — no, no, look. Hey, just so you understand, we had a totally divided country for eight years and long before that. In all fairness to President Obama, long before President Obama we have had a very divided — I didn't come along and divide this country. This country was seriously divided before I got here.

We're going to work on it very hard. One of the questions I was asked, I thought it was a very good question was about the inner cities. I mean, that's part of it. But we're going to work on education, we're going to work on — you know, we're going to stop — we're going to try and stop

the crime. We have great law enforcement officials, we're going to try and stop crime.

We're not going to try and stop, we're going to stop crime. But it's very important to me — but this isn't Donald Trump that divided a nation. We went eight years with President Obama and we went many years before President Obama. We lived in a divided nation. And I am going to try — I will do everything within my power to fix that. I want to thank everybody very much.

It's a great honor to be with you. Thank you. Thank you very much, thanks.

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The new president’s tumultuous first weeks have been marked by a controversial executive orders and conflicts with the media.

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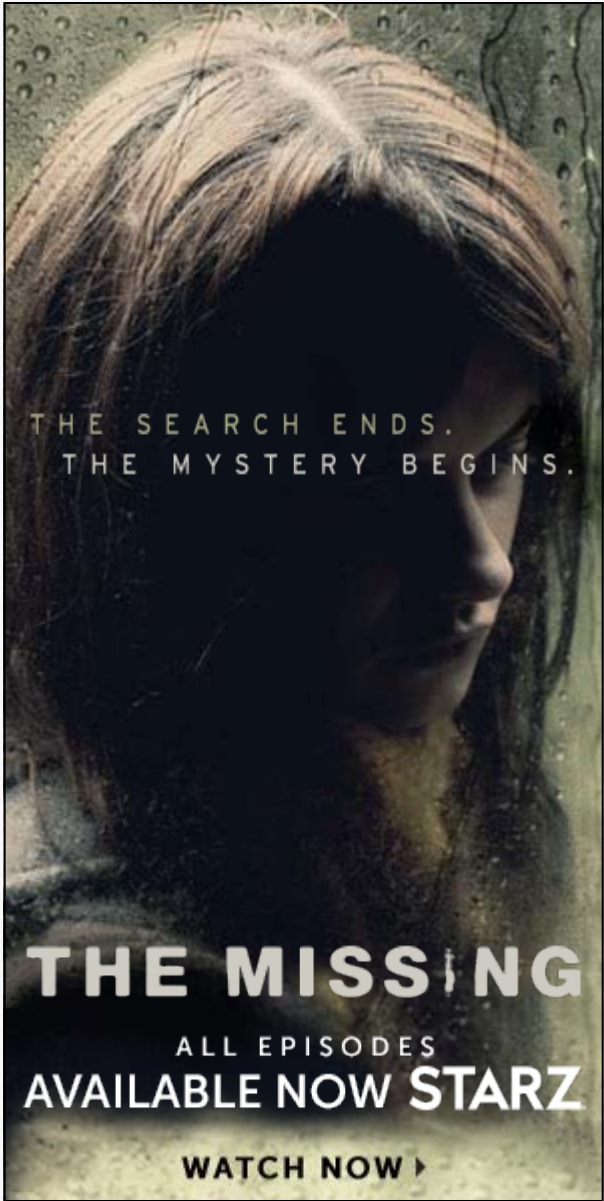
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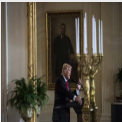


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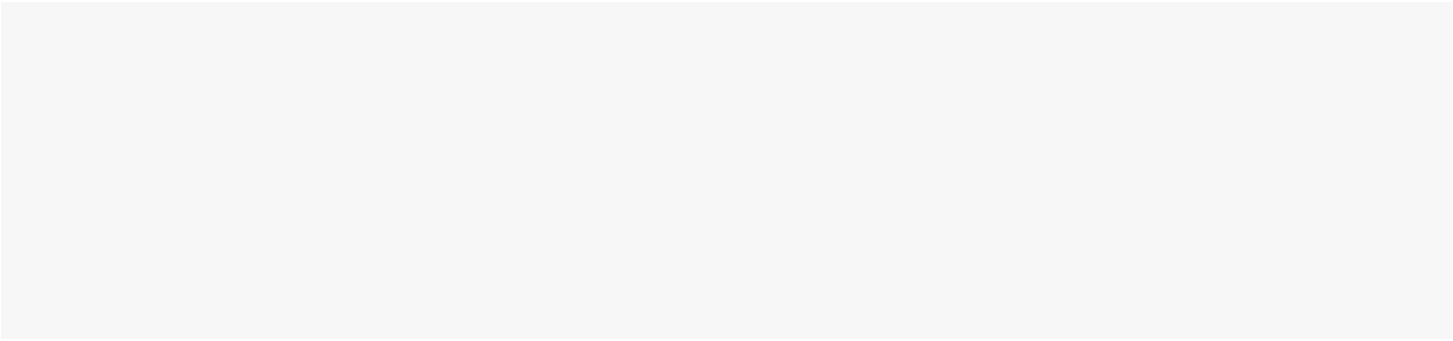
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FIRST 100 DAYS

Miller: New order will be responsive to the judicial ruling; Rep. Ron DeSantis: Congress has gotten off to a slow start

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This is a rush transcript from "The First 100 Days," February 21, 2017. This copy may not be in its final form and may be updated.

MARTHA MCCALLUM, FOX NEWS ANCHOR: Breaking tonight, we are live in Jacksonville, Florida for a special immigration town hall, on the same day that President Trump's Department of Homeland Security issued two very important memos designed to crack down on illegal immigrants on our southern border. Welcome to day 33 everybody of "The First 100." I'm Martha MacCallum and this was President Trump just days here in Jacksonville before the election.

(BEGIN VIDEO CLIP)

DONALD TRUMP, U.S. PRESIDENT: The border crisis is the worst it's ever been. It's a national emergency. They get caught again, they go to jail for five years, guess what's going to happen? They're not coming back, folks. Now, our people don't want to do it. Our weak, weak politicians don't want to do it.

A Trump administration will cancel all federal funding to sanctuary cities. We will end illegal immigration. We are going to stop drugs from pouring into your communities and poisoning our youths and everybody else. And we will deport all criminal aliens, quickly from our country.

(END VIDEO CLIP)

MCCALLUM: States like Florida, cities like Jacksonville, part of a movement behind the president's victory, drawn to him by a host of issues, not the least of which was talk like that just days before the November election when, as you remember, nobody thought he was going to win, but those ideas resonated in a big way and we are here tonight to speak to people who helped to elect Mr. Trump and we'll ask them how they think it's going so far in the first 100 days and their expectations that were set on immigration policy, its impact on jobs, on safety, on terrorism, and on the culture of the communities that we all live in across this country.

The November exit polling from Florida helps to tell the story of why we are here tonight. Among 10 percent who said immigration was the most important issue for them on Election Day, 69 percent of those voted for Donald Trump. Among the 23 percent who said that most important issue to them was illegal immigrants working in the U.S. have to be deported

to their home country, 92 percent of those individuals voted for Donald Trump. We're going to get to all of that in moments with a town hall meeting that includes lawmakers, law enforcement, and lots of average voters who've gathered here tonight to have their voices heard.

But, first, we go to the White House and Senior Advisor to the President, Stephen Miller, who helped to craft the president's controversial executive order calling for more rigorous vetting of immigrants from seven Middle Eastern countries. Mr. Miller, welcome. Good to have you here tonight.

STEPHEN MILLER, ADVISOR TO THE PRESIDENT: Hey, it's great to be here. Thank you.

MCCALLUM: So, everybody is anticipating the next rollout of the next executive order, which is supposed to clarify some of the issues that were perhaps wrong with the first one and then got too caught up in the courts. So how is it going to be different this time?

MILLER: Well, nothing was wrong with the first executive order. However, there was a flawed judicial ruling that was erroneous. The president recently read to the statute from the Immigration and Nationality Act, which clearly states, he has the power as president to impose any restrictions he deems necessary when it's in the national interest.

However, because of the exigency of the situation and the need to protect our country, and to protect our citizens, the president is going to be issuing a new executive action based off of the judicial ruling, flawed though it may be, to protect our country and to keep our people safe, and that is going to be coming very soon.

MCCALLUM: All right. (Inaudible) is 18-year-old, but he wants to know specifically how the second-order is going to be different.

MILLER: Well, one of the big differences that you're going to see in the executive order is that it's going to be responsive to the judicial ruling, which didn't exist previously. And so these are mostly minor technical differences. Fundamentally, you're still going to have the same basic policy outcome for the country, but you're going to be responsive to a lot of very technical issues that were brought up by the court and those will be addressed. But in terms of protecting the country, those basic policies are still going to be in effect.

I want to try and broaden the conversation here and not get lost in all this technical minutia. Here's the reality. The United States admits more people than any other country on the face of the earth. We've got a serious problem in our country of terrorism, radicalization, and serious problems of people joining ISIS, joining terror groups, joining Al-Qaeda, and committing or attempting to commit acts of crime and terror against our nation. We have seen a huge synapses between this --

MCCALLUM: Let me jump in on you there for a moment.

MILLER: Yeah.

MCCALLUM: Let me note that -- because here's one of the problems. Now, I know that you think the order was fine the way it was issued initially. But courts disagree. In fact, 48 courts took issue with it and that's why it's halted right now as a result of that process that happens in this country.

So, now you're about to issue another order and one of the things that would need to be addressed, it sounds like, is proving that the seven countries that you have targeted are indeed the right ones to target and that you have merit and reason for targeting those specific ones, rather than, let say, Saudi Arabia, right?

MILLER: Well, the reality is these seven countries were designated by President Obama and by Congress in 2015 and 2016. The reality is that the seven countries -- look at Yemen, look at Libya, look Syria, look at the conditions in these countries. This is an assessment based on the threat that these countries pose today and going into the future. We've had dozens and dozens of terrorism cases from these seven countries, case after case after case.

But more fundamentally, it's the position of our intelligence community that these countries today pose a threat to our country moving forward and the president is acting decisively to protect our country from these threats. And the rulings from those courts were flawed, erroneous, and false. The president's actions were clearly legal and constitutional and consistent with the long-standing traditions of presidents in the past to exercise the authority in the Immigration and Nationality Act to suspend immigration when it poses a threat to our security. And that's what the president will do. In the next few days, we will roll out the details of what that action will be.

MCCALLUM: And we understand -- I'm sorry. I think we have a little bit of a delay, so I don't mean to be stepping on you. But I do understand that that's your perspective and that's the White House's argument and we'll see how that next (inaudible).

One more question to you from one of our viewers for tonight if you will. Jack Capra who is a veteran in our audience this evening, says how far is the administration willing to go to secure the southern border? Will the administration deploy the U.S. military to do so?

MILLER: Well, right now we have 20,000 fantastic border patrol agents who are doing a great job. But, Martha, I really want to try and broaden this conversation and get to the core of the issues here.

Whether we're talking about the new executive action and in the next few days we will be able to share the details what that will be and how it's responsive to the court's ruling. Whether we're talking about the southern border, whether we're talking about our guest worker programs, here's the core issue. It is the job of the president and the job of our government to protect the hard-working people of this country, to protect their jobs, to protect their wages, to protect their communities, to keep them safe from terrorism, and crime, and drugs, and wage depression.

Uncontrolled migration over many years has undermined wages, working prospects for people of all backgrounds, and all walks of life and it's made us less safe. Proper controls will raise wages, improve employment, help migrant workers enter the middle-class who are already living here, and keep us safe from threats of terror. And this president, and this administration is fully committed to doing what is necessary, lawful, just, decent, and right, to take care of and to defend hard-working, patriotic citizens and their communities.

MCCALLUM: All right. Well, we look very much forward to that second executive order and we'll watch the path and see if it makes it through the courts and that, you know, the executive branch, the judicial branch, can find their way to put this together. Thank you very much, Stephen Miller, for joining us from the White House tonight.

MILLER: Thank you. I really appreciate it. Thanks.

MCCALLUM: Good to have you with us. Thank you.

So let's bring in Jacksonville native and Florida congressman Ron DeSantis who is one of the first to stand by President Trump's original order. Good to have you here tonight, Congressman.

REP. RON DESANTIS, R-FLORIDA: Thanks for coming down to Florida.

MCCALLUM: It's great to be here. Thank you for having us. So, one of the interesting comments from General Kelly when he spoke about this the other day was that, you know, he wanted the second executive order to take place in a way that we would not find people backed up in our airports. So he was acknowledging that there was some issue in this rollout. What are your thoughts on that?

DESANTIS: Well, I think that's right. I mean, you have examples of, like a grandmother who is a green card holder coming back from one of these countries, that's not where the threat is. The threats are with people who are unvetted. These are countries that are either state sponsors of terrorism, or overrun in large degree by terrorist groups. And if you look-- since 9/11, the biggest change in the terrorist threat has been how much it's expanded in different countries. You have Somalia, other parts of Africa --

MCCALLUM: So you think more than those seven should be on the list?

DESANTIS: Well, I think that -- if you read the executive order, that's a 90-day period. They are also going to be talking with other countries. So people mentioned Saudi Arabia, so maybe Saudi Arabia doesn't have procedures that were -- that are acceptable but -- so maybe there will be changes there. But I think we have to err on the side of caution. And my view is we have immigration system, but that immigration system shouldn't make the American people assume risk for their safety by us bringing in people we don't know.

MCCALLUM: Let's bring in some of our great audience that we have with us tonight. Let me start by going to Jack Capra, who is with us tonight. You know, you listened to this conversation, Jack, and you're a veteran, so we thank you for your service.

JACK CAPRA, WOUNDED VETERAN AND FLORIDA RESIDENT: Thank you. I actually used to work with Congressman. Yeah.

(CROSSTALK)

MCCALLUM: -- so you're paying attention.

CAPRA: Yeah. I used to work with the congressman in Guantanamo few years ago. We both had duty there, so.

MCCALLUM: Well, welcome. It's great to have the two of you here together tonight and good to talk to you about these serious issues. You listen to Stephen Miller from the White House. What did you think about what he had to say?

CAPRA: Well, I think his main argument was right on point and I agree with that. I think this is, you know, securing our borders as a national security issue. It's not just -- of course, it's also about economics, but it is a national security issue and it's the federal government's job to keep our people safe, keep our citizens safe from external and internal threats. And so I think immigration is a big contributor to that.

MCCALLUM: Yeah. You know, obviously, the rollout of it didn't go quite as planned. You know, it brings me sort of a general question that I want to put to all of you as we get going tonight. As you look at so far the first 100 days, we're on day 33 right now. So I'm going to ask you to raise your hand for three different answers, OK.

So the first one would be, so far, are you, A -- no, you don't raise your hand yet because I want you to know all the options. You can either be, A, thrilled. I'm really happy with how it's going. Or, B, you know, it's OK, but I think there's room for improvement. And, C, I am a little disappointed. OK.

So raise your hand if you would say that you are thrilled with how it's going so far. Wow, that's a lot of folks. Look at that. OK, what about choice B, which is I'm glad, but, you know, I'd like to see a little bit of improvement around the edges. OK. So how many of you are disappointed, not happy with how it is going so far? A couple up here, one in the back there, one back there. OK, all right. We're going to get around to you and hear some of your reasons for all of that. You know, what do you think about that?

DESANTIS: Well, look, I think that Congress is --

MCCALLUM: Which category do you fit in, first of all?

DESANTIS: Well, I think Congress has gotten off to a slow start.

MCCALLUM: Yeah.

DESANTIS: I think the president has done much better than we have. He's following through with what he said he would do and we are kind of --

MCCALLUM: Wow.

DESANTIS: We in the Congress were kind of getting to what we said we do, but we haven't quite gotten of it. I think we will, but I think they've done a better start. It's also important to say, they're not confirming his nominees. He doesn't have

guy -- he's got like a fraction of a government in place because the Democrats in the Senate are basically trying to stall as many people as possible.

MCCALLUM: So, let me go to somebody over here. Kris Koproski, who is the mother of three and you think that we need to put a pause on emigration. So, are you -- how do you feel about the president so far and do you think Congress -- do you agree with Congressman DeSantis that they're not pulling their weight?

KRIS KOPROSKI, FLORIDA RESIDENT: I am thrilled with what President Trump is doing. Congress, you know, they need to get on board and specifically, the Democrats. He needs his cabinet, his full cabinet. And they're just seemed to be stopping him at every turn. There's got to be a discussion open. They've got to be willing to give a little bit.

MCCALLUM: So you're nodding your head there. Who -- is anybody in particular in Congress that you're, you know, disappointed in so far? And, you know, would you like to give them a message tonight?

CLAIRE FRANK, FLORIDA RESIDENT: How much time do you have?

MCCALLUM: I got about 48 minutes. Go ahead.

FRANK: I would say we finally have someone in office who is doing something probably not even -- the last president I can think has done anything like this was Abraham Lincoln, who is trying to reunite the country. And that's what we voted for him to do. And that's what he is doing.

Congress isn't getting behind us. I say, term limits. That way you can clean house, just like he's doing draining the swamp. There's too many in there right now that, you know, are not doing their job. Stop voting -- McCain is a pain.

DESANTIS: I am the leader of the term limits movement in the House, so we do need to do that.

MCCALLUM: All right. So you're on your third term. So how many terms should he get? How many terms?

DESANTIS: Well, our amendment is three terms in the House and two terms in the Senate.

MCCALLUM: OK.

DESANTIS: The same on Trump endorsed during the campaign. So, let's get a vote and let see what we can do.

MCCALLUM: All right. We're just getting rolling here. Great job opening this conversation up here. So, coming to the next moment, just today, the Trump administration ordered more border agents, 5,000 more, also, 10,000 more ICE agents and plans to move ahead with the controversial wall plan on our southern border, so the fallout and the debate from the floor here coming up next.

(COMMERCIAL BREAK)

MCCALLUM: Breaking tonight, just hours before the doors opened on our town hall meeting here in Jacksonville, Florida, the Department of Homeland Security announced the brand-new priorities when it comes to their plan to deport illegal immigrants.

The two memos from DHS Secretary John Kelly today say impart that his agency is going to use public safety to guide their decisions, while the White House made a point of saying that there will be no longer special exceptions to the rules. Watch.

(BEGIN VIDEO CLIP)

SEAN SPICER, WHITE HOUSE PRESS SECRETARY: For so long, the people at ICE and CBP had their handcuffed behind them when they were going to deal with the mission of their job. The last administration had so many carve outs for who could be and who couldn't be adjudicated that it made it very difficult for the customs and enforcement people to

do their job and enforce the laws of this country. But, right now, what we've done is to make sure that they have the ability and the guidance and the resources to do what they -- what their mission is. And that's it, plain and simple.

(END VIDEO CLIP)

MCCALLUM: Joining me now, Sarah Saldana. She was the Immigration and Customs Enforcement, better known as ICE, director under President Obama. And Francisco Hernandez is an Immigration Attorney. Welcome. It's great to have both of you with us tonight.

SARAH SALDANA, FORMER ICE DIRECTOR, 2014-2017: Thank you.

FRANCISCO HERNANDEZ, IMMIGRATION ATTORNEY: Thank you for having me.

MCCALLUM: Sarah, he was calling you out a bit there.

