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Jen Psaki

Spokesperson

Daily Press Briefing

Washington, DC

June 2, 2014

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TRANSCRIPT:

1:06 p.m. EDT

MS. PSAKI: Hi, everyone. Happy Monday.

QUESTION: Thank you.

MS. PSAKI: First, I'd like to welcome a group from Miami of Ohio in the back. My brother-in-law is actually a rising senior there next year – David Mecher. I don't know if any of you know him. All right. He's single, ladies. Just putting that out there. (Laughter.)

They are here along with their --

QUESTION: I think that is a first. (Laughter.) Using the podium to try and set up a relative.

MS. PSAKI: I'm a great sister-in-law. Along – they're here along with their professor, Chad Pergram who are – they're in Washington for the – a summer – this summer for internships in media and politics. We also have one other item – a short video to show on the Secretary's upcoming oceans conference. That will be playing right behind me.

QUESTION: Or not.

MS. PSAKI: I hope.

(Video was played.)

MS. PSAKI: So as the Secretary announced in April, he will be hosting an international conference on the health of the world's oceans entitled "Our Ocean" at the Department on June 16th and 17th. The conference will propose concrete actions that can be taken at all levels by the international community – governments, communities, organizations, and individuals – to help protect ocean ecosystems. The Secretary's call to action in advance of the conference, as was – as he just did there, is part of this. And the conference will be focused on three themes: sustainable fisheries, marine pollutions – marine pollution, and ocean acidification.

With that, go ahead, Matt.

QUESTION: I'm sure that there will be plenty of questions about the conference as we get closer, but --

MS. PSAKI: I'm sure there will be. Go ahead.

QUESTION: Today, can we start with the Bowe Bergdahl situation and what the Department's role was in this, aside from the Secretary's phone call to President Karzai?

MS. PSAKI: Well, you noted the Secretary's phone call, which was included in the statement he provided – or we sent out this weekend. Obviously, this was an interagency process and we worked closely with the Department of Defense, the White House, and others where applicable. I don't have any other details to share beyond that at this point.

QUESTION: There are reports of a small team of negotiators, including people from the State Department, going to Qatar back last month. Well, last month isn't that long ago. But is that – are those correct?

MS. PSAKI: Well, there have been – we have long expressed an interest in discussing with the Taliban this issue, as well as other issues. And obviously our team, as the diplomats who are representing our government in this regard and any other regard, would be a part of that effort. I can check with them and see if there's more details they'd like to share.

QUESTION: Did – does this mean that that representative office that they were going to have in Doha is up and running?

MS. PSAKI: This was the only issue discussed with the Taliban, obviously through a third party, as you all know from the reports this weekend. We're hopeful that this will be an opening, but we have received no assurances to that point.

QUESTION: I understand that. But does this – but remember when the office was going to be opened --

MS. PSAKI: Mm-hmm.

QUESTION: -- and then it didn't because they wanted to call it something? Then --

QUESTION: The Islamic Emirate of Afghanistan.

QUESTION: Did it --

QUESTION: It did open briefly. They closed it.

QUESTION: Did it ever open?

QUESTION: They closed it.

QUESTION: Right. It closed.

QUESTION: Yeah.

QUESTION: Does this mean now that that office has been opened under --

MS. PSAKI: It doesn't. We worked, again, through the Qataris, who were the third party, who were the negotiators on our behalf.

QUESTION: So there was -- okay. So there was no direct contact, are you saying, between U.S. officials and the Taliban representatives? It was all done through the Qataris?

MS. PSAKI: The negotiations were done through the Qataris, yes.

QUESTION: But does that mean that there was no direct contact between U.S. officials and the Taliban?

MS. PSAKI: I don't have any other details to share beyond that.

QUESTION: All right. And I just have one more on this. And that is since you, the Administration, has decided to do this, does it have any implications for other cases where Americans are held, specifically two of them, Alan Gross and Bob Levinson? There's some discussion in the ether that it might be appropriate to trade the three remaining Cuban Five for Mr. Gross, given the fact that he was, while not a soldier serving in uniform, was working for -- indirectly for the U.S. Government, as was Bob Levinson when he was -- went missing on Kish Island.

MS. PSAKI: Well, as you all know, but it's worth repeating, Sergeant Bergdahl was a member of -- is a member of the military who was detained during an armed conflict. That obviously is a unique circumstance in any case. Whether it's Alan Gross or Kenneth Bae or others who are detained American citizens, we take every step possible to make the case and to take steps to ensure their return home to the United States.

QUESTION: Right. But this seems to be – especially in the Alan Gross case, the Cubans have made it perfectly clear – not just privately, but I mean, they’re screaming it from the rooftops – that if there can be a resolution to the three remaining of the Cuban Five, that then Alan Gross will be freed.

MS. PSAKI: I – again, every circumstance is different, Matt, and I’m not going to speak to every circumstance from the podium. But this is a case where he was a member – is a member of the military. He was detained during an armed combat – armed combat. These were a unique set of circumstances.

QUESTION: So working for another agency of the government makes a difference? You’re not prepared to trade people for someone who was not serving in uniform?

MS. PSAKI: Again, Matt, we take every circumstance and every case of an American citizen being detained overseas incredibly seriously, and we do everything we can to assure their return.

QUESTION: And then my last one then is: So that means that the Administration is still opposed to any deal with the Cubans for Alan Gross that involves the three remaining Cuban Five?

MS. PSAKI: Nothing has changed in that case, no.

QUESTION: How do you address the argument that the Administration violated the provision of the National Defense Authorization Act under which it was obliged to give Congress 30 days’ notice prior to the release of anyone from Gitmo?

