

Newsmaker Transcript

White House Daily Briefing

Wednesday, February 22, 2017

SPICER:

Good afternoon, everyone. I wanted to wait until the president finished up with his remarks on the budget before I came out. As you saw, he's a really good opportunist with his team. It's clearly been a busy day here at the White House again, so I'm gonna kind of keep it quick and get to your questions.

This morning, after receiving his daily intelligence briefing, the president met with Secretary of State Tillerson. As you all know, Secretary Tillerson and Secretary Kelly will travel to Mexico City later today as one of their first foreign trips. It's significant that the president is sending the secretaries to Mexico so early in the administration. It's a symbolic -- it's symbolic of the meaningful relationship that our two nations have.

These are important meetings regarding the president's agenda to improve the quality of lives for both people of Mexico and the United States by combating drug traffickers and finding ways to bolster both our economies through a broader relationship that promotes commerce and legal immigration. This is a very encouraging start to a working relationship with an incredible neighbor to the south.

At this moment, the president has just wrapped up his discussions on the federal budget with some of the officials and staff who will be instrumental in the work to put this country back on a responsibly fiscal path. Joining the -- the meeting, where Reince Priebus the chief of staff, Steve Bannon, Jared Kushner, Gary Cohn, the director of the National Economic Council, Secretary Steven Mnuchin of the Department of the Treasury, Director Mick Mulvaney of the Office of Management and Budget, Russ Vought of the Office of Management and Budget and Emma Doyle of the Office of Management and Budget.

As the president mentioned last week, we look forward to presenting our tax reform plan and providing much-needed tax reform and relief to the hard-working men and women of our nation. The president is going to restore and respect the American taxpayer by enabling them to keep more of their hard-earned money and by making sure the federal government spends money more responsibly. After the lunch, the president will continue this important discussion with other members of the senior staff.

Additionally, the vice president today is in St. Louis to participate in listening sessions with American workers and employees of the Fabick Cat equipment and engineer dealer, a 100-year-old family-owned and operated business. During his visit, the vice president will discuss the economic comeback in store for our nation under the president's economic agenda and with small business owners and employees.

The president has already made strides toward slashing redundant regulations through his executive actions and we will work with Congress to enact further pro-growth legislation.

Back to the president's schedule, later this afternoon, the president will participate in a standing legislative affairs strategy session. Our legislative affairs team is in constant contact with our counterparts on the Hill, keeping an open dialogue on all aspects of the president's agenda. Last week alone, more than 40 different senator and Congress -- members of Congress visited the White House.

On the Supreme Court front, so far, Judge Gorsuch has now met with 58 senators, 36 Republicans and 22 Democrats, and he has more meetings already on the books for next week when the Senate returns to session. We have been especially encouraged by the reception he's received from several senior Democrats, including Senators Feinstein, Tester, Durbin and Gillibrand.

Also on the confirmation front, multiple unions came out today for Alex Acosta, the president's nominee for Labor secretary. Both the Laborer's International Union of North America and the International Union of Operating Engineers praised his distinguished career and pledged their support for his nomination.

The legislative affairs team is using the congressional work period to coordinate with key coalitions in Congress. They are meeting with different groups in the House and the Senate, including the staff of the Congressional Black Caucus, House and Senate leadership and staff throughout various committees. We've used this work period as an opportunity to invite staffers from both sides of the aisle to come to the White House and discuss shared priorities and find common ground on the way forward.

SPICER:

And we're not just reaching out to Capitol Hill. We've actively engaged with key leaders and policy-makers around the country. It's critical to this administration that we gather input from states and from people throughout the country, rather than just leaders here in Washington.

Looking ahead to tomorrow, the president will meet with a group of world-class business leaders to discuss specific action he can take to remove barriers to job creation. These leaders, many of whom represent some of the country's largest manufacturers, will begin the day in working groups with the vice president, Cabinet members and key aides of the president's staff.