SALDANA: Yes. I guess he was. But let me tell you something that is maybe not clearly known. I have been a law enforcement officer. I was a prosecutor in Dallas. I was the United States Attorney in Dallas. And I think -- significantly, I think that's one of the reasons that I was selected to be the director of ICE, because I believe in law enforcement. I believe in rational law enforcement. So, that is my focus while I was director and I think we went about it in a good way, given the fact that we had resources that were not unlimited.

MCCALLUM: All right. So, he's -- Sean Spicer was saying that under your direction and others, border enforcement officials under the Obama administration that people weren't allowed to do their jobs. That the agents felt that they were handcuffed, that they couldn't deport, that they couldn't detain to the extent that they wanted to. Is that fair?

SALDANA: The law is the law. So, with respect to detention and all of those things, we were guided by the law. We were not guided by people's emotions or feelings or thoughts. We were guided by the law. We had priorities, just like this executive order has priorities. We didn't exempt people. I guess one could look at it that way, but one could say that about the executive order, as well.

We focused on serious criminals. And, in fact, our numbers went substantially up with respect to the portion of people that we were removing or putting in removal proceedings, being convicted criminals or people who are not in the country legally and there's a reason to remove them. Again, I am weighing as a manager, resources versus the threat to public safety.

MCCALLUM: So when you say resources, would you love to have had the 10,000 additional agents that John Kelly is now going to get?

SALDANA: It would have been -- we certainly could have responded to Congressman DeSantis, wherever he is, when he drove me on the hill about why we weren't departing more people. It certainly would have helped in that regard.

The important thing to me is not volume. Ask any law enforcement officer, the important thing to me is substance. Are we protecting the American public by focusing on people who have no business being here, committing additional crimes, and working against the interest of the American people?

MCCALLUM: Francisco, today, you know, just going through the headlines and looking at different web sites, you know, the administration -- Trump administration cracks down. Illegal immigrants are scared. They're nervous about what they're hearing today and yet he also said that DACA would stay in place. That children who came here with their parents at a young age would not be affected by this. So what's your reaction to these two memos today?

HERNANDEZ: Well, first of all, I can't argue with Ms. Saldana on qualifications. I feel like a thorn between two roses, OK. But, quite frankly, President Trump has written a blank check that he can't cash. Just like the congressman said, he's going to have to get the money from somewhere. You can't just say we're going to hire 20,000 agents (inaudible) Ms. Saldana. You got to have the people.

No one is going to argue about whether you should deport people that commit repeated felonies, you're just barking up the wrong tree. But quite frankly, you've got to do something to get that money and we don't have the money. So we do have to focus, as Director Saldana said on the important things.

The deferred actions, yes, dreamers, Gob bless. Let's go and give them a green card, something to work towards, something to earn that were brought into no fault of their own, no one can argue about that. So they're in limbo, but you know what, we have --

MCCALLUM: But he didn't pay them about (ph). He said that's off the table.

HERNANDEZ: That's off the table --

MCCALLUM: Unless they have a criminal record.

HERNANDEZ: And the interesting thing is, you know, if President Trump argued that President Obama did not have the executive or constitutional power to issue that executive order, well then, neither does he have the executive. So what's good for the goose is good for the gander. So, that's our fear. If we're going to go with those executive orders for President Trump, we've got to fund them. It costs money.

MCCALLUM: Let's get some questions from our group here. Hatice Iaconangelo. I'm sure I got that wrong. So what do you think about what you're hearing here tonight?

HATICE IANCONANGELO, FLORIDA RESIDENT: I am horrified. I'm horrified. This is not the country I emigrated to. Sure, when I first emigrated 26 years ago --

MCCALLUM: From?

IANCONANGELO: From Germany. I am a native Berliner. I grew up with a wall. I know what the wall does to families. I witnessed people getting shot crossing over the wall. And I see us as a nation going towards that again. It's horrifying. Little by little, we are getting there. Berlin didn't start out just with a wall coming up instantly, the Russians shooting, everybody. It starts gradually. And it gets worse and worse.

I want us to come together as a nation and have compassion for people. Don't just shut yourself off from that what you don't understand, what you don't know. Why don't each one of you who are against immigration may be get to know a refugee? Get to know an immigrant and see where they have come from and what they have gone through in life.

MCCALLUM: All right. Let me get a response from Bill Korach who is -- you're shaking your head pretty hard there, sir. Why?

BILL KORACH, ST. JOHNS COUNTY COP CHAIRMAN: I was in Berlin when the wall was up. And the wall was meant to keep people in, because the communist system was so horrible. This wall is being designed to protect our borders. We're a sovereign nation. We should have sovereign borders. We are a nation of laws. If we don't have the rule of law, we don't have sovereignty.

IANCONANGELO: I am not against protecting the people here, absolutely not. But you don't realize, America is already so safe. This is the safest place I feel on earth. I travel overseas every year. The law enforcement does a great job. The customs office --

MCCALLUM: Let me get an answer from Elvira and then we're going to go, so quickly

ELVIRA SALAZAR, MEGA T.V. ANCHOR: Good to see you. I think the greatness of a nation is measured not by the size of its guns, but how we treat the most vulnerable members of society, and in this case, illegals or the undocumented. I think that maybe we should take a look at immigration issue in a different way.

We should go to the root of the problem. And the root of the problem is very simple. It's called Honduras, El Salvador, and Guatemala. President Trump has an outstanding opportunity. He is a businessman. He knows how to build coalitions.

He knows cultural sensitivities from other countries. He can go to those three countries that are exporting the majority of the people that are knocking on our borders and help them put their house in order.

Then, we could avoid or save the money that we're going to be investing on the 20 million -- \$20 billion that will cost to build a wall along the Mexican border. And we could earmark those \$280 million that we're giving to those three countries. Earmarked that for what Nicaragua did. No one really talks about why Nicaraguans are not coming and knocking on our border, because the -- and I'm not a friend of the Nicaraguan government, but they knew how to do it. And they could help us solve the problem. That's another angle.

MCCALLUM: All right, thank you very much. So, officials in Miami-Dade, Florida got national attention when they decided to stand against becoming a so-called sanctuary city. We will speak to the man behind that very controversial decision here in Florida coming up next.

(COMMERCIAL BREAK)

MARTHA MACCALLUM, THE FIRST 100 DAYS HOST: So a point of hot contention in the immigration debate involves so-called sanctuary cities scattered throughout the country. These are cities and towns which offer protections to illegal immigrants by limiting cooperation with federal authorities. I want to start with our audience panel, and I'll ask you all a question first which is a broad question in terms of priorities. It goes to what we're talking about earlier. So I will give you three options and I want you to pick the one that you think should be the GOP priority right now, or the government's priority, or for the whole country priority, regardless of your background. So choice number one will be immigration and the wall, choice number two would be tax reform, and choice number three would be Obamacare repeal and replace. So this goes to what we're talking about over here before in terms of what they're doing first. So if you want them to address immigration and the wall first, raise your hand. Maybe a third, maybe less. Tax reform. Maybe half. All right, Obamacare, repeal and replace. So, I'd say, closer to a third of third but I would say tax reform was the winner. So you want tax reform to be a priority for the folks on Capitol Hill. So maybe they're listening to what you're saying here tonight. So, in terms of immigration, I want to bring our guest, Diane Scheriff, and her daughter, Savannah. You were originally from San Francisco, you live in this area now, right?

DIANE SCHERIFF: Right.

MACCALLUM: But you believe that it's not true that the jobs that are being done by illegal immigrants are jobs that Americans don't want to do.

SCHERIFF: Yes and no. I mean, I think when I lived in California, I had a nanny at first that didn't have a green card. I didn't know that. She was a very hard worker. But, there again, I think there are jobs that are open-- that would be open to Americans, that are taken by illegal immigrants. And I just feel strongly that that is a huge deal in our country, especially Florida, since we have such an influx of illegal immigrants.

MACCALLUM: Savannah, what about the issues of sanctuary cities?

SAVANNAH SCHRIFF: Well, you know.

MACCALLUM: Having grown up in San Francisco, you know, I know you lived in a city that is a sanctuary city. Don't be nervous. Particularly understandable, I scared you. Put that mic in front of your face. It's quite all right. I know the feeling.

SCHERIFF: Sanctuary cities, you know, maybe I'll sound like a bad person here, but I'm frustrated that we even have them. Because, I mean, honestly.

(APPLAUSE)

MACCALLUM: That's what Savannah was going to say.

SCHERIFF: It doesn't make sense to me. And the fact that they're growing now, not going away come. And again, I'm a Californian, I live there. But San Francisco, L.A., Oakland, it doesn't make any sense to not work with local law enforcement when it comes to immigrants and criminals.

MACCALLUM: Thank you very much. I'm joined now by the mayor of Miami- Dade, Mayor Gimenez, and Laura Wilkenson. We've spoken before Laura. And Laura has a tough personal story. You lost your son to a person who was here illegally. And I know you have stood next to President Trump many times as he has talked about Angel Moms. So you took a tough stance and said we are not going to be a sanctuary city anymore in Miami. Has there been a backlash against that in your area?

CARLOS GIMENEZ, MAYOR MIAMI-DADE: Yes, there has been. And we have very vocal opposition to what we did. But, you know, what I say to people that tell me that, hey, I really like what you did, I tell them that, you know, I really did a lot less than what you thought I did. And the people that are vocally against it, I say, you know, I did a lot less than what you thought I did. Really, all we did is we labeled a sanctuary city by the Obama administration and the justice department because we were requesting reimbursement from the federal government for detainer requests. And what I did is I said, we know longer need to have that voucher from the federal government saying that they're going to pay us for our costs for detaining these people of interest to immigration. That's all we did. And by doing that, it basically took us off the list of being a sanctuary city. Miami- Dade County has never thought of itself as a sanctuary city. Even when we pass that resolution back in 2014, we didn't think that that would place us as a sanctuary city. So, basically, taking that off, basically now -- and now my.

MACCALLUM: The financial decision.

GIMENEZ: Yes, obviously, because we were being threatened with millions of dollars in federal funding that we need to provide services for the 2.7 million people of Miami-Dade County.

MACCALLUM: Laura, the president said that he is not going -- he is going to respect DACA. How did you feel about that?

LAURA WILKENSON: Well, I believe there is going to be a process no matter how you do it. Somebody is going to be inconvenienced. This law -- I mean, without the immigration laws being enforced, this country has run amok. At any way that he doesn't, there is going to be an inconvenience to people. But, for myself, I think if you're not bearing your child in the ground and turning around and walking away, it is not an inconvenience that you can't deal with.

(APPLAUSE)

MACCALLUM: In terms of your son and your situation, that young man was brought here by his parents.

WILKENSON: Yes. He was a dreamer, brought here when he was ten from Belize. He had been charged with the crime of harassment but not convicted. And then, he murdered Joshua while he was out on bond for that. He should never have gotten a bond at the very least. They're a flight risk. And you don't want to wait until they murder your kid, until you say, OK, time-out, now you are in trouble. It's ridiculous. Nobody gets sanctuary from the law. There is nothing I could do and be given sanctuary from it, and there is no reason for anybody else to have that, as well.

(APPLAUSE)

MACCALLUM: Do you believe that you're getting somewhere with your cause?

WILKENSON: Absolutely, yes. Mr. Trump had said he would put a crime victim in -- a program in place. It's called Voice, I believe. And it's to help victims like myself, the real victims. And this gentleman earlier talked about getting some of the money, you know, if you can defund sanctuary cities, there comes the money. He can also take the money away from the 325 agencies in this country that help illegal aliens -- I mean, help them navigate the system. There is not one place or one program in place to help myself.

(APPLAUSE)

MACCALLUM: Thank you, Laura. Good to have you both here tonight. So we're coming to you tonight from a state where there are many jobs that go to legal and illegal immigrants. And when we come back, we are going to hear from our audience about the president's pledge to put America first. How do they think that's going? We'll ask them right after this.

(APPLAUSE)

MACCALLUM: So when President Trump campaigned on the slogan of America first, a lot of that message was about bringing jobs back to American workers. But are they prepared to take the low wage jobs taken by illegal and legal immigrants? Joining us now, Javier Palomerez, he's president of the U.S.-Hispanic chamber of commerce, and on President Trump's diversity coalition. Although, he was a Hillary Clinton fan at the beginning, and Cindy Nava, a dreamer and Democratic national committee fellow. Welcome to both of you. Good to have you here today. So, Javier, first of all, you're a Hillary Clinton supporter. What made you change your tune?

JAVIER PALOMAREZ, PRESIDENT OF THE U.S.-HISPANIC CHAMBER OF COMMERCE: Well, you know, the reality of it is that -- back then, when we were convinced that our side was going to win, we asked of Donald Trump that he honored the will of the people and that he respect the results of this election. The reality of it is, he won, he is now the 45th president of the United States of America, and I'm going to do everything I can to live up to the exact same thing we asked of him. I'm going to honor the will of the people. I'm going to honor the results of this election.

(APPLAUSE)

PALOMAREZ: And me and my association, a 4.1 million Hispanic-owned firms in this country that contribute over \$668 billion to the American economy are going to do everything we can to help this administration move our country forward. At a time that I think we need to collaborate to move in the right direction.

MACCALLUM: Cindy, you're a dreamer.

CINDY NAVA, DREAMER: I am.

MACCALLUM: So, what do you think about what happened today, and the exemption for DACA children, like yourself? And do you believe that there is -- you're talking about common ground. Is there common ground? And do you think that this administration wants to find it? And do you think the resistors and the never Trumpers also want to?

NAVA: You know, Martha, I really think that this is a first step towards what really needs to happen, which is to address comprehensive immigration reform. And this is truly surprising I think for many of us that President Trump decided to keep DACA intact. And that's great and that's good. But, right now, there's a lot to fear out in the communities. There's actually some dreamers that have been targeted. And we have families. So what's happening to our families, you know, that's always a concern. So just because we may be feeling a little bit sick here, does not mean that the community is throughout the country are. And DACA comes with many benefits such as a ban on parole, which many people are not familiar with. But advance parole is something that we can request through humanitarian clause, educational, or other -- you know, there's three clauses, and I was able to get that because my grandmother was ill in Mexico, and she was dying. And I was able to spend the five last days of her life with her.

MACCALLUM: I want to get a couple of our friends up here. And, again, Earline Shipper, so she's talking about families and keeping people together, what do you say?

EARLINE SHIPPER, FLORIDA RESIDENT: I think it's a wonderful idea that we keep families together. I'm happy that this particular decision was made. But I still think that immigration is a very serious situation that has to be controlled and we have to take care of illegals coming into the country that are going to cause harm and we should send them back.

MACCALLUM: Eric, what do you think?

(APPLAUSE)

ERIC WEST, FLORIDA RESIDENT: The amount of people that have come into the country that are taking welfare and

other government benefits is way too much. We don't need any more welfare recipients in this country. We need people that are going to bring jobs and doctors and things to this country to help our economy. When 91 percent of the Syrian refugees or refugees that comes to this country get welfare, something is wrong. We're committing financial suicide.

(APPLAUSE)

MACCALLUM: Pablo Manriquez.

PABLO MANRIQUEZ, FORMER DNC OFFICIAL: Well, I think the thing to keep in mind here is that Donald Trump did inherit a mess when it comes to immigration. I was one of the people who raised my hand earlier that I am disgusted with how this presidency is going. But I was disgusted with how President Obama's presidency went on this topic, as well. I knocked on thousands of Hispanic doors in particular in 2008, telling people that President Obama was going to offer -- Senator Obama at the time was going to offer them some form of relief. He betrayed us. He betrayed us to the tune of 2.8 million deportations. And the reality is that the communities that Cindy is talking about right now do live in fear. And that fear keeps them from working with the police. For example, if a wife is being battered and she is worried that by going to the police she is going to be detained for her immigration status, that's just going to create more battered women. So.

(BOOS)

MANRIQUEZ: It's true. It's true. I think the point here is that immigrants have already been betrayed by one presidency. And what Donald Trump did today by offering DACA kids hope was a good thing, a very good thing. And I applaud him for it.

MACCALLUM: I mean, the people that they're targeting are either criminals or they have final deportation orders, which means that they were notified sometimes ago. And they have been told for quite some time in many cases. They have left and come back against those orders. So those are the people who are being targeted first by the directive that we've got today. So we've got more to come back to after this quick break. So stay with us. But coming up, how do those who have come to America from abroad feel about the moves that have been taken by this administration? We're going to talk to two people from this community touched personally by this issue when we come back. Stay with us live in Jacksonville, Florida.

(COMMERCIAL BREAK)

MACCALLUM: So as we wait, President Trump's revised order calling for more vigorous vetting of immigrants from seven Middle Eastern countries. We wanted to talk to a couple of local residents in the Jacksonville area for whom this is a large issue, very near and dear to their hearts. Joanne Farhire is an immigration attorney and legal immigrants and now a citizen of the United States. And Hajdary Mohammad is a recent immigrant to Jacksonville from Afghanistan. He spent nine years helping our U.S. troops in his home country. And we thank you for that.

(APPLAUSE)

MACCALLUM: That is a special category of people that I know you -- I would assume feel in the initial order really got short thrift. Tell me.

HAJDARY MOHAMMAD, REFUGEE FROM AFGHANISTAN: What was the.

MACCALLUM: In terms of people who helped our troops, like you did. In the initial executive order, they were very concerned about their families that they wouldn't be able to get the men, and feel that you have given a great deal to this country, right?

MOHAMMAD: Yeah. Actually, I worked like nine years with the U.S. army in Afghanistan. So like four years for the U.S. army, and five years with the U.S. Special Forces in Afghanistan. So, I mean, because of my work, and my face, and my name, will become known. I am one of those people that they tried to kill. And so, you know, I applied for immigration to come to the United States. I wanted to restart my life, basically from zero to the United States. And I still got some more

friends that are there right now working with the special ops in Afghanistan. And they are hoping to come to the United States for a better life.

MACCALLUM: OK. Joanne, tell us what you think about this new directive and whether or not you're optimistic about them, and whether or not people like Hajdary and the other colleagues who he works with will be protected.

JOANNE FARHIRE, IMMIGRATION ATTORNEY: You know I am optimistic. I am hoping that President Trump does realize that there is an issue with immigration, that the immigration system needs to be worked on. But, you know, the way he implemented the executive order before, it did impact victims, you know, the refugees that were coming in, these are people who have already been victimized. They're fleeing their countries because they've been persecuted where they have a well-founded fear of persecution.

I understand and I totally support the need for strong borders and security of United States. You know, I am a Republican. I supported the Republican president. However, I don't support the weight that this immigration ban was handled. You have to understand that these are people that are fleeing and they are in fear of their life. So to bring them into this country, they land in an airport, and then they're detained again where they spent.

MACCALLUM: And they're going to try to get that right this time. I want to get a quick thought from Ron Stafford, pastor. You're listening to all of this. We're talking about compassion and we're talking about security. What do you think?

RON STAFFORD, PASTOR AND FLORIDA RESIDENT: I think the compassion comes with the security. The president, he's working very hard to secure our borders. But yet, those who have green cards and have already been vetted, I think the compassion comes in when you can allow those people to come in.

And if they need anything else that needs to be done, then they can finish the investigation. But you must have some compassion for those who put their lives on the line for our country. Those who are here and working, we must begin to work to help them to become citizens.

MACCALLUM: Thank you, pastor. A quick break, we will be right back live from Jacksonville.