MS. PSAKI: Well, this situation here – it was a – due to a near-term opportunity to save his life, so a case dealing with the life and health of an American citizen who is a member of the military who was detained while in combat, we took steps and there was a decision made to move as quickly as possible to secure his release and return home. I would note that there is – the President did sign a signing statement when he signed the NDAA which made clear that the Executive Branch must have the flexibility, among other things, to act swiftly in conducting negotiations with foreign countries regarding the circumstances of detainee transfers. And in this case, there were concerns about his health, about his safety, and we took the steps needed to return him home.

QUESTION: But in the United States system, the President doesn’t get to write the laws. It’s Congress that writes the laws, and then he has the opportunity to sign them or not sign them. Candidate Obama, I think, spoke against the Bush – the George W. Bush Administration’s use of signing statements to try to reinterpret the law as written by Congress. So is it your position that the fact that he, the President, wrote a signing statement means that this is not the law?

MS. PSAKI: I felt it was a helpful piece of context that many people wouldn’t be aware of. We – in this case, when you’re the commander-in-chief and you’re sitting at your desk and you are dealing with the question of the life and safety of an individual who has served our country in the military, you make choices. And that was what was – what happened in this case.

QUESTION: So it’s okay to violate the law in an instance where the life and safety of a member of the Armed Forces is at risk?

MS. PSAKI: There was a determination made that given these unique circumstances such a transfer should go forward notwithstanding the notice requirement of the NDAA.

QUESTION: And if that were the case, and since you talked about the importance of speed, did you notify any member of Congress prior to the release of the Guantanamo Five? Even if it wasn't 30 days, did you give them a day, an hour, a minute, any kind of advance notice, or none whatsoever?

MS. PSAKI: Again, we took steps that were needed in order to assure his safe return to the United States, and there'll be a notification process that will be ongoing in the coming days.

QUESTION: Would you say that this was actually just a prisoner of war exchange, just a POW exchange?

MS. PSAKI: I would characterize it exactly as I – as exactly as the Secretary did in his statement, the President did in his statement on Saturday.

QUESTION: Did you expect – is the view from this building that as talks go forward with – about U.S. presence or future presence in Afghanistan, is this a good step, a positive step?

MS. PSAKI: Again, I think in that case we have – the President made his announcement regarding the ongoing presence. There'll be a political process that will continue in Afghanistan. Both candidates have indicated they'll sign the BSA. I don't see a connection at this point.

QUESTION: Jen?

MS. PSAKI: Mm-hmm.

QUESTION: While DOD has a role of managing the detention of Guantanamo Bay prisoners, this building typically deals with the resettlement and repatriation of those when they were released from Gitmo. So what is this building's role now with those five Taliban prisoners – former prisoners in question and their year ahead in Qatar?

MS. PSAKI: Mm-hmm. Well, I can't discuss all of the special assurances we received from Qatar, but I can tell you that they included, among other things, a travel ban and regular information sharing on the detainees between our governments. I can also tell you and point you to the fact that there was sufficient – that these assurances were sufficient enough to allow the Secretary of Defense, in coordination with the national security team, to determine that the threat posed by the detainees to the United States would sufficiently – was sufficiently mitigated, and that the transfer was in the U.S. national security interest. So as you know, we have long – that is a bottom-line requirement of ours, and we took every precaution in this case.

QUESTION: But after the year, when they in theory could go back home to Afghanistan, will this building play a role in this? Is this a special case where they're going to be handled differently when it comes to repatriating former prisoners?

MS. PSAKI: We're in close contact, obviously, as part of our agreement about regular information sharing with the Government of Qatar. I don't have anything to read out for you in terms of what will happen at the end of a year.

QUESTION: Jen, why did the Administration agree to so few restrictions with releasing the Guantanamo five?

MS. PSAKI: I would not characterize it that way at all. Again, I can't outline all of them, but there were sufficient assurances in our view. We're going to be in regular contact with regular information sharing with Qatar, and we also have – there's a travel ban that will be in place.

QUESTION: But can you guarantee that that travel ban, after a year, they will not return to the region?

MS. PSAKI: Again, we're in very close contact. The assurances were sufficient enough that the Secretary of Defense signed off on the transfer.

QUESTION: From the Qataris?

MS. PSAKI: Yes, from the Qataris, yeah.

QUESTION: In what kind of a situation are they going to be held in – or living in Qatar? Are they going to be living as virtually free people despite, we say, the travel ban? Or are they going to be in a minimum security jail? I mean, there's lots of range of options of how they could be kept.

MS. PSAKI: I don't have any other details on that specifically. I'm happy to see if there's more we can share from this building, or the Government of Qatar may have more specific details.

QUESTION: And Mr. Berghdal, he's now in Landstuhl? Is that right?

MS. PSAKI: That – I believe that's the case. I haven't received an update.

QUESTION: When is he due to be heading back to the United States?

MS. PSAKI: I don't have any update on that. I believe they're going through a regular processing there. But I don't have an update on when he'll be returned.

QUESTION: And when you say that his life was in danger, are you able to tell us exactly what condition he was suffering from, why you believe that he – his health was failing so badly?

MS. PSAKI: I don't have any other details on his health than I can outline. Obviously, he is now with U.S. Government officials. There'll be an entire process to determine answers to those questions and what will be next, but right now our focus is on returning him to his family.

QUESTION: One more – statistics say that one-third of all Guantanamo Bay detainees go back to the battlefield. So that means roughly one of these guys is headed back. Can you comment on that?

MS. PSAKI: I think I spoke to how confident we are about the assurances. Margaret?

QUESTION: Can I just quickly – is Envoy Dobbins still lead in any potential peace negotiations? You said there's hope there's an opening. Is he the U.S.'s man on that still?

MS. PSAKI: He certainly continues to be one of the main points of contact or point people on that issue, yes.