The working groups will engage in a deep-dive conversation on the attendees' specific area of expertise. Topics of discussion include deregulation, tax and trade, training and the workforce of the future and infrastructure. Vice President Pence will be engaged with each of the groups and after the groups conclude their discussion, the president's staff will compile the feedback and the president will sit down with the entire group for a listening session on some of their recommendations.

As you can tell by the structure of the meeting, the president is expecting these interactions to lead to real action being taken by the administration. Creating a dynamic and booming economy that

works for all Americans continues to be at the top of his domestic policy agenda. As a successful businessman himself, the president knows that if we're going to get the country back to work, we need to hear directly from job creators what is holding them back and where appropriate take steps to remove the barriers.

In his first month in office, the president has already taken numerous actions to boost job creation and a key economic -- and key economic indicators are showing that it's working. CEO and confidence are up, the stock market continues to reach record highs, and the January numbers were strong. The meetings on Thursday will continue to build on that momentum.

And with that, I'm glad to take some questions.

Steve Holland (ph).

QUESTION:

Holland's not here.

SPICER:

Sorry. (OFF-MIKE)

(LAUGHTER)

QUESTION:

Thank you, Sean.

Can you give us an update on the administration's plans with regard to transgender bathrooms? Can you confirm -- can you confirm that there has been some disagreement between Secretary DeVos and the attorney general on this issue?

SPICER:

So, I would expect further guidance to come out on that today. The president, as I said yesterday, is a firm believer in states' rights. When you look at the guidance that was issued under the Obama administration, first of all, let's remember, to the best of my knowledge, that was stalled, never fully implemented. And I think there were various reasons for that, several legal reasons and several procedural reasons.

And so, the Department of Education, the Department of Justice both who jointly issued that guidance back during the Obama administration are now working together again under a Trump administration. They've been reviewing the guidance that was signed, the basis by which it was put through and I think there have been several areas of concern both legal and procedural that they have been discussing.

And I think where you might be hearing something is more on the timing and the wording of stuff. The conclusions everybody in the administration is agreed upon. There is no daylight between anybody, between the president, between any of the secretaries. I think there's been some discussion between the timing of the issuance and recommendations or between the exact wording.

But as far as the conclusions go, I've made this clear and the president's made it clear throughout the campaign that he is a firm believer in states' rights and that certain issues like this are not best dealt with at the federal level.

QUESTION:

A report out today that some Cabinet secretaries are personally or what they see as the White House micromanaging staffing at the sub-Cabinet level.

SPICER:

Right.

QUESTION:

To what degree does the White House think that it should impose its hiring approvals on members of the sub-Cabinet? Is some of this at least partially driven by Cabinet secretaries wanting to appoint people who might not necessarily be aligned with the president's thinking?

SPICER:

Well, I -- I mean, I think when -- when you come to -- they're called political appointees for a reason. The idea is that people who come into this government should want to support and enact the president's agenda that he campaigned on with the American people. And I think one of the reasons that you see in recent polls is the president -- people -- even if they don't agree with the president, they give him high marks for following through on the promises that he's made to the American people and getting things done that he actually said, which is not always the case here in Washington.

And I think that we want to make sure that the people who staff a Trump administration are committed to a Trump agenda and that's, you know, so Cabinet secretaries and other administrators and directors have broad discretion. But I think at the end of the day, no matter what position you have, whether it's the lowest or the highest in this -- the White House or in a department or agency, we should be making sure that people who are coming in as appointees of the president, support the president's agenda.

And I think that's -- that's one thing.

SPICER:

This isn't about getting a job as a -- as a federal employee where you're subject to certain restrictions as to what you can and can't do is a benefit of being a federal employee. These are political appointees, and so I think that there is obviously -- we are going to ensure that people who are political appointees share the vision and agenda that the president campaigned on and is implementing.

QUESTION:

And does the White House believe that it needs to have the final approval...

(CROSSTALK)

QUESTION:

Or can you trust your Cabinet (inaudible)?