(COMMERCIAL BREAK)

MACCALLUM: That has been a very eye-opening conversation here tonight in Jacksonville, Florida. I want to thank all of our guests and our panelist for taking the time to discuss these hot button issues that are very much in all of our minds right now, dealing with immigration in America. We would love to hear from you at home, too. Go to [facebook.com/marthamaccallum](https://www.facebook.com/marthamaccallum), you can leave me a message or send me a tweet @marthamaccallum, #first100. Thanks for watching it, everybody. We'll see you tomorrow night. Thank you.

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The White House

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Press Gaggle by Press Secretary Sean Spicer

James S. Brady Press Briefing Room

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MR. SPICER: Good afternoon, everybody. Another quiet weekend. (Laughter.)

Q You sure you don't want to do this on camera? (Laughter.)

MR. SPICER: The President signed a new executive order this morning that continues to protect the nation from terrorists entering into the United States, and

a related presidential memorandum. As we've always maintained, the executive order was fully lawful in the first place, and we would have won the related legal cases on the merits. But rather than leave America's security in limbo while the litigation dragged on, some estimates having that go up to potentially a year, the President acted to protect the national security by issuing a new executive order that addresses the court's concerns, some of which merely involve clarifying the intent of the original executive order.

After reviewing the facts and in thorough consultation with the Cabinet, the President had concluded these actions are necessary to protect the United States from those who, unfortunately, wish to do us harm.

Two areas that I want to highlight in the executive order. There will be a 90-day suspension of travel to the United States by nationals from Iran, Libya, Somalia, Sudan, Syria and Yemen, during which time the Department of State and Homeland Security will conduct a review to determine how we can improve the screening process for foreign nationals seeking to enter the United States.

These six countries have been previously identified by Congress and the Obama administration as presenting heightened concerns about terrorism. Specifically, Iran, Sudan and Syria have been designated as state sponsors of terrorism. Libya is an active combat zone where violent extremist groups thrive in ungoverned territory. Portions of Somalia have been a safe haven for terrorist groups. Most countries don't even recognize the Somali documents.

Yemen is the site of an ongoing conflict between the government and Iran-backed armed opposition. Both ISIS and al Qaeda in the Arabian Peninsula have exploited this conflict to expand their presence in Yemen and carry out hundreds of attacks.

These governments simply cannot or not adequately supply satisfactory information about their own nationals. In the absence of adequate information from these governments, the President has had to act to protect the security of the American people.

After the original executive order, Iraq's government took steps to increase their cooperation with our immigration authorities and improve their vetting process, leading them to be removed from the list of countries covered by the temporary travel suspension. We hope other countries will also take proactive action to ensure the security of all of our nations.

This is proof of both the need for and the effectiveness of the President's actions.

There are a number of exceptions to this temporary travel suspension. The order explicitly states that the suspension does not apply to, one, green card holders; two, foreign nationals currently in the U.S.; three, foreign nationals currently holding valid visas; four, foreign nationals who are dual citizens of a designated country traveling on a passport issued by a non-designated country; and last, foreign nationals who have been granted asylum or admitted as refugees previously.

There will also be a temporary 120-day suspension of the United States refugees' admissions program. More than 300 people who have entered the United States as refugees are currently the subjects of counterterrorism investigations by the FBI. We must find a way to better screen refugee applicants to maintain the safety of our own communities.

This suspension will temporarily reduce the investigative burdens on the agencies that participate in our refugee program, allowing them to properly review and revise their standards and practices.

In regard to both of these provisions, the President places his full faith and trust in the experience and knowledge of his Secretary of State and his Secretary of Homeland Security. This order makes it clear that they have broad authority to grant waivers based on their expert judgments. This suspension does not apply to refugees already scheduled for travel by the Department of State, which is explicitly stated in the text of the executive order. Additionally, this suspension does not treat Syrian refugees different than any other refugees. It does not separately address the persecution of religious minorities, but does permit waivers in the cases of undue hardship.

This order was drafted in close consultation with the relevant agencies. It also includes a delay-effective date of March 16th, giving those involved in its enforcement even more time to facilitate an orderly rollout.

We welcome those who come to our country wishing to contribute and share in our nation's prosperity and wellbeing, but we cannot allow our immigration system to become a vehicle for admitting people who intend to do us harm. It is the President's solemn duty to protect the American people, and President Trump has taken an important step in securing our borders through this order.

Moving on to today, the President had a full day of meetings with the Cabinet and members of his staff. The President received his intelligence briefing this morning. He had a call earlier with the Israeli Prime Minister Netanyahu, where they discussed regional security challenges. The Prime Minister thanked the President for his strong stance on anti-Semitism during his joint address to Congress last week.

The President had lunch with the Vice President, and, as I'm speaking to you now, he is beginning a meeting with the Secretary of State. Later today, he'll have meetings with his National Economic Council and Secretary of Veterans Affairs Shulkin. This evening, he'll have dinner with OMD Director Mulvaney and Secretary of Health and Human Services Tom Price, where he will talk about the repeal-and-replace efforts regarding Obamacare.

With that, I'll be glad to take a few questions.

Q Follow-up on the executive order? Have you told --

MR. SPICER: John Roberts.

Q Thank you. (Laughter.) You told us -- I figured since it's just a gaggle -- you told us many times that the President was going to continue with the case in Seattle federal court, yet paragraph 13 in the new EO says he's going to revoke the original one. What changed?

MR. SPICER: As you know, he met with his team over the weekend down in Mar-a-Lago -- general counsel, Secretary Sessions, Secretary Kelly, Stephen Miller, other members of the team -- where they discussed -- continued discussing the current executive order, as well as the strategy. And they made a determination that it was best to pursue this track.

And again, I think, as I mentioned in the opening remarks, we continue to maintain that the order was fully lawful but there were some legal hurdles that we'd have to potentially cross in terms of injunction and things like that.

So it was discussed with the President Saturday, and he made a decision that this was how he wanted to proceed going forward, based on the advice and counsel of his team.

Q DOJ has informed the 9th circuit of the existence of the new executive order. Will they move to dismiss the 48 cases that are facing that original order?

MR. SPICER: That's a good question. I know that there's the issue of both the 9th circuit and then the other ones. And I'll have to get back to you on that. I don't know what posture they're going to take, so we'll go forward.

Margaret.

Q I was just going to say, would you be able to let all of us --

MR. SPICER: Oh, yeah, I'm sorry. Yeah, I'd be glad to let everybody know.

Q I've got a question too but I can wait until he's finished, it's fine.

MR. SPICER: John, are you done?

Q Oh, I'm done.

MR. SPICER: Okay. See how much nicer this is? Margaret.

Q Oh, thank you. Well, actually I'd like to move away from this subject to the other subject.

MR. SPICER: Sure.

Q Is the President going to clarify what he meant when he accused President Obama and White House officials of doing wiretaps? Is that what he meant, or did he mean that he thinks there were wiretaps that the FBI authorized? And does he want to kind of, like, amend his previous statement?

MR. SPICER: I think the statement that we issued yesterday where -- President Donald J. Trump is requesting as part of the investigation of Russian activity that congressional intelligence committees exercise their oversight authority to determine whether executive branch investigative powers were abused in 2016. Neither the White House nor the President will comment further until such oversight is continued.

He wants Congress to look into this. I've spoken to the President again today. He would ask that they, additionally, look into this issue of leaks of classified and other information coming from the government. He believes that it undermines our national security and that Congress -- the intelligence communities in Congress, using their oversight authority, look into these pervasive leaks of national security -- of classified information. So he would do that.

I would note, it's interesting that when you look at what former DNI Clapper said on "Meet the Press," when he was asked if there was any evidence that the Trump campaign was colluding with the Russian government while the Kremlin was working to influence the election, his quote was, "Not to my knowledge."

I think we've continued to see people who have been briefed and are aware of these stories that have existed -- Congressman Chairman Nunes of the Intelligence Committee, Tom Cotton of the -- he's on the Senate Intelligence Committee, Richard Burr, Marco Rubio -- you name it, on and on and on, have said that the information that they've been provided -- and this is -- I get it, there's two separate issues here. But I think on the first one, you saw over and over again the continued comments by people who are in the know or have been in the know on that situation saying that there was no knowledge. Conversely, you saw former Attorney General Mukasey come out and talk about -- that it's pretty clear that there was some sort of surveillance or wiretaps that had to have existed.

All that being said, I think that's why the President is asking Congress, the intelligence committees to use their oversight authority to further understand what's in this.

I'm sorry.

Q And so --

MR. SPICER: I'm not sorry but I knew you --

Q No, no, no -- yeah. Just before we move on -- okay, so for now, the President is not amending what he tweeted.

MR. SPICER: No.

Q And Jim Comey, in the meantime, I guess wanted Justice to knock it down. Has the President talked to Jim Comey?

MR. SPICER: I'll be honest with you, I have not seen anything aside from another report based on anonymous sources that that actually happened. So aside from anonymous sources saying that a conversation happened, I'm not aware that that occurred. I don't know that we're aware that that occurred. And I, frankly, don't see anything on the record that show that that actually occurred.

So just to be clear, this is one of the problems that I think occurred in the whole first set of stories. People start taking things as fact because a series of off-the-record and anonymous sources say they do. We have started to become a series of believing all of these stories, and yet -- I've addressed this in the past -- there's nothing there to substantiate it.

In fact, all of the people, from -- I mean, Clapper's comment, "Not to my knowledge." You saw Nunes, Rubio, all these senators and House members that have been briefed by the FBI coming out and saying, we have not seen anything, either. At some point, I would ask people to take on-the-record sources and quotes as important as the countless numbers of anonymous off-the-records.

Zeke. Oh, I'm sorry --

Q Sean --

MR. SPICER: No, no, no, I just saw the top of a head. Hallie, I'm going to get to you, don't worry. I'm sorry, that was my bad.

Q It's okay, it's all right. So explain this to me, then. You're talking about not using anonymous sources. What is, then, the sourcing for the President's tweet on Saturday morning?

MR. SPICER: As I said, I think, look --

Q And does he believe it's a FISA warrant. Is it some other -- of surveillance?

MR. SPICER: It could be FISA. It could be surveillance. There's no cameras, slow it down.

Q So he doesn't know?

MR. SPICER: Look, I think he has made it clear that there are continued reports that have been out there. I'm not going to continue to -- I think the President made it clear yesterday that he wants Congress to go in and look at this. I think there is substantial reporting out there from individuals and from sources.

Q But what sources --

MR. SPICER: Okay. Sara, you're not on camera. You don't need to jump in. We'll get to your question in turn. Hold on.

The answer is, is that the President has made it clear he wants Congress to look into this. And we're encouraging the House and Senate intelligence committees to use their oversight capabilities and look into this.

John Gizzi.

Q Sean, does he not know whether -- what kind of surveillance it was?

MR. SPICER: Well, I think that there's no question that something happened. The question is, is it surveillance, is it a wiretap, or whatever. But there's been enough reporting that strongly suggests that something occurred. And I think that that's why what he has said yesterday is that he wants Congress to look into this. And I think that there is enough out there now that makes one wonder how some of this happened without the existence of surveillance.

Q But when he published his tweet --

MR. SPICER: Right.

Q -- did he know what kind of surveillance?

MR. SPICER: All I'm telling -- like I said, I'm going to put a pin in this and say, the statement yesterday made it very clear that he wants House and Senate Intelligence Committee members to use their oversight authority to look into this situation.

John Gizzi.

Q Thank you, Sean. Has the President ever said there's hypocrisy and a double standard in the reporting of things? For example, about alleged Russian involvement in U.S. elections, and then on the other hand, relatively little attention paid to the leaking of conversations with world leaders that are classified? And does the leaking of his conversations with world leaders bother him and make him want to investigate that as well?

MR. SPICER: Yeah, I mean, I think he is very concerned about that. There is obviously information that affects national security that has been leaked out that concerns him. I mean, it's -- and I think when you've seen some of the leader calls being leaked out that are sort of congratulatory or not necessarily dealing with state secrets or national security, that's one thing to seem -- but it gives you pause and concern to realize that, if you're talking about something of national security,

of something that affects two of our different economies or countries, that -- whether it's China or North Korea, whether you're actually talking to them or talking about them with another leader, that there is obviously concern that those calls are getting leaked out. And I think that's why the President is also now asking Congress to additionally use its oversight authorities to also look at those leaks and wonder why that's happening.

So I think he is concerned. I think we've said it several times before, and it's obviously something that is of major concern. And, frankly, when you recognize the potential that that could have on the safety of our country, it should give everyone pause.

Hallie.

Q Sean, two topics for you here. I want to clarify some questions again from my colleagues. Has the President spoken with the FBI director about the allegations he made Saturday morning, and does he have confidence in his FBI?

MR. SPICER: To the best of my knowledge, I'm almost 100 percent certain that he has not, but I've not specifically asked him. I'm not aware that that occurred. Obviously I'll give myself -- and I'd be glad to get back, but I have not known that that existed. So I'm giving myself the ability to get back to you on this, but I'm not --

Q And all of us.

MR. SPICER: And all of you. We're making a list. But I am not aware that that actually happened.

Q And the confidence question. Does he have confidence in his director?

MR. SPICER: There's nothing that I have been told by him that would lead me to believe that anything is different than when it was prior.

Q And before I get to the second topic, a clarification here. You're talking about the President wanting to go to Congress, specifically on the wiretapping question, but this is information that is held by the executive branch. So why would the President, if it's information the executive branch has --

MR. SPICER: Because I think that there's -- like, again, and I'm not going to -- I want to stay in my wheelhouse here. But my understanding is, is that the President

directing the Department of Justice to do something with respect to an investigation that may or may not occur with evidence may be seen as trying to interfere. And I think that we're trying to do this in the proper way, and that's --

Q So his tweets about it -- sort of saying that this information exists does not --

MR. SPICER: That doesn't interfere with an investigation.

So, Zeke.

Q Okay, the second topic was actually on the immigration executive order. The President back in January tweeted about a one-week delay on the travel ban, would have let "bad dudes" enter the country. This particular revised order doesn't go into effect for another 10 days.

MR. SPICER: The 16th.

Q So what changed? How does that under -- does that undercut your argument that the nation was at risk?

MR. SPICER: Well, I would argue that the court kind of undercut our argument by not reading the U.S. code the way it's intended to. But I think we lost the element of surprise way back when we said we were going to issue a second executive order.

Q So that's what it was about, the element of surprise?

MR. SPICER: Oh, absolutely. I think we said at the beginning. The whole reason that we did it in the way that we did was because if you -- started to telegraph it. But I think that when we started talking about a second executive order a couple of weeks back, I think that that generally took away -- whether it was done on Friday or Sunday or Monday, it wouldn't have mattered. And people have been able to -- we have telegraphed what we're doing for the last couple weeks. We took that away, and the President, as you've seen, has been very methodical about making sure we've talked about this for the last week --

Q Since the --

MR. SPICER: Right, but talking about implementing it correctly. And I think Saturday night, if you saw the group of individuals who were down in Florida sitting with him, this is part of that implementation process that we've been talking about, that we were continuing to tweak it, to get it ready to speed, overcome a lot of

issues and concerns that had to get added in or out, and make sure that the government was properly -- but make no mistake, we lost the element of surprise back when we said -- when the court enjoined this in the 9th circuit, and then we had to go back to the drawing board and we talked about doing a second order. That was the intent of it the entire time. You lose that back then.

Zeke.

Q Going back to the previous topic, the President calling for Congress to investigate these specific issues. Does that mean that the President is willing -- or is committing now to accepting the conclusions of these congressional investigations no matter what they say on anything? So because he's now calling for this investigation, he is now committing to accept the outcome?

MR. SPICER: Well, I don't think you would ever just blanketly say "I'm going to accept any outcome." That doesn't matter what it is. You can go to court and -- it doesn't mean that you get found guilty or innocent that you're accepting the outcome, it means that you're agreeing that that's a legitimate -- but I think we're going to let Congress work its will. I think if we have a problem with one of the conclusions, we'll let it be known.

But I think that, for right now, the issue is, is that we think that that's the appropriate place for this to be looked into. And they have the resources, and they, themselves, have admitted that.

Alexis.

Q Sean, can I ask two topics?

MR. SPICER: Sure.

Q On this topic, let me just follow up. If members of Congress pursue an investigation that looks into surveillance in the way the President would like them to, and he believes that that surveillance is potentially against the law, they would make recommendations to the executive branch to pursue and prosecute anyone responsible for that. So their recommendations would come back to the Justice Department. So to ask the question again, would the President accept the recommendations of the legislative branch that potentially laws were broken and that those accusations should come back to the Justice Department to investigate?

MR. SPICER: I think it's hard to prejudge what they're doing. Obviously, the reason that he's asking the House and Senate Intelligence Committee to go through this is because he thinks that they are the appropriate venues. They have the appropriate staff to look at them, and I think it's an appropriate way of having that separation of powers, if you will, where it's not asking -- directing the Department of Justice to do something that they may or may not be the ones conducting.

But again, the reason I don't want to give a blanket statement, Alexis, isn't because I'm trying to prejudge it. But I think that depending on a lot of things, you don't want to say, we're going to accept every single thing they do. I think we definitely will have a lot of respect for what they do and what they look into, but I think to blanketly accept -- just say, we're going to accept anything they say or do, might be a bit premature and not exactly the way to go.

Q And I had a healthcare question but before I do that, it was reported that the President was interested in having the White House Counsel pursue information that would help support the President's argument that he may have been under surveillance. Is it the case that the President has indeed asked Don McGhan to continue doing that? Or is he dropping that and --

MR. SPICER: No, Don McGhan was never asked -- all Don McGhan was ever asked to do was to review what options, if any, were available. That's it. Just review internally and tell the President, this is what's -- but we made very clear to anyone who asked -- and if you know Don and the team here -- these are unbelievably talented lawyers. They're very skilled in understanding their -- where the bounds are, and would understand that any type of interference would be -- it was an internal review of what options, if any, were available. So it's full stop.

Q And that was completed?

MR. SPICER: That guidance was made available to the President.

Q Okay. Here's my healthcare question.

MR. SPICER: It was also reported that the President's desire for speed with the administration's own Affordable Care Act replacement plan has kicked the ball to the OMB Director rather the HHS Secretary to complete that work and get it out this week. Who is in charge of actually completing that? Is it more now in the ball court of OMB rather than HHS? Or are they working together? How would you describe it, and is it still coming out this week?

MR. SPICER: I believe it is coming out -- I have every intention that it comes out this week. But I think it's a joint effort. I think Secretary Price is obviously the lead; it's HHS. But Director Mulvaney, his time -- I mean, they've both served in the House and were champions of budget issues. Obviously, there's a huge budgetary impact on that, and his understanding of the budget, his role here, and, obviously, his understanding of Congress makes Director Mulvaney a great partner.

So it's not a question of -- and this is the same issue that came up during the transition on trade. I think we have an unbelievably talented team -- everybody from Robert Lighthizer, when he gets confirmed as the U.S. Trade Rep, you've got Wilbur Ross at Commerce, Peter Navarro here -- it's not an either/or thing. It's I think bringing the best and the brightest together to get something through.

Obamacare and repealing and replacing it with something that's more accessible, affordable, more innovative is not something that just has to land in one person's hand. It can be covered -- and I think there are great partners and great teammates.

Yes.

