

Press Briefing by Tony Snow

White House Conference Center Briefing Room

1:13 P.M. EDT

MR. SNOW: Good afternoon. Just a quick opening note, and then I'll be happy to take questions. I think everybody now has gotten word, first -- the North Korean test has been concluded to have been nuclear.

The White House is continuing to receive regular updates on the Hawaiian earthquake that struck yesterday morning. Fortunately, no deaths have been reported at this time in Hawaii. While there are reports of structural damage, electrical power has largely been restored on the islands. Hawaii's emergency response teams should be commended for their excellent work. We're going to continue monitoring the situation and keeping in close contact with Hawaiian officials; we'll provide assistance, as needed. And the President continues to have in his thoughts the people of Hawaii as they clean up in the aftermath of the earthquake.

Questions. David.

Q Why did the President call Maliki?

MR. SNOW: Well, because it's one of -- the two leaders believe that it's important to stay in regular touch, and this was a base-touching exercise. And he'll continue to do it.

Q Is there more to it than that --

MR. SNOW: No.

Q -- the President felt the need to reassure him about the political debate in this country?

MR. SNOW: No, actually, it was the Prime Minister who raised questions about it, not the President.

Q Can you elaborate on that?

MR. SNOW: Yes. To the extent that it seemed -- it's important to realize, for the people of Iraq to realize, that the President and the United States government are behind Prime Minister Maliki's efforts to continue building democracy in Iraq and also to do some of the tougher and necessary business, including going after militias and terrorists. The Prime Minister was keeping the President updated on all three aspects of the strategy, not only in terms of security, but also political reconciliation and the economic path.

So they had a pretty good discussion in those areas. The Prime Minister also wanted to make it clear, for instance, that talk of giving timetables or expiration dates, or whatever, to the government were not only undermining the government, but also inspiring terrorists, is the term he used. And, similarly, he dismissed the notion of partition, which he also thought was undermining the government.

Q He also has said in USA Today, though -- you say you're on the same page, in terms of fighting the militias -- Maliki told the USA Today that his government will not force militias to disarm until later this year or early next year, despite the violence.

MR. SNOW: What's interesting is that's the lead of the piece and I've read the interview now three times and it's not in there. Let me read to you the first sentence. The first answer of the first question: "We started to deal with militias since the first day I took over as Prime Minister. I declared from that day, one of my goals was to dissolve the militias. I believe there could be no true state while armed militias are operating. This conviction has not changed."

Then he goes into what I was talking about before, which is taking a look at the political element, the security aspect, and the economic factor. He talks about working on the implementation of CPA Order 91, that deals with dismantling militias. Later on, he says that the militias may be one of the easier problems to deal with; the more serious challenge is terrorism, composed of the remnants of Saddam Hussein's regime and al Qaeda. He says that although it takes time, "The most important thing is that we have started, and started strong."

I read the piece, too, and maybe they -- they published a transcript, and the transcript seems to indicate that the Prime Minister is actively engaged in the issue of militias. And there is no mention -- maybe I'm missing it here, but I've read it three times -- of saying that he's not going to force militias to disarm until later this year or early next year. As a matter of fact, he says he's in the process of doing it now.

Q One final point on this, if I can. One final point, which is, you say that Maliki is concerned about talk of a timetable, when he is the one -- about the withdrawal of troops.

MR. SNOW: No, he believes in the withdrawal of troops, and in here he expresses confidence that as the Iraqis will become more capable --

Q Right, you said he's concerned about a timetable.

MR. SNOW: There was talk that he was only going to get two months. And there was a specific news report that had him concerned.

Q You just said a minute ago that he's concerned about setting timetables because it encourages terrorism.

MR. SNOW: No, actually, I was being imprecise. Kelly got -- ask Kelly, because she got it right in the gaggle. But there was a news story. He said he was worried about a report that said that we were giving him two months. And you're absolutely right in the fact that -- look, the Iraqis do believe in trying to assert effective control over all of Iraq. And as a matter of fact, he does talk about that in the transcripts of the interview with USA Today.

Q So he is concerned about talk of a timetable for withdrawal, or any specific --

MR. SNOW: It's not -- no, no, no, it's not a timetable for withdrawal. The way it was portrayed is, we're giving them two months, or we'll go for somebody else. This was a timetable for his government, not for withdrawal. So thank you for posing that.

Q Tony, is this stuff that came out of the Warner visit or --

MR. SNOW: No, I think it's -- the answer is I'm not entirely sure, but I believe it refers to the report that said -- that there was a rumor that there were going to be attempts to replace him if certain things didn't happen in two months. And the President said the rumors are not true; we support you.

Q The President initiated the call?

MR. SNOW: Yes.

Q So what was the level of concern that caused the President to pick up the phone?

MR. SNOW: It's not a level of concern. Here you have the central front in the war on terror, which the President has been talking about, and he's made it clear that he wants to consult with the Prime Minister regularly.

Q Also in that article, there seemed to be a suggestion -- I thought it was rather direct -- where Prime Minister Maliki was critical of what he called an over-reliance on force, that perhaps the United States and the coalition forces needed to engage in other methods -- reaching out, perhaps, to the insurgents for dialogue?