SPICER:

It's not a question of trust, it's a question of just making sure that we are all on the same page and committed to the same agenda that the president has set forth. This process is probably no different than we've seen in previous administrations.

Cabinet secretaries come to the president with recommendations on who they want, and it depends on the position, obviously. But in certain cases, if they're going to fulfill a job that is key area that the president has very specific goals to enact that he promised the American people, you want to make sure that the person that is fulfilling that job actually is committed to the agenda and vision that the president set forth and promised the American people.

And that -- so there is -- that's something that we're always gonna be making sure is -- is in alignment.

QUESTION:

And is this approval process in some way slowing down the appointment of crucial staffers?

SPICER:

No, not at all, I don't think so. I think when you look across where we are and we track the number of folks that are the pipeline, we're doing very, very well with getting all of these positions filled. And I think once in a while, you might hear of one or two people, but overall generally speaking - I mentioned during the transition period how many members of the beachhead teams that we had.

And I think we -- we -- those members who are appointed through the (inaudible) process had 120 days, and they were there to allow, you know, basically a four-month process for secretaries in the White House to make sure that people on a permanent basis could populate those positions and that's what's happening.

But make no mistake, I mean, we were ahead of the curve on the beachhead teams, we were very clear with the landing teams during the transition. This has been a very methodical process that has seen from top to bottom through, and I think we're doing phenomenal job of staffing the government.

Margaret?

(CROSSTALK)

(LAUGHTER)

SPICER:

Oh. Well, lucky me.

(CROSSTALK)

QUESTION:

Two Margarets. I'm gonna take my -- I've got a Bloomberg question for you.

(CROSSTALK)

(LAUGHTER)

QUESTION:

The president in the Roosevelt Room just said to us that among other things, that the tax plan is nearly finalized but it can't be submitted until the health care plan statutorily or otherwise is. So we're doing the health care. So I wanted to clarify was is the White House during a health care proposal or was he talking about Congress and not the White House? Or is it (inaudible)?

SPICER:

Obviously, I think -- right. So obviously, there's two vehicles -- reconciliation vehicles, the F.Y. '17 -- I'm going to give a Bloomberg the answer.

(LAUGHTER)

The F.Y. '17 reconciliation, that was never completed because the budget wasn't finalized in the last Congress, and then you've got the 2018. I think we want to make sure -- look at the opportunities to work with Congress on Obamacare, utilizing the 2017 and then you can utilize the 2018 reconciliation budget process to do tax reform.

That's not -- and again, that's not prescriptive, I'm not -- but as far as why the president's saying it that way is because we've got that option available to us right now, and I think the president's committed to making sure that the promise that he made to the American people to repeal and replace Obamacare continues to be first and foremost and then his tax plan. But it's not a -- it's not a, you know, we can walk and chew gum kind of thing. We can actually continue to work with Congress and the leadership in both houses.

QUESTION:

(OFF-MIKE)

SPICER:

Well, (inaudible).

QUESTION:

Just to do (ph) the Bloomberg timeline (ph). There's a few things that are gonna happen then. There's gonna be a budget plan that you guys are gonna present on March 13th-ish.

SPICER:

Ish.

QUESTION:

There's going to be a health care -- this is where I got lost again -- something from him and something from them and a tax reform plan afterwards, is that the way it works?

SPICER:

I -- I -- I -- don't want -- look, when we are ready to announce -- but I think again, I think we've got Obamacare, the budget and tax reform. It's going to be a very busy March and April for us, and we've been continuing to work with Congress to make sure that that's implemented.

Noah (inaudible)?

QUESTION:

The president -- you were talking about fulfilling his promises. As you know, he promised during the campaign a total and complete shutdown of Muslims entering the country. There were a lot of people at his party who thought that was a very good proposal. Can you explain his evolution in backing down from that? And can you also say whether he regrets using that rhetoric since it ended up hurting the court case?