Q Yes, please, thank you, Sean. I'm just wondering when you said that it's pretty clear that there was some sort of intelligence or wiretaps and that that's why we need to move forward with an investigation, is that based on people speaking on the record, or anonymous sources?

MR. SPICER: On the record. I think General Mukasey was very much on the record when he came to that conclusion. I think that when you -- anyway. I will leave it to Congress to further follow up on that.

Q And one more, if I may. The President has yet to announce the vast majority of his sub-Cabinet-level nominations, such as Ambassador to Japan. Does the White House have a long-term timeline for all the rest of these nominations?

MR. SPICER: Yeah, I think that you should -- there's a bunch of sub-Cabinet individuals and ambassadorships that should be coming out very soon. One of the things that I think -- I'm glad you kind of gave me an opportunity to touch on personnel. There was a report the other day that of, like, the 1,927 positions that -- someone went through, I think one of the things that people have to recognize is -- we talked about this a lot during the transition. We had about 600 members of these beachhead teams that went in under a special hiring process -- that they're

able to be there for 120 days. For the most part, most of those people transition into Schedule C positions. It's not a given. It is not a default, meaning -- and I think we made it clear during the transition -- it's not just if you showed up for the first 120 days you get to stay. But sort of -- they were chosen specifically because of their understanding of the issue, their expertise or their desire to serve in that particular capacity.

And so we actually -- when you actually look at the numbers, we are well ahead, if not on par with -- we're well ahead of almost every modern administration. I think we're right on par with Obama '08. But you think about it, of the 1,927 or so positions, we've got over 600 of those individuals, and -- most of whom so far are looking like they're fully going to convert to Schedule C. But they are performing the duties that would be done by a Schedule C.

So when you look at the totality of what we're doing, we were well ahead on the Cabinet. And again, one of the other things is, you've got Congress still holding up the Cabinet getting appointed. And so I think there's a degree to which Senate Democrats, before we get a lot of stones thrown at us about where we are on the rest, they haven't even finished the job at hand of getting the full Cabinet.

Jon Decker.

Q Thanks a lot, Sean. Two questions on the executive order. With the first executive order, there was a lot of fanfare when the President signed that executive order; in the Oval Office today, not so much. We didn't see the President, no cameras, no pool. Why didn't he want to show us him signing this new executive order?

MR. SPICER: I tweeted a picture out.

Q That's your picture, that's not independent --

Q Well, I know -- from today. Yeah, that's your --

MR. SPICER: I know, I'm -- I think -- (laughter) -- there are three agencies that are dealing with -- to your point, we went through this. We talked about the courts issue, we talked about this ad nauseam; the President got asked about it over and over again. I think today was about the implementation of it, was about having the three Departments that are expressly named to implement this to talk about what they're doing to implement it. And I think they did a phenomenal job about it.

And that's what we wanted to highlight today, is the government getting it done.

And the way that the Department of Justice, the Department of Homeland Security and the Department of State were implementing the measures that the President laid forth -- again, if you think about it, the principles of the executive order remain the same. We looked at what the court said, we put together a thing -- we consulted with the relevant agencies and Departments. We talked to Congress. We had an extensive morning of briefings. The call to the press lasted about an hour, I guess.

And so we made sure that everybody knew what we were doing. We sent them out to make sure that the American people could see what they were doing.

And so I just want to be clear that I think we did a phenomenal job of rolling it out and making sure the American people saw the faces of the Departments that were instrumental in implementing it.

I'm sorry, Jon, go ahead.

Q That's all right. The second one has to do with this idea of "element of surprise." With the first executive order and also with this one, there's a 90-day temporary ban on residents entering this country from six predominantly Muslim countries. What's to stop a so-called "bad dude" from one of these countries from coming into the country on the 91st day, or the 92nd day? Why 90 days? Doesn't that get rid of that element of surprise when you say --

MR. SPICER: No, I think that -- no, but -- thank you, that's actually an interesting question. I think part of it is, is that we feel confident that during that 90-day period, the processes could be put in place.

Now, remember, there's two key things that are important. Number one is these six countries are the ones that we don't have the information currently that we feel comfortable -- and as I lifted off why -- I mean, there are some that literally are state-sponsors of terror. And I think when you recognize -- I don't think there's any American that wants a country that is a state-sponsor of terror to be sending their individuals here without us properly vetting them.

You talk about Yemen, the documents that people use in Yemen are not accepted by a whole host of countries because they lack the integrity to ensure that they are not compromised. And I think that there is a big difference in that, but we can -- at the end of that 90-day period, we can let a country off, we can expand the list of

countries, we could indefinitely address the countries that are on the list, we could expand that list to other countries that aren't on it.

But there's two things that are happening. One is, we're putting a ban on those countries, the six that are named. But two is, we're looking at an entire -- at the rest of the entire world, and all of the procedures that we use to address all countries.

And so at the end of that period, we could add countries. We could subtract countries. We could decide to indefinitely continue with one of the two -- one of the six, rather. But if you look at the case of Iraq, after the first order, they stepped up with four very specific things that they did to ensure that people traveling from Iraq, we had certain things -- whether it be biometrics and others -- that let us ensure that people coming into the country, we felt confident in knowing that they were coming in.

But that's an important thing. It's not just those six. We're looking at that time -- we're dealing with those during that 90-day -- but we're also looking at everybody else at the same period.

Kaitlan.

Q So why doesn't the order prevent people who didn't have visas by the day of the first order from coming in the country? Because wouldn't that safeguard from the people who went and got visas during this revision period?

MR. SPICER: I would just say I think that there's appropriate steps that have been taken during that period to ensure that the homeland has been protected.

Go ahead, I know you have another one.

Q Just one more question.

MR. SPICER: Of course.

Q Does the President think that Barack Obama himself wiretapped him, or someone in the administration?

MR. SPICER: I'm just going to say that as the President noted in his statement, we're going to let Congress look into that and then we'll get back to you -- we'll discuss it after Congress comes with -- Erin.

Q Since the President contends that he and President Obama like each other, has he picked up the phone and called President Obama since the inauguration, or did he think about asking him directly before accusing him publicly?

MR. SPICER: I have not -- I'm not aware of whether or not they've talked. I can ask and find out and get back to you.

Cecilia.

Q Does the fact that you're rescinding this first executive order -- is it at all an admission that things just didn't go right the first time around?

MR. SPICER: No. I think the first executive order, we've made clear time and time again -- when you look at how the court adjudicated that, their facts were wrong. Just in terms of how many people had come into the country, they based it off of several things that I think were not factually accurate. I think we recognized that we could have been in litigation for up to a year on this, and that would have left the country exposed.

And I think that that's -- there is a goal here that we sought to achieve the first time that we have to maintain. But by no means -- we 100 percent maintain that the executive order as initially drafted is completely constitutional and legal, and that what we've done is to do the best of our ability based on what the court --

Q Sean --

MR. SPICER: Hold on, it's still Cecilia's turn.

Q Thank you. What about this issue of radicalization after people are here, which is what DHS raised in that report? One of the examples that's cited in the EO today is the Somali man, now, who came as a child and was radicalized here. So what does this order do about that population of people?

MR. SPICER: The people that are here --

Q That are here, which is what -- the concern that DHS raised in this report, that said people -- the bigger concern is people who are here and are radicalized after the fact, not those that are here just stopping to --

MR. SPICER: I think that what we need to do -- this isn't a one-stop shop. I think that we have to look at this -- the entire problem. This is one piece of the problem

that we're looking at to make sure that we keep the country safe. It's not a either/or, or only-this-then. But I think you're going to see a continuation of steps that the President takes to make sure that the country is protected.

One small correction that I've been made aware of, it's Somalia, not Yemen, that the travel docs are not accepted. So my apologies to Yemen.

Jeff, did you -- hold on. Thanks. Jeff.

Q Thank you, Sean. You've mentioned a couple times and referred a couple times today to DNI Clapper -- former DNI Clapper's comments on -- over the weekend about Russia and the Trump campaign. Are you encouraging people to take those comments seriously but not the comments where he said there was no wiretapping?

MR. SPICER: No, I'm just -- well, first of all, he also said that he wasn't aware -- he couldn't speak entirely when it came to wiretapping. He said that he wasn't aware of anything. I take him at his word that he wasn't aware, but that doesn't mean that it didn't exist.

But I also think that it's interesting that the double standard that has existed for so long when it comes to -- you have these sources over and over again who have been briefed by the FBI that say, I was briefed, there's nothing there. You have Clapper saying, "Not that I'm aware of." And yet, we still have these stories over and over again citing anonymous sources.

At some point, you have to question how many times are you going to take "didn't see anything there" before we start seeing these stories getting rewritten over and over and over again? I think that is a valid question. It's interesting how everyone today is asking what sources we have, and yet we've been asking the same question about the sources for these anonymous sources and story after story for the last six months. And it's just, don't worry, we have these trusted anonymous sources that may or may not be true. And at the bottom of every story it has some kind of caveat that -- however there has been no formal evidence presented.

I think there's been a malignment for so many months about what may or may not have happened, and yet not a shred of single truth has actually come that shows any evidence that existed except for anonymous source after anonymous source after anonymous source.

Q On a different issue?

MR. SPICER: Yeah.

Q What is the White House's reaction to North Korea firing four ballistic missiles into the sea off of Japan's northwest?

MR. SPICER: The launches are consistent with North Korea's long history of provocative behavior. The United States stands with our allies in the face of this very serious threat. The Trump administration is taking steps to enhance our ability to defend against North Korea's ballistic missiles, such as through the deployment of a THAAD battery to South Korea -- South Korea.

Q I just want to circle back around to a couple things that you said. You said it could be FISA, it could be surveillance. So are you saying that the administration is conceding that somewhere there was evidence presented before a judge that shows there could be collusion with the campaign and that it was okay to surveil them?

MR. SPICER: No, what I'm suggesting is that, as I said, that our goal is to allow Congress to do its job, as the statement said yesterday.

Olivier.

Q And then the follow-up on the new order. You had said that there are a hundred or so that had been inspected, but how many total that came in that you all have detained.

MR. SPICER: It's 300.

Q Of 300 -- 100 refugees? You said hundreds of -- or 300 refugees. How many total came in, and how many did you detain?

MR. SPICER: I'd ask you to talk to the Department of Justice -- actually, Homeland Security on that one. I know the top-line stat on that one.

Olivier.

Q A couple for you. One, just scheduling. The Israeli defense minister is in town tomorrow. Will he meet with the President?

MR. SPICER: I'll have to get back to you on that. I'm not aware that that's on the schedule at this time, but -- I don't know. I know that he and Prime Minister Netanyahu spoke earlier. I'm not aware that that came up.

Q And can you flesh out this notion of 300 refugees being investigated? What are they being investigated for, specifically? What's the source for this information --

MR. SPICER: The FBI.

Q So the FBI is investigating 300 refugees currently on U.S. soil on terrorism-related charges?

MR. SPICER: That's what I have been -- yes. I'll get you the stat for that, but that's --

Q That would be great. Thank you.

MR. SPICER: Anita.

Q Can you talk a little bit about Iraq and how they're not -- why they're not in the executive order anymore? So is this a signal to the other six and to other countries that they can also get removed if they -- I think you called it "proactive," if they were proactively having their own actions?

MR. SPICER: I think what I would say, and I think the way you phrased it is right. It's not just the six countries, it's countries throughout the globe. I think that we are -- it is in every country's best interest to know who's coming in and out of its country and to do things. And I think there are things that we've asked countries to do. And it's not inclusive, it's not "have you hit these four." I think each country is a separate case. So I don't want to say, "if you do these four you're in."

Q But is it possible, then, to --

MR. SPICER: Absolutely. I think there is -- now, in some cases, like anything else, Anita, it may be easier for one country to achieve something than for another. But at the end of the day, I think there are certain things that -- there are certain steps that Iraq went through, including things like biometrics and turning over lists of -- updating lists, rather, of people within their country that have -- that pose a threat.

And so that -- they've agreed to do certain things after the first one was ordered that give us a much greater degree of confidence in knowing who is coming in and out of the country.

Q And then on another topic. What was the President's reaction to hearing about Vice President Pence's email use, personal email for government business? I ask, obviously, because he had so many things to say about Hillary Clinton using personal email for government business last year?

MR. SPICER: I was going to insert, like, an AOL joke here. (Laughter.)

But I think, look, I don't -- I think there's a big difference. The Vice President complied with Indiana law, turned over all of his emails and made sure that everything was done. I mean, that's a very big step. There's no question that I've been made aware of that he didn't do everything in compliance with Indiana law. There's a big difference between doing what is common practice within a state government and what is in compliance with that state's laws, then setting up a private server that seeks specifically to go around the government protocols and the Federal Records Act.

There's a big difference between that. But I mean, the governor at the time, and now the Vice President, did everything in compliance with Indiana law. And I think that's a big difference, is that it's not a question of -- it's a question of was there a law and was there a rule and did you follow it. In the case of Governor Pence, he did. In the case of Secretary Clinton, I would let the record speak for itself on that.

Sara. Gabby, I'm sorry.

Q Thanks, Sean. Part of the justification for the hurried rollout of the initial executive order on immigration was that if it wasn't rolled out immediately, that people would take advantage of that and come into the country. So why has the administration decided to delay the implementation of this new executive order until March 16th?

MR. SPICER: I'm going to refer you Hallie Jackson. (Laughter.) That was what Hallie asked earlier.

Q Sorry.

MR. SPICER: No problem, it's in the -- but basically the answer that I gave Hallie that I'll give to you is, I think the first order -- one of the goals of the first order was an element of surprise, to implement it in a way that didn't allow people to get in, right?

Since the 9th Circuit acted, we've been talking about a second executive order. I think we lost the element of surprise back in mid- to early February when the 9th Circuit acted the way they did. So that element -- what we've tried to do now is to make sure, with that element gone, that we've implemented this in a way that ensures the greatest degree of confidence that we know what we're doing.

One quick item -- I'm not done, so don't -- you can keep your hands -- someone asked earlier, and I'm trying to remember who, about the source for DOJ. Was that you, Olivier? The Department of Justice, FBI investigation, section one, subsection H, the text of the EO notes -- you can check on that for the source.

I'm sorry. Matt.

Q Thanks. Sean, doubling back to something we talked about earlier. President Trump accused President Obama of criminal conduct. One, can you tell us what his source was for that accusation? Two, can you tell us, unequivocally, that he was basing that on more than a talk radio report and a Breitbart article about that talk radio report?

MR. SPICER: I'm going to tell that -- I've said it over and over again, I think the President made it very clear in the statement yesterday that he is not going to comment any further on this until Congress does --

Q So maybe it was just based on the talk radio report?

MR. SPICER: I'm not going to -- I'm just going to say that the President made it very clear that, based on numerous things, including -- and I think there's a New York Times story on it, there's several sources that made this clear or brought this to light -- but I'm not going to go into anything further, as the President noted, until this is resolved.

Mara.

Q I have two topics. One, on the EO that maybe is coming later this week -- an EO on the Obama administration's fuel-economy standards. Are you going to have an EO reversing those, and will that also negate California's waiver?

MR. SPICER: I don't see anything on -- I'll have to get back to you, as my standard. I'm not so sure on the timing -- I was just looking at my date.

Q Oh, okay. Thank you.

MR. SPICER: But I'd just -- I wouldn't get -- I don't have anything to announce at the time, is generally how I answer that, and I'm going to stick to it.

Q Okay, but I have just one more question on the other topic. You said that you pointed rightly to Clapper's comments -- nothing that he knows of suggests there was any collusion between the campaign and Russia. But he also said that he didn't know of any wiretap FISA order. Why are you willing to accept his --

MR. SPICER: That's what Jeff asked.

Q Well, I guess the thing I'm asking is that the President of the United States has unilateral authority to declassify anything that he wants. He said in his tweet, I just learned of this. So he obviously had some kind of evidence. Why not declassify it?

MR. SPICER: I think that's -- as I have made clear, there's a reason that we want Congress, the intelligence committees to do their job in terms of making sure that there's a separation of powers.

Q He's afraid it would look like interference?

MR. SPICER: I think that, again, I'm just going to leave it at that he thinks it's appropriate for Congress to do this instead of trying to point to his own Department of Justice.

Ashley.

Q Sean --

MR. SPICER: Hold on, you're going to wait your turn. It's Ashley's turn.

Q Thank you. This morning, Kellyanne Conway went on Fox News and she said, "He's the President of the United States. He has information and intelligence that the rest of us do not." So that seemed to be referring not to these news reports you're talking about, but to specific, tangible evidence. So what can you tell us about what that evidence is, where it came from? And then secondly, if he has this evidence, why is he asking Congress to investigate?

MR. SPICER: Well, I just -- I think the point that Kellyanne was making at the time is that the President, because he's President, gets access to NSC and other intelligence documents. I don't know -- I haven't seen the exact transcript, so I can't --

Q I can read it to you.

MR. SPICER: I appreciate that, thank you. But I also haven't talked to Kellyanne about it, so I don't think you can do that part. But I don't -- so I can't specifically respond to you in terms of what she was referring to, whether she was referring to the exact nature of his charge or whether, generally speaking, he is given information.

But again, on all of this, I'm going to go back to the statement earlier that the President's goal right now is to make sure that House and Senate can do this -- yes.

Q Thank you, Sean. China is retaliating against the THAAD deployment in South Korea. What is the U.S. position?

MR. SPICER: It's retaliating against what?

Q Against the THAAD deployment in South Korea, THAAD battery deployment.

MR. SPICER: The THAAD battery?

Q Yes.

MR. SPICER: Yeah, I think we're going to work with South Korea. I mean, obviously, North Korea's missile launches present a danger to our friends down south. And I think, as I mentioned in our response, we're going to continue to work with the government of South Korea to address this thing.

Q Would the U.S. -- the Chinese government?

MR. SPICER: I'm not at this point -- huh?

Q -- the Chinese government?

MR. SPICER: We have not had any further conversations on this. I think this is consistent with U.S. policy.

Margaret.

Q Sean, two points of clarification. Did the President mean in any way to suggest that the FBI broke the law, or any other intelligence agencies, with this allegation of wiretapping?

MR. SPICER: In the tweet?

Q Yes.

MR. SPICER: I'm just going to let the tweet speak for itself. I'm not going to get into --

Q Well, that's why I'm asking this question?

MR. SPICER: I get it, but I think that I'm not going to try to --

Q Because it opens that up.

MR. SPICER: I understand that, and I think I will seek further clarification on that. For right now, I would just suggest to you that I'm going to let it speak until I can get further clarification.

Q My second point of clarification here. You said, you know, you didn't want to really get into what the triggering event was for the tweet in the first place, but I want you to address this part if you would. The question has been raised -- or the allegation has been raised that the President was simply trying to change the topic off of an unfortunate news cycle that week. Can you address that portion of the question, that this was deliberately about changing the media narrative and not anything having to do with the story itself?

MR. SPICER: No, I don't -- I mean, that's -- I have nothing to lead me to believe that that was the case. I'm not sure -- and I think he had a great week last week. He had a phenomenal joint address. We had a great visit down in Norfolk, talked about rebuilding the military. He was in Orlando, in Florida, talking about how school choice can help children and parents and create better schools.

So I just -- I can't say that I've talked to him specifically about this, but I think the President had a good week. And so I don't see any reason that he would be using -- I mean, that just -- I think it was an issue of concern to him.