QUESTION: Was he involved with this particular prisoner swap issue?

MS. PSAKI: I don't have any other names to read out. I'm happy to check on the question – I understand why you're asking it – and see if there's more we can share on specific individuals from this building.

QUESTION: But – I'm sorry --

QUESTION: The Taliban have – sorry, Elise – the Taliban have characterized this as a victory. Is that the U.S. Administration views it? Is it a victory for the Taliban?

MS. PSAKI: Certainly we would not. I've seen those comments. Our focus – and has long been our focus; we've spoken about this publicly in here and in other buildings in the Administration – has been securing the safe return of Sergeant Bergdahl. This, in our view, is a – was an exciting day. It was a tremendous relief for the family, and that's what our focus was in these discussions.

QUESTION: And how do you respond to the critics that – who say that now one American is worth five Taliban?

MS. PSAKI: Again --

QUESTION: Or other terrorists?

QUESTION: Or other terrorists, obviously?

MS. PSAKI: There is a long history, as you all know, of – when there are prisoners of war of cases that are similar. I'm not going to go into all of that history from here. I know you're all familiar with it. But again, in this case, we took steps needed to secure the return and release of a prisoner of war who was a member of the military, and that's why we made the decisions we did.

QUESTION: You don't regard the inmates at Guantanamo Bay as prisoners of war, do you?

MS. PSAKI: I don't think we've characterized them that way, no.

QUESTION: No, but you talked about it as being prisoners of war, and it was my understanding the people at --

MS. PSAKI: I was referring to Sergeant Bergdahl.

QUESTION: So there's a prisoner of war who was traded for five --

QUESTION: Prisoners.

QUESTION: -- what was the actual term?

QUESTION: Enemy combatants.

QUESTION: Enemy combatants.

QUESTION: Enemy combatants, yes. So it's not actually a prisoner of war exchange; it's one prisoner of war.

MS. PSAKI: Perhaps I should've taken an 'S' off the end.

Go ahead, Elise.

QUESTION: You talked about – that you hope that this might spur some kind of progress in the larger reconciliation negotiations. Now that the U.S. has resolved this issue with the Taliban, what now would the U.S. role be, should there even be one now that this is a kind of Afghan-Taliban issue?

MS. PSAKI: Well, we've always felt that in any reconciliation process, it would be Afghans talking to Afghans. And as you know, the Taliban cut off their direct talks with the United States back in 2012, and in this case there weren't direct talks. They were through the Qataris.

QUESTION: And they're limited to the Bergdahl case.

MS. PSAKI: Right, exactly. So I don't want to get ahead of where we are, and I have talked to our team about this. And some of them have addressed this. Obviously, this was a big priority for the United States. We'll see what happens moving forward. There aren't assurances that I am aware of of a broader dialogue.

QUESTION: But – I understand, but now that the U.S. and the President announced the U.S. troops are leaving, like what is there now for the U.S. to be involved with in this?

MS. PSAKI: In terms of a reconciliation process? We've long indicated we'd be open to playing a supportive role, but that it would always be Afghans talking with Afghans. So I don't think we're at that point in the process.

QUESTION: Jen, can you explain to us whether – I mean, considering that Qatar is really a small country and may not be able to control this guy or the Taliban, will the United States have like an observer role to make sure that he's exactly – they are exactly where they are supposed to be? Will they have like bracelets --

MS. PSAKI: There'll be an ongoing dialogue, as I mentioned, with the Qataris --

QUESTION: Not a dialogue. I'm saying that will you be able to see that they are there; they are not being removed, they are not to go before the year is up?

MS. PSAKI: Again, I think I've spoken to our assurances, and that's why the Secretary of Defense and others signed off on this agreement.

QUESTION: Just a quick follow-up to Matt's question: You mentioned because Sergeant Bergdahl is a member of the military you went after him. If you have a Marine reservist in Mexico, why can't you do a similar swap for him?

MS. PSAKI: I understand the desire to make comparisons, but we wouldn't compare them. This is -- was a Marine who was taken while in combat, and you're talking about a situation of an individual who the Mexican authorities are accusing of violating the law.

QUESTION: But I'm sure we have five cartel members or somebody in jail we could swap in exchange for this Marine. Would that be a good trade?

MS. PSAKI: Thank you for your advice, Lucas --

QUESTION: Okay.

MS. PSAKI: -- but every situation is different.

QUESTION: And one more --

MS. PSAKI: Do you have another question?

QUESTION: Yes. Is the State Department -- would you categorize Sergeant Bergdahl as a deserter?

MS. PSAKI: We would characterize him as a member of the military who was detained while in combat.

QUESTION: What strikes me about this is that you guys can say -- you can shout it around the world that this is a unique case individually, but that doesn't mean that the Taliban or any other group that's like the Taliban are going to accept that, that this is a unique situation and the U.S. doesn't negotiate with terrorists. Is there any concern in this building for the safety of U.S. diplomats now in Afghanistan, who will be essentially on their own with a limited amount of security post-2016 -- after the end of next year -- because of this decision?

MS. PSAKI: Well, as you know, Matt, we consider -- outside of this decision, we'll consider the needs of our diplomats who will continue serving in Afghanistan and what their security needs are. And that's been an ongoing process that will continue leading up to 2016.

QUESTION: Okay. So you -- so people around the world -- terrorists or whoever might seek to do harm to this country -- should know that if you're -- if an American isn't in uniform, it's a waste of time to abduct them, to take them prisoner, because you're not going to do anything? There's not going to be any trade?

MS. PSAKI: I think there's been a consistent position of the United States that we make every effort not to leave any man behind --

QUESTION: Right.

MS. PSAKI: -- who is serving our country in combat, and this is consistent with that.