SPICER:

Well, again, I go back to the merits of the case and the order that gives him the authority to make that. U.S. Code 1182 is very clear. The president was very clear in his executive order that these were countries that we didn't have the proper vetting for when it came to ensuring the safety of Americans. That's what the executive order said.

SPICER:

The authority is very clear to have him done it, and I think that you're going to continue to see the president take the steps necessary to protect this country. That's why he's talked about, you know, fighting this on both fronts; making sure that we keep evolving through the court system on the existing E.L., and then looking towards the next draft of the executive order that will continue to achieve the goal of protecting the American people.

So I -- I -- that's where we are. That's what the order says. And so I think we continue to feel confident that that's -- but it was crafted in a way that was very clear about the countries and was not focused on anything else but the vetting requirements that we have to make sure that we know who's coming into this country and that they're here not to do us any harm.

QUESTION:

But then talking about fulfilling his promises, can you explain why he decided to back down from that one? Because I know...

(CROSSTALK)

SPICER:

I don't think -- I think he made it very clear, Noah, from the beginning that this was a country-focused issue, a safety-focused issue, and that's why he issued it. I don't see anything other than that -- with reference to that.

Deborah Saunders (ph)?

QUESTION:

The Oscars are Sunday night. Will the president be watching? If there's a Meryl Streep kind of moment, how do you think he'll react? And why (inaudible) this has happened at other awards ceremonies, why do you think this happens?

SPICER:

Why do I think what happens?

(LAUGHTER)

QUESTION:

(inaudible) actresses and actors like Meryl Streep...

SPICER:

I have no idea. It's a free country. I think Hollywood is known for being rather far to the left in its opinions. And I've got to be honest with you, I think the president will be hosting the governors' ball that night. Mrs. Trump looks forward to putting on a phenomenal event, and the first lady has put a lot of time into this event that's going to occur and welcoming out nation's governors to the capital. And I have a feeling that that's where the president and the first lady are going to be focused on on Sunday night. And so we'll go from there.

Yes?

QUESTION:

Sean, (inaudible) the president (inaudible) big audience next Tuesday in the joint address to Congress. Does he have a set of goals in mind for the speech? And do you think we're going to see some specific policy roll-outs as part of that speech?

SPICER:

I think that the speech is going to focus -- I mentioned this yesterday -- I think it's going to talk -- remind the American people what he's done already and make sure that he explains to them -- not -- not just because of the sense of accomplishment that, in moving this country forward, but because I think it's important for the American people to know that he was an agent of change. He came here to get things done. And he didn't waste any time.

He's committed to keeping his word. And then I think he's going to lay out his vision and talk about things like education and health care and infrastructure, the problems that we face as a country, the violence in some of our inner cities, but also some of the solutions that we can act on and some of the partnerships that we can create.

It's obviously still a work in progress. But I think it's going to -- it's going to look forward to where he wants to take this country, and talk about working with Congress and other leaders throughout the country to get things done. But I -- I think in the drafts that I've seen so far, it is going to be a very strong blueprint of where he wants to take this country.

In the past, I think a lot of presidents, or some presidents, rather, have gotten into very detailed specifics. I think you're going to see him try to talk about policies in a broad sense of where he wants to take this country and where -- what -- what defining success is; what that goal means.

But it's still a work in progress and hopefully towards the end of the week...

(CROSSTALK)

QUESTION:

Is the tone going to be optimistic...

(CROSSTALK)

SPICER:

Absolutely. Yeah, I think he is -- this is an opportunity for him to lay out a very positive vision for the nation and to really let America know where can go and how we can get there, and the potential that we have as a nation.

Anita?

QUESTION:

Just piggy-backing on that, and then I have another question.

Will he -- I know that past presidents, including President Obama, immediately hit the road after -- I know this isn't a State of the Union, but something like a State of the Union address -- to sell policies. And since you're saying it's more of a vision, does he anticipate doing -- going...

