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## Press Briefing by Dana Perino

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MS. PERINO: You heard from the President this morning. The United States strongly condemns the attack on the Iraqi parliament against the democratically elected government of Iraq.

This attack demonstrates that the terrorists and extremists will go to great lengths to disrupt the Iraqi government, one that is working for peace and stability in not only their own country, but in the region. The United States and Iraq cannot and will not let those terrorists succeed. We continue to monitor the situation, and we are a part of the investigation to find out how it happened, and we will provide you as many updates as we can as the day continues.

Questions.

Q Is there any concern that the loss of White House emails through outside email providers might involve a violation of law?

MS. PERINO: Well, I think one of the things to step back and take a look at is that we are talking about a very small universe of emails. There are 1,700 employees that work for the Executive Office of the President, 1,000 of those are political employees, like myself, and 22 of them have political email accounts. That's about 2 percent of the people.

We have a policy in which any emails that are sent to somebody like myself at an EOP or a White House email address are archived and retained indefinitely, forever, so that we always have those. There are a small slice of people, that 2 percent, that has access to RNC-based emails, based on the fact that at the beginning of the administration we did what previous administrations had done for the past 25 years, which is, if you want to avoid the criminal violations that exist with the Hatch Act, you make sure that you don't use any government equipment in order to do political business.

There are gray areas. There are White House official business and there's political business, and to make sure that you don't cross that line, people, either out of an abundance of caution, or because of convenience, were, as we went on through the administration, sometimes erring too much on the side of caution. And we have recognized that error. We have changed the White House policy, and we are talking to, in the process -- Counsel's Office is in the process of talking to political employees that have those email accounts to make sure that they are in compliance with both the Hatch Act and also

making sure that they are preserving records for the Presidential Records Act.

Q You speak of it as an error, but I guess my question is, is there any concern that any law may have been broken?

MS. PERINO: I've not heard an indication of that. I do -- I will say to you, though, our Counsel's Office is in communication with the RNC general counsel to make sure that we understand the full extent of the problem, and making sure that they understand -- if any potential emails were lost, understanding how we might be able to use forensics in order to get those back and make sure that they are a part of the presidential records.

Q Isn't it a given that some were lost, and -- well, just that?

MS. PERINO: Well, I think that the -- we don't have an idea on the universe of the number of emails that were lost. I went through the small slice of the universe of the emails that could potentially have been there, but truly, we just don't know enough yet. And we will continue to update you as the review goes on, and as we continue to talk with the RNC general counsel's office to understand how those emails were archived, or not.

But one thing I will mention is that for -- since 2004, for the political employees, those emails that were sent using those RNC-provided accounts, for political employees, have been archived.\*

Q Dana.

MS. PERINO: Yes.

Q On March 27th at this podium, you said that there were only a handful of White House aides who had these political RNC accounts. Now you're saying 22. That doesn't sound like a handful.

MS. PERINO: Well, I didn't know how many there were. And I think that, again, if you look at the number of people that work at the White House, almost 2,000, to have 22 people that -- I mean, that's obviously -- I grant you, it's a very large handful, but it's still a relatively small number. And it's based on the people who have responsibilities, both White House official responsibilities, but that also have responsibilities in their job description to do political activities. And to make sure that they didn't violate the Hatch Act, they had access to this other equipment.

Q But The L.A. Times today quotes Scott Stanzel as saying that there were about 50 aides.

MS. PERINO: The 22 is current, current White House employees -- 50 over the course of the administration.

Q At that March 27th briefing, as well, you said that Fred Fielding, the White House Counsel, was in touch with the RNC general counsel to make sure that there was archiving taking place. And when pressed on it you said that these were not archived just since Henry Waxman had asked you about it

on the Hill, that they had been archived for a very long time. So --

MS. PERINO: I think that's -- going back those few weeks ago, this is how we have developed a better understanding of how the RNC archived or did not archive certain emails. As I said, folks like Karl Rove emails using this equipment go back to being archived to 2004. The extent of how many people had these accounts, I didn't have it readily at my fingertips. I understood it to be a handful of people. I knew that it would be at least some, if not all, of the people that worked in the Office of Political Affairs.