QUESTION: Okay. And I just want to make sure one thing: You said – you talked about the life, health, and safety of Sergeant Bergdahl. But do you not have similar concerns about Alan Gross, about Bob Levinson, about people who are being held – people who were actually working either covertly or through an indirect – through indirect means, a contractor for USAID? Do --

MS. PSAKI: Certainly. Certainly, we do, Matt. And I did not mean to indicate anything other than that. And obviously, in each of those cases we remain --

QUESTION: Right.

MS. PSAKI: -- very focused on securing their return.

QUESTION: But in the Alan Gross case, the Cubans have made it very clear that if these prisoners are released who have served 15 years in prison already – if these guys are – these three guys, remaining three are released, that they will – that they'll basically release Gross, who you have similar concerns about his health and safety, as you did with Sergeant Bergdahl. And you wouldn't actually be breaking the law, or going around the law, in releasing these guys who have served – in releasing these three guys, the Cubans. I just don't understand --

MS. PSAKI: We look at each case differently, Matt.

QUESTION: Well, I understand. But what I don't understand – why you rule it out completely in the case of someone who was working for the government indirectly when he was arrested, taken prisoner in Cuba. Why is that a different – I just don't understand why, if you have the same concerns and you can deal with the situation with the snap of a finger by releasing people -

MS. PSAKI: As you know, there have been – there has been work on this case for years, as you know. So only in the last week has there been an opening that we looked into, and obviously pursued. But in any case, we're taking every step needed behind the scenes. Oftentimes those aren't steps that can be spoken about from the podium, so I will leave it at that.

QUESTION: Where does the opening come from? What was the opening?

MS. PSAKI: I don't have any other details to lay out beyond that.

QUESTION: Back to the Alan Gross, I mean, there is an opening. The Cubans have said – as we've been discussing, the Cubans have said that they'd be willing. And these Cuban Five don't pose nearly as much threat to the U.S. national security that these Taliban presumably did.

MS. PSAKI: Well, other than to say, Elise, that we remain concerned about his safety, that we would like to see him returned to his family, that we continue to press this issue, I don't have anything to update all of you on on that case.

QUESTION: Was there a there a precedent --

QUESTION: But you continue to – let me – but you continue to press the issue, but can you say that you'd be willing to do anything it takes to bring him home --

MS. PSAKI: I have nothing --

QUESTION: -- like you've been able to say on the Bergdahl --

MS. PSAKI: I have nothing to update you on on this issue.

Go ahead.

QUESTION: Jen, would you say that a precedent was -- did you look into precedent like when the -- when Hamas, for instance, captured the Israeli soldier and ended up trading him for maybe a thousand Palestinian prisoners? Did you use that -- did they use that as precedent?

MS. PSAKI: I don't think I have any more precedent to offer other than there have been many cases throughout history, Said.

QUESTION: On the subject of precedent, maybe a better comparison for prisoner would be Charles Robert Jenkins. He was a deserter in 1965 and was held in North Korea for close to 40 years. And when he got out and surrendered, he did face jail time. He did 30 days and was reduced in rank. Would you like to see similar charges against -- leveled against Sergeant Bergdahl?

MS. PSAKI: Again, I think I stated what our view is here. There'll be plenty of time to determine what the next steps are. That would be the purview of the Department of Defense.

QUESTION: But the State Department cannot call him at this time a deserter?

MS. PSAKI: I think I characterized as we characterized him.

QUESTION: Okay. And is there any --

MS. PSAKI: Go ahead.

QUESTION: -- evidence that he was collaborating at all with the Taliban?

MS. PSAKI: I don't have any more details.

QUESTION: And is it just a coincidence that Sergeant Bergdahl, this prisoner exchange, happened after a week of -- VA scandal? General Shinseki was -- resigned. And then at the -- President Obama at West Point wanted to end -- to close, finally, Guantanamo Bay. Is that just a coincidence that this rescue happened?

MS. PSAKI: I believe it is, yes.

QUESTION: Can I just -- one more on this.

MS. PSAKI: Go ahead, Jo.

QUESTION: I just wondered if you'd reached out to the families of Alan Gross and Bob Levinson today given that – and any of the other families who have people held in Iranian jails. Because there must be – all those families must be – their feelings must be in turmoil today. I just wondered if you guys had reached out to them to sort of try and reassure them somehow.

MS. PSAKI: We are making every effort to reach out to the individuals, the families of American citizens held overseas. I don't have any update for you on that, but we can venture to get you an update.

QUESTION: And particularly after this release, do you mean, or just that you have ongoing dialogue?

MS. PSAKI: We have ongoing dialogues with all of them.

QUESTION: But are you particularly – to Jo's question, are you – when you say that you're trying to reach out to families of Americans held overseas, do you mean in this particular relation?

MS. PSAKI: I mean we have ongoing dialogues with all of them and --

QUESTION: So you're not calling all the families of Americans held overseas in relation to the Bergdahl case?

MS. PSAKI: We are in touch with all of them on a regular basis, Elise. So we'll continue that this week.

Go ahead.

QUESTION: With regard to the travel ban, is that just – are they not allowed to leave Qatar or are they not allowed to leave their home, or – I mean, how far ranging or how constricting is the travel ban? How is it being carried out?

MS. PSAKI: Well, travel ban typically means not allowed to leave the country. I don't have any other specific details. I can check on them for you if you'd like.

Go ahead. Hello.

QUESTION: I want to ask you about Sudan and Meriam Ibrahim.

MS. PSAKI: Okay.

QUESTION: British Prime Minister David Cameron was quoted in *The Times of London* on Saturday saying, quote, "The way she is being treated is barbaric and has no place in today's world. Religious freedom is an absolute, fundamental human right. I urge the Government of Sudan to overturn the sentence and immediately provide appropriate support and medical care for her and her children," unquote.