(CROSSTALK)

SPICER:

Yeah, I think there will some travel. I don't want to -- that's -- that's evolving right now. There's a lot of things that -- that we're trying to look at. And I think as we look at the speech and some of the objectives and goals and vision that he's sharing, talk to him about potential places to go to highlight that. But I think you're going to see, you know, a fair amount of visits in the next few weeks to highlight some of the places that he wants to take it.

QUESTION:

And the other thing was, I have seen members of Congress were here last week. There's a legislative meeting today. It feels as if we haven't seen as many executive actions, executive orders. I know we have the one -- vetting one coming out this week. Are we in a different phase now that he's sort of done the executive orders that he wants to do and we're going to...

(CROSSTALK)

SPICER:

No. We have several that are in the pipeline, and part of it is just -- these days, you know, are focused with these meetings and getting things done and trying to plan ahead. And so as we see fit and as the implementation process of a lot of these goes through the process, we'll have future -- (inaudible) -- we'll have (inaudible).

QUESTION:

(inaudible) there's more legislative emphasis right now?

SPICER:

Well, it's both. And I think part of this is we work through Congress, you know, Anita, these are big things, right? We're talking about fundamental tax reform, something that hasn't happened in our nation since 1986. The repeal and placement of Obamacare, which you know, was mammoth. And I think part of this is that those things take time. He's got a joint address on Tuesday.

There's a lot of things that are happening, and therefore, we need to kind of make sure that we appropriately use the schedule. But I can assure you that if you're -- if you've missed executive orders, you're gonna see a bunch.

(CROSSTALK)

SPICER:

Just want to make sure you know. Jonathan Karl.

QUESTION:

Sean, I want to ask you about the town halls and the hearing (ph) about Obamacare. The president referred to so-called angry crowds at these town halls. Is he suggesting this is manufactured anger, that this is not real anger and real concern?

SPICER:

Yeah, thanks. I think there's a hybrid there. I think some people are clearly upset, but there is a bit of professional protester manufactured base in there. But there -- obviously, there are people that are upset, but I also think that when you look at some of these districts and some of these things, it is -- it is not a representation of a member's district or an incident. It is a loud group -- small group of people disrupting something in many cases for media attention, no offense.

It's just -- I think that -- that necessary -- just because they're loud doesn't necessarily mean that there are many. And I think in a lot of cases, that's -- that's what you're saying.

QUESTION:

Does the president doubt that there's real anger....

(CROSSTALK)

SPICER:

No, I just said that.

QUESTION:

... beyond just a few loud agitators, that there's real concern that people will lose their...

(CROSSTALK)

SPICER:

But they won't. But see, I think that that's a false narrative and I don't -- the president's been very clear.

Look, you have to look at what our health care system is right now. In so many counties around our nation, we've gone down to one provider. That's not choice, that's not access. And then they're going in a lot of cases and they're saying we're not taking Medicaid, we're not taking TRICARE, we're not taking the insurance you used to have, the doctor that you used to have isn't participating anymore.

And oh by the way, states like Arizona, you've got over 100 percent increase in premiums, 112 I think was the number there. In many states, it's double, triple -- you know, double digit. And I think that the idea that we have to remember is that the American people got sold the Affordable Care Act. It's neither affordable or accessible. They're losing their coverage and premiums are spiking.

And so if people are truly worried about losing their coverage, they should be applauding the president's action for wanting to make sure that we put a system in place that does what they were supposed to have been promised a while back. And I think that -- that's what I think is missing from this dialogue. I've seen some folks that, you know, were protesting at some of these things saying I lost -- I'm on Obamacare, I'm gonna lose my thing and when they were asked how old they were -- I'm 71, 72. Well, they're not on Obamacare, they're on Medicaid.

QUESTION:

So you think they're making it up?