Q Dana, this comes at a time when the Senate Judiciary Committee is already a little bit put out in terms of negotiating with the White House. And Senator Leahy said today, "I don't know if it's more the dog ate my homework, or we're back to the Rose Mary Woods 18-minute gap." Are you concerned at all that this is going to further poison the well --

MS. PERINO: I would hope that it wouldn't, because what we have done has been forthcoming, honest, and to tell you that -- I don't have all the answers right now, but there's a review that's ongoing, we're going to keep you updated. We are trying to understand to the best of our ability the universe of the emails that were potentially lost, and we are taking steps to make sure that we use the forensics that are available to retrieve any of those that are lost. And we've changed the policy so that we can make sure that this doesn't happen again.

Q This seems to be -- at least Senator Leahy seems to be suggesting now this is a credibility issue; that the explanations coming out of the White House don't pass some sort of sniff test for him.

MS. PERINO: I don't know how you could possibly say that when what we have done is endeavor to be very forthcoming and honest in talking about a policy that we've had. Now, it would be different if we hadn't said anything at all. But we didn't. We have come forward. I would prefer to have every single answer available to you, because you have a lot of questions. And as Scott Stanzel said to you this morning, we don't have all the answers yet, but we are working with the committees --

Q But what you've said has shifted even over the last couple of weeks.

MS. PERINO: Give me an example of that.

Q Fifty, 22, handful.

MS. PERINO: Look -- and I explained that. You have to admit that when I said a handful, I was asked based on something that I didn't know.

Q I'm saying this is what Senator Leahy and the folks on the Judiciary Committee are hearing shifting explanations, and wondering what the deal is.

MS. PERINO: Well, I would be happy to personally speak to them about my reasoning for using the word "handful." But I think the proof is -- the truth is we have 1,700 employees, 1,000 of them are political employees, and 22 of them currently have these accounts. The number 50 is based on the

number since the beginning of the administration. That story hasn't changed. I will be happy to explain to them why I used the word "handful," because it was based on my limited understanding of who all in the Political Affairs Office might have used them.

Q But let's take this idea that perhaps the emails could have disappeared, when I think the first thing anybody learns taking a job in America today is that emails never disappear from a workplace computer.

MS. PERINO: That is true at the White House for EOP accounts. I can't speak to any other organization, or their policies, although we are trying to work with the RNC to understand their policy. As I said, anyone with those emails here, as I understand it, since 2004, those emails have been separated from an RNC policy which is to automatically delete every 30 days deleted emails. So we have worked to try to be both in coordination and compliance with the Hatch Act, as well as the Presidential Records Act.

Q So nobody's dog ate anybody's homework?

MS. PERINO: I don't believe so.

Q How does that square with what Scott Stanzel was saying this morning, where he was saying that staffers could, so-called, double-delete?

MS. PERINO: That is true. When I say that we're trying to find if there were any potential emails that were not captured in that system, if someone had the capability to -- if they wanted to clean out their inbox -- delete a message, and then when your inbox -- when your deleted box fills up, and you decide that you want to clean that up, if you delete that one, as well, where did those emails go? And that's exactly what we're trying to find out.

Q A couple minutes ago you were saying that for sure since 2004 it's been archived, though. But I'm trying to understand, with the double-delete, can that override the archiving?

MS. PERINO: I think that it might be able to. And I can't speak to any individual's personal email habits, but let me -- I'm not a technical expert, so let me make sure we find that.

Q If it could override it, then what you said earlier about it's archived since 2004 may not be true, because it could be double-delete -- some of the emails could be --

MS. PERINO: Let me look into the specific technical pieces of that.

Q We've heard the name Karl Rove. Are there are any other assistants to the President, that highest title, that have these outside accounts? Will you provide the names of all the 22 who do use these outside the --

MS. PERINO: Let me take that back and see if I can get you either a list, or if I can at least find out if

there are any other assistants to the President. I'm not aware of one off the top of my head, but, again, I said handful, and there were 22, so I'm being called on that. So I'll hold back until I have the correct answer.

Q Is part of the review to ask these 22 why they chose to use outside email? You've said abundance of caution, perhaps the convenience.

