

Exhibit 5

the WHITE HOUSE



From the Press Office

[Speeches & Remarks](#)

[Press Briefings](#)

[Statements & Releases](#)

[Nominations & Appointments](#)

[Presidential Actions](#)

[Legislation](#)

[Disclosures](#)

The White House

Office of the Press Secretary

For Immediate Release

February 02, 2017

Press Briefing by Press Secretary Sean Spicer, 2/2/2017, #7

James S. Brady Press Briefing Room

12:32 P.M. EST

MR. SPICER: Good afternoon. Happy Groundhog Day. We've got six more weeks of winter, apparently. Luckily, for those of you who are going to be joining the President down to Florida this weekend, you'll get some time to get a glimpse of summer at the "Winter White House" in Mar-a-Lago.

The President is going to start his meeting at 1:00 sharp. You probably just saw the b-roll of folks from Harley rolling on in, literally. So I'm going to try to keep this a little quick.

The President signed a proclamation yesterday ushering in Black History Month. He looks forward to an engaging and informative month of events honoring the enormous contributions that African Americans have made throughout our history.

Last night, the President was honored to host the swearing-in of the next Secretary of State, Rex Tillerson, in the Oval Office. As the President said last night, Secretary Tillerson is a man who's already respected all over the world for the tremendous life that he's led, and now will bring his years of experience to the critical task of making our nation safer, more prosperous, and more secure.

It's time to bring a clear-eyed focus to our foreign affairs, and now with Secretary Tillerson at the helm of the State Department, we'll do just that. We'll strengthen our alliances, form new ones, and enhance America's interests throughout the world.

Speaking of the President's excellent nominees, praise is pouring in from around the country for his pick for Supreme Court. The Detroit News said Judge Gorsuch is a "legal superstar"; "an outstanding choice," says the New Hampshire Union Leader. The Richmond Times-Dispatch says the "initial reaction" was "to cheer." The South Florida Sun Sentinel touted his "excellent qualifications."

Yesterday, Judge Gorsuch had his first round of meetings on the Hill. Unfortunately, Senate offices aren't in the habit of releasing editorials, but from everything we heard, the Judge knocked it out of the park on the Senate as well. The President looks forward to a fair and speedy confirmation process for this exceedingly qualified nominee and jurist.

In my last briefing, I read out a list of the senators Judge Gorsuch met with. In addition to the meeting with Majority Leader McConnell, Majority Whip Cornyn, Judiciary Chairman Grassley, and Senators Hatch and Gardner, the Judge also met with Democratic Senator Joe Manchin of West Virginia. Recently, Senator Manchin expressed his belief that Judge Gorsuch could win enough Democrats to hit 60 votes. I'll agree with the Senator there on that one. I mean, we have to have a few Trump-state Democrats who want to win re-election.

But, as I pointed out yesterday, this so-called 60 vote "standard" is simply not accurate. Democrats are grasping at straws to block the confirmation of an unquestionably qualified nominee. I'll repeat, neither of the two Supreme Court justices that President Obama put forward were subject to the 60-vote threshold. So although I agree with Senator Manchin that Judge Gorsuch will probably get enough Democrats to get to 60, it's just simply not ever been a requirement.

Now, on to the events of today. The President started his day by attending the National Prayer Breakfast. It's a tradition that continued over six decades, going back to President Eisenhower. The President thanked the American people for their faith and prayers that

have sustained and inspired him, noting that the five words that he has heard more than any others as he's traveled throughout the country are, "I'm praying for you."

He spoke at length about the ISIS genocide against Christians and the oppression of peace-loving Muslims, as well as the threats of extermination against the Jewish people, and made it clear that he believes the United States has a moral obligation to speak out against such violence.

He encouraged Americans to remain a tolerant society where all faiths are respected and where all of our citizens can feel safe and secure. With that goal in mind, the President remarked that he's taken action to ensure that the United States will not allow a beachhead of intolerance to spread throughout our nation. In the coming days, we will develop a system to help ensure that those admitted into our country fully embrace our values of religious and personal liberty and reject any form of oppression or discrimination.

The President also committed to get rid of the Johnson Amendment and allowing our representatives of faith to speak freely and without retribution.

In a particularly poignant moment during his remarks, the President recalled yesterday his visit to Dover Air Force Base to join the family of Chief Ryan Owens as America's fallen hero was returned home. After honoring Chief Owens for giving his life in defense of the American people, the President quoted John 15:13: "Greater love hath no man than this: that a man lay down his life for his friends."