SPICER:

No, I'm not saying (ph) they're making it up, but what I'm getting at is I think that there's a lot of blurring of the facts. And the reality is that some people aren't on Obamacare, they're on employer-

based systems, they're on Medicaid, they're receiving their benefits through Medicare because of their age. And so they're -- they're nothing -- you know, they have no problems.

But I think in other cases, people are not being told that the plan that they're on is unsustainable, that these carriers throughout the country -- I mean, you just look at them over and over again pulling out of the exchanges. The reality is that they are losing their health care, but they're losing it under Obamacare because the exchanges are collapsing on themselves, carriers are pulling out, premiums are going up and access is going down.

So the president's plan is actually going to do exactly what they were promised eight years ago and didn't get. So for those who are worried, the answer is that help is on the way.

QUESTION:

But what is the plan? We haven't seen (inaudible).

SPICER:

OK. So first -- as the president made clear, we're gonna have that out in the next couple of weeks. He's working on it. But the goal, Jonathan, is this got jammed through a Democratic Congress and then they told us you could read it after we get it passed. So taking our time, getting this right to achieve the goals that we set forth is probably the right thing to do considering the experience that we had the last time.

Hallie (ph)?

QUESTION:

Sean, two questions for you. The issue of transgender bathrooms wasn't one we heard a lot about from the president during the campaign. He said at one point Caitlyn Jenner can use whichever bathroom she wanted to at Trump Tower. So why is this now a priority for the administration 40 days into office?

SPICER:

It's not -- it's not a priority. I think there's a case...

QUESTION:

(OFF-MIKE)

SPICER:

No, no. Hold on. But let me answer the question.

It's not a priority. There is a case pending in the Supreme Court in which we have to decide whether or not to continue to issue guidance to the court. We -- it's not -- it's dictated by that. The Obama administration had issued joint guidance from the Department of Education and the Department of Justice.

SPICER:

We now (ph) have to decide whether or not this administration wants to continue that track that they were on. It's plain and simple. If we don't -- but there are problems both in the legal and process way in which that guidance was issued. And so it's incumbent upon us to actually follow the law and to recognize that Title IX never talked about this. It was enacted in 1972. There was no discussion of this back then, and to assume certain elements of the law were thought of back then with respect to this would be completely preposterous.

QUESTION:

To be clear, Secretary DeVos is on board with this?

SPICER:

Yes. 100 percent. Thank you.

(CROSSTALK)

QUESTION:

The second question is on Mexico, the secretary of State's trip that is (inaudible) with Secretary Kelly.

SPICER:

Yeah.

QUESTION:

Obviously there's been tensions, right, between the Mexican president and President Trump. Is this a cleanup job for the secretary?

SPICER:

No. I think that President Pena Nieto and President Trump spoke again, the foreign ministers had several contacts with our staff. I would argue that we -- we have a very healthy and robust relationship with the Mexican government and Mexican officials. I think they would echo that same sentiment. President Pena Nieto has echoed that as well. But I think the relationship with

Mexico is phenomenal right now, and I think there's an unbelievable and robust dialogue between the two nations.

(CROSSTALK)

SPICER:

Hold on, let me go Margaret (ph) and then I'll get to you.

QUESTION:

On Syria, General Crotel (ph) indicated today that the U.S. needs to take a larger share of the burden and perhaps send troops to Syria. Has the president discussed this with his national security team and when does he...

SPICER:

I'm going to refer you back to DOD on that. I would just argue that I think that you've seen the president talk about safe harbors in Syria with several foreign leaders, who have shared -- safe havens, thank you. And that is an area at the top of the president's foreign policy agenda, that he has continued to talk to leaders, especially in the Middle East about, trying to make sure that we deal with that issue in that area right now. But I am not going to get ahead of the DOD on this and when they have recommendations then they may come forward to us.

(CROSSTALK)

QUESTION:

Has the president...

SPICER:

I'm not -- look -- I will -- if I have an update, I'll give it to you tomorrow.