MR. SNOW: No, that's -- actually, what he was talking about, he was saying that in certain sectors of Baghdad, for instance, Sadr City, he did not think that it would be appropriate to use overwhelming military forces, as he argues -- again, in the transcript of the full interview -- that 95 percent of the people in Sadr City are, in fact, not supportive of radical elements in the Mahdi army. He's always said that he believes in reaching out to insurgents, and that is, in fact, a fundamental part of his program.

What they want to do is to disarm, decommission and reintegrate members who had formerly been part of the insurgency, invite them into the political process, and also provide economic opportunities that give them the ability to operate peacefully and in direct support of the government. So that's what he was referring to.

Q Okay, for the record then -- one more, just for the record.

MR. SNOW: Yes.

Q Does the White House support the idea, if something was worked out or raised, of insurgents and the United States having direct talks? Is that something the administration would entertain?

MR. SNOW: Well, as you know, the administration has had talks with insurgents.

Q But, I mean, in a way that seems to elevate this as a solution to what's going on right now?

MR. SNOW: Well, again, the government of Prime Minister Maliki is -- there's a sovereign government there. And they're the ones who would be responsible for engaging in talks. The United States has, in fact, been engaged in efforts to reach out and talk people into following the peaceful path. That's nothing new.

Martha.

Q Tony, does the President have total confidence -- emphasis on "total" -- in the Maliki government and that they are doing everything possible to get rid of those militias?

MR. SNOW: I think he believes that the Prime Minister is doing everything in his power to do it. I don't know -- this is one of these questions where I don't think it's possible to give you a precise answer which is total, 100 percent complete. He has complete faith --

Q Do you have any concerns at this point that there is not enough being done?

MR. SNOW: No. But, look, let me put it this way. There is more to be done. There has to be more to be done. The violence level is absolutely unacceptable, and it is important to make progress. One of the things the Prime Minister was talking about in the phone call this morning with the President is he feels confident that the steps he is taking both on the political and economic and security fronts not only are

moving forward, but are going to yield some fruit. He also assured the President that he is and will continue making tough decisions in terms of going after.

We have received small reports -- for instance, I mentioned it a couple of times last week, going after at least one brigade within a police battalion that was seen as being guilty of engaging in acts of terror. It is obvious that more needs to be done, given the way the violence has been perpetrated, and also a lot more needs to be done so that the government of Iraq can, in fact, sustain, govern and defend itself. So all of those things are key elements. The President does believe, and does support, the Prime Minister's efforts to pursue that goal.

Q Doesn't it alarm you in some ways that Maliki is saying the biggest problem is terrorism, not sectarian violence, when your own top commander, General Abizaid, has testified that the biggest problem over there is sectarian violence?

MR. SNOW: I think Prime Minister Maliki --

Q Isn't that a disconnect?

MR. SNOW: No, I don't think so. And as a matter of fact, it is not inconceivable that when you're talking about terrorism -- notice what he was saying. He was saying, al Qaeda and remnants of Saddam's regime. Those are the people that he was identifying. And guess what -- they can be involved. Also when you talk about militias, which are also part of the problem, that also has contributed to sectarian violence. There is no disconnect between talking about folks who have a vested interest in fomenting sectarian violence, and that would include al Qaeda and also Saddam remnants, and also some of the Mahdi Army. And he's going after both sides.

I don't think he's got any delusions about it. I think what you're trying to do is to get into a verbal dispute here, and I think probably the premise of your question he would agree with, which is the sectarian violence is a big problem, and he's trying to deal with it. And people he would label as terrorists are also a key part of that sectarian violence.

Q Who would you label as terrorists?

MR. SNOW: Well, again, what he has -- I'm going to give you what he said. I'm not the expert, and so I will simply repeat to you what the Prime Minister said in his conversation with USA Today, which is he was identifying as terrorists al Qaeda remnants and also those who are loyal to Saddam. And he was drawing a distinction between them and the militias, which, as you know, are largely Shia.

Q I know you don't want to make a timetable for anything in Iraq, but what is the incentive for the Iraqi security forces and for the Iraqi government to stand up those security forces and get rid of the militias? What's the incentive? Is there some sort of push to say, if you don't do this in two months --

MR. SNOW: No.

Q So --

MR. SNOW: Because we're not going to undermine -- the incentive is people are getting blown up every day and they feel it keenly. You've had within this government -- we've already talked about a Deputy Prime Minister, Hashimi, who has had three members of his family slaughtered -- and even though he is Sunni, the Shia Prime Minister, Prime Minister Maliki, met with him yesterday and assured him that he's going to do everything he can to get to the bottom of it, and will continue to fight sectarian violence.

These are the people that are taking the hits. Even though we have increased U.S. casualties, the real casualties right now are Iraqi people, and that kind of bloodshed I think provides plenty of incentive for trying to suppress violence and secure the government.

Q Senator Hagel said this weekend that he agreed with Senator Warner's view that a change of course may be needed in the administration's Iraq policy. How can the President sustain this policy when even the top Republicans are raising such doubts about it?