MS. PERINO: Well, I think the Counsel's Office is certainly talking with everyone, but I think that the reason that they were using outside email is for the very reason I explained, which when you get into the White House and you received the previous policy and the previous manual, you were given one paragraph based on what you should do in terms of your official White House -- conducting official business on a White House account, but you're given extensive explanation, over two pages, over how to avoid the Hatch Act\*\*. And people were very concerned about making sure that, out of an abundance of caution, and to make sure that -- to avoid any sense of impropriety, that they would use their RNC-provided equipment to avoid that Hatch Act violation.

Q Understanding that distinction, but is it possible that there could be a motivation to avoid having the communication be part of the permanent record before using it?

MS. PERINO: I'm not aware -- I am not aware of any, but again, I can't speak to all the personal motivations or the personal email habits of individuals. If there's more I can get you on that, I will.

Q Is that part of the review?

MS. PERINO: I am -- I don't know. I'll have to check with Counsel's Office.

Q What does the President know about this?

MS. PERINO: The President, when he heard about it, said that he wanted to make sure that it was getting fixed. That is one of the reasons that we have a new policy, and that the Counsel's Office is talking with anyone who would have one of these accounts to make sure they understand the new policy. And part of that is also that there are going to be gray areas, and the Counsel's Office has an open door for people that, if they have a question about whether something falls on this side of the line or that side of the line, that they can go to the Counsel's Office and help get a judgment call.

Q What is new?

MS. PERINO: Well, we have -- it's clear, in regards to making sure people understand White House official business should be done on your White House official account. You should still endeavor to make sure that you don't have a Hatch Act violation. But one of the things that's new is that you have to -- if you err on the side of using a political email, that you would also archive that some way.

So you would either print it off, or you would forward it to another email, to your personal account -- I'm sorry, to your White House account, in some way keep that so that in the future, if the Counsel's Office

needed to look back at those records, that they would have access to that. And in addition to that, I believe that individuals will just have to sign off that they got the policy and that they understand it, and that they will follow it.

Peter.

Q Are these outside forensics experts, or are they with some FBI, or some other investigative --

MS. PERINO: I don't know. I don't know. Let me check. I don't know if they've hired anyone yet. I wonder if -- I wonder if they're still consulting on how it could be done, and to the extent it can be done. So I'll need to check.

Q No forensics experts have delved into this yet?

MS. PERINO: No, no, not yet.

Q How and when was this -- just this loss, if that's what it was, discovered, and who discovered it?

MS. PERINO: I believe that it was in the context of looking into the document requests from the -- on the U.S. attorneys matter.

Q And who discovered it?

MS. PERINO: I don't know exactly which individual discovered it, possibly someone in the Counsel's Office, or maybe a combination of people.

Q So you have this new policy and what -- you're going into the seventh year of this administration. Why did it take so long to enact this policy?

MS. PERINO: Well, I will admit it, we screwed up and we're trying to fix it. The policy that existed from the very beginning -- remember, this is before BlackBerrys ever existed. Most people in the White House did not get BlackBerrys until well after September 11th. And that communication has now become ubiquitous. I know you all use it, and we do, too. And so now you're on 24 hours a day, seven days a week, and it seems that you don't ever have a break. And so technology really moved quickly. And the policy should have evolved with it, and it didn't. But we're trying to fix it now.

Q I didn't understand -- I thought these were laptops at the RNC. They also gave BlackBerrys?

MS. PERINO: There are laptops and there was -- yes, yes. And there are also -- I think there was a question this morning on whether or not the RNC had paid for the phone lines, and we didn't have the answer at the morning, but we checked, and they do. They pay for the installation and they pay the monthly fee.

John.

Q Does the President have one of these RNC-maintained accounts?

MS. PERINO: I don't think so, no. The President says he doesn't email.

Roger.

Q Scott talked a little bit this morning about a meeting between White House staff and House Judiciary staff. Is --

MS. PERINO: Yesterday.

Q Yesterday. Are they meeting again today? And what was the upshot of that? Are they willing to wait for days, weeks?

MS. PERINO: I didn't get a readout from that meeting. I know that Waxman had had a request. We went up and fulfilled the request, provided as much information as we had at the time. And then we'll take it from there.