Today in *The Times*, Meriam Ibrahim's Sudanese lawyer said that President Obama has to do something like Prime Minister Cameron did.

And I know the State Department has made statements about this. The White House has made statements. What I'm interested in is: Has Secretary Kerry personally spoken out about the plight of this wife of an American citizen and these children of an American citizen?

MS. PSAKI: Well, I've spoken with Secretary Kerry about this issue. It is one he is as concerned as others not only in our Administration but others who have spoken out against the world – around the world. And we have spoken out very strongly here about our concerns about this specific case.

QUESTION: He's spoken to you about it, but he hasn't publicly personally made a statement expressing his outrage that what's being done to this wife and children of a U.S. citizen in Sudan.

MS. PSAKI: Well, I can assure that this is an issue he is gravely concerned about, and that's why we've spoken out about it. I do have an update for all of you on this particular case.

We do have Privacy Act waiver for Mr. Wani at this time, who I can confirm is a U.S. citizen, as has been reported. We have been engaged with him since June of 2013, so for the last year, and we've been in regular contact with him throughout the trial. Embassy officials most recently met with him on June 2nd, so that is today. And one of our top priorities, as all of you know, is the protection of U.S. citizens overseas, and our continued engagement with him and efforts to assist him as a U.S. citizen are indicative of that commitment.

QUESTION: Now that we publicly know that he's a U.S. citizen, these children – this one-week-old little girl and this 20-month-old boy – these are the children of a U.S. citizen that's being held by the Government of Sudan?

MS. PSAKI: Well, without commenting on this particular scenario, I can say that certain requirements must be met for parents to transmit U.S. citizenship to their children, and I can – I would point you to our website and like at the INA requirements for what is required in that case.

QUESTION: Well, let me ask you about the INA. Each year the State Department, along with HHS and DHS, puts out a report on proposed refugee admissions to the United States, and page 14 in the most recent report for fiscal 2014 says the following, quote, "Section 207c of the Immigration and Nationality Act grants the Secretary of the Department of Homeland Security authority to admit at his or her discretion any refugee who is not firmly resettled in a third country, who is determined to be of special humanitarian concern, and who is admissible to the United States," unquote. Has Secretary Kerry recommended to Secretary Johnson that he admit Meriam Ibrahim and her children, this wife and children of a U.S. citizen, to the United States as refugees if the Sudanese will let them go?

MS. PSAKI: Well, let me outline some requirements that you may not be aware of may not have decided to read there. Applicants for asylum must be physically present in the United States, although applicants for refugee status may be located outside of the United States. They generally must be outside of their country of origin and refer to the U.S. Refugee Admissions Program by the UN High Commissioner for Refugees. Refugee determinations are made on a case-by-case basis by the Department of Homeland Security.

QUESTION: There's a -- you said "generally," which is what it says. It says "generally." The law actually says -- Section 207c of the INA actually says that the Homeland Security Secretary has the discretion to admit any person who is not firmly resettled in a third country.

MS. PSAKI: Well, I would point you to the Department of Homeland Security.

QUESTION: So are you --

MS. PSAKI: I think we have to move on. I'm sorry.

Go ahead, Arshad.

QUESTION: Just one more question.

MS. PSAKI: Oh, go ahead.

QUESTION: Sorry. One point I wanted to clarify was in the British press, Mr. Wani was quoted as saying that the State Department had asked for DNA testing of the children. Is that correct?

MS. PSAKI: Well, there are certain requirements that I just referenced to you that have long been the case, and they're available on -- are on the INA website. To transmit U.S. citizenship to a child born abroad there must be, among other requirements, a biological relationship between the child and a U.S. citizen, a parent or parents. U.S. regulation authorizes the Department to request whatever additional evidence it may need to establish the U.S. citizenship. Genetic testing is a useful tool for verifying a biological relationship. Again, this is all available on our website and is standard operating procedure in --

QUESTION: So the --

QUESTION: So do you say that --

QUESTION: Are you saying that those requirements have not been met, is what I see you suggesting?

MS. PSAKI: We don't have all the information we would need in this case.

QUESTION: The State Department is contesting that these two children are Mr. Wani's children?

MS. PSAKI: We're not contesting anything. We have standard requirements.

QUESTION: You're forcing him to prove it with DNA?

MS. PSAKI: We have standard requirements across the --

QUESTION: Can we --

QUESTION: Can I ask – well, hold on a second. Do you know if you have made an effort with the Sudanese to get the kind of genetic information that you would need from the infant and child?

MS. PSAKI: I don't have any other details I can share on that case.

QUESTION: Is that because of the Privacy Act consideration, or – because now that you have it --

MS. PSAKI: Mm-hmm.

QUESTION: -- I'm presuming that you're able to speak to – has the – to all aspects of the case, at least as it involves the father. Has the father offered to provide the genetic – whatever it is that you would need to make a determination that is required by the -

MS. PSAKI: All I'm going to say is we don't have the information needed in this case.

QUESTION: Does that mean – hold on a second. Does that mean that information has been provided and it proved negative, or does that mean that you just don't have it?

MS. PSAKI: I don't have any other details I can share.

QUESTION: Let me ask you one more follow-up to that.

MS. PSAKI: Okay. Last one. Go ahead.

QUESTION: Okay. All right. Secretary Johnson testified in a House committee last week that Congressman Trent Franks asked him if he was personally familiar with the case of Meriam Ibrahim. He said that, in general terms, "I think." Those were his exact words, "I think," which means he doesn't know.

MS. PSAKI: I would point you to the Department of Homeland Security.