MR. SNOW: Well, as the President said last week, I think you're trying to pick a fight that doesn't exist. As you may recall, the President told all of you he agrees with Senator Warner that you do have to adjust. And I think -- again, Senator Hagel does not say, we don't want to win -- I believe. He did not say that, did he? Because I didn't see the comments.

So then you proceed along the road of trying to figure out, okay, how do you win? And what he says is, you need to change course constantly. And that is absolutely true. It's why the President is in regular consultation not only with General Casey, and also with Zai Khalilzad and with General Abizaid, but it's one of the reasons why he's holding regular talks with the Prime Minister, and also encouraging the Prime Minister to maintain and continue to have close contacts both with General Casey and with Ambassador Khalilzad.

Q But Senator Hagel said specifically that the American people can't be expected to continue supporting the presence of U.S. troops in Iraq if they end up in the middle of a civil war.

MR. SNOW: Well, I think the President has said all along that he understands that a war is something that is very hard for a nation. And, furthermore, the entire focus right now is not only to prevent a civil war, but to create a civil society.

Q Tony, you've confirmed now that there was a nuclear test by North Korea. There's a news report -- just in the last couple of hours -- that they may be preparing a second nuclear test. How concerned is the White House about the nuclear threat from North Korea? And doesn't this play into the Democrats' hands a bit when they say the President's approach has made the United States less safe, when you have them conducting these tests?

MR. SNOW: I believe, as you know, the North Koreans were cheating long before George W. Bush even thought about running for President. So the fact is that what we now have is a change in atmosphere, in terms of how we conduct the war on terror when it comes to the North Koreans. The North Koreans have always been rewarded for bad behavior. Now you have in Resolution 1718, a framework for all the nations -- especially those who have the most leverage over them -- to say, no more. And you are seeing, as Secretary Rice said yesterday, real isolation of the North Koreans in a way that did not happen.

It is clear that previous efforts over many years -- and it goes back to 1992, when the North Koreans first said that they would renounce nuclear weapons -- that those long efforts have not yielded the fruits we want. So the question you have to ask yourself is, how do you become effective at it.

The United States -- because we don't have extensive trade ties with the North Koreans -- we don't have unilateral leverage. This is not the sort of thing that we can do on our own. However, when you take a look, for instance, at the Chinese and the South Koreans -- who I think together account for something like 65 percent of all the trade and energy that goes into North Korea -- they got some real clout. And you've got the Russians and the Japanese involved, as well. So now you have parties who have the ability to twist arms in a way that we can't, and we hope and expect that it will provide a change.

Q The Chinese have clout, but within hours of the actual U.N. vote, you had the Chinese ambassador saying flatly that they didn't think there would be political support in China to actually inspect the cargo from North Korea.

MR. SNOW: Well, but, apparently -- I'm not going to quibble with an ambassador, but the news reports are not only that they have begun inspecting, but also what's going on is that Secretary Rice, as part of her travels to the region, is actually going to be sitting down with the government and saying, okay, what do you need to do. They are actually going to plan the ways in which they will do the inspections. So as Knoller, who is not with us right now, pointed out, 48 hours or so after the passage of the resolution, there's already practical talk about how to do those kinds of inspections, particularly at the border, and that will be a focus of joint efforts in the next few weeks.

Brett.

Q So you're saying it's fair to say the administration is confident that China will enforce the U.N. punishment on North Korea?

MR. SNOW: It's a Chapter 7 resolution. I mean, it's one where, again, all parties are now committed to carrying out the provisions of the resolution.

Q Is there concern, at least, that South Korea and China, what they're saying publicly could take some of the teeth out of the U.N. resolution as it passed?

MR. SNOW: Actions are more powerful than words, and we expect the actions will be powerful.

Peter.

Q Going back to Iraq, Tony. You said a couple of times that more needs to be done to deal with the violence. What, and by whom?

MR. SNOW: Well, obviously, I don't know what, because I'm not a general. But it is pretty clear that it's going to be important to continue going after terror elements, especially those who are dug in, and that's in various parts around the country. And right now it's joint operations but, eventually, the ones who are going to have to finish the job are the Iraqis themselves. But certainly they're going to be doing it in concert with coalition forces.

Q Do you see any hope at all that that can happen anytime soon?

MR. SNOW: If you look at the briefings that General Caldwell has been giving in recent weeks, you do find that there are targeted efforts within neighborhoods in Baghdad where they are making some progress. Prime Minister Maliki today, in the phone call, expressed some optimism that we'd be able to see it. I can't tell you when. My guess is that we'll be able to see it.

We also understand that at a time when you do have increased military pressure on some of these groups, that they're going to fire back. You know, you're stirring up the hornet's nest right now, and you're going after some of the problems. It is bloodier, it is more difficult. That, unfortunately, is to be expected. In addition, we also expect an increase in casualties and violence during Ramadan. But on the other hand, there is no reduction in the determination to finish the job.