Q Pending the rest of the attempted recovery --

MS. PERINO: I'll see if there's -- what the next step is there. I'm not sure.

Matt.

Q Dana, just a quick change of subject, if we probably continue on this. We keep on hearing from the administration that attacks like the one at the Iraqi parliament today are to be expected as the security crackdown in Baghdad continues. But if the Green Zone, and the parliament, a very key target in the Green Zone, can't be protected four years into this war, how can we expect that ordinary Iraqis will have faith in U.S. forces to bring security to their neighborhoods?

MS. PERINO: Well, as I said, we are working with the Iraqis to understand exactly what happened here and to make sure it doesn't happen again. I think what this tells us more than anything is that we are facing an enemy that has -- is filled with such brutality. You can't imagine if that attack would have happened here at home, just up the street. It is just inconceivable how barbaric the enemy we face is, and quite determined.

And our troops are there to help the Iraqis who are in that parliament have enough space away from the violence in order to work out their political differences and make sure that they can move forward and be a democracy that can, as you've heard the President say, sustain, defend, and govern itself.

It's very troubling that this happened inside the Green Zone, and we're going to work to make sure that, one, we find out how it happened, and that it doesn't happen again. I don't -- I can't say exactly who was manning which door and how it happened yet.

Q But there was also the destruction of a major bridge today by a suicide bomb. And at what point does the persistence of these kinds of attacks say to the administration that this operation, this security crackdown is not working?

MS. PERINO: Well, you've heard General David Petraeus say it's going to take a long time to get all that -- all of our people there on the ground, all of our troops there on the ground, and get the violence under control, and working with the Iraqis to make sure that the violence can be curtailed. I don't know if we'll ever see the end of suicide bombings. It is extremely troubling, and I think that what this shows is that this is an enemy that, they say they're defending Islam, but they are killing their fellow Muslims and destroying their infrastructure and ruining their way of life.

It is very troubling, and I can only imagine how scared and hurt the families are for the people that were wounded today inside the parliament building. And I -- we really feel for them. We stand with them. And we'll make sure that we find out as much as we can to make sure it doesn't happen again.

Let me go to Mark real quick.

Q A couple more on the missing emails. As you just described the system that is in place now, is it still possible to, if you ignore the instructions, delete those emails?

MS. PERINO: No, that option has been curtailed.

Q So, regardless of whether you print out a copy or whatever, that's going to be archived, period?

MS. PERINO: As I understand it, yes. But let me just -- let me just be precise. The capability to delete from your inbox and then delete your -- clean up your deleted files, that option has been curtailed.

Q The mechanism, the door has been closed?

MS. PERINO: Correct.

Q That which you find when the forensics experts recover what it is that is lost, will you turn it over?

MS. PERINO: You mean if it's -- if it's responsive to the request in terms of the documents for the U.S. -- on the U.S. attorneys matter? Yes, that was within the package that we offered to the House and Senate Judiciary members. But that was -- that would be a part of it.

Q You understand that what Senator Leahy is saying is that this is -- the whole point of this is to not turn this stuff over.

MS. PERINO: No. I understand his point, but he's wrong.

Q Can I ask about the war supplemental meeting, or --

MS. PERINO: Anybody else on this?

Q On this.

MS. PERINO: Okay.

Q Senator Leahy said this morning, "They say they haven't been preserved, I don't believe that. You don't erase emails today. They've gone through too many servers. These emails are there, they just don't want to produce them." What does it say about the lack of credibility that the administration has that he would say something like that?

MS. PERINO: Well, it's troubling. I don't know if Senator Leahy is also an IT expert, but I can assure you that we are working very hard to make sure that we find the emails that were potentially lost and that we are responsive to the requests if there are responses that are provided -- that need providing on the U.S. attorneys matter. We're being very honest and forthcoming, and so I hope that he would understand the spirit in which we have come forward and tried to explain how we screwed up our policy, and how we're working to fix it.

Q Have you thought about calling in the FBI?

MS. PERINO: Let me check -- in terms of, like, the forensics -- that's one of my areas of -- I just don't have a clue. You can ask me about global warming, I'll know, but IT forensics is not my strong point. But we'll work to get back to you.