QUESTION: No, no. What I want to ask you is about Secretary of State Kerry. Has Secretary of State Kerry had any communications with Secretary Johnson about the plight of this wife of a U.S. citizen and these children of a U.S. citizen who have been in prison in Sudan because they're Christians, yes or no?

MS. PSAKI: Again, we would not have spoken out as strongly as we have about this horrific case if there weren't concerns from the very top. I'm not going to outline it further.

Go ahead.

QUESTION: Palestinian unity government.

MS. PSAKI: Mm-hmm.

QUESTION: What is the U.S. Government's view of the so-called Palestinian unity government that was sworn in today by Palestinian President Abbas?

MS. PSAKI: Well, at this point, it appears that President Abbas has formed an interim technocratic government that does not include ministers affiliated with Hamas. Moving forward, we will be judging this government by its actions. Based on what we know now, we intend to work with this government, but we'll be watching closely to ensure that it upholds the principles that President Abbas reiterated today.

QUESTION: One follow-up on this.

MS. PSAKI: Mm-hmm.

QUESTION: When you say, "Based on what we know now, we intend to work with this government," does that mean that based on what you know now, you intend to continue disbursing U.S. foreign assistance to the Palestinian Authority and this government?

MS. PSAKI: It does, but we will continue to evaluate the composition and policies of the new government and calibrate our approach accordingly.

QUESTION: When you say that you will continue but you'll continue watching it, are you looking for either something that will indicate that this government is not looking to – is not planning to adhere, like an act that they take that shows that they're not? Or are you looking for them to take steps to prove that they are, including some kind of reaffirmation of those three principles?

MS. PSAKI: Well, President Abbas abided – or reiterated those principles today, and so we will, of course, follow that, and we believe they have every desire and intent to abide by those principles, and – again, but we'll be watching to ensure that they do in their policies and the – how the government is put together.

QUESTION: So the concern expressed by Secretary Kerry yesterday when he spoke with Palestinian President Abbas now is alleviated that the government is formed, and there are no members of – affiliated with Hamas, directly affiliated with Hamas? Has that been alleviated?

MS. PSAKI: Well, again, you're right in terms of the formation and what the formation of the technocratic government looks like, but we will continue to evaluate the composition and policies of the new government, and if needed, we'll calibrate our approach.

QUESTION: But you have no plans, let's say, to cut off aid, as was threatened in the past?

MS. PSAKI: At this point, no.

QUESTION: Do you think the makeup of the new government sets an environment, perhaps, for a continuation or a re-launch of the re-launch of the peace process?

MS. PSAKI: Well, it is ultimately up to the parties, as we've long stated, to make the difficult decisions about coming to the negotiating table, so that remains to be seen. The Secretary has been in close touch with both sides over the last several weeks, as

would be expected given our bilateral relationships. Peace negotiations with the Government of Israel are under the purview of the PLO, and that hasn't changed. So we will see. We're not in a position to make a prediction at this point.

QUESTION: Okay. But given that when the reconciliation agreement was first announced and before – a few weeks ago before this government was obviously formed, you said at the podium that you didn't think that Israel could be expected to negotiate with a government that includes militant members of Hamas. Those same words were used the next day by Israeli Prime Minister Benjamin Netanyahu to suspend the talks. Is your advice or your counsel to Prime Minister Netanyahu now that this government is one that they could work with and that they --

MS. PSAKI: Well, I think we've --

QUESTION: -- should go ahead and re-launch the peace process?

MS. PSAKI: That is not where we are at this point. It's up to them to make that decision. Our view here is that this – that President Abbas has formed an interim technocratic government. He reaffirmed support for the Quartet principles. Again, we will evaluate, moving forward, our own relationship, but Israel's going to make its own decision.

QUESTION: (Inaudible) interim technocratic or interim moderate technocratic?

MS. PSAKI: Interim technocratic government.

QUESTION: Thank you.

QUESTION: Have you been in touch with the Israelis about this decision? Because as you know, or should know, they have decided – they have not taken the same approach as you have. They've – planning to cut off all contact, including – according to some reports, including security cooperation. Do the Israelis know that you have decided to --

MS. PSAKI: The Secretary did speak with Prime Minister Netanyahu today. It was right before I came down, so I haven't had a chance to get a readout, but we will get one for all of you after the briefing.

QUESTION: Was the expectation that it would be to inform Prime Minister Netanyahu of this approach by the U.S. Government?

MS. PSAKI: That was certainly part of the discussion, I expect, yes.

QUESTION: I'm surprised we didn't hear the yelling from Jerusalem here in Washington. (Laughter.) Was it a cordial phone call this morning, or you don't have any --

MS. PSAKI: Again, it just happened right before I came down, so --

QUESTION: And so Congress – many in Congress are taking a different view of this. Does this mean you will go and make a case on the Hill that the U.S. should not, at least at the moment, change anything about the way it works with the Palestinian Government – with the Palestinians? And does this also mean that there will be essentially no changes in the way the CG and the staff in Jerusalem work with the Palestinian Government?

MS. PSAKI: Correct. In our case, obviously, we'll be in close consultation with the Hill and members of Congress on this issue now that the announcement about the interim technocratic government has been made. We continue to believe our assistance to the PA and the Palestinian people are important, and I'm sure that will be part of the case we make as well.

QUESTION: Jen, just to follow up on Elise's question --

MS. PSAKI: Mm-hmm.

QUESTION: -- so you are satisfied with Abbas's statement that they -- he reaffirmed, recommitted himself to the Quartet principles? You don't want any other action, let's say, from this cabinet or from this government to prove its goodwill, do you?

MS. PSAKI: Well, we -- again, it's important how things proceed moving forward, and we'll be -- we intend to work with this government. We'll be watching closely to ensure that it upholds these principles moving forward.