Q Just one more on this. You just touched on it, Tony -- can you characterize the level of concern here about the scope of the U.S. casualties? Almost -- probably 60 by now, with some of the casualties that have come in, in the last couple of days, have died in October alone.

MR. SNOW: The President has said many times, each and every casualty, a death or an injury, is something that he feels keenly, and the American people should. On the other hand, you also understand that there are lots of Iraqi casualties, and the most important thing to do is to finish the job.

This happens in war. There are going to be times when you have spikes in violence. And the response to that is to thank those who have served their countries nobly and to express your condolences and love to the families and those they left behind, and to redouble your commitment for getting the job done.

Q One on Iraq again. Sorry. Just the simple question: Are we winning?

MR. SNOW: We're making progress. I don't know. How do you define "winning"? The fact is, in taking on the war on terror -- let me put it this way, the President has made it obvious, we're going to win. And that means, ultimately, providing an Iraq that is safe, secure, and an ally in the war on terror. And at any given time, as you've seen in previous wars, there are going to be spikes in violence. And it is natural for Americans who have -- really are probably the most empathetic people on the face of the earth, to feel deeply the loss of those who have given their lives in battle.

But on the other hand, there's also the absolute determination to make sure not only that those lives are not lost in vain, but also that a noble purpose is served, and that noble purpose continues to be and will be the establishment of an effective and secure democracy in Iraq.

Q Can I just -- a couple more on that. The Baker plan, or the Baker group -- how do you view that? Is this the definitive answer for you? Do you take their advice --

MR. SNOW: No, and I talked to Jim Baker -- I talked to Jim Baker the other day. He said, look -- because this was in response to your question, as a matter of fact -- he said that we have people from a broad spectrum of opinions; Congress put together this panel, and you have people who are all over politically, in terms of their philosophies of things. Some of the working papers have been leaked out, but they are by no means definitive, nor do they reflect the conclusions or even the finished work of the panel, let alone, in some cases, even the smaller groups for which they work.

This is something you listen to seriously, but we are not going to outsource the business of handling the war in Iraq. The President has welcomed lots of differing advice. People agree and disagree, and we'll continue to do that, and I think that this is going to provide a valuable source of insight and data. We're going to look at it carefully, but I also -- Baker told me, just -- and I did not go into specific ideas with him, but he said that the news stories that have been knocked around are just flat wrong.

There are papers that are coming out, and people are producing papers -- but to characterize these as conclusions of the Commission would be false and they would be inaccurate. The Commission will, in fact, draft up recommendations after the election. He said he wants to keep it out of politics, and so does Lee Hamilton. We'll have to see what they have to say. We will read with interest.

Q But your strategy for victory is the same, and could you articulate that?

MR. SNOW: No, the tactics for the strategy -- victory is the strategic aim at which we -- that we are trying to accomplish.

Q And how do you plan to accomplish that?

MR. SNOW: Well, you plan to accomplish it by continuing to work in concert with the Iraqi government to do a number of things, and also with other multinational forces. One is, to continue to build strength and competence among the Iraqi military, and also within the government -- for instance, in everything from agriculture to energy to economic ministries. When Prime Minister Maliki was here with his cabinet, most of the conversation had to do with more mundane pieces of government, because even though you do have heavy violence in places like Anbar and around Baghdad, you also have a number of provinces where there is peace and people are trying to build new lives.

So what you have is a multifaceted approach that works with building an Iraqi government that is going to have, ultimately, the means within its -- well, the means and capabilities of providing security, to have an Iraqi people who support that government, to have suppressed terror so that these people can live their lives freely, to have created the conditions for a better life. The President often talks about, for instance, the importance of oil as a national asset that can be shared by all the Iraqi people and build a sense of unity.

So there is -- when you talk about something as big as this issue, it is not a one-sentence answer because you have to deal with economics, you have to deal with politics, you have to deal with geopolitics, you have to deal with the military issues. And in each one of those areas, not only are we constantly assessing and reassessing what's going on, but we're doing it in consultation with the government.

Q Sounds more like an end state, Tony, than how to get there.

MR. SNOW: Well, again, as I've tried to explain, I don't think there's a simple answer to it simply because you do have a lot of moving parts, and it is an end state. The end state is to continue developing that.

What are we doing? We're continuing to train the Iraqi military. There have been efforts to train and professionalize the police. The Prime Minister has already talked about taking efforts, and these we support, to go into the Defense and Interior Ministries to make sure that everybody working those ministries is contributing to security and not to terror. So we can start breaking it apart, but it will be a very long conversation because it does have a lot of different pieces to it.

Okay, let me get past the front row because -- and then I'll get back to you guys.

Sheryl.

Q Tony, you just said that the Baker report would be a valuable source of insight and data, we're going to look at it carefully, we'll have to see what they have to say -- all statements seeming to suggest that you're not necessarily going to accept their recommendations. What is the point of having a high-level, independent commission of experts analyze your policy if you're saying beforehand that you're only going to look at it carefully?