Q Sean, let's remind everybody what the President did tweet Saturday morning: "Terrible! Just found out that Obama had my 'wires tapped' in Trump Tower just before the victory." He later called Obama a stupid guy -- or whatever it was exactly -- a sick guy. Yeah, sorry. Are the American people supposed to pull back and suddenly think that this is not the President of the United States accusing his predecessor of committing a crime when he writes it that way?

MR. SPICER: Look, I think the President speaks very candidly. His tweets speak for themselves, as we've said before, and he's asked the House and Senate committees to look into this.

Sara.

Q Considering the scrutiny surrounding President Trump's then-campaign advisors and Russia, which has carried over at the White House, is he reconsidering at all his hope or his timeline for pairing with Russia to fight ISIS?

MR. SPICER: Is he -- based on --

Q Just based on the amount of scrutiny surrounding his --

MR. SPICER: No, I mean, I think if Russia wants to join with us to fight ISIS, that's a great --

Q So nothing has changed on that front?

MR. SPICER: No.

Q And secondly, in light of the fact that there were previously undisclosed communications between the Russian ambassador and Michael Flynn and Jeff Sessions and Jared Kushner, has White House counsel done anything proactively to try to go to senior staffers or other Cabinet-level officials and say, hey, if you have had contact with a Russian official that you have not previously disclosed, then now is the time to do it?

MR. SPICER: Not that I'm aware of. I'm not aware of any of that. I would say that there's -- one of the things that is interesting that, you know -- in the course of people conducting their business here at the White House or during a transition or in the House or the Senate, you contact a whole host of people -- diplomats, government officials, you know, association representatives, corporate representatives. I mean, that's -- those are the kind of folks that talk to people in government.

And I think that there's one thing between talking with somebody -- I mean, I think -- and again, I'll get back to you so don't be prescriptive on this. I think someone had told me earlier today that there were something like 20 visits to the Russian ambassador in the last, you know, 10, maybe, years. I don't -- huh?

Q Twenty-two.

MR. SPICER: Twenty-two. Thank you for helping fact check me. (Laughter.)

Q -- is not here, so somebody's got to do it. (Laughter.)

MR. SPICER: Thank you. Where's Knoller? But I think at some point, there's nothing wrong with people doing their job, right? I mean, that's what I think that there is a big difference between so-and-so met with someone. There's nothing to disclose with a meeting. If I have a meeting with a member of the media, no one says, hey, did you know that you need to report every time you meet with this individual or this outlet or whatever. There's nowhere to report that kind of stuff. There's a big difference between doing something nefarious or illegal and conducting yourself in a routine course of business.

Q But there were clearly a number of instances where people in this administration suggested they did not have any contact or misled you guys about the amount of contact they had, which has then caused some unflattering news cycles.

MR. SPICER: Well, and I think -- so in one case, Michael Flynn was, you know -- the President said the inconsistencies and him not being straight with the Vice President -- he asked him to resign. I think the President dealt with it.

But that was -- again, if you note the President's comments at the time, he was very clear that the issue wasn't that he's doing his job. The issue was him misleading the Vice President. And that's a very different thing.

So he had no problem with him doing his job and contacting individuals that we were going to need to be in contact with during the administration. And that's where I think there is a big difference between a lot of these stories saying, did you know that so and so did this? There's nothing wrong with people meeting with ambassadors, or government officials, or corporate representatives, or members of the media. That's part of what we do in government.

And so I think there's a big difference in the question that you're asking about whether or not someone is doing something that's wrong and inappropriate or illegal, and someone doing what they would do in a normal course of business.

Q Well, I think the other question is just whether there have been more instances in this that are going to catch you guys by surprise since he --

MR. SPICER: And I guess --

Q -- the President himself has denied that there was any kind of this contact throughout the campaign, and then we found out there were national security --

MR. SPICER: But hold on. Actually --

Q -- advisors you didn't mention meeting with the Russian ambassador as well as Jeff Sessions, and then there was this meeting with Michael Flynn, as well as Jared Kushner, which was not previously disclosed.

MR. SPICER: Okay, so there's two things. You said the President found out about this. What's "this?" Having a meeting? Again, I don't think that -- there's countless meetings that members of his senior staff and the rest of people throughout government have on it every day. That's why he's asked us to come here and work, is to facilitate some of these meetings and get some of this stuff done.

There is no one to disclose stuff to. I don't disclose the --

Q That sounds like you're saying you're not concerned that they're --

MR. SPICER: No, it's not that I'm not concerned. I guess there's -- but what I'm getting at, Sara, is that there's a difference between being concerned about somebody -- I could equally be concerned that if a member of the media said, hey, I want to take a member of your staff out, and we're going to break some kind of ethics rule. I would be concerned about that. But I wouldn't be concerned if they said, hey, we want to go have coffee with a member of the media.

They don't disclose all that on our staff. And I think -- but that's essential to your question is, is a meeting -- there's nothing wrong with a meeting. There's nothing wrong with meeting with a government official, or a diplomat, or a member of the media, or a corporate individual, or association, or a constituent, or a citizen that has an issue. But on any of those categories, once they cross the line and do something wrong, and I think to the answer of your question, the issue was specifically -- or the question surrounded attempts to influence the election. Those are very different than people meeting also during a transition period, or people meeting in their White House capacity. But those are three separate instances.

All of the stories that I've heard so far, previously all detailed just action with respect to the campaign and Russia's attempt to influence the campaign, right?

Q Yes, I mean, I think --

MR. SPICER: Yes, I mean that's --

Q That was the backdrop.

MR. SPICER: Right. That's the backdrop. And then -- and so I think in the one instance where it happened where there was someone that misled someone, they were let go.

So for you to start asking questions about, well, what if these other individuals had a meeting? Well, were they ever asked about it? I mean there's a big difference between did someone meet with someone; and did someone mislead somebody about meeting someone. And that is a very, very big difference in those questions.

And that's one of the things that I think is important to distinguish. People can meet with people. The question is did they do something wrong. Did they mislead somebody? And those are all very, very different categories.

April.

Q Okay, Sean, I have a couple of topics. And back on this following up, so the question is: Under what capacity was he in when he met with the ambassador? And what did they talk about?

MR. SPICER: Who is he?

Q Sessions.

MR. SPICER: I don't know.

Q And then under -- then when he was under oath, he said he didn't do it. But then we find out later, so what do you say --

MR. SPICER: No, no. Well, first of all, I'm not going to -- I'll refer you back to the Department of Justice. I know -- my understanding is he's amending his testimony to the Senate Judiciary Committee from what I've heard. So I'll let his people -- but I do think that his explanation that he gave was very -- was that he was answering a question did you have any meetings with anyone with respect to the campaign.

And I think in his mind, it was very clear that, I never met with anybody with respect to the campaign. I met with someone in my Senate office, in my capacity as a

United States senator, with Senate staff to discuss foreign policy or whatever it was that he was discussing.

I think the Senator discussed this in his media conference last week Thursday. So I don't -- I guess the issue is with respect to what was talked about, I don't know. That's up to him.

But I do think the way he described it was very clear that he believed he was answering Senator Franken's question with respect to activity involving the campaign and attempts to -- as I said to Sara, like this whole idea of influencing the election. Meeting with an ambassador about an area of foreign policy in his Senate office with his Senate staff was clearly not a campaign event.

Q Okay, so now on the leak issue. You're talking about Congress doing an investigation. But some of these leaks are coming from top officials, people who know insider information. What has the President said to his staff as it relates to the leaks in reference to trying to find out himself, not just from top-level people, what has he said to people about the leaks, about trying to stop it, or trying to find out what's happening?

MR. SPICER: Well, I think the President made clear in his comments when he stood before you all a couple weeks ago that his main concern is national security. That's -- when he keeps talking about the leaks, his concern is the leaks that damage and undermine national security, the leaks that deal with classified and other information. That's what his main concern is. And I don't think -- that's not a White House issue. That's sort of -- that is an issue that is beyond the White House. We're not --

Q Other leaks don't matter, but the national --

MR. SPICER: No, no, I think -- it's not that other leaks don't matter. I think his issue that he has talked about and his concern is the leaks of national security. It's not that he's saying, other leaks are okay.

But I think the ones that threaten our public safety or potentially put our country in harm are the ones that he really cares about.

Peter.

Q I have a question. I'm sorry. This President reached out to former President Obama several times when he was President.

MR. SPICER: That's right.

Q They started building something. There was a bridge. Now some people in the Obama camp are considering these conversations about, or these tweets crazy.

And the question is now: With this divide between these two, and President Trump may need to one day reach back to former President Obama, how do you think that will play out? Do you think that these two will never come back together again? Is this something he could have talked to him about before he went on Twitter?

There is now a chasm. There's a divide that wasn't there a couple of weeks ago.

MR. SPICER: Okay, well, there was a divide during the campaign, too. I don't think that -- I think that, as you saw, and the President has made it very clear, he said some things about the President. And the President said stuff -- about the campaign. I think they came together for the good of the country. And in cases where they can come together for a common good and to talk about what's in the country's best interests, they will.

But I understand your point. I just think the President --

Q Did he burn a bridge?

Q Hold up, hold on.

MR. SPICER: Thank you. But I think that they'll be just fine. So go ahead. That's you.

Q Oh, good.

MR. SPICER: Yes.

Q Hi, Sean.

MR. SPICER: Hi, Julie. You've been very patient.

Q Yes, I have. Thanks.

MR. SPICER: I think it's your first time.

Q It is, yes.

MR. SPICER: Well, welcome. See how pleasant this is?

Q I was feeling like how can I not get called on my first time? Ten years ago, Bob Levinson disappeared in Iran. And I know the President talked about this a little bit on the campaign trail. Is there anything you can tell us about how the administration is approaching this case? Have they been in communication with his family or any updates on that?

MR. SPICER: I think we put out a statement from the NSC on Friday on this -- Victoria. I think we -- so we have been in communication with his family. I believe they were here -- or we were in touch with them last week. And obviously, we continue to hold out hope. But the administration has been in touch with his family.

Q Sean, the call to Netanyahu, what prompted that?

MR. SPICER: I don't know, Dave. I'll find out. I just know it happened. And I got a little bit of a --

Q As you might know, the Prime Minister is meeting later this week with Vladimir Putin. Did the President and the Prime Minister talk about Syria at all?

MR. SPICER: I don't know. I know that they had a discussion about regional threats, so I don't want to get ahead of this.

David Jackson.

Q Comey did tell people this weekend that President Obama did not order these wiretaps, and he did want the Justice Department to put out that statement. Does President Obama believe --

MR. SPICER: Are you -- like I said, I am not -- wait, so --

Q Does President Trump believe Comey when he says that President Obama did not authorize these wiretaps?

MR. SPICER: My question is, is that I don't think that we've confirmed that Director Comey did say that. I don't -- I'm not aware. Aside from reading stories that cite anonymous sources saying that he did, I'm not aware that that actually happened. So that's the first issue that I think we need to resolve.

Q Well, people we trust did tell us that he did.

MR. SPICER: Well, with all due respect, not you, but I think that we've had a number of reports that I've seen that -- about things that have occurred in the last 40-some-odd days that actually didn't occur, but anonymous sources said they did.

Peter Alexander.

Q Sean, to be clear, you said earlier as an on-the-record source for the President's wiretapping claims, he referred to the former Attorney General Michael Mukasey. I just want to ask you to clarify if you could because his public comments were on Sunday, a day after the President tweeted about this. And even in his public comments, he said that he based his information "on news reports."

MR. SPICER: Okay. But I'm just saying that he is -- someone asked whether it was an on-the-record comment. And that is on the record.

Q But I was saying, was there an on -- you were being asked was there an on-the-record comment in advance of the President's tweets to which he was basing his information? Did he have anything better than anonymous sources?

MR. SPICER: I don't -- I'm not -- as I said before, I'm not going to get into the elements of that. I'll just -- I'm going to wait until the House and Senate.

Q Really, just on a past comment that the President had made about the suggestion that there were -- or the claim, in fact, that there were 3 million to 5 million people who voted illegally in this country -- he made this claim more than a month ago. I just want to get a sense now on the update on any investigation into that and where it stands, given the explosive nature of such a claim.

MR. SPICER: I think we've touched on this, but he has asked Vice President Pence to lead a task force on this. We have -- I'll get more for you. I know that there's been some discussion with some Secretaries of State and others on some of this. I know you had that issue in Texas come -- last week, and I'm trying to remember the exact nature of it, but there has been now further evidence that people have voted illegally. And I think that one of the things the task force is looking to do is to gather additional information of what -- it's still in the process of getting the task members named.

Q Does the task force, I guess, exist yet? Or is --

MR. SPICER: Yeah, the Vice President has been talking to folks potentially to serve on it, and I know that several Secretaries of State have expressed --

Q It hasn't convened yet, but he's been talking to folks about it.

MR. SPICER: That's correct. That's correct.

Q Sean, two subjects here, following up on the wiretap question. Stepping away from what the President knew or the basis of his tweets, how appropriate is it for a President to make an explosive charge as fact and then send you folks out to step away and say this maybe happened and we should investigate it?

MR. SPICER: Well, again, I think there's two things. One is the President's tweets speak for themselves. We're making that very --

Q But --

MR. SPICER: Hold on. And I think the President has been very clear, as we've stated, that I think there's enough there that we want the House and Senate intelligence to use the resources they do to make sure that they look into this matter. I mean, that's -- there is -- anyway, I do not want to get ahead of where they may go with this or what they may look at, but I'm going to leave it to them. If we start down the rabbit hole of discussing some of this stuff I think then we end up in a very difficult place.

I look forward to seeing you guys tomorrow. If you can bring your cameras --

Q Sean, housekeeping-wise, you said that we'd get some clarification on a number of questions -- to all of us. If you could do that today through the pool --

MR. SPICER: Yeah, I think we can try to do that through the pool. If not, we'll write everything -- we generally write down everything and try to get back to the reporters. So I will have the team -- and then get it out by the pool.

Q Will we be hearing from the President this week, since we didn't today?

MR. SPICER: I'm sure at some point we'll do either something that we -- a photo spray or something. I think that we have a pretty good track record of making the President available to folks.

Q -- kind of unusual.

MR. SPICER: What's unusual?

Q To not --

MR. SPICER: It's Monday.

Q Exactly.

Q But you see -- everything is closed. Normally we have a photo spray or something.

MR. SPICER: I just -- I think that's -- don't give me this "normally we do." I made it very clear at the beginning of this, April, that we have some things on camera, some off. Last week the President traveled two days, he had the joint session. We briefed every single day --

Q It's not about us, it's about the American public seeing their President. And we have to --

MR. SPICER: Wait, hold on. Seeing their President. The guy is in meetings all day. I'm trying -- how many times did you complain about the President --

Q He signed executive orders. You had us -- last week you said --

MR. SPICER: Hold on, hold on. He signed an executive order. I mean, this is a President, when it comes to accessibility and allowing the press access, I think I've heard from several of you -- we have gone above and beyond allowing the press into events, into sprays. We've had greater access.

So, with all due respect, I mean that's not been the case. One day out of the last 41 or 40, whatever it's been -- but I think this President has been extremely accessible, extremely transparent, as far as -- he signed an executive order this morning that we then put all three Cabinet Secretaries that were relevant to implement this out.

I'll be out tomorrow. I think we have an opportunity -- look, I made it very clear from the beginning of this that we'd have a briefing every day. We've gagged every day, we've made ourselves available to you. So, with all due respect, that's not a very accurate assessment of how we've been acting.

Thanks. I'll see you guys tomorrow.

END

2:50 P.M. EST



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Office of the Press Secretary

For Immediate Release

February 27, 2017

Press Briefing by Press Secretary Sean Spicer, 2/27/2017, #17

James S. Brady Briefing Room

1:43 P.M. EST

MR. SPICER: Wow, that's a crowd. I hope everyone had a great weekend. Good afternoon. Before I begin, I wanted to introduce the Director of the Office of Management and Budget, Mick Mulvaney, to talk to you a bit about the President's budget. When Director Mulvaney is finished, we will allow him to take a few questions and then resume the briefing and all the fun that goes with it.

So without any further ado, Director Mulvaney.

DIRECTOR MULVANEY: Thanks very much. I want to talk for a few minutes about the budget blueprint that most of you know the President started speaking about this morning with the governors. I'll talk a little bit about what it is and what it isn't, and then talk about where we are in the budget process and what it looks like from here.

First of all, what this isn't: This is not a full-blown budget. That will not come until May. So you're not going to see anything in here that has to do with mandatory spending, entitlement reforms, tax policies, revenue projections, or the infrastructure plan. This blueprint was never going to be that, as I made clear during my Senate confirmation. It is a topline number only.

As for what it is, these are the President's policies, as reflected in topline discretionary spending. To that end, it is a true America-first budget. It will show the President is keeping his promises and doing exactly what he said he was going to do when he ran for office. It prioritizes rebuilding the military, including restoring our nuclear capabilities; protecting the nation and securing the border; enforcing the laws currently on the books; taking care of vets; and increasing school choice. And it does all of that without adding to the currently projected FY 2018 deficit.

The top line defense discretionary number is \$603 billion. That's a \$54-billion increase -- it's one of the largest increases in history. It's also the number that allows the President to keep his promise to undo the military sequester. The topline nondefense number will be \$462 billion. That's a \$54-billion savings. It's the largest-proposed reduction since the early years of the Reagan administration.

The reductions in nondefense spending follow the same model -- it's the President keeping his promises and doing exactly what he said he was going to do. It reduces money that we give to other nations, it reduces duplicative programs, and it eliminates programs that simply don't work.

The bottom line is this: The President is going to protect the country and do so in exactly the same way that every American family has had to do over the last couple years, and that's prioritize spending.

The schedule from here -- these numbers will go out to the agencies today in a process that we describe as passback. Review from agencies are due back to OMB over the course of the next couple days, and we'll spend the next week or so working on a final budget blueprint. We expect to have that number to Congress by March 16th. That puts us on schedule for a full budget -- including all the things I mentioned, this one does not include -- with all the larger policy issues in the first part of May.

So with that, I'll take a couple questions.

Yes, sir.

Q Mr. Director, in order to get to your topline on the rest of the nondiscretionary -- or rest of the discretionary budget, if you're not going to touch veterans benefits, you need to slice about 12 percent off of the rest of government. Can't you do that without affecting the services the government provides for --

DIRECTOR MULVANEY: And that's part of what this process is this week. The numbers go out, and the numbers -- each agency will get its topline number along with recommendations from OMB as to how we think they can hit that number. And they may come back to us and say, yeah, we think that's a good way to reach that number, or they may come back to us with other suggestions. That's what this process is.

I think it's fairly unusual for us to be coming to you this early in the process, but we wanted to let everybody know exactly where we were.

Q But we're not talking about 2 or 3 percent -- we're talking about double-digit reductions, and that's a lot.

DIRECTOR MULVANEY: There's going to be a lot of programs that -- again, you can expect to see exactly what the President said he was going to do. Foreign aid, for example -- the President said we're going to spend less money overseas and spend more of it here. That's going to be reflected in the number we send to the State Department.

Q Thank you very much. One quick follow on foreign aid. That accounts for less than 1 percent of overall spending. And I just spoke with an analyst who said even if you zero that out, it wouldn't pay for one year of the budget increases that are being proposed right now. So how do you square that amount? So why not tackle entitlements, which are the biggest driver, especially when a lot of Republicans over the years have said that they need to be taxed?