QUESTION: And is it safe to assume -- considering that Secretary Kerry spoke with Prime Minister Netanyahu just right before you came, is it safe to assume that he spoke with him about the issue of boycotting or cutting off all contact with the Palestinians, and perhaps he may have persuaded (inaudible)?

MS. PSAKI: Again, I'm certain that the announcement today was a part of the discussion, but why don't I get a more specific readout of the call.

Did you have another question, Arshad?

QUESTION: Yeah.

QUESTION: I'm sorry, one last --

MS. PSAKI: Okay. Go ahead.

QUESTION: Please.

QUESTION: One last thing: I know last Friday, you said that you have no plans to invite the Palestinian Prime Minister Hamdallah --

MS. PSAKI: Mm-hmm.

QUESTION: -- to Washington anytime soon. Has there been any change in that?

MS. PSAKI: No changes.

QUESTION: No changes?

MS. PSAKI: No changes to that.

Go ahead, Arshad.

QUESTION: Yeah, just one: There have been – there's been talks that the Palestinians plan to hold an election in the next – in about six months. Is that a good idea?

MS. PSAKI: Well, generally speaking, as a matter of principle, we support democratic, free and fair elections. Just as with the rest of this process, we'll monitor developments closely. Our view is it's too early to speculate on what the outcome will be, and we'll let events proceed.

QUESTION: But regardless of what the outcome will be – in other words, who will win or lose – and regardless of your general support for elections, do you think it would be a good idea for the Palestinians to hold an election in six months? And if not, why not?

MS. PSAKI: Well, again, I think I was trying to indicate that we're open to – they're proceeding with these elections, and we'll see how they proceed in the coming weeks leading up to them, as well as the outcome.

QUESTION: (Inaudible) Syria?

MS. PSAKI: Syria? Do we have any more on this issue before we go on?

QUESTION: Yeah.

MS. PSAKI: Okay, go ahead.

QUESTION: The – Hamas is not apparently dismantling its military infrastructure and its forces, and is the State Department concerned that this is going to create a situation in Gaza similar to the Hezbollah entity in Lebanon?

MS. PSAKI: Well, I think, again, we'll continue to evaluate the specifics here. But President Abbas has consistently upheld his responsibility to maintain security coordination, and he's publicly stressed his commitment to doing that. We expect him to continue to uphold that commitment. Beyond that, I don't have anything else to read out for you today.

QUESTION: So if there's rocket attacks or terror attacks from Gaza now going forward, will that be under the Palestinian Authority's responsibility?

MS. PSAKI: Well, we condemn all rocket attacks from Gaza. We would also expect President Abbas to do so as he has in the past, and we expect the Palestinian Authority to do everything in its power to prevent attacks from Gaza into Israel. But we recognize that Hamas currently controls Gaza, and we'll be closely monitoring the security situation moving forward.

Go ahead. Syria?

QUESTION: Yes, one more just before Syria.

MS. PSAKI: Okay.

QUESTION: Is there any meeting between Secretary Kerry and President Abbas in Jordan this Wednesday?

MS. PSAKI: No, there's not a meeting planned.

QUESTION: Okay. On Syria, the presidential elections will be held tomorrow. Will you be waiting for the outcomes as you have been doing with Egypt, or you can comment ahead of time?

MS. PSAKI: Well, we have been clear that this election is a farce. Voting opened May 28th, so just a couple of days ago for Syrian ex-pats, and the election will conclude tomorrow in Syria. The democratic elections generally offer an opportunity for people in a free society to be consulted and to play an important role in choosing their leaders. Such a process is inconceivable in Syria today, where the regime has crushed political dissent and nearly half the population is displaced by war, including millions scattered outside of the country in refugee camps and host communities.

Further, the Syrian parliament adopted this year a law restricting candidacy to individuals who've lived in Syria for the past 10 years, thereby preventing exiled opposition figures from running. The London 11 also on May 15th denounced the Assad regime's unilateral plan to hold illegitimate presidential elections. So we've been clear that this election flows from a family legacy of brutal dictatorship, and also clear we won't recognize the outcome.

QUESTION: Iran and Russia and other Arab states are sending observers to observe the elections. How do you view this kind of observation?

MS. PSAKI: Well, we view observing an election that we think is a farce is probably a – not a good use of time.

QUESTION: India?

QUESTION: Can I (inaudible)?

MS. PSAKI: I just can do a couple more because I have to go to a meeting, so go ahead.

QUESTION: India.

MS. PSAKI: Mm-hmm.

QUESTION: Just two quick ones. These – it's going to be more than 10 days when (inaudible) Secretary Desai Biswal lands in New Delhi, and in your statement you have said she is going to meet a range of officials.

MS. PSAKI: Mm-hmm.

QUESTION: Can you be more specific about – because it's a new government and --

MS. PSAKI: Well, she's meeting – and I expect we'll have more information as days proceed, because she's not traveling to New Delhi until the 6th through the 9th of June. So as we have more information we'll make that available to all of you.

QUESTION: And the other one is that Secretary Kerry called the Indian External Affairs Minister Sushma Swaraj to congratulate her.

MS. PSAKI: Mm-hmm.

QUESTION: Is there a follow-up on that? Anything that – like what actually happened? Because Indian media is reporting that even to get the call together, there was a lot of – there were a lot of hiccups.

MS. PSAKI: Well, the Secretary did call her to congratulate her on her appointment and to reaffirm the U.S. commitment to our strategic partnership. He invited her to visit the United States at the earliest opportunity – so I’m not aware of that being scheduled yet, but we’ll look forward to that – and conveyed our desire to continue broadening and deepening our bilateral ties. So the next step will be scheduling her visit to the United States.