After returning to the White House this morning, the President held a legislative affairs staff meeting in the Oval Office with his team. The team continues to work closely with Congress to enact the President's agenda. With the nomination of Judge Gorsuch to the Supreme Court, extensive outreach is underway on Capitol Hill and we look forward to the Judge receiving a swift and fair hearing.

Between his meetings, the President was pleased to see that EPA Administrator-designee Pruitt was voted out of the Senate Environment and Public Works Committee. As has unfortunately become the practice, Democrats again boycotted the hearing, requiring a suspension of the rules in order to advance his nomination.

Following the strategy session, the President met with Senators Hatch, Wyden and Congressmen Brady and Neal. This meeting was an opportunity for the President to meet with the chairmen and ranking members of the Senate Finance Committee and House Ways and Means Committee to help chart the future of U.S. trade policy. The President has put together an all-star trade team that will work closely with the U.S. Trade Representative and the committees led by these members to craft new trade deals.

The President has expressed his concern time and again with NAFTA, which he believes is an out-of-date agreement. The ultimate goal is to ensure the best and fairest treatment of U.S. workers and businesses, and the President believes that those interests are best secured by bilateral, rather than multilateral trade deals. He looks forward to working closely with the USTR and Congress when it comes to issues of trade.

For those of you who weren't outside and just saw the Harleys roll up, it's no surprise that this afternoon the President will host a meeting and listening session with Harley-Davidson executives and union representatives. For a list of those individuals, please contact our office.

Harley-Davidson has been an American success story since 1901, when William S. Harley, at age 21, completed the blueprint drawing of an engine designed to fit into a bicycle. In 1903, Harley-Davidson began building motorcycles in the United States. And today, the company has approximately 6,000 employees and \$6 billion in annual revenue. The company's global headquarters is located in Milwaukee, Wisconsin -- which may have had something to do with them getting in so quickly. And there's a certain staffer.

Today, the President will welcome to the White House the latest generation of Harley-Davidson executives to discuss how to make it easier for businesses to create more jobs and factories in the United States. Beyond the company executives, representatives from the machinists and steel workers unions were also be in attendance.

Their motorcycles have carried our American servicemembers in war. They carry our police officers that keep us safe. They carry the Secret Service as they protect our presidents. And they bring joy to millions of Americans and throughout the world -- and others throughout the world, rather. The President is looking forward to hosting these leaders from one of America's truly great entrepreneurial success stories. The American worker built this country, and the President is focused on restoring a government that puts their interests first.

A few administrative notes. The National Security Advisor, Mike Flynn, today announced additions to the NSC senior staff. David Cattler will be a Deputy Assistant to the President for Regional Affairs. John Eisenberg, Deputy Assistant to the President, NSC Legal Advisor, and Department [Deputy] Counsel to the President for National Security Affairs. Kevin Harrington, Deputy Assistant to the President for Strategic Planning. And Kenneth Juster, Deputy Assistant to the President for International Economic Affairs.

Lastly, we had a great reaction to our Skype introduction seats yesterday. I know we've had a tremendous amount of requests pouring in from around the country. Please contact the press office if you know of any that has an interest in joining us in the future.

In terms of the schedule for tomorrow, the President will host a Strategic and Policy Forum. Then, in the afternoon, the President will have lunch with General Flynn before departing down to Mar-a-Lago later in the day.

With that, I'll take some questions.

Katie Pavlich.

Q Hi, Sean. Thanks for the question. Today, President Trump talked about Christian genocide at the National Prayer Breakfast, and last year the Obama State Department officially declared a genocide by ISIS against Christians and other minority and religious groups in the Middle East and North Africa. Now that Rex Tillerson has been sworn in as the Secretary, what specifically is the administration planning to do to comply with the legal obligations of protecting these groups under the U.N. 1948 Treaty?

MR. SPICER: That's a great question. I think Secretary Tillerson is learning his way around the building so far this morning. He gave a great speech talking about his vision and goal for the State Department. I think there will be further guidance coming out on that, Katie. Right now, his job is to get in, get settled, talk to the employees, make sure they understood.