MR. SNOW: They're doing so pursuant to an act of Congress, and we think we ought to take it seriously. I mean, I don't -- on the other hand, the President is the Commander-in-Chief. And simply because you have a blue ribbon panel, it does not mean that he hands it off to them. The President has greater access to intelligence than the commissioners have. He also has the responsibility of conducting U.S. operations, and therefore understands that it is his responsibility. And simply just as we do not expect the commission to rubberstamp what the White House does, surely you should not expect the White House to rubberstamp what an independent commission recommends. On the other hand, you take a look at it.

Q To what extent are White House officials aware of the deliberations and the various options that are now under consideration? Zero? You didn't ask Jim Baker about --

MR. SNOW: Baker has wisely refused to talk about it. He won't do it. And that's the right thing to do.

Q He's been in to see the President recently.

MR. SNOW: He has been in to see the President. He's made a point --

Q But they don't talk about it?

MR. SNOW: No, they don't.

Q What do they talk about?

MR. SNOW: Because Baker understands that to talk about that would not only compromise him, but also what's going on within the commission. It's supposed to be an independent commission. It has to be able to operate independently. And Jim Baker understands that in order to fulfill that mission, he cannot be sitting around and chat about it with the President of the United States.

Victoria.

Q So in not talking about what the commission is doing, did he also not talk about specifically the options, such as (inaudible) first and redeploy and containment --

MR. SNOW: Again, what he said is that things that have been in the press -- and I did not go into any further detail with him because, again, it would be inappropriate -- he said that there are papers that are being drafted by various members, and there are a lot of different working groups within those, and that these are not, in fact, illustrative of the final conclusions, or even the conclusions of the commission itself. They are working drafts of people -- again, a very broad spectrum of people -- who have differing views on how to proceed in Iraq, and they'll try to put those together at the appropriate time.

Q And my other question, going back to Senator Chuck Hagel, on this thing yesterday on CNN. He also said, so we need to find a new strategy, a way out of Iraq because the entire Middle East is more combustible than it's probably been since 1948, and more dangerous because we're in the middle of it. But he seems to be talking about finding a way out of Iraq. But I also would like to know your view of whether you think that the Middle East is more dangerous than it's been since 1948?

MR. SNOW: No, I think what you do -- in fact, what you've begun to see is the assertion of democratic forces throughout the Middle East, where you have had a movement toward free elections in a number of places. You also have ongoing efforts -- and we understand that there are going to be a lot of people opposed to them -- we are still committed, and we've been the first administration to commit ourselves to the goal of an independent Palestinian state.

You understand that when you are challenging an ideology that is absolutely anti-democratic, that they're going to fight. But on the other hand, what you also have are a number of people who have demonstrated their own immense courage, and these people far outnumber the terrorists in saying, we want a democratic life, and committing themselves to it, and risking their lives for it. So, yes, I would challenge that notion.

David.

Q You've made the point here that more needs to be done in Iraq to deal with the violence right now. Given the level of violence, that Peter said, this month, did the President put some pressure on Maliki in the phone conversation as to what to do?

MR. SNOW: No, no. In fact, what Prime Minister Maliki was doing is, he acknowledges what the problems are and he was stressing how determined he is to go after the sources. The Prime Minister also understands that you have to proceed -- number one, the Iraqi government is a sovereign government. And it is determined, rightly, to take control of the situation.

Number two, the Prime Minister does understand the difficulty of it, but he also believes that it is important to have all the pieces in place, and this, again, is something that appears in the transcript of the USA Today interview, which is, you don't proceed simply militarily, you also have to have the ability to lure

people into the political process -- invite them, "lure" is a bad word; invite them into the political process -- and also provide the economic opportunities that are going to give them a reason to become literally and metaphorically invested in the success of the Iraqi government.

Q Just so we understand, why would that not come up, given the level of violence we've seen, in a conversation between the President and Prime Minister?

MR. SNOW: Because the President is -- the United States is assisting the government of Iraq, it's not handing out orders. And it would be inappropriate.

Helen, you've had your hand up, sorry.

Q I wanted to talk about the bill the President will sign tomorrow.

MR. SNOW: Yes.

Q It makes him a final arbiter on torture.

MR. SNOW: Right.

Q Does he have any guidelines, does he have any advisory group? And how will he know?

MR. SNOW: What I've actually -- Helen, in response to your question, I called White House legal counsel --

Q Can you repeat the question?

MR. SNOW: Yes, how will the President know when it's torture and when it's not, and avoid having torture.

Q And how will he approach these cases?

MR. SNOW: And how will he approach the cases.

The White House Office of Legal Counsel is actually putting together a paper so that -- I knew that this would come up. What they will do is help me describe to you, as accurately as possible. It's a very complex series of issues, but there are definitions that outline what constitutes torture, and I will be happy to share those. And I'll get them for you tomorrow.

Q When are you going to release those?

MR. SNOW: I'm not going to release it. I'll share it with you tomorrow. It's not like a formal release, it's just me trying to do my homework, and I don't have it done yet.