DIRECTOR MULVANEY: Sure. On your foreign aid, it's the same answer I just gave, which is, yes, it's a fairly part of the discretionary budget, but it's still consistent with what the President said. When you see these reductions, you'll be able to tie it back to a speech the President gave or something the President has said previously. He's simply going to -- we are taking his words and turning them into policies and dollars. So we will be spending less overseas and spending more back home. I forgot your second question.

Q On entitlements, why not address entitlements, which is the biggest driver of spending?

DIRECTOR MULVANEY: It's very unusual to -- this is a budget blueprint -- what some folks used to call a skinny budget -- and it would not be at all unusual for larger policy decisions, including tax reform, revenue projections not to be included in this budget. That will come in --

Q Down the line?

Q Sir --

Q Hold on. So down the line, could we see some type of budget that deals with entitlements?

DIRECTOR MULVANEY: The full budget will contain the entire spectrum of the President's proposed policy changes.

Q Director, on rebuilding the military, can you talk a little bit about more of the breakdown of that? Can you go into a little bit more detail?

DIRECTOR MULVANEY: No, I can't -- because, again, where we are in this process is that the numbers going to the DOD today and over the course of the next 10 days to two weeks, we'll be coming up with those types of details.

I've got time for one more.

Q Will you be asking the military -- you're going to increase the military budget, but are you going to at least ask the people in the Defense Department to take a look at their budget and say, hey, where can we at least cut or at least look and make sure that we're spending the right amount of money? Is part of that is going to be part of the process?

DIRECTOR MULVANEY: Well, absolutely. That's part of what Secretary Mattis and I have already talked. He's interested in driving more efficiencies into the Defense Department. OMB is also going to be involved with him on the procurement process. All of that will be incorporated in our larger budget in May.

Q So it's not just like a blanket -- "Here, we're going to throw money at you, do what you want"?

DIRECTOR MULVANEY: No, sir. No, sir.

Last one.

Q Does this account for spending for the President's wall, either in the \$30 billion we've heard you're going to request for this year or the \$54 billion increase? Does that include money for the wall, how to pay for the wall?

DIRECTOR MULVANEY: It would be more likely -- excuse me, a little bit of both. We do expect to include some money in a future supplemental for 2017 for the wall, and a 2018 budget will also contain some longer-term dollars for that.

Q So it will be split up between the two.

DIRECTOR MULVANEY: I believe that to be the case.

Thank you all very much.

MR. SPICER: Thank you, Director.

So let me get back to -- I'll be right there in a second, April.

This morning, the President dropped by the National Governors Association meeting, where 49 governors from both states and territories joined Cabinet members and senior White House staff to discuss where they can work together to rebuild the country and restart the economy.

While at the meeting, the President delivered a statement on his forthcoming budget proposal, which he'll submit March 16th, as you just heard the Director mention. The President's budget will, first and foremost, keep Americans safe. That means investing in both our nation's physical and financial security. We will rebuild the nation's military. An increase in defense spending, including increased funding for our veterans and our border, will be matched by equal reductions in nondefense programs. The savings in our budget will come from looking at outdated and duplicative programs. The reductions spending will be sensible and rational, but they will also be tough.

With our nation's debt spiraling out of control, we simply must take a look at the way we're spending taxpayers' dollars. Families across the country are being forced to make difficult choices, because for too long the federal government has not treated their money with the respect they deserve. The national debt exploded under the last administration from \$10.6 billion [trillion] on January 20th, 2009 to \$19.9 trillion the day before -- sorry, those are both trillions -- the day before the President's -- President Trump's inaugural. Every child born in America this year will inherit an average of over \$60,000 in debt. And that, frankly, is too much.

Our budget will restore respect for taxpayers' dollars while funding all the necessary programs to keep our country safe and prospering. This meeting with the governors was a continuation of a weekend of engagement and discussion between the governors and the administration.

The President and the First Lady welcomed the governors last night to the White House for the Annual Governors Ball. And yesterday, the Vice President had a very productive meeting with several governors.

The administration is proud to be working with the governors on rebuilding our nation's infrastructure, reforming our healthcare system, and putting Americans back to work. I know that Obamacare, in particular, was put into place without a lot of input from governors. We're committed to consulting and including them on this and so many other subjects as we solve the nation's biggest issues together.

Later this morning, the President had a listening session with some of our country's leading healthcare insurance companies. Interestingly, on yesterday's ABC "This Week," Minority Leader Pelosi actually laid out a great outline of how to judge Obamacare's success based on what it was supposed to achieve. She said, "It had three goals: One, to lower the cost, the other to expand benefits, and the third to improve and increase access."

So let's go through her criteria. Lowering costs: While this year all four tiers of Obamacare insurance plans are facing double-digit increases in average premiums. Just to take a look at one set of premiums, for standard silver plans in the states, 63 percent increase in Tennessee, 69 percent increase in Oklahoma, and a staggering 116 percent increase in Arizona.

On expanding benefits: In reality, the new law's mandates have led to max cancellations of coverage, soaring out-of-pocket costs, and declining enrollment figures. Millions are choosing to pay a tax over buying the government-mandate insurance.

Increased access: With insurance fleeing the marketplace, Americans are facing a dwindling number of insurance choices with 17 percent of Americans left with only one insurer option available in their exchange. Insurers will be indispensable partners in the transition period out of Obamacare into the Patients First plan the President will be working with Congress to put in its place. The President's plan will encourage innovation, modernize our healthcare system, and provide immediate relief, and ensure access to quality, truly affordable care.

This afternoon, the President had lunch with Vice President Pence and Ambassador Haley. Afterwards, he's having a meeting with Speaker Ryan and Majority Leader McConnell. And then following that, he's going to be meeting with Secretary of State Tillerson. The Secretary is coming off a very successful trip to Mexico that -- he was joined by Secretary of Homeland Security Kelly. I'm sure the President is looking forward to discussing that trip with the Secretary.

Also this afternoon, the Vice President will be speaking to an extraordinary group of 60 presidents of Historically Black Colleges and Universities. There will be a pool spray at the top of the event, and the Vice President's office will release his remarks and photos following the event. We can also expect a meeting with the President with them as well.

This evening, the President will have dinner with regional press affiliates that are going to be in town for the joint session of Congress. While it's tradition for representatives from the networks to meet with the President before his joint address, this is the first time, to my knowledge at least, that the opportunity has been expanded to include representation from 18 regional outlets from around the country.

Tomorrow, the President will also have the traditional lunch with the network anchors. Beyond the so-called "big five" networks, we've also opened it up and invited outlets including Telemundo, Univision, CBN, EWTN, OANN, PBS, C-SPAN, and TV1.

Tonight, the President looks forward to seeing his nominee for the Secretary of Commerce, Wilbur Ross, confirmed by the Senate. Secretary-designate Ross has been an important champion for U.S.-struggling industries in the private sectors. And pending his confirmation this evening, he'll now do in the same post on behalf of the American people what he has done in private sector. Assuming everything goes according to the plan in the Senate tonight, we expect to have his swearing-in tomorrow here at the White House.

Also tomorrow, the President will deliver his first address to both houses of Congress. In his speech, the President will lay out an optimistic vision for the country, crossing traditional lines of party, race, socioeconomic status. As I said before, the theme will be the renewal of the American spirit. He will invite Americans of all backgrounds to come together in the service of a stronger and brighter future for our nation.

In addition to laying out the concrete steps the President has already taken to make the American Dream possible for all of our people, he will talk about the bold agenda -- he wants to work with Congress. This includes tax and regulatory reform to provide relief to hardworking Americans and their businesses, making the workplace better for working parents, ensuring the families who have suffered under Obamacare's skyrocketing rates see it replaced with a patient-centered alternative, making sure every child in America has access to a good education, a rebuilding of our military and fulfilling of our commitments to veterans to whom we obviously owe a great deal of gratitude.

You can expect to see a speech grounded firmly in solving real problems for every American -- how can we make sure that every American who needs a better job get one, how can we get kids who are trapped in failing schools into better ones, how we can keep gangs and drug violence out of our neighborhoods and communities. The President will address the Americans who have been waiting for help from their leaders for too long, and let them know that help is finally on the way.

With respect to the speech, we will be having a background briefing sometime this evening here in the briefing room. We will provide additional details later in the afternoon.

As you might already know, the Department of Defense presented its preliminary plan to the White House today to defeat ISIS. This plan has been delivered by Secretary Mattis, who is currently briefing the principals on the option presented today in seeking their input and feedback.

Finally, I wanted to note the President continues to be deeply disappointed and concerned by the reports of further vandalism at Jewish community -- Jewish cemeteries, rather. The cowardly destruction in Philadelphia this weekend comes on top of similar accounts from Missouri and threats made to Jewish community centers around the country. The President continues to condemn these and any other form of anti-Semitic and hateful acts in the

strongest terms. From our country's founding, we've been dedicated to protecting the freedom of our citizens' rights to worship. No one in America should feel afraid to follow the religion of their choosing freely and openly. The President is dedicated to preserving this originating principle of our nation.

And while we're at it, I don't want to get ahead of the law enforcement, but I was asked the other day about the story in Kansas -- the shooting in Kansas. And while the story is evolving, early reports out of Kansas are equally disturbing.

So with that, I'll be glad to take your questions. Jon.

Q Sean, there's a report this morning that you reached out directly to CIA Director Pompeo. Did you directly contact Director Pompeo and ask him to knock down the New York Times story on the Russia connection?

MR. SPICER: Thanks, Jon. Let me kind of, if I may, walk through the entire timeline. I think it's important.

As I mentioned I think a week ago, the New York Times published a story about what they called "contacts" between members of the Trump campaign and Russian officials. The FBI deputy director was at a meeting here at the White House that morning. After the meeting concluded, he asked the chief of staff to stand back a second, he wanted to tell him that the report in the New York Times was "BS." For viewers at home, I think you can pretty much figure what that means, but I'll leave it at that.

At that time, the chief of staff said, thank you for sharing that with me, can we let other people know that the story is not accurate. Throughout the day, they went back and forth to see what they thought was appropriate. Finally, came to the conclusion that they did not want to get in the process of knocking down every story that they had issues with.

They then -- we then were informed that other people had come to the same conclusions, including -- at that time, Chairman Devin Nunes had told us, hey, I've been knocking this down, telling reporters. We shared a number with him of a reporter that had contacted us. And again, when the reporters contact us and we said, no, that's not -- to the best of our knowledge that's not true, they were asking us, can you point to -anybody else that can substantiate this? And I think we did a good job of saying, sure, we will share with reporters other people who have come to the same conclusion.

So I won't go into the specifics. I will say that I think we did our job very effectively by making sure that reporters who had had questions about the accuracy and the claims made in The New York Times, that we were pointing them to subject-matter experts who understood whether or not that story was accurate or not. And I think just to continue to be very, very clear on this -- it was about the accuracy of the reporting and the claims that were made in there,

plain and simple -- about whether or not a story that appeared in The New York Times was accurate. And individual after individual continued to say that, as far as they knew, they weren't.

I think most of you probably saw Chairman Nunes's comments this morning. He was very clear, number one, that he reached out to us to say, I've been telling people, reporters, that these allegations and descriptions in The New York Times are not accurate. And then we shared that information with him. But he came to us to share that he equally had that issue brought up to him, he was briefed and saw "no evidence" that the story was accurate.

So the answer is, we have continued to give reporters information and sources that went to the accuracy, or lack thereof, of a report that was in a newspaper. And I think Chairman Nunes also equally said it's interesting how we literally were engaging with the press, saying, if you have a question about the sourcing on this -- obviously, when brought to our attention, we said, it's not accurate as we know, but then most of you and your colleagues who had inquired would say, well, that's great, I'm sure you're saying this, but who else can corroborate this? So our job was to continue to -- when informed -- share sources who had equally come to the same conclusion that the Times story was not accurate.

Q You don't think there's something strange about -- something odd about the White House Press Secretary getting the CIA director on the phone to knock down a story about an investigation?

MR. SPICER: No, no, but see, respectfully, you're using words like "knock down." There was a story in a newspaper --

Q Was it disputed?

MR. SPICER: Hold on. No, no -- there was reporters coming to us saying, there is a story out there, what's your take on it? And our answer was, we don't believe it's accurate, we don't* [do] believe it's false. But obviously that's our take on it. And reporters were saying to us, well, is there anybody that you can point to to substantiate this claim?

Now, remember, this all started with the FBI coming to us, bringing to our attention, saying that the story in the Times was not accurate -- in fact, it was BS -- and all we did was simply say, that's great, could you tell other reporters the same thing you're telling us? And I would think that other reporters, yourself included, would think that that would be a helpful thing to get the story straight. All we sought to do was to actually get an accurate report out. And again, I think Chairman Nunes this morning, over and over and over and over again, made it very clear that no evidence that has been brought to his attention suggests that that reporting was accurate.

So, respectfully, I think it's interesting that I'm being asked what's appropriate when what we're

doing is actually urging reporters to engage with subject-matter experts who can corroborate whether or not something is accurate or not.

Q Should there be a special prosecutor? Darrell Issa has called for a special prosecutor to look into this.

MR. SPICER: And I guess my question would be, a special prosecutor for what?

Q To look into the whole Russia connection, the whole Russia influencing --

MR. SPICER: And here's my -- right. And I guess my --

Q I mean, he was part of the campaign, so -- I mean, Sessions was part of the campaign, the Attorney General.

MR. SPICER: I understand. But here's my question, Jonathan: We have now for six months heard story after story come out about unnamed sources say the same thing over and over again, and nothing has come of it, right? We've heard the same people, the same anecdotes, and we've heard reports over and over again. And as Chairman Nunes made very clear today, he has seen nothing that corroborates that. So at what point -- you got to ask yourself, what are you investigating?

Q Well, Russian interference -- I mean, beyond the context.

MR. SPICER: No, and I think that both the House and the Senate have looked at it. You know as well as I do that the intelligence community has looked at it as well. There's a big difference. I think that Russia's involvement in activity has been investigated up and down. So the question becomes at some point, if there's nothing to further investigate, what are you asking people to investigate?

I mean, Chairman Nunes spoke very clearly today when asked over and over and over again about all of this, and said that he has seen nothing that leads him to believe that there's there. The President has spoken forcefully time and time again that he has no interests in Russia, he hasn't talked to people in Russia in years, and yet you keep asking -- and when I say "you," collectively -- to try to find something that seemingly, at least the reporting that I'm seeing in different organizations, suggests that there's nothing new that's being reported. It's the same stuff over and over again that we've heard for literally six months. And so the question becomes at some point, what do you need to further investigate if there is nothing that has come out?

Q Can you not categorically deny there were no contacts between the Russians and anybody on the campaign?

MR. SPICER: I can't deny -- I can't -- I guess my question is --

Q That's what the investigation would look at.

MR. SPICER: Right. And I guess my point is, is that you've had the intelligence community look at Russia's involvement in the election. You had the House and Senate both do the same. And so what I'm trying to ascertain is that at what point -- how many people have to say that there's nothing there before you realize there's nothing there? I can't say unequivocally -- all I'm saying is, the people who have done the investigating about Russia overall and its activities in the United States, specifically now with respect to our election, haven't provided anything that leads me to believe or should lead you to believe -- and I continue to see reports coming from -- there were media sources saying when they checked in with law enforcement, or intelligence community sources, there's nothing more than has been previously reported over and over again.

So, at some point, you do have to ask yourself, what are you actually looking for? How many times do you have to come to the same conclusion before you take the answer? And that's where I -- Mara.

Q Just to be clear, did you -- just to follow up on that, did you personally reach out to Pompeo?

MR. SPICER: I'm not going to discuss what we did internally. I'm just going to say that when we shared -- we did our job about making sure that when people had -- reporters had questions, we let them know what subject-matter experts were available to discuss the accuracy of the newspaper story.

Mara.

Q Yeah, I'm sure people will come back to this, but I actually have a budget question, which is: During the campaign, the President said he was not going to touch Medicare or Social Security. His Treasury Secretary repeated that. It sounded like the OMB Director was leaving that as an open question, TBD. I'm just wondering, what's the state of the promise? That we won't touch it for current retirees --

MR. SPICER: What the OMB Director made clear is how it works. The budget is dealing with the topline discretionary numbers. Policy decisions are not part of the budget. That was what he was being asked and what he -- so I just want to be clear in terms of what it was. And again, I think --

Q -- the state of the promise. In other words what is the promise.

MR. SPICER: Right. And I think the state of the promise is clear. And I think, as you point out, he had made the promise, he stands by the promise. The Treasury Secretary --

Q But what is the promise? Current retirees? People near retirement? Anybody paying into

--

MR. SPICER: I will follow up specifically on that. But I think the President has made very clear that it's not his intent to do -- he wants to focus on the discretionary side; that entitlement reform is not -- that, with respect to those programs that he mentioned, he stands by his word.

Fred.

Q I wanted to ask a couple issues. An executive order on religious freedom had previously been in the works. Will that still come? And if it does, will it extend beyond religious freedom?

MR. SPICER: I'm sorry, Fred, what?

Q Will it extend beyond the Johnson Amendment?

MR. SPICER: I think we've discussed executive orders in the past, and for the most part we're not going to get into discussing what may or may not come until we're ready to announce it.

So I'm sure as we move forward we'll have something.

Olivier.

Q Thanks, Sean.

Q I'm sorry, just one more. The issue of types of reforms. Will there be -- how committed is the administration to a border adjustment tax? And is there any concern that there won't be enough conservative support for that; that it could block any meaningful tax reform long-term?

MR. SPICER: Well, I'm not going to get into the specifics of tax reform today. The President has made clear that we'll have an outline of the plan very soon. But what I will say is that I think he has talked about the concerns that he has with current regulatory and tax policy that benefit people from moving out of the country and shipping jobs -- or products back in while shedding American workers. He will continue to fight for policies that promote manufacturing and job creation in the United States, and supports American workers.

So I don't want to get ahead of the exact nature of the policy. He has been seeking a lot of input. As I mentioned earlier, he's going to talk today with Speaker Ryan and Senator McConnell. I know that both the joint session, the status of repeal and replace, and I'm sure some discussion of tax reform will probably come up. But there's a lot -- we're continuing to move forward and work with them.

Olivier.

Q Thanks. A couple on the ISIS strategy. Can you just get to the timetable from now, now that you received it -- what happens? And there's a report that you're asking for \$30 billion in

emergency defense spending on top of the \$54 [billion] in the budget. Is that true? Does that cover the new ISIS strategy? Can you explain what's different between the two?

MR. SPICER: Thank you. Right now, literally, that principals meeting -- or principals meeting that I mentioned at the beginning is happening as we speak. So Secretary Mattis was coming over to brief the principals as far as the ISIS plan. And again, part of it was to make sure that he fully discusses the recommendations that he's making and seek the input and feedback of the other principals downstairs. That can help guide where we go from here, how we go. With respect to the funding, I think Director Mulvaney noted that there will be a supplemental at some point. Right now the focus is on the budget, and then we'll go from there.

John Gizzi.

Q Thank you, Sean. Two brief questions. First, I read your statement at the Thursday briefing to Governor Malloy of Connecticut during the NGA meeting. And he responded -- and I quote -- "Sean didn't read a thing that I said." He said that he -- in Connecticut, they are already working to get criminals who are in the country illegally out. His objection was to going into warming centers or schools where officials might frighten children. Your response to the Governor on that?