But back to the issue, obviously it's important to President. It was during -- throughout the campaign. It's something that he addressed this morning, and is something that he is committed to. He talked about it in terms of the executive orders, and allowing Christian minorities in key countries seek asylum in the United States. He recognizes that, in so many nations, these are the oppressed groups in accordance with how the U.N. defines refugees. So I think you'll see further guidance with that.

Jennifer.

Q Thanks, Sean. I have two questions, actually. Today, the President renewed his promise to protect religious liberty, which he says is under threat. Some Americans see religious liberty as code for discrimination. Can you kind of give us a sense of how the President views this tension?

MR. SPICER: It's an interesting question, because I do -- you know, this is something that comes up quite a bit. I think there is a line. We have freedom of religion in this country, and I think people should be able to practice their religion, express their religion, express areas of their faith without reprisal. And I think that pendulum sometimes swings the other way in the name of political correctness.

And I think the President and the Vice President both understand that one of the things that makes our country and this democracy so great is our ability to express our religion, to believe in faith, to express it, and to live by it. And that's where I think the important part is -

- whether it's a small business owner or employee, he wants to have some degree of expression of faith at the company. And too often those voices get pushed out in the name of political correctness.

So he's going to continue to make sure that we not only speak up for it, but find ways in which we can keep that line a little less blurred and make sure that the pendulum doesn't swing against people. We shouldn't impose a religion on anybody. We're free to express our religion or be -- you know, not have one. That's obviously, in our country, an equally valid way of living your life. But at the same time, I think people who want to express their faith shouldn't be ostracized because they want to live that.

Major.

Q If you could give us an example, if you could, of the pendulum swinging in the direction of political correctness. And how is that going to inform the President with this executive order? And as you may know, a draft is circulating around town and many have wondered if that is going to be a way to either silence those on the left or be a threat to the LGBTQ community. Talk us through both of those.

MR. SPICER: Well, I think if you look back to the Little Sisters case, if you look back to other businesses that were, under Obamacare --

Q Would you put Hobby Lobby in that category?

MR. SPICER: I would, yeah. Absolutely. I think there's several businesses and several institutions -- Catholic institutions and others -- that have been mandated or attempted to mandate certain things that they may or may not do or how they have to treat their employees. Those are instances where clearly the pendulum is swinging a different way, where you are not carving out institutions or the ability for privately held businesses to conduct themselves to live according to their faith or their moral compass.

And so there's clearly a lot of evidence in the last couple years of the government coming in with regulations and policies that have, frankly, denied people the ability to live according to their faith.

Q From the President's point of view, that's discriminatory in itself.

MR. SPICER: Well, I think there's -- like I said, I think it's a pendulum. And where the President is, is that he wants to make sure that you don't penalize someone for wanting to express their faith, and that to the extent that we can keep that line a little less blurred and allow people who don't believe in a faith or have an opposing faith, make sure that they are equally comfortable in the workplace. But we shouldn't penalize people or mandate them to abide by certain policies or regulations which are in direct contradiction to their faith.

Q And what about the executive order, Sean?

MR. SPICER: There's right now no executive orders that are official or able to read out. We maintain that there's nothing new on that front.

Q (Inaudible) drafted along --

MR. SPICER: It's not a question of -- there are a lot of ideas that are being floated out -- I mentioned this the last couple days. But that doesn't mean -- part of it is, as the President does all the time, he asks for input, he asks for ideas, and on a variety of subjects there are staffing procedures that go on where people have a thought or an idea and it goes through the process. But until the President makes up his mind and gives feedback and decides that that's final, there's nothing to announce.

Q Thank you. In light of the tragedy that happened in Quebec City last week, which Prime Minister Trudeau is actually calling an act of terrorism, what is the President doing, what initiatives is he taking to make sure that that kind of homegrown -- because he was a Canadian citizen -- homegrown terrorism, homegrown violence doesn't happen within our country?

MR. SPICER: Well, there's a lot of things. Number one, he's talked cyber -- I mean, he's looking at it from every angle. I think the first thing is to make sure that we look at our borders. You've got to protect your own people first, then you've got to look at the cyber threats. I mean, so there is a holistic approach to both immigration and there's a direct nexus between immigration and national security and personal security that he has to look at.

But then it's a multi-tiered step. You look at the borders, you look at who we're letting in, and you also look at what we're doing internally with our intelligence agencies and the FBI that make sure that we're looking at -- whether it's the cyber threats that we face or other terrorist activities -- but making sure that we're working with the NSA and the FBI to be ahead of the curve, if you will.