Q Following up on the signing ceremony tomorrow. How quickly is the administration going to move ahead on the military commission, the trying of the high-valued --

MR. SNOW: Well, it still takes time, because once you have the commission process in place, you still have to arrange for representation for all involved, you have the gathering of evidence. Now in terms of getting moving toward that goal, that will start immediately; but in terms of having trials, for good and obvious reasons, you don't do that overnight. You do have to make sure that the defense is going to be able to do its job properly, and the prosecution the same.

The estimates I've heard in the past, and I will double check again before tomorrow, is that it may take a month or two, really, to get these things moving toward a trial phase.

Q One other question about the signing. The CIA interrogation program which the President formerly confirmed in the process of asking for this legislation, at that time he said there were no high-value detainees then in custody. Is that still the case?

MR. SNOW: I do not know. I don't believe there are any others.

Q Can you tell us by tomorrow?

MR. SNOW: Probably not, because, frankly, when there are detainees, it is not the practice to start telling when or where you have high-value detainees.

Q Because, I mean, the President made a point of saying, we need this, we need this right away, it's got to be done before Congress adjourns, and I guess --

MR. SNOW: I understand that --

Q -- it would be nice to know if it were a moot point.

MR. SNOW: It would be nice to know lots of pieces of classified information, but there's a reason they're classified.

Q Tony, just to follow on that -- or is it possible for you to tell us, once this bill is signed, should there be a need to house high-level detainees in this CIA program, will you be able to immediately, upon signing the bill, or are there other steps that have to happen before you can start that program up again?

MR. SNOW: The program has never ceased, it is merely dormant.

Q Well, before it can resume?

MR. SNOW: Well, again, that's a very cagey way of saying, have you got anybody?

Q No, it's a way of saying, do you --

MR. SNOW: Well, if a program is dormant because there are a lack of occupants, and it suddenly ceases to be dormant, then it does tell you whether they're occupants.

Q We can go at it later.

MR. SNOW: Okay. And I mean, Sheryl, if there's a specific legal point I can help with, I'll work it through legal counsel. I don't want to pretend to have the expertise to be able to parse all this stuff.

Q On another subject, Tony, if I may, two questions. Since I believe that most of us were very impressed with this morning's top of page one review of you, as well as a similar rave about you last week in another daily newspaper, I hope --

MR. SNOW: Stolberg wrote a rave? Thank you. (Laughter.)

Q It's all in the eye of the beholder. (Laughter.)

Q I hope you will be congenially receptive to my first question. The President has affirmed many times that the U.S. cannot deport millions of illegal immigrants. And my question, why not? And, if not, how can you explain a decision to disregard the law?

MR. SNOW: Well, number one, the President does not disregard the law. And, number two, when you have the inability to determine who is here illegally or not, it significantly hampers your efforts. As part of eliminating catch and release, we have, in fact, been deporting people, Les. And so I'm afraid you're going to have to reexamine the question.

Q What is the President's opinion of a request by Republican leaders in the House to launch an investigation of Sandy Berger's involvement in the removal of classified documents from the National Archives?

MR. SNOW: There were questions last week. I believe Paula asked them about investigations involved Republican members. Members of Congress have their own oversight obligations. They may proceed as they wish. They are a separate and co-equal branch of government, and I'm not going to tell them what they can and can't do.

Q Tony, is there going to be a substantial and detailed signing statement with tomorrow's signing?

MR. SNOW: There will be no signing statement.

Q Tony, on North Korea, since it's now confirmed that it was, indeed, a nuclear weapon that was tested, what is the concern about the possibility of another weapon being tested? Then on top of that, if sanctions are, indeed, upped a level to protect the survival of those in North Korea, what is the thought about China participating at that level?

MR. SNOW: Two things. Number one, the sanctions that have been discussed are designed carefully not to place at risk the people of North Korea who are already, themselves, victims of starvation and grotesque and ghastly and inhumane poverty themselves. It is more designed to go after the people who are themselves the key figures in the government that's responsible for that.

As far as further nuclear tests, I think all it's going to do is strengthen the commitment, especially of those in the neighborhood to make it clear to Kim Jong-il that, again, bad behavior no longer will be rewarded, it will be punished, and that if his government wishes to remain credible, and he wishes to have any credibility, they need to come back to the six-party talks and renounce nukes.

Q But wouldn't sanctions (inaudible) the survival of North Korea's people?

MR. SNOW: I just made the point --

Q I understand --

MR. SNOW: For instance, when you're talking about luxury items, which were one of the things under discussion, that's not --

Q I'm talking about food.

MR. SNOW: I know, but that's not one of the things under discussion.

Q Can I follow on Ken's question? Why no signing statement? Is there any kind of change in policy?

MR. SNOW: Because there's no signing statement. You have signing statements sometimes, and sometimes you just sign it. And possibly to frustrate you guys, because everybody has been waiting for one.

Q What about an executive order?

MR. SNOW: An executive order does not need to be coterminous with the signing. I believe there will, at some point, be need for one. And that one, I'll also get the White House Office of Legal Counsel to give me a precise --

Q But there will at some point?

MR. SNOW: I'm not -- let me find out for sure.

Q Tony, was there any agreement with Congress that there would not be a signing statement?