Q Can I go on that, as well? Following up on Mark's question. The stuff that Waxman has asked for, I think you're saying is in the realm of the stuff that you've offered to the committees, right, on the U.S. attorneys matter?

MS. PERINO: Let me check on that, because there are so many different requests coming from the Hill, that I --

Q The ultimate question is, even if you find the stuff that's been deleted, it sounds like you might not want to give it to Waxman because it's part of the U.S. attorneys matter.

MS. PERINO: No, no, no, what I'm saying is that -- and I don't think that this was a Waxman request. And I'm looking at the Judiciary Committee's request regarding U.S. attorneys, and we had said that as part of our deal, we would allow for top aides to the President to go and be interviewed by the committee, and in addition to that, we would provide all emails that had come from outside of the White House into the White House, and inside the White House, out.

What I was explaining was that the emails that would have used -- would have been sent on those RNC computers would be within that universe of requests. Does that make sense?

Q Yes. So stuff that didn't find its way into the White House system isn't going to be a part of that universe anyway? Is that what you're getting at? No?

MS. PERINO: I don't know if that is actually it. We said that outside -- emails that were coming from here, outside, that would include -- so for example, because I know this is the example you guys want, if Karl had sent an email from his RNC BlackBerry that went to an outside person, would that be included? The answer is, yes. I think that's what you were asking.

Let me go up here, and then I'll go to the back. Was it -- Wendell? Yes.

Q So Senator Reid and Speaker Pelosi will be coming here after their day-long boycott yesterday. Who blinked?

MS. PERINO: I'm not going to get into that. What I can tell you is that we offered a meeting on Wednesday at 2:00 p.m. -- 2:00 p.m. or 2:30 p.m. That is the meeting to which they responded positively, and we look forward to it.

Q And what's the state of the effect of not having a supplemental right now? Any untoward effects now? Are we still waiting until --

MS. PERINO: I would -- well, I would refer you to Secretary Gates and General Pace who issued a letter yesterday to the Hill outlining their additional concerns.

Can I go to the back?

Q Senator Reid says the President needed to come to the Hill because what he's being told here is what he wants to hear, and not what he needs to hear.

MS. PERINO: The President has -- hears from a lot of different people. You all have covered all the different people that he hears from. The President extended an invitation to Senator Reid and the rest of the bicameral, bipartisan leadership. We are glad that they took us up on the offer. We need to get the money to the troops. And I think the tit-for-tat is just something I'm not going to get into.

Q Dana, on the supplemental, on Tuesday the President said that because the Democrats have not gotten this in yet -- "The failure to fund our troops will mean some of our military families could wait longer for their loved ones to return from the front lines, others could see their loved ones headed back to war sooner." Why did the President mention -- this is a day before his own Pentagon is going to announce that, actually, those loved ones are going to stay in harm's way longer. And he clearly had to know that this policy was going to take place, that the deployments were going to be stretched from 12 months to 15 months. So why did he tell the American Legion that people would be staying in Iraq longer because of the Democrats, when his own Pentagon, 24 hours later, was going to keep people there longer?

MS. PERINO: Well, one, I don't know if the President knew about the -- the meeting -- remember, yesterday morning is when Secretary Gates came and talked to the President. But also, Secretary Gates was talking about a longer-term policy, to make sure that the dwell times are going to be long enough so that we can keep our troops refreshed and get them time with their family. The long-term goal, ultimate goal is to have for active duty one year deployed with two years off, and then for reservists, one year on and five years off.

We have never said that if we got the money immediately tomorrow, that folks would be able to have just a 12-year [sic] deployment and a 12-year [sic] dwell time.\*\*\* Every day that we don't get the money is one that, as Secretary Gates and General Pace have said, creates problems in terms of the training. And so by piecemeal, you see some troops have been there for 16 months, and that's what we're trying to avoid.

Q Is that really the first time the President -- it's a pretty big policy, to keep people in Iraq three months longer --

MS. PERINO: No, I think that we've known for a while --

Q -- he just heard about it yesterday morning?