MR. SPICER: Well, again, I was asked specifically what his stance -- what the comments were with respect to sanctuary cities. And again, I would reiterate, with all due respect to the Governor, I'm not here to pick a fight with the Governor. I enjoyed my time going to school in the state of Connecticut. I have a kind affection of the Nutmeg State. But the reality is, I think that there's a difference. Whether or not what he wants to do is state funds, maybe -- without knowing the exact nature of how he's funding, what he's funding, it's difficult. The question I was asked at the time was on how we would be handling it. And I think the answer, whether it's Connecticut or California, is that the President's executive order and the President's commitment is to make sure that tax dollars are not used to support programs that are helping people who are not in the country legally and who are not citizens entitled to them.

Q One more question, Sean.

MR. SPICER: Okay. Starting early. (Laughter.)

Q For 58 years, when Presidents have gone to Rome, they've always met the Pope, going back to when President Eisenhower met Pope John XXIII. Now, one year ago this week, candidate Trump had a disagreement with this Pope and an exchange of words. When he goes to Rome in May for his first European trip, will he meet with this Pope?

MR. SPICER: That's a great question. Obviously, I would be a huge fan of that. But I'm not going to -- I don't think we're at that place in the planning process to make an announcement on any visits with the Pope.

Blake.

Q Sean, thank you. Two budget questions, if you don't mind. Mr. Mulvaney, I believe, just said that what the administration plans on putting forward doesn't add to the current deficit projection, which the CBO says is about \$560 billion. But he didn't say that it would significantly draw from that either. So my first question is, is the administration comfortable putting something forward that might rack up deficits of potentially hundreds of billions of dollars?

MR. SPICER: Well, I think -- I'm trying to understand the question a little, if you can help me with this. Because he --

Q He said it wasn't going to add to it.

MR. SPICER: Right.

Q So my question is, he didn't necessarily say it was going to cut from it, either. If it doesn't cut from it, potentially it could be hundreds of billions in deficit. And I'm curious --

MR. SPICER: Right, no, but I think -- correct me if I'm wrong -- I mean, he basically made it very clear it doesn't add to the projected baseline deficit. So that continues to be the goal.

And I think as we continue to work through this process, the passback, you know, it can work both ways. We could identify further savings and reductions through working with the agencies and departments, but we're going to make sure that the topline number we maintain is as close to that as possible.

And as we go through this -- I mean, this is the beginning of the process as the director noted. We send the number to the department or the agency, give them some ideas, how we came up with this, and then they come back to us and either justify why a particular program or office, or what have you, needs to stay in existence or why maybe not the reduction that is offered. But it's a back-and-forth process that will occur over the next few weeks. So to get ahead of it is the problem.

Q Let me ask you what Nancy Pelosi -- to just get a quick reaction to Nancy Pelosi. She put out a statement and said the following: "Five weeks into his administration, President Trump has not introduced a single jobs bill." Your reaction to that would be what?

MR. SPICER: He's created a lot of jobs. I think that's -- he's continuing to work with Congress on both repealing and replacing Obamacare, tax reform. And, fundamentally, both of those two items alone I think can help spur a lot of economic growth. The meetings that we've had with the CEOs, the health insurers -- there are so many things that are both job-killing and that can be done to help promote a better regulatory and tax climate that lead to job creation.

I think that's one of the biggest problems right now is that people in Washington aren't necessarily talking to job creators and saying, what is the impediment that you have to hiring more American workers? What are the impediments that you have to manufacturing more, to building here?

The meetings and the actions that the President has taken on both regulatory and other matters have helped spur job creation. You've heard these companies come in over and over again -- the automakers, airlines, Sprint -- I mean, the list goes on and on and on of people saying to the President, because of your agenda, because of your vision, we're willing to commit to hiring additional people to manufacturing more. That's how jobs are created -- it's not through the government. And too often, it's the government regulations that stifle and prevent job creation. And I think the President, as a businessman, fully appreciates and understands how this works and what some of those impediments do to creating jobs and to growing the economy.

And so I would just say that you haven't seen anything yet. It's going to continue to be the case.

Trey.

Q Thanks, Sean. Is there concern in the administration that a large-scale military buildup will appear threatening to other countries around the world and lead to some sort of arms race with other countries?

MR. SPICER: No, I think when you look at the state of some of the infrastructure in our military, whether it's the age of our ships or our planes or some of the other hardware that exists, you recognize that we need to rebuild a lot of these things. The size of our Navy has gone down significantly. And there are new needs and new -- and when you look at the commitment that you have to make not just in one year but in several years, for a lot of these programs -- ships and tanks, even weapons systems -- they don't get built in a month or a day. You have to make a commitment early on to make the investment because of the time that it takes to procure them, to build them, the research and development that goes into it.

And so I would just suggest to you that this is the first step in making sure we make the commitment to a military that through, especially through the sequester the last few years, has not gotten the funding it needs to get off life support. There are a lot of things that are being taken care of for the military where they're just continuing to -- they're not putting the systems and the projects in place to allow the military to keep up with the times, and that's a problem.

Major.

Q Sean, one investigation question and one budget question. As you may be aware, Bill Owens, the father of William "Ryan" Owens, gave an interview with the Miami Herald over the

weekend and he said, "The government owes my son an investigation." On behalf of the President of the United States, is the President open to an investigation to the raid in Yemen? And the father of Ryan Owens called that a "stupid" mission. Is there something that you'd like to communicate to him about that mission that might persuade him otherwise?

MR. SPICER: Yeah, thank you. That's multi-part, so let me kind of walk through it slowly.

First of all, I can't possibly imagine what he's going through in terms of the loss of his son. I can tell him that on behalf of the President, his son died a hero and the information that he was able to help obtain through that raid, as I've said before, is going to save American lives. It's going to protect our country more.

So he made a sacrifice to this country. He was on his 12th deployment. And I know that his wife, when she spoke to the President, knows that he did this because he loved it, he cared about our nation. And the mission was successful in helping prevent a future attack or attacks on this nation. It obtained a lot of information that will help us keep safe.

With respect to his request, it is standard operating procedure for the Department of Defense to undergo what they call a 15-6 review. That review, in this case, is three-pronged. Because there was a fatality and a loss of life, there's that. Because there were civilians involved, that's another. And then third is because there was hardware -- a helicopter that was damaged.

That is a separate. So, in fact, there will be three reviews done by the Department of Defense because of the nature of this.

But, again, I can't stress enough that on behalf of the President, on behalf of this nation, we express our condolences, extend our prayers to him during this time.

Q As you said, that is standard procedure. Is there anything the President is particularly curious about with this mission, in that it was brought to him, he authorized it quickly? Does he believe in the main it was carried out well and there's nothing that he's particularly curious about in the way either the helicopter was damaged, fatality, the civilian casualties -- anything of the like?

MR. SPICER: Well, number one, I've walked through the timetable previously in terms of how long this had been planned for, dating well back into the previous administration. And as you know, their recommendation at the time was to wait for a moonless night. That night wasn't going to occur during President Obama's administration. And so when General Mattis got into the Department of Defense, he was briefed up on the status of the thing, made aware of when the next time was go. We went through the process to ensure that we continued to believe that the mission -- the way it was going to be conducted and the results of the mission would be worthy of action.

The conclusion continued to be, as it was prior, that we should move forward. As I mentioned

before, I think you can't ever say that, when there's most importantly loss of life and people injured, that it's 100 percent successful. But I think when you look at what the stated goal of that mission was -- it was an information- and intelligence-gathering mission. And it achieved its objectives.

So, again, I would express our thoughts and our prayers and our condolences to all of the people in Chief Owens's family and his friends, his shipmates. But it's something that, as a SEAL and as somebody who deployed 12 times, he knew that this was part of the job and he knew what he was doing. And so we're very comfortable with how the mission was executed, and we'll let the Department of Defense go through that review process and then see where that leads us.

But I think to get ahead of the three separate reviews that are being done by the Department of Defense would be probably a little irresponsible at this time.

Q Sean --

MR. SPICER: Major gets two, too.

Q Just real quick on the budget. As you're aware, to undo the defense sequester, you have to get 60 votes in the Senate because you have a separate domestic sequester number and defense. Are you confident with these numbers and with this kind of heavy discretionary spending cut proposed, you can get the 60 votes to change the law? Because without that change in law, the proposal is just that -- it doesn't become operational.

MR. SPICER: I think that when it comes to our nation's security, specifically our nation's military, I don't think that it's a partisan issue. I think that senators from across the country -- whether you're talking about Florida or whether you've got an Army installation or a Navy base, you understand the state of repair that many of our planes, ships and other hardware is in. And I think that there is a bipartisan commitment to give the military and its members the equipment and the tools it needs to succeed and protect this country. So I do feel confident.

April.

Q Sean, I have a couple of budgetary questions for you. One, at the press conference, President Trump talked about the fix for inner cities. What is the investment in this budget when it comes to a fix for inner cities?

MR. SPICER: It's a good try. I think the Director was very clear --

Q That's one --

MR. SPICER: I mean, part of the process today was to start that passback process that he talked about, where we're going to the various departments, whether it's HUD or DOT, and

giving them that topline number and then hearing back. So I don't want to get into a specific number with you before we get too far down the process. I think that's a conversation that we're going to have with the agencies and then we will have subsequently with Congress when they start drafting their resolutions.

Q Okay, a follow-up on this, but I do have a question on HBCUs. See, he talked about healthcare. He talked about education and he talked about crime. He needs to talk about Chicago and law enforcement. So you don't have any kind of budgetary numbers when it comes to it? And healthcare is a piece that is one of the line items for this budget.

MR. SPICER: That's right. And I'm not saying that we don't have numbers. I'm saying that we're not giving them out. That's a big difference.

Q (Inaudible.)

MR. SPICER: I know. (Laughter.) You're going to do a good job trying. (Laughter.)

But as the Director noted on this, that they have come up with topline numbers based on their going through each of these agencies' budget, and saying, hey, there's a duplicative program here. In some cases, maybe they give them more, maybe they give them less. Part of it is to begin that conversation, that process, with the departments and agencies to figure out what those investments are. Maybe it's repurposing existing funds in a different way.

So it's not necessarily a zero-sum game. There is a way that a department can reallocate money to a program that might end up benefitting because there is a duplicative or out-of-date program or office that that savings could be applied to something. But I don't want to get ahead of the process right now, only to say that we are at the very beginning of it.

Q And one on HBCUs.

MR. SPICER: Yes.

Q The President is going to see the 80-plus presence of HBCUs with the Vice President today. Some of them are very concerned as to what this executive order looks like, and they are waiting to hear the commitment before they say, "I'm all in." What is the commitment that this President is trying to make when it comes to HBCUs to ensure, I guess, their future, or deal with funding for research projects, what have you, or moving it out of the Department of Education to the purview of the White House? What is the commitment that he's going to give to them?

MR. SPICER: So, look, I don't generally speak about executive orders until they're finalized. I will just say that one of the things that I think there's commitment from this White House to do is to look at the various resources throughout the federal government that support HBCUs.

So, for example, the Department of Defense has ROTC and NROTC programs. Are they being properly -- is that funding being properly executed and spent. There's programs within each of the departments -- the Department of Education, the Department of Housing and Urban Development -- that affect grants or programs or direct funding that go to HBCUs for various different things, whether it's construction projects, or teaching programs, or mentorship programs. Whatever it is, they span throughout the entire government.

And I think that what we are committed to doing is ensuring that there is a high level of understanding and commitment, that goes straight to the President, of how we harness those resource within the government, and make sure that they're doing what they're supposed to be doing.

So it's one thing to have them, right, spread throughout the different departments. It's another thing to make sure that there's a direct pipeline to the President of the United States that those programs are being executed in a way that's benefitting the future of HBCUs and the various projects and teaching that goes on there.

Q And so what are you saying -- there's going to be a piece that is going to basically go throughout all the agencies to make sure that there is some kind of commitment to HBCUs and contract of like, let's say engineering for some schools, or in research for other schools?

MR. SPICER: Yeah, I would say -- I think I'm going to stick to waiting until we announce it to get out a lot more.

Q Is that today or tomorrow?

MR. SPICER: I anticipate it very soon. How is that? I want to give myself a little wiggle room.

Phil Rucker.

Q Yeah, Sean, thanks. A budget-related question, but on infrastructure. The President has repeatedly, including today, again, called for a major infrastructure plan to the tune a trillion dollars -- roads, bridges, tunnels, you name it. Can you explain where that money is going to come from, how it fits into the budget that's under review right now, and what the timeline for that project would be?

MR. SPICER: So I think that would be part of a longer-term discussion that we're having with Congress. As you know, the President got in office 30-some-odd days ago. The idea of getting a budget is -- you know, it's commonly referred to as a skinny budget -- is to get the government to continue to be funding and it will be something that we'll work with Congress.

I understand your point. The President continues to talk about the status --

Q -- a priority for him.

MR. SPICER: It is. Absolutely. But I think that we've got to make sure that it's done right and that we work with Congress. I think, as you correctly mention, there's obviously a funding mechanism to this. And we've already talked about things like comprehensive tax reform that could add to that discussion.

And so I just -- I understand what you're asking in terms of how this would be funded and when it will be coming, and the pay-fors, but we're working with Congress to have that discussion. I think that comes probably outside of the budget discussion.

Q And so how does he square that with the need to tighten the belt, which he also talked about today -- we've been spending too much as a government and we need to cut our spending?

MR. SPICER: Right, but I think -- but in the same manner that we're presenting the budget. So we're talking about adding \$54 billion -- \$54 billion, rather -- a billion dollars to -- thank you. Appreciate the help here. (Laughter.)

But we're looking to add that to defense. And so what it means is that we have to look through other programs to find reductions in savings. I think that same kind of discussion would happen with respect to infrastructure, not necessarily the savings piece, but the funding piece; that there's several ways -- and I know that there's a lot of discussion, private-public partnerships that he is started to have a discussion with in terms of the funding mechanism.

And so all I'm trying to get at is that there are various ways to do this funding without just relying on the American taxpayer in terms of additional taxes. There are spending reductions, there are other funding mechanisms, and I think, in due course, we will get around to that discussion.

Q And just related to that, he mentioned in his remarks about infrastructure today that as he drives through the Queens-Midtown tunnel and the Lincoln tunnel, he worries about ceiling tiles falling. Is there a specific incident he was talking about where people have been injured, or is that just a fear of his?

MR. SPICER: I don't know. I'll ask. (Laughter.) But I'm sure Secret Service will take care of the -- alleviating the medium concerns.

Hold on. Alexis.

Q Sean, I have two questions. First, one on healthcare. Because the OMB director was signaling that the complete budget would be made ready early May, and the President today described how complicated he had discovered that the healthcare repeal and replace has become, can you describe when it is that the President would present his framework for an overhaul of healthcare? Is it going to be included in the budget so we would see it before

May?

MR. SPICER: I don't think you're going to see it in the budget, no. That's not the appropriate vehicle for it. I think I've mentioned it before. I think you would drive -- or at least the leading option, before I get locked into something, is to add Obamacare to the FY17 budget process and put it through reconciliation. So that would happen outside of the current budget structure.

But I think he has also been very clear that he wants this outline within a matter of weeks, and that we continue to have these discussions with House and Senate leadership, with Ways and Means, and Energy and Commerce, and then similar on Senate finance on the Senate side.

So when he talks to Speaker Ryan and Leader McConnell today, I'm sure that conversation will continue.

Q Just to follow up on healthcare, because not every ingredient in the Affordable Care Act can be handled in reconciliation. That's why I was asking about the elements of it that we see in the budget.

MR. SPICER: That's right.

Q So we will see some of those?

MR. SPICER: Well, there's several pieces of Obamacare. Some can be done by executive order, some get done with 50 votes, some have to be done specifically in reconciliation. I think counter to Major's point on a previous question, that there are certain things that have to be done in certain ways legislatively, and to create a comprehensive and holistic approach to both repealing it and replacing it. And we're aware of that. We're working with the House and the Senate to make that happen.

Q And my second topic.

MR. SPICER: Of course.

Q All right. The immigration executive order, the travel ban -- is the President going to address the American people and Congress in his speech tomorrow night and specifically describe and defend the immigration ban? And when will we see the revised executive order?

MR. SPICER: So we're not going to -- I would not anticipate the speech being a defense of legislation and executive orders. I don't think many previous Presidents have gotten through and used that as a legislative walkthrough.

But you will hear about his commitment to immigration and his desire for border security, and what it means not just about keeping the nation safe, but what impact it's having on the economy. So you will hear a lot about immigration tomorrow night, and he will talk about why it

matters and the goal that we have and why we should come together on areas like this.

Q Can I follow up on that, Sean?

MR. SPICER: Hold on. Katelyn.

Q Where's the next order?

MR. SPICER: Oh, I'm sorry. The next order I think we should have it out probably middle of this week. Looking towards the middle of the week. And we'll have further updates as we get through the schedule. I think obviously our priority right now today was the really get the budget process kicked off, and then continue to prepare for the joint session.

Katelyn.

Q Thank you.

Q Sean, can I follow on that?

MR. SPICER: You will in a second.

Q An internal report in 2015 identified \$125 billion in wasteful Pentagon spending. So how can you justify adding \$54 billion to the defense budget? Is that going to go to hiring soldiers or bureaucrats or contractors? And is the President concerned with wasteful spending at the DOD?

MR. SPICER: Of course he's concerned. He's concerned with wasteful spending throughout the government. But I think there's also a big difference between rooting out waste and fraud in various programs and offices, and understanding that when you're talking about adding to the fleet or increasing airplane costs, that that can't be driven just through those. And the commitment that you have to make to purchase some of those very-needed upgrades to our infrastructure and to our arsenal and to planes and ships doesn't just come through that.

Because even if you could start to really identify, you really wouldn't be able to make the financial commitment that needs to be done to rebuild some of the ships and planes in particular that need a substantial investment on the front end.

John.

Q If I could just follow on Alexis's question. The 9th Circuit Court of Appeals has just denied your request to suspend proceedings in regard to the initial executive order. That order came out just within the last few minutes. So do you plan to continue defending your first executive order in court? And what's the purpose of doing that as opposed to simply rescinding it and then rendering that case moot?

MR. SPICER: Well, I haven't been able to read my phone while this has happened. So I --

Q That's why I read --

MR. SPICER: (Laughter.) Thank you, I appreciate it. So with all due respect, I would ask that I be able to get back to you tomorrow on that after we consult with the Counsel's Office and go through the briefing and the -- excuse me, the reading of what the court has said. But give me a little time, let me get off the podium --

Q I mean, the rescinding it question still stands, regardless of the --

MR. SPICER: I understand that, and I think that the President has made a commitment right now to continue to defend what we did.

Q For what reason?

MR. SPICER: Hold on. Because this is the strategy that -- he believes that we have the authority vested in U.S. code. I've talked about this extensively in the past. And I think that if you'll allow me, once we get done with the briefing, I will follow up with the Counsel's Office.

Q But the point that some of us are trying to understand is, if you have a new executive order that you believe addresses the concerns of the many courts who have weighed in on this, why continue to defend an executive order that --

MR. SPICER: Because he's -- I mean, because we were right the first time. And I think that --

Q Are you trying to prove a point?