Q If I may, these are homegrown -- Oklahoma City was an American kid.

MR. SPICER: Sure.

Q Okay. That's all. That's what I'm asking.

MR. SPICER: That's what I'm saying. But I think that, part of it is, looking at using the assets that we have here -- the NSA, the FBI -- looking at using the different agencies to see if we can get ahead of the curve and see things. And a lot of times, that's been a very big issue, is getting ahead of the curve for when there are telltale signs, having the reporting systems up, working with the various agencies. But it's a multi-effort process, if you will.

Kristen.

Q Sean, thank you. Why is the administration easing sanctions against Russia?

MR. SPICER: We're not easing sanctions. The Treasury Department -- it is, from what I understand, it's a fairly common practice for the Treasury Department, after sanctions are put in place, to go back and to look at whether or not there needs to be specific carve-outs for either industries or products and services that need to be going back and forth. But I would refer you back to the Treasury Department on that one.

Q Hold on, Sean. The language on the Treasury Department website suggests that you are, in fact, easing sanctions that authorizes certain transactions with the Federal Security Service. Does that not suggest a shift from what was put in place --

MR. SPICER: No, it doesn't.

Q So explain --

MR. SPICER: It is, from what I understand, a regular course of action. The Treasury does, quite often, when there are sanction imposed, but I would refer you back to the Treasury Department.

Q Thank you. Could I ask you to describe the tone of the call on the weekend between the Australian Prime Minister and the President, and also outline the President's concerns about the refugee deal in question? And I asked you this earlier this week, but could you clarify whether the deal is on or not? Because the President tweeted last night "I will study this dumb deal," implying that he's still considering it.

MR. SPICER: Right. The President had a very cordial conversation with Prime Minister Turnbull, where they went through an extensive discussion of this deal. The President is unbelievably disappointed in the previous administration's deal that was made and how poorly it was crafted, and the threat to national security it put the United States on.

He has tremendous respect for the Prime Minister and for the Australian people, and has agreed to continue to review that deal and to ensure that as part of the deal, which was always part of it, that we would go through a very, very extreme vetting process to ensure that every single person that is being offered up is coming here with peaceful intentions and poses no threat to the United States.

So he has ensured that while he has respect for the Australian people and respect for Prime Minister Turnbull, that we do not pose a threat to the United States of America, that the deal that was cut by the last administration is something that he is extremely, extremely upset with. He does not like it, but out of respect for him, he's going to allow that process --

continue to study it and allow it to move forward under the conditions that have been set -- that there will be extreme vetting on every single one of those individuals.

Q Just for clarity, the deal itself is still under review, so it's not certain to proceed? Or it will proceed as --

MR. SPICER: Part of the deal was that -- the deal allows for the United States to vet the individuals that are being offered up to be processed. The President's goal is to make sure that every single one of those people, in accordance with the deal and as discussed in the telephone conversation with the Prime Minister, is subject to extreme vetting to ensure that no one puts it. But I cannot underscore how disappointed he was in the deal that was made and how he thought it was just a horrible deal that was offered up by the United States by the previous administration.

Sarah.

Q The President and his national security advisor have been clear the administration wants to put Iran "on notice," but they haven't specified what that is. What options are on the table? And are there any options, like military action, that might be off the table at this point?

MR. SPICER: So I think General Flynn was really clear yesterday that Iran has violated the Joint Resolution, that Iran's additional hostile actions that it took against our Navy vessel are ones that we are very clear are not going to sit by and take.

I think that we will have further updates for you on those additional actions, but clearly we wanted to make sure that Iran understood that they are on notice, this is not going un-responded to.

John.

Q Thank you very much, Sean.

Q It was a Saudi vessel.

MR. SPICER: Thank you. Yes.

Q They thought it was an American, but it's a Saudi vessel.

MR. SPICER: Right, that's right. John.

Q Thank you, Sean. On January 27th, at the Republican retreat in Philadelphia, Vice President Pence had a closed-door meeting with House Republicans where several of them brought up the case of IRS Commissioner John Koskinen. There was an attempt to impeach him last year, which some of the leadership in the House felt was unfair to the commissioner,

and they urged him to tell the President that given his entire record, he should fire him or ask for his resignation soon. My sources said the Vice President said “I can hear you.” Is there any pending action on the fate of Commissioner Koskinen?