MR. SNOW: No.

Q This just seems like the kind of bill where there are a lot of things to be interpreted and take a look at.

MR. SNOW: They did a really good job this time.

Q Wow. (Laughter.)

Q Tony, does the U.N. resolution on sanctions preclude the United States from using a military option against North Korea?

MR. SNOW: We have always maintained all options pursuant to our treaty obligations with those in the neighborhood. But right now, we are not contemplating military options. We are pursuing diplomatic options.

Jim.

Q Can I just go back to the study group, a second, because there's a sort of conventional wisdom in Washington which --

MR. SNOW: There is?

Q -- which often isn't very wise. Even Republicans that I've talked to, high ranking Republicans close to the White House, are saying, look, after Election Day, there's going to be a significant change in the way we do business in Iraq. And the Baker group is simply giving the White House cover for that.

MR. SNOW: No, that would require -- that insinuates a kind of collaboration that not only does not exist, but I think would be inappropriate, and casts Jim Baker and Lee Hamilton and a lot of others as mere stooges for the administration. I don't think they'd share that characterization either.

As we've said all along, we continue to take as fresh a look at what's going on and try to be brutally honest with ourselves. This is -- Congress mandated the commission. We appreciate the efforts, and we certainly look forward to hearing what they have to say, because it is important -- look, these are people who have long and significant experience. I'm sure that they're going to have some valuable insights.

Q After months and months, though, the President is saying very clearly that he was committed to doing business a certain way and he wasn't going to change his mind no matter what kind of criticism he had. Suddenly last week in the Rose Garden, he was very open to change.

MR. SNOW: No, it's interesting because, if you recall, that entire prior week, and some weeks prior to that, I was making the point from this podium that we constantly adjust. I understand people listen to a President more than a press secretary, but we've been talking about this for some time. And the fact is that the strategy has always been the same. I know Martha is going to say, you know, you've got to win. That's -- there is a commitment to winning, there's a constant reassessment of what's the most effective way to get there.

Q Tony, when you were talking before about the Iraqi military being trained more, they have -- it does seem that more police, more Iraqi military have been trained in recent months, over the last couple of years. But the White House had repeatedly said that as they stood up, we'd stand down. Does that principle still hold? Does the White House still believe, as they stand up, we're standing down?

MR. SNOW: Yes.

Q Because it doesn't appear like we're standing down.

MR. SNOW: Well, we're not standing down because everybody is needed in the fight right now. Also, when it comes to police, both sides -- I mean, the Maliki government -- and Prime Minister Maliki, in his USA Today interview, acknowledged they've had some real problems, and they've -- the matter of professionalizing the army -- I mean, the police still remains undone. The army training has been more effective, but at this time, with these levels of violence, you still have to work together to help go after the people whose vested interests are in destroying Iraq. When those levels of violence wane, and when we believe that the Iraqis are secure and able to stand, then we will be prepared to move, but we're not going to do it under the present circumstances.

Q So they are standing up, but we're not standing down. So is that principle no longer operable?

MR. SNOW: Well, let's see, they stand up, and also, in standing up, you quell the violence and you also deal with some of the root causes of the difficulties.

Q That's the proposition that the White House put out there, that as they stood up, violence would come down, and we'd stand down.

MR. SNOW: As part of our constant adjustment, let me just add that apparently, the terrorists have also decided not to stand down. They've got to stand down.

Q Right, so that's my question. So is "stand up, stand down" no longer the principle, or --

MR. SNOW: Well, it depends on how you -- how you want to cast it. It seems to me that we're playing -- this is kind of a fun verbal game, but --

Q No, but that's what the President said, stand up/stand down.

MR. SNOW: But, yes --

Q We're standing up --

MR. SNOW: Well, you know, then you get into, what does he mean by, "stand up," and "stand up" means you have the ability to assert effective control within Iraq so that you have peaceful, secure neighborhoods. We're not there yet.

Q Tony, more on North Korea.

MR. SNOW: Okay, sure.

Q Well, the statement on North Korea also said today that the explosion (inaudible) was less than a kiloton. Since the amount was given, I'm just wondering if you have any analysis on what that means?

MR. SNOW: It means it was less than a kiloton.

Q I know, but before -- it seems like a relatively small amount for a nuclear test, and there was speculation before that it was a dud. So I'm wondering if this suggests that they may have successfully tested exactly what they intended to do?

MR. SNOW: Well, that would require discussing intelligence matters that we are not going to discuss.

Q Tony, on signing statements, as you know, the administration has received some criticism for putting out signing statements that include interpretation by the President of sections of the law. So I'm just wondering why, in this instance, you are not putting out a signing statement to explain your interpretation of Article III of the Geneva Convention.

MR. SNOW: Because we believe that the law, in fact, has its own way of addressing that, and we're satisfied with it. As you know, Paula, last week we had a signing statement. Signing statements quite often involve trying to figure -- there are often questions about whether Congress, in putting together provisions of an act, has been fully consistent with the Constitution and whom it charges with executing those laws. And, therefore, we look for ways to maintain fidelity of the Constitution and to the intent of the laws that have been drawn up. We don't think there's such a conflict in this case.