MR. SPICER: Hold on -- no, but I think that it's not a question of proving a point. It's that the manner in which it was done in the first place was what we believe and continue to believe was the right way to address this problem.

And while the second executive order attempts to address the court's concerns that they made, the goal is obviously to maintain the way that we did it the first time because we believe that the law is very clear about giving the President the authority that he needs to protect the country.

So just dropping that is not necessarily the most prudent thing. And I think part of it is for us to recoup right now, figure out what the court has said, and then reassess the strategy. But I don't want to get ahead, as you point out, you're reading it to me now -- I would like the opportunity to maybe go read it and actually have a lawyer read it -- since that won't do very much.

Go ahead.

Q Sean, thank you. On anti-Semitism, that was a good, strong statement. Is there anything

that the federal government can do to protect Jewish institutions? Are there any leads who is doing this? And also on sequester, when can sequester be lifted?

MR. SPICER: When can it be lifted?

Q Yes.

MR. SPICER: I think we've got to go through the process to lift the sequester, and so we'll deal with that.

With respect to some of the activity that we've seen at Jewish cemeteries in particular -- look, I think we have to work with law enforcement at a local and state level. I'll leave it to the Department of Justice to comment further on what additional steps can be made. But I think -- as has been pointed out multiple times, I think one of the things that we can do is speak from this podium, in particular, and other places to make sure that every American understands what our values are, and that that kind of behavior and activity is wrong and won't be tolerated, and the highest levels of government denounce it.

So I think it starts at that. And then I think there's a law enforcement component that I would ask you to touch base with.

Q Sean, two on the budget.

MR. SPICER: Yes.

Q I understand this is a blueprint. I understand the President has previously said he doesn't want to touch entitlements. But why does he think it's the right move to break with years of Republican orthodoxy, House Speaker Paul Ryan, who have said that any sensible long-term budget needs to include entitlement reform?

MR. SPICER: Look, I'm just going to -- I think the President understands the commitment that was made to seniors in particular and that it's a sacred bond and a trust.

And I think -- look, Mara asked this earlier -- I think let me get back to you on the specifics. But I think he made a commitment to the American people. And one of the things that I think the President continues to get high marks on is that regardless of whether you voted for him or not, or you agree with his policies, he's a man of his word. And he has followed up on the promises that he made to the American people. And I think that's important.

Now, again, I think that we will continue to work with Congress. But the President understands that we have commitments that we've made on the entitlement side, in particular, and especially on the senior side with respect to Social Security that need to be maintained. And so he's going to keep this word to the American people.

Q But if you talk to some economic analysts, they say Social Security, Medicare won't be there in a number of years if we don't address the fundamental problems.

MR. SPICER: And I think that -- right. And so for right now, I think the budget that we're laying out deals on the discretionary side. You've heard the President's priorities and commitment, especially when it comes to protecting this country. And if we have anything further, I'll let you know.

Q And one more -- Sean, one more. Is there an internal leak inquiry right now?

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

Q Thank you very much, Sean. I have two questions on U.S.-China relationship, if I may.

MR. SPICER: You may.

Q Thank you.

MR. SPICER: Everyone else gets two.

Q First of all, since President Trump took office, China sends it very first senior official, State Counselor Yang Jiechi, to visit Washington, D.C. today. Will there will be a meeting with in the White House, and what's the White House's expectation of his visit?

MR. SPICER: So the State Counselor, and for those of you not schooled in the Chinese government, is basically the equivalent of our NSA Director -- NSC Director, correct?

Q Yes.

MR. SPICER: So the Ambassador and the State Counselor came today. They had a meeting with H.R. McMaster, Jared Kushner, and I think some others sat in on the meeting. They had a delegation of six people here. After the meeting ended, I believe the State Counselor was taken and had an opportunity to say hi to the President before he left. This is an opportunity to begin that conversation and talk to them on shared interests of national security.

Q Sean --

MR. SPICER: Sorry, hold on. He gets one more. Everybody else did.

Q Can I have a follow up?

MR. SPICER: Hold on, hold on, hold on. Let me just -- everybody else got two.

Q Yes, just this morning, President Trump mentioned about his pick for ambassador to China, Governor --

MR. SPICER: Branstad.

Q Branstad. Governor Branstad apparently has a really positive view on China.

MR. SPICER: Yeah.

Q So how confident the President is on the Governor's confirmation to get all the support in the Senate?

MR. SPICER: Oh, I think he'll receive tremendous support -- bipartisan support. Governor Branstad has been -- is a true -- he has huge ties on both sides. I think he's one of the longest serving governors ever, definitely in Iowa. And I think that he has tremendous respect from both sides of the aisle not just for how he's handled himself as a governor in Iowa, but his deep understanding and ties to China and to China's economy and to Chinese officials. And I think he's going to do a phenomenal job representing our nation.

He starts with a deep understanding of the Chinese economy, the Chinese government, and that is going to really serve our nation well.

Mara.

Q Can I just have a follow-up on China? Thank you. Because I know I got one before.

MR. SPICER: You did.

Q I appreciate that. A lot of people voted for Donald Trump because they felt -- they agreed with him that the U.S. was getting ripped off by China. And after the election, he made the call to Taiwan, which he was praised for. Then he told Fox News -- he said, "I don't know why we have to be bound by a one-China policy unless we make a deal with China having to do with other things, including trade." Then he reaffirmed the one-China policy. So what did he get in return from China for doing that?

MR. SPICER: Well, he had a conversation with President Xi. I'm not going to get into the details of it. But at the President's -- President Xi's request and after a discussion, the President reaffirmed the one-China policy. The President is not one to discuss his negotiating tactics. So I --

Q But did he get something? Can he assure the American people he got something?

MR. SPICER: The President always gets something. Ryan.

Q Well, what was it? What was it?

Q Sean, two quick follow-ups. First of all, I noticed earlier today there were a lot of Republican governors out here but not very many Democratic governors. Is this administration

actively attempting to reach out to the other side of the aisle for compromise?

MR. SPICER: Yeah. I think if you saw the remarks during this pool opportunity, the President talked about some of the conversations he had with Governor McAuliffe in Virginia in particular. But they were here last night, they had dinner with their wives and husbands. It was an opportunity to really talk to the Cabinet and get to know each other and talk about priorities.

I will say that -- it's interesting, I mentioned Obamacare. When one of the things that was brought up by the governors -- and I've got to be honest, I wasn't picking which governors and thinking of party -- but it came up over and over again that they actually -- several of them commented on how appreciative they have been in terms of seeking their input on not just healthcare but infrastructure and Medicaid, in particular, and other areas that fall into their thing -- to their wheelhouse.

So I think -- just so we're clear, the dialogue that exists between this administration and this President and governors I think is a very refreshing move forward.

Q And then my point -- a follow-up, a quick follow-up. I want to clarify a little bit of something that happened Thursday and Friday about the "public enemy" statement. Are you saying that all of the press is the public enemy? People who didn't vote for the President? Just the people in this room, or -- is it just Bill Maher and maybe Warren Beatty? Can you clarify what we're talking about?

MR. SPICER: I think the President made clear in his tweet that he was referring to the fake news and people who ascribe to pushing fake stories is where his target was.

Q Thanks a lot, Sean. As you know, more than 60 Democrats either boycotted or skipped the President's inauguration. What kind of reception do you think the President will get tomorrow evening from Democrats in the House and Senate when he gives his joint address?

MR. SPICER: Well, I hope a very robust and applause-filled reception. The speech, as I mentioned, breaks down a lot of barriers that have traditionally been political barriers in terms of areas where I think we should find agreement that reaffirm the President's desire to unite the country and unite our parties in areas of shared common ground.

And I think the things that he's talking about -- increasing the support to our military, our veterans; helping children get an education -- those are things that hopefully we can all come together and think are shared American values, regardless of party. I hope that we see a tremendous amount of support for the President and his policies and his vision tomorrow night. He recognizes the problems that our nation faces, but he also charts a vision forward. And I think it's one that if people are honest, that they will agree that it really isn't a political agenda as much as an agenda for this country and one to move us forward.

So I think that we'll have to wait and see, but I can tell you that I think it will be a positive move forward.

Zeke.

Q Thanks, Sean. Couple follow-ups to Olivier's question earlier about the ISIS review. It's day 30. The memorandum the President signed 30 days ago said that he was supposed to be briefed. Can you give us a more -- a timeline on when specifically President Trump will be involved -- I know you mentioned there's a principals meeting earlier today -- what the timeline of the review is? And then separately, you mentioned that Secretary Mattis was the one who's presenting it to the principals committee. The memorandum included things other than just the military; it included public diplomacy efforts to cut off financial ties to ISIS. What were the other Cabinet secretaries involved? What is sort of -- what got us here and where do we go from here?

MR. SPICER: Thank you. Let me, if I may, get briefed on who and what occurred in the principals meeting to the extent that it's available, and I'd be glad to get back to you tomorrow on that. I just don't have that information available.

Gabi.

Q Thanks, Sean. Palm Beach County has said that it's costing \$60,000 a day in overtime pay every time the President comes to visit West Palm Beach. He's slated to go there again this weekend according to some reports. Is the President taking any steps to ensure that taxpayers aren't saddled with tremendous costs in his travel habits, considering he was so critical of his predecessor on that matter?

MR. SPICER: Well, Gabi, the security for the President and the First Family is set by the Secret Service. As you know, they determine the security measures that need to be taken to protect the President -- frankly, any President. So I'm going to leave it up to the Secret Service to decide what security measures and steps are taken to protect the President.

And, as you know, I mean, this -- depending on -- it transcends administrations. Wherever the President goes, they need to make sure that the President and the First Family is safe. That's something that I think -- we rely on the Secret Service to make those determinations. They continue to do a phenomenal job making sure that the First Family and the President and the Vice President are protected, and we have full confidence in the decisions that they make.

So thank you guys very much. We'll have a briefing tomorrow -- later today on the state.

Q Approximate time?

MR. SPICER: What's that?

Q Approximate time?

MR. SPICER: I would look in the 6 o'clock hour.

Q Here?

MR. SPICER: Yes, here.

Q After 6:00?

MR. SPICER: I get to see you here again. I would plan on around 6:00. We'll have further guidance. And I don't anticipate it being long. I think we're just going to walk through the -- off camera. We'll walk through the themes of the speech, take any questions, and then try to get some additional information, depending on where the President is in his read-through.

Q No briefing tomorrow, right?

MR. SPICER: No briefing tomorrow. If you don't want one, you don't have to have one.

Q You said you'd get back to us on a couple of issues tomorrow.

MR. SPICER: Well, I'm -- it's April that brought up no briefing. If you guys want to vote --

Q No, no, no, but tradition is there's no briefing on -- that's why I'm asking.

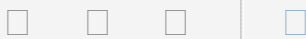
MR. SPICER: I know. We will do something for you, I promise. We will make sure we get back --

Q Is it going to be a gaggle like last Friday, or is it going to be --

MR. SPICER: No, no, we will get back to you. I'm sure you'll see my face here tomorrow. Thank you very much. I'll see you guys tomorrow.

END

2:46 P.M. EST



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National Security

Revised executive order bans travelers from six Muslim-majority countries from getting new visas

By **Matt Zapposky**, **David Nakamura** and **Abigail Hauslohner** March 6

President Trump signed a new travel ban Monday that administration officials said they hope will end legal challenges over the matter by imposing a 90-day ban on the issuance of new visas for citizens of six majority-Muslim nations.

In addition, the nation's refugee program will be suspended for 120 days, and the United States will not accept more than 50,000 refugees in a year, down from the 110,000 cap set by the Obama administration.

The new guidelines mark a dramatic departure from Trump's original ban, issued in January and immediately met by massive protests and then ordered frozen by the courts. The new ban lays out a far more specific national security basis for the order, blocks the issuance only of new visas, and names just six of the seven countries included in the first executive order, omitting Iraq.

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Trump signed the new ban out of public view, according to White House officials. The order will take effect March 16.

“This executive order responsibly provides a needed pause so we can carefully review how we scrutinize people coming here from these countries of concern,” Attorney General Jeff Sessions said in announcing that the order had been signed.

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The order also details specific sets of people who would be able to apply for case-by-case waivers to the order, including those previously admitted to the United States for “a continuous period of work, study, or other long-term activity”; those with “significant business or professional obligations”; and those seeking to visit or live with family.

Trump’s campaign, meanwhile, sent out an email asking people to sign a petition in support of the new order.

“As your President, I made a solemn promise to keep America safe,” the email signed by Trump said. “And I will NEVER stop fighting until we implement the policies you — and millions of Americans like you — voted for.”

Democrats and civil liberties groups said Monday that the new order was legally tainted in the same way as the first one: It was a thinly disguised Muslim ban. Trump, in his email, used the phrase “radical Islamic terrorism” to describe his concern with the countries whose citizens would be blocked from acquiring visas.

That seems to portend more litigation — though how soon remains unclear. The attorney general of Washington state, Bob Ferguson, who successfully sued to have the first ban blocked, said he was still reviewing what to do.

The new order, Ferguson said, represented a “significant victory” for Washington state because the administration had “capitulated on numerous key provisions that we contested in court.” But he said state lawyers would need two or three days to see what action they would take in the court case.

“We’re reviewing it carefully, and still have concerns with the new order,” Ferguson said.

The Justice Department argued in a court filing that even if the litigation were to move forward, it should do so at a slower pace, and with the new ban in place. The government noted that visa applicants typically have to wait months and asserted there was “no imminent harm” from the president’s temporary suspension of the issuance of new visas to certain people.

That assertion, though, did little to assuage the concerns of Democrats and civil liberties groups, who said the new ban was just like the old.

Karen Tumlin, the legal director of the National Immigration Law Center, predicted that federal judges who ordered a restraining order on the earlier ban are likely to do so again, and that pending lawsuits filed by her organization and others will not need to be filed anew. “From our vantage point, that litigation lives on,” she said.

New York Attorney General Eric T. Schneiderman (D), who joined the legal fight against the first ban, said, “While the White House may have made changes to the ban, the intent to discriminate against Muslims remains clear.”

Omar Jadwat, director of the American Civil Liberties Union’s Immigrants’ Rights Project, said, “The only way to actually fix the Muslim ban is not to have a Muslim ban. Instead, President Trump has recommitted himself to religious discrimination, and he can expect continued disapproval from both the courts and the people.”

The revised travel ban also came under quick fire from refugee advocates, who said it unfairly penalizes refugees without improving U.S. security.

“President Trump still seems to believe you can determine who’s a terrorist by knowing which country a man, woman or child is from,” said Grace Meng, an immigration researcher with Human Rights Watch. “Putting this executive order into effect will only create a false sense of security that genuine steps are being taken to protect Americans from attack, while undermining the standing of the U.S. as a refuge for those at greatest risk.”

Officials from the State, Homeland Security and Justice departments defended the new order as a necessary measure to improve public safety. They said the countries named — Iran, Sudan, Somalia, Libya, Syria and Yemen — were either state sponsors of terrorism, or their territories were so compromised that they were effectively havens for terrorist groups. Iraq was omitted, Secretary of State Rex Tillerson said, because it is an “important ally in the fight to defeat ISIS” — the Islamic State militant organization — and Iraq’s leaders had agreed to implement new, unspecified security measures.

The ban is among several measures the administration has introduced in the name of border security. Also Monday, Homeland Security Secretary John F. Kelly said he was “considering” separating undocumented immigrant parents from their children to deter people from trying to enter the country. Those people, he said, are often moved to the United States by a “terribly dangerous network” that originates in Central America.

Civil rights advocates said Monday that the new ban’s sudden exclusion of Iraq, as well as the omission of other countries with active terrorist groups — such as Colombia, Venezuela, Pakistan and the Philippines — underscored the ban’s arbitrariness as a national security measure.

The new order provides other exceptions not contained explicitly in previous versions: for travelers from those countries who are legal permanent residents of the United States, dual nationals who use a passport from another country, and those who have been granted asylum or refugee status. It removes an exception to the refugee ban for members of religious minority groups — which critics had pointed to as evidence the first ban was meant to discriminate against Muslims — and it no longer imposes an indefinite prohibition on travelers from Syria.

Anyone who holds a visa now should be able to get into the country without any problems, although those whose visas expire will have to reapply, officials said.

The order claims that since 2001, hundreds of people born abroad have been convicted of terrorism-related crimes in the United States. It cites two specific examples: Two Iraqi nationals who came to the United States as refugees in 2009, it says, were convicted of terrorism-related offenses, and in October 2014, a

Somali native brought to the country as a child refugee was sentenced to 30 years in prison for plotting to detonate a bomb at a Christmas tree-lighting ceremony in Oregon. That man became a naturalized U.S. citizen.

“We cannot risk the prospect of malevolent actors using our immigration system to take American lives,” Homeland Security Secretary John F. Kelly said.

The new ban also says that more than 300 people who entered the country as refugees were the subject of active counterterrorism investigations. U.S. officials declined to specify the countries of origin of those being investigated, their immigration status, or whether they had been charged with crimes.

Charles Kurzman, a sociology professor who studies violent extremism at the University of North Carolina at Chapel Hill, said that since the terrorist attacks of Sept. 11, 2001, there have been no fatalities caused by Muslim extremists with family backgrounds in the six countries covered by the new ban. A Department of Homeland Security report assessing the terrorist threat posed by people from the seven countries covered by the president’s original travel ban had cast doubt on the necessity of the executive order, concluding that citizenship was an “unreliable” threat indicator and that people from the affected countries had rarely been implicated in U.S.-based terrorism.

The Department of Homeland Security official, speaking on the condition of anonymity, criticized the report as being incomplete and not vetted with other agencies, and he said the administration should not be pressed by the judiciary to unveil sensitive national security details to justify the ban.

The order represents an attempt by the Trump administration to tighten security requirements for travelers from nations that officials said represent a terrorism threat. A more sweeping attempt in January provoked mass protests across the country as travelers en route to the United States were detained at airports after the surprise order was announced. The State Department had provisionally revoked tens of thousands of visas all at once.

Officials sought to dismiss the idea that there would be any confusion surrounding the implementation of the new order. They said they delayed implementation so the government could go through the appropriate legal processes and ensure that no government employee would face “legal jeopardy” for enforcing the order.

The revisions to the order will make it more defensible in court — limiting the number of people with standing to sue — but the changes might not allay all the concerns raised by judges across the country. The

three-judge panel with the U.S. Court of Appeals for the 9th Circuit, for example, said that exempting green-card and current visa holders from the ban would not address the court's concern about U.S. citizens with an interest in noncitizens' travel.

The administration, too, will have to wrestle with comments by the president and top adviser Rudolph W. Giuliani that seemed to indicate the intent of the order was to ban Muslims from entering the United States, which could run afoul of the Establishment Clause of the First Amendment.

On the campaign trail, Trump called for a "total and complete shutdown of Muslims entering the United States." After the election, Giuliani, a former New York City mayor, said: "So when [Trump] first announced it, he said, 'Muslim ban.' He called me up. He said, 'Put a commission together. Show me the right way to do it legally.'"

A federal judge in Virginia referenced those comments in ordering the ban frozen with respect to Virginia residents and institutions, calling it "unrebutted evidence" that Trump's directive might violate the First Amendment.

Carol Morello, Matea Gold, Missy Ryan, Mark Berman and Rachel Weiner contributed to this report.

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