MS. PERINO: I think we've known for a while that Secretary Gates was trying to figure out a way to make sure that we can alleviate this problem of having longer deployments, or troops being deployed for a longer period of time. And one of the things that he did yesterday was to say that we need more certainty for the troops. And I talked to the President about that this morning, that having more certainty for a military family to plan ahead is something that is probably priceless. I can't imagine what it's like for a youngster, when three months seems like five years, that their parent isn't going to be home.

So the point was that the end strength of the Army and of the Marines is going to be expanded. But until we get there, there are going to be these 15 -- what Secretary Gates wanted to do was give people more time to plan, because what's been happening is that you have people out there for 12 months, and then you extend them by another month, and another month, and another month. And that's quite disruptive to the troops and their families.

Q But if the President really wants certainty for the families, he had an opportunity before the American Legion, a highly respected veterans organization, to say, you know what, for certainty's sake for these families, tomorrow we're going to announce a pretty big change. They're going to stay in harm's way longer. Why wasn't he straightforward with the American Legion about his own policy?

MS. PERINO: I think the President was absolutely straightforward. And remember, I don't -- I know that Secretary Gates came and talked to the President yesterday morning, so that speech you're talking about was last Tuesday. We've known for a while that we're going to have to --

Q Two days ago, the speech.

MS. PERINO: Yes, two days ago, right.

Q And so the President didn't know about his own policy until Wednesday?

MS. PERINO: I'm not aware that the President knew that there was going to be -- that Secretary Gates had come to any decisions. But we did know that people, one, needed more certainty, because that had been a complaint and that's one that we had heard about; and two, we need to make sure that we can get the money for the troops so that the readiness issue, the training issue -- because if the troops here can't be trained, which is one of the issues that Gates and Pace said is a problem of not having the money now -- if they can't be trained, then you can't get the fresh troops out in the field. And that means that the people who are there have to stay longer.

And so I guess the way I would put it is that it gets better than it would otherwise be if we get the money today, and it gets worse than it would otherwise be if we don't.

Let's go to Lambrose and then Les.

Q The Turkey General Yasar Buyukanit asked today for permission by Turkish Prime Minister Recep Erdogan to invade northern Iraq against the Kurdish people, and the Prime Minister refused. How do you -- the U.S. forces are trying for a unified Iraq?

MS. PERINO: Mr. Lambrose, I have to admit that if you're going to be coming to my briefings, I need to get up to speed on those types of politics in that region of the world, so until then I'm going to have to ask Gordon Johndroe to get back to you. And I'll ask him to do that today. But I will endeavor to study up.

Q Yesterday I --

MS. PERINO: I know, I didn't do it -- the dog ate my homework. (Laughter.)

Les, go ahead.

Q Thank you, Dana; two questions. The top leaders of the two largest veterans organizations -- the American Legion and the VFW -- have written Congress, asking members to pass a clean war funding bill for the sake of the troops. Does the President believe the majority of Congress will accede to the request of these veteran leaders, or not?

MS. PERINO: The President is going to invite the bicameral, bipartisan leadership to the White House next Wednesday, and we hope at that meeting we can find a path forward so that a clean bill can get to the President's desk.

Q Thank you. I can't believe the President has no concern about the three Duke lacrosse players whose families face huge legal fees because they were falsely accused of rape by a female stripper. And my question, surely you can tell us that the President is glad that all charges have been dropped

against these three young men, because you don't want to leave the nation in any doubt as to where the President stands on this issue, do you?

MS. PERINO: Les, I'm going to decline to comment on a legal matter --

Q It's a legal matter that's been settled.

MS. PERINO: -- I haven't spoken to the President about it. If I get a chance to, then I'll be able to respond.

Q You will speak to him?

MS. PERINO: If I get a chance to see him, I will do that.

Q Thank you.

END 1:52 P.M. EDT

\*It is our understanding that since 2004 the RNC has excluded White House staff with RNC email accounts from their automatic 30-day deletion policy, though the RNC did not disable the user's capacity to manually delete emails until recent weeks. If users didn't manually delete messages from their computers since that time, the messages should be accessible. However, we cannot be sure that all communications dating from 2004 are preserved and that issue is part of the review process.

\*\*avoid violating the Hatch Act

\*\*\*12-month

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