MR. SPICER: I have nothing to update you on.

Hallie.

Q On Yemen, it was initially described, the raid over the weekend, as a successful raid by the administration. There are now some questions and comments raised about the possibility of additional civilian casualties. So I’ve got a couple of questions for you on this one. Would you still stand by your characterization of the raid as “successful”? Was the President given multiple options about this raid, or just one? And were there consultations with the prior administration’s national security officials, military officials about the raid moving forward?

MR. SPICER: Thank you. Actually, I’d like to just walk through that. I appreciate you bringing this up.

There is -- let’s go through the tick-tock on that raid. On November 7th, CENTCOM submitted the plan to DOD. Clearly, that was under the last administration. Legal teams were involved immediately when it was submitted to DOD. On December 19th, the plan was approved by the Department of Defense and recommended that it be moved ahead. It was sent then to the National Security Council staff here in the White House. Again, this all happened under the previous administration.

On January 6th, there was an interagency deputies meeting. The deputies recommended at that time that they go ahead. It was so easily approved it was sent straight up. The conclusion to hold was, at that time, to hold for what they called a “moonless night,” which, by calendar, wouldn’t occur until then-President-elect Trump was President Trump.

On January 24th, shortly after taking office, Secretary of Defense-then Mattis read the memo, resent it back up to the White House conveying his support. On the 25th of January, the President was briefed by General Flynn on Secretary Mattis’s recommendation and the status of the operation, or potential operation.

The President asked to see Secretary Mattis and Joint Chiefs of Staff Dunford. He then, on that evening, had a dinner meeting, which included the President, the Vice President, Secretary Mattis, Chairman Dunford, Chief of Staff Priebus, Jared Kushner, Chief Strategist Bannon, General Kellogg, General Flynn, and CIA Director Pompeo where the operation was laid out in great extent. The indication at that time was to go ahead on Friday the 26th.

In the morning, the deputies committee met again. It was not a necessary step because they had previously recommended and also reaffirmed their support for that. On January 26th, the President signed the memo authorizing the action.

So it was a very -- not only was it a very, very thought-out process by this administration, it had started back on November 7th in terms of -- clearly well before that, but it was a move forward by CENTCOM on November 7th. This was a very, very well thought-out and executed effort.

Q Where was the President the night of the raid? How did he learn about Chief Owens's death? And do you still stand by your characterization that it was successful?

MR. SPICER: The President was here in the residence. He was kept in touch with his national security staff. Secretary Mattis and others had kept him updated on both the raid and the death of Chief Owens, as well as the four other individuals that were injured. So he was kept apprised of the situation throughout the evening.

And again, I think -- I would go back to what I said yesterday: It's hard to ever call something a complete success when you have the loss of life, or people injured. But I think when you look at the totality of what was gained to prevent the future loss of life here in America and against our people and our institutions, and probably throughout the world in terms of what some of these individuals could have done, I think it is a successful operation by all standards.

And again, I want to reiterate, it is tough to ever use the word "success" when you know that somebody has lost their life. But when you go back and look at an individual that dedicated their life to serving this country, and went over and over and over again knowing that this not only the risk that he took but wanted to do it because he knew the threat that these kind of individuals pose to our country and to our people, that's -- while not a success that you lost to him, you know that he died in sacrifice for someone else here in this nation.

Hunter Walker.

Q Thank you, Sean. I've seen some criticism of the President's remarks at the prayer breakfast this morning. Can you shed any light on why he thought that was a good venue to mock "The Apprentice" for its ratings?

MR. SPICER: Look, Mark Burnett, the creator of "The Apprentice," who is a long-time supporter of the prayer breakfast but also has a personal relationship, was there. He meant it as a light-hearted moment. And I think if you look at the totality of his remarks, they were absolutely beautiful. And I think to hone in on that, it was a light-hearted moment he was trying to have with a big supporter of the National Prayer Breakfast and a personal friend.

Guys, I'll be out tomorrow. I want to make sure we all get to see the President now. Thank you, guys.

END

12:57 P.M. EST

#7-02/02/2017



[HOME](#)

[BRIEFING ROOM](#)

[ISSUES](#)

[THE ADMINISTRATION](#)

[PARTICIPATE](#)

[1600 PENN](#)

[USA.gov](#)

| [Privacy Policy](#)

| [Copyright Policy](#)