QUESTION:

President Trump and the Canadian prime minister wants the U.S. and Canada Council for Advancement of Women Entrepreneurs. Can you talk a little bit about how the council is growing and transpiring? What's the status?

SPICER:

I think staff is beginning to implement the president's agenda. It occurred what, six, seven days ago. And so it's starting to work through the process and we'll have further updates as it goes forward. But I know that he continues to be in touch with -- with Prime Minister Trudeau and our staff continues to work on the back end to make this happen.

(CROSSTALK)

SPICER:

Zeke (ph)?

QUESTION:

Thanks, Sean. Two questions for you.

One (inaudible) about -- does the White House not have confidence in its Cabinet secretaries if it's looking over their shoulders? Does the White House not -- does the president (inaudible) -- trust his Cabinet secretaries and appointed (inaudible) administrators staff, to find people who agree with the president's agenda?

SPICER:

No, not at all. I think there's a big difference. The president named these folks because they are unbelievably qualified individuals. Part of it, though, is that you are staffing major departments, and I think we've got somewhere in the area of 5,000 positions to fill. And when you're filtering through a good number of people, I don't even think the secretaries at some degree, depending on the department, have full background on some of these individuals. And so as they get pumped through the pipeline, there are questions.

And again, there are areas of -- that -- that are of key priority to the president that he campaigned on. And I think that when he wants to make sure that certain of those individuals, who are going to be overseeing key priorities that he promised the American people, have somebody who is not only qualified, but agrees with and shares the president's vision to fix whatever problem that was or fulfill whatever vision that he articulated.

But I think that -- it would almost be malpractice not to do that, to allow people to fill a job -- a political appointee job, who don't share the vision and agenda of the president of the United States, would almost be -- it would be silly on its face to suggest this. I don't think there's any administration in past history that would literally, willingly take on somebody who was adamantly opposed or spoke out specifically against what the president was seeking to do, and then have them fulfill a job to carry out that mission. It just -- it doesn't seem as though it makes any sense.

Yeah?

QUESTION:

Second thing real quick, Sean, we're coming up a week away from the deadline the president ordered for his review of the counter ISIS strategy. What's the status of that review? The president tweeted over the weekend that he had a meeting with a bunch of generals. Is that regarding that review...

SPICER:

He is -- I think General Dunford and Secretary Mattis have begun providing him updates on that. I know that the new national security adviser is getting brought into the process and continuing to do updates. So we'll have further updates, but the team has been working on it since the president issued the guidance.

QUESTION:

As far as the second executive order is concerned, what is the White House doing differently in terms of consulting with the various departments to make certain that this second executive order passes constitutional scrutiny?

SPICER:

Well, I think we've done a few things. One is I think we've been very clear about understanding what the court said and trying to tailor that specifically, while achieving the same goals of keeping America safe and ensuring that people don't come into this country that seek to do us harm. That's number one.

Number two is, you know, we continue -- and that order is -- is basically completed. I think what we're now doing is working with the various agencies and departments to make sure that the implementation of that is done in an extremely smooth way.

So, we have looked at it from both a process standpoint, as well as a, you know, a legal standpoint. And I think it's -- it's going to -- it's achieving the goals. But again, I would also mention that on the merits, we can -- you know, I believe the first order did just that. It was -- it was written in a way, and I think ultimately we'll continue to prevail on that, because it is written in a way that is clear and consistent with U.S. Code and the authorities that the president has to protect the nation.

Katy?

(CROSSTALK)

QUESTION:

(inaudible) what happens, as it relates to the second executive order. It's almost likely to face a legal challenge.

SPICER:

Sure.

QUESTION:

Are you concerned that the president's prior remarks as it relates to the judiciary is going to allow him to get a fair hearing by the judicial branch as it relates to the second executive order?

SPICER:

Yes, absolutely. I think that -- because I think that you've seen it happen in the Massachusetts case. I mean, at the end of the day, you look at the law and what the order does, and I think, again, you might have, in the case of the Ninth Circuit, we continue to disagree with that.