Q And I have a second question.

MR. SNOW: Okay, yes, sure.

Q It's related to your interpretation of another law. As you know, there's several state ballots right now, like there were a few years ago, related to gay marriage bans. Some of them extend to equal benefits for domestic partners in civil unions. What is the White House's position on those two issues?

MR. SNOW: We're going to let the voters of the states decide.

Q Okay. And as far as state rights go, we won't go there as far as how that's been (inaudible), but what I do want to ask about is your rationale with respect to gay marriage in terms of sanctity of marriage.

MR. SNOW: I think it's pretty -- what part needs explanation?

Q In relation to your rationale as to how this applies to common law marriage, because that's outside of a civil union or a marriage, and is that not a threat to the sanctity of marriage?

MR. SNOW: That's a good question; I don't have an answer. I'll try to come back with one tomorrow.

Q Is the figure accurate that you'll be doing 16 fundraisers --

MR. SNOW: Sheryl asked that. I'll go look it up. I'll find out what the total number is. (*)

Q Why is it that the President is still out there doing fundraisers for candidates? Has he not been asked to campaign in open campaign rallies for members of --

MR. SNOW: Yes, he's going to be doing that, too. As a matter of fact, I think there are quite a few still -- I mean, that's basically what we're going to be doing.

Q But he will eventually be campaigning in open rallies, as opposed to --

MR. SNOW: And he's also doing open fundraisers, as well, as he did last week.

Q I don't mean open for coverage. I mean a fundraiser is where people pay to come. Campaign rallies are --

MR. SNOW: Yes, right. Oh, yes, there are going to be a lot of campaign rallies.

Q Why is it so late in the season that he hasn't been doing that? Has he not been invited to do any of them until now?

MR. SNOW: No, no, no, no, no. The President also believes -- look, we've got a tough race and it's important --

Q -- come down so far? I mean --

MR. SNOW: I honestly don't -- let me put it this way, Ann. He's done more than he did in a comparable stage in 2002. He may even be doing more than he did in 2004 --

Q More events, or more fundraisers?

Q -- but that's fundraisers.

MR. SNOW: More events -- you know what, we'll -- more events and more fundraisers.

Q Really?

MR. SNOW: Yes. Plenty of people want the President to come campaign with them for them.

Q More campaign events -- not invited, where you have to pay to get in fundraisers. He's done more actual campaigning --

MR. SNOW: Let me find out. I'm listening to my staff, who I'm sure are right, but we will try to parse it out for you because the political office has the correct answers to this.

I'll get back to the front row.

Q Are we doing anything to stop Japan from going nuclear? Apparently, it's been sending --

MR. SNOW: We want the region to remain non-nuclear.

Q How do you decide, of those invitations that you accept, how do you decide which ones you're going to pick up and which ones you're not?

MR. SNOW: Actually, I don't sit around and do the vetting. The political office does. They ask me to do events.

Q How do they do it? Have they been --

MR. SNOW: I haven't inquired.

Q When you go into a district where the Republican candidate is either way ahead or way behind, do you --

MR. SNOW: Again, that's a question for the political office. They'll ask me if I'll do something to help the President and I say, yes.

Q -- have them brief?

MR. SNOW: Will I have them brief? Oh, my goodness. I'll get answers for you.

Q A question on the economy. Michigan has the highest unemployment rate in the country, at 7.1 percent. And who is to blame has become a major issue in the gubernatorial and Senate races, with Democrats blaming the White House for weak trade policy enforcement that has hurt the auto industry and other manufacturers. I'm wondering, what does the President think is the culprit for why Michigan and similar states have not enjoyed economic recovery? He and his economic team cite tax cuts as leading to economic recovery, but why not in Michigan?

MR. SNOW: Well, I don't want to try to get too much into the middle of the gubernatorial race, but you also have a time -- look, we've got an economy in transition. One of the things that's really hit Michigan hard, for instance, at Ford, are defined benefit plans that were bankrupting the company. And so, as a result, what's happened is that you have very expensive benefits for workers that the workers now are not going to get. I mean, I know this personally because people very close to me are now having to make the decision that the pensions that have been promised to them are not going to be available and they're going to have to take a cash payout.

So there are any number of factors. The President believes that finger pointing, while always a favorite sport during an election season, is not terribly constructive. And the most important thing to do is to figure out everything possible to help the people of Michigan and around the country remain fully and gainfully and happily employed.

Q Tony, can you attach your fundraising schedule to the end of the --

MR. SNOW: Yes, I think we can probably do it. There may be a couple that are not yet confirmed, so -- but I'll be happy to let you know.

Q Can you put question marks next to those, or whatever?

MR. SNOW: No. If they're not confirmed, I'm not going to put them on. But I'll be happy to let you know as they come along. But the ones that are confirmed I will be happy to.

END 1:59 P.M. EDT

*As of today, Mr. Snow has participated or is scheduled to participate in a total of 20 political events: 17 fundraisers and three get-out-the-vote events. More events could be added before the midterm election.

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