QUESTION: Was there any difficulty arranging that telephone call?

MS. PSAKI: Not that I’m aware of, but I’m happy to check and see if there’s --

QUESTION: Would you, please?

MS. PSAKI: Sure.

QUESTION: Thank you.

QUESTION: Back to Bergdahl for a second.

MS. PSAKI: Mm-hmm.

QUESTION: Was the State Department aware of his father Bob Bergdahl’s tweets leading up to the rescue?

MS. PSAKI: I’m sure that our team – our team has been in touch with his family, so I don’t have more details than that.

QUESTION: I’m just wondering if this – if the Secretary supported the President standing alongside both parents in the Rose Garden yesterday.

MS. PSAKI: Certainly he did. It’s parents happy to see their son returned.

QUESTION: Even though the father was communicating with, purportedly, a Taliban spokesman?

MS. PSAKI: I don’t think I have any more to add.

QUESTION: Including links to attacks on U.S. forces, tweeting those out?

MS. PSAKI: I haven’t looked at his tweets. But again, these are parents who haven’t seen their son in five years, and I think the Secretary’s heart – as did the President’s – went out to them.

QUESTION: Libya?

MS. PSAKI: I can just do a couple more here, but go ahead.

QUESTION: Libya.

MS. PSAKI: Then I'll go to Jo.

QUESTION: Eighteen people were killed in Benghazi today when Ansar Sharia militants attacked troops loyal to General Hiftar. Do you have anything on these fightings? Are you helping General Hiftar in this fight?

MS. PSAKI: Nothing has changed in our communication with him, or lack of communication. We're seeking more information on these reports. We continue to be deeply concerned by the ongoing conflict and we urge Libyans to address their challenges through constructive and democratic means.

Jo.

QUESTION: I've got one on Iran.

MS. PSAKI: Mm-hmm.

QUESTION: The Iranian Government on Sunday executed a man called Gholamreza Khosravi Savadjani who had been convicted of waging war against God, according to the Iranian courts, but I believe it was because he was affiliated with the MEK. And Amnesty International had actually come out and said that his – he'd been held since 2008, his trial in 2010 had been unfair. I wondered if you had any reaction to the news of his execution yesterday.

MS. PSAKI: Well, we continue to be concerned about the large number of Iranians executed following trials involving serious violations of due process. Even as we test the potential for a diplomatic resolution to the nuclear issue, our support for the fundamental freedoms and rights of all Iranians will continue. We're mindful that another key test in Iran's reintegration with the international community is whether we begin to see progress in Iran's respect for its international human rights commitments and its own constitutions. We continue to call on Iran to grant all prisoners and detainees full due process rights, including a fair trial, in accordance with its international commitments.

QUESTION: Can I ask you about Ukraine?

MS. PSAKI: Sure.

QUESTION: Two briefly --

MS. PSAKI: And then we'll go to Scott, and then I have to run. Go ahead.

QUESTION: Do you have any thoughts on the UN Security Council resolution the Russians are planning to bring on Ukraine? And then secondly, do you have any thoughts about the attack in Luhansk today, the initial – the attack, and then the response?

MS. PSAKI: Mm-hmm. Well, let me first say on the proposal, the UN proposal, it is hypocritical of the Russian leadership to call for an end to violence and the creation of humanitarian corridors when, at the same time, armed irregular forces are entering Ukraine from Russia, weapons are being brought illegally from Russia into Ukraine, Russian-backed separatists are attacking new targets and holding OSCE monitoring teams hostage, and Russia is doing nothing to stop these activities. So if they are going to call for or would support a reduction in tensions and a de-escalation, it would be more effective for them to end those activities.

QUESTION: But --

MS. PSAKI: And the second question, sorry, was about the events in Luhansk.

QUESTION: Yeah.

MS. PSAKI: Well, the reports just came out, I think, right before we -- I came down here related to -- I'm not sure why I'm up on the screen; that's a lot of me. (Laughter.) They came out right before we came down here. We're still seeking information. I know there have been conflicting reports about who was responsible. So I'll have to check with our team on that.

Go ahead.

QUESTION: Right. Well, not only conflicting reports, but I mean, there's a lot of photographic evidence -- or photographs out there which really seem to show quite severe destruction and civilian -- at least what appear to be civilians death. Are you still at this moment -- not having the details of this specific incident, though, but do you stand by your previous -- what you have said previously, which is that you don't particularly have any concerns about the actions of the Ukrainian authorities in --

MS. PSAKI: We do, and I also said --

QUESTION: You do have concerns?

MS. PSAKI: No. We do stand by it, but I will look in -- we will look into these. I know that it happened right before I came out here.

Go ahead, Scott.

QUESTION: Mali.

MS. PSAKI: Mali.

QUESTION: To a question from last week, can you tell us what the U.S. position is on the efforts to negotiate a ceasefire or an end of hostilities between the government forces and these AQIM-associated militants in the north?

MS. PSAKI: Well, I always hate to disappoint you, and I -- we have asked our team for some guidance, which we will get you rapidly after the briefing. So I apologize personally for that.

Thank you, everyone.

QUESTION: When you answered Jo's question --

MS. PSAKI: Yes.

QUESTION: -- do you have -- about the Iranian who was executed -- do you have any specific concerns about this one case, or you're just -- you group him in with all of the --

MS. PSAKI: I -- we -- broadly speaking, our concern, yes.

QUESTION: Do you --

QUESTION: Do you have anything on this particular case, though, whether --

MS. PSAKI: No, I don't.

QUESTION: -- you believe he was --

MS. PSAKI: I don't have any other specifics on this particular case.

QUESTION: Thank you.

(The briefing was concluded at 1:56 p.m.)

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