I just -- I think, you know, the president has pointed out, you don't have to be that high up, you know, in grade school to recognize what the code says, what the authority that is granted to him, and then what the order does. I think the things that they brought out in that order, I mean, in one of the cases, they suggested none -- there have been no people that have entered within the seven countries. And a quick, cursory look found, you know, upwards of close to 20 people that had come in.

So some of the basis for which they -- they decided the case on doesn't actually pass muster. And I think any other judge or judges that look at that order or the one that will be put forward, will come to the same conclusion.

Katy?

QUESTION:

Sean, I wanted to ask about the president's budget priorities.

SPICER:

Yes?

QUESTION:

What specifically is the president increasing spending on? Where is he decreasing spending? And how much money specifically is he asking for the 5,000 new Border Patrol agents he's asked for?

SPICER:

So, I'm going to refer you back to Margaret's question. We'll have something in mid-March as we put that out. But I'm not going to get ahead of Director Mulvaney.

(CROSSTALK)

SPICER:

No, I mean -- it's not -- look, he just had a meeting where he's continued to work out. They're providing him back and forth. I mean, that's the idea of crafting this budget. And until we put it out on paper, I don't want to get ahead of...

(CROSSTALK)

QUESTION:

Sean?

SPICER:

Yes?

QUESTION:

Thank you very much.

Back to Mexico. (inaudible) officials have said this morning that they're not going to accept (inaudible) put out by the White House on (inaudible) yesterday, and they may not (inaudible) anyone that's not a Mexican immigrant. What are you guys going to do with those people that (inaudible)?

SPICER:

I think Secretary Tillerson and Secretary Kelly are going to have a great discussion down there, and to talk through the implementation of the executive order. But I feel very confident that any country who has a citizen that comes into this country and that we send back, will make sure that they comply with this.

David?

QUESTION:

Two questions about immigration (inaudible).

One, the president has talked a number of times about millions of illegal immigrants casting votes during the election in his mind. You guys promised to look into that. It seems like there was no mention of that in any of these directives to look for these immigrants. Does the president still believe...

(CROSSTALK)

SPICER:

Yes, I mean, he's mentioned that Vice President Pence will lead a task force on this.

QUESTION:

Where do we stand on that, though?

SPICER:

He named the task force, and the vice president is starting to gather names of individuals to be part of it.

QUESTION:

And the other question I had about the DACA program. During the -- yesterday, you suggested, well, we have to go after hardened criminals...

SPICER:

Right.

QUESTION:

... you know, major national security threats first. During the campaign, the president talked about DACA as being unconstitutional executive amnesty. Does he still think it was an unconstitutional use of President Obama's powers? And if so...

(CROSSTALK)

SPICER:

Yeah, I think -- I said this yesterday. The president is very clear about his priorities with respect to immigration. Yesterday was focused on going after people who are a concern -- a public safety concern, and we're going to walk through this very...

(CROSSTALK)

SPICER:

I -- I -- we'll will get back to you on that. Right now, the focus is on keeping the country safe and making sure that we (inaudible).

Shane?

QUESTION:

I want to ask about immigration as well. Given all of the -- the push on deporting illegal immigrants, I wanted to see if this White House and President Trump have any interest in curtailing legal immigration going forward?

SPICER:

Again, let's -- we've got to look at this from a priority level. Right now, there's, you know, millions of people in this country that are in the country illegally. I think the focus continues to be that 800,000 or 900,000 that have already had an order to have them removed and get them processed through in a way that continues to keep America safe.

SPICER:

Legal immigration, obviously, is a completely separate subject. And that includes visa reform and all that other stuff. The president has talked about that. He's talked about it with business leaders, H-1B visas, et cetera. You're going to see more of that coming, but I think there's a prioritization of how we deal with immigration both illegal and then legal, and we'll have more on that later.

I've got to run. Thank you, guys, very much. We'll see you tomorrow. Take care.