



UNITED STATES DEPARTMENT OF JUSTICE

Press Conference

THE HONORABLE JANET RENO, ATTORNEY GENERAL

Thursday, September 10, 1998

9:30 a.m.

P R O C E E D I N G S

(9:30 a.m.)

ATTORNEY GENERAL RENO: Good morning.

VOICES: Good morning.

QUESTION: Ms. Reno, I know I have asked this question twice before, and I know you have answered it thoroughly twice before, but the country is continuing to receive a profound shock to our system. As a member of the Cabinet, do you still have confidence in the leadership of President Clinton for both the administration and the country?

ATTORNEY GENERAL RENO: I certainly do. Because I have watched him in action on issues that had such a vital impact on this country -- on crime, on terrorism, on what we do to help communities build. He has a sense of what needs to be done. He has done it. The economy. There are so many factors that indicate that he has had the ability to address issues in a comprehensive way that can truly make a difference.

QUESTION: Ms. Reno, what is the traditional interest, if any, of the Justice Department in defending the President against impeachment?

ATTORNEY GENERAL RENO: We are in the process of reviewing the responsibility, particularly where there is an independent counsel involved. And as you know, where an independent counsel has been involved, I have said that we should not in any way interfere with what they are doing as to affect their independence. But that matter is now in another forum.

Our responsibility consistently has been, as I understand it, in terms of the institution, is the Justice Department should address the legal issues that affect the institution of the presidency. We are in the process of trying to sort through our responsibility to make sure that we do it right.

QUESTION: Is it possible, though, that you would decide you cannot do it directly and you have to authorize the hiring of a Neil Eggleston?

ATTORNEY GENERAL RENO: I have not contemplated that yet. But I want to make sure that we carefully examine the issues and ensure that we look at what has happened, as other considerations have addressed these issues, and see what the Department has done under Republican and Democratic administrations, and do it in a thoughtful, nonpartisan way.

QUESTION: And is there any precedent for this?

ATTORNEY GENERAL RENO: I do not know. That's why I say I want to look and see and to make sure that we fulfill our responsibilities, as an institution, to the institution of the presidency.

QUESTION: Is it accurate to say that the Department has reached no conclusion yet on what its obligations or responsibilities might be?

ATTORNEY GENERAL RENO: I think that's a very wise statement, Mr. Williams.

QUESTION: Thank you. The Department did, in essence, take an opposite position from the independent counsel in court on, for example, the question of the Secret Service protection privilege. You said before that one of the things you have to look at is not interfering with the independent counsel. That obviously, from your participation in the Secret Service case, does not automatically mean that you would never a contrary position to him in court, does it?

ATTORNEY GENERAL RENO: That's correct.

QUESTION: How do you decide what interfering with the independent counsel would constitute?

ATTORNEY GENERAL RENO: I think we have got to look at whether our responsibility is to the institution and whether it reflects an institutional issue, where there is a disagreement as to the law. You don't want something to develop down the line where there is one law on independent counsel issues and another law in non-independent counsel issues. And I think if we approach it carefully we can fulfill our responsibility without interfering.

QUESTION: Ms. Reno, who in the Department is studying this now -- what components of the Department?

ATTORNEY GENERAL RENO: The Office of Legal Counsel.

QUESTION: Ms. Reno, may I ask another question? Do you happen to know whether the Justice Department has a position on whether a sitting President can be indicted?

ATTORNEY GENERAL RENO: I would ask Bert to give you whatever we can say publicly now. Again, let me make sure that what we say does not interfere inappropriately with the independent counsel and is as accurate as possible. He will follow up on that.

QUESTION: Well, if I may, is that question under review now?

ATTORNEY GENERAL RENO: I would let Bert give you the most accurate statement we can that is consistent with my responsibilities.

QUESTION: Has the Justice Department been offered -- will the Justice Department ask for the -- now the House of Representatives is responsible for the Starr report -- for any kind of access? Is that appropriate?

ATTORNEY GENERAL RENO: Again, we want to review all the issues and see just what is appropriate. And as Mr. Williams said, we haven't made a final determination.

QUESTION: Ms. Reno, is part of what has to be studied how you separate the President's personal behavior from the institution?

ATTORNEY GENERAL RENO: We have a responsibility, even when an independent counsel is involved, in making sure that the Justice Department does whatever it can appropriately to address legal issues that affect the institution of the presidency, particularly when there is precedent from one administration to another that should be carried on.

What we are in the process of doing now is determining what the issues may be, what our responsibility is with respect to those issues, and what our responsibility is with respect to the independence of Mr. Starr.

QUESTION: Ms. Reno, may I ask you about the completion of the restitution program? What, in your view, is the importance of getting this thing wrapped up, and was it done, in your opinion, in a timely way?

ATTORNEY GENERAL RENO: I have been so impressed with the effort. I think it was a very important step. In 1988, Congress gave the Department of Justice 10 years to locate and pay

redress to Japanese Americans who were interned during World War II. Ten years later, we have accounted for nearly 99 percent of them. We have paid out more than \$1.6 billion to nearly 82,000 Japanese Americans. And along with every check has come a letter of apology.

I think it is an example of a Federal program that worked and worked well. And I want to commend all the people in the Department of Justice, from one administration to another, who have done so much to achieve this result.

QUESTION: Do you know how it was that so many people were accounted for? Was it largely by people coming forward themselves?

ATTORNEY GENERAL RENO: I do not know. I'll ask Bert to follow up with you to give you that information.

QUESTION: Ms. Reno, on another subject, it has been almost a month since you received a letter from Senator Levin, asking that the Department at least review the actions of the House Majority Whip in connection with a campaign funds case in Texas. Have you responded to Senator Levin yet?

ATTORNEY GENERAL RENO: I do not have the letter firmly in mind. Let me ask Bert to get back to you after the press availability is over. We have had so many letters from so many Senators and Congressmen, I want to make sure I respond to you correctly.

QUESTION: Speaking of communications from the Hill, have you heard anything further on the potential contempt case? Where does that stand?

ATTORNEY GENERAL RENO: We are trying to clarify now just where it stands.

QUESTION: Ms. Reno, you have indicated that you still have full confidence in the President and his ability to lead. On a personal level, what would you recommend that he do to restore the confidence of those in his own party and in Congress who don't have full confidence in him?

ATTORNEY GENERAL RENO: I think he is doing it. I think he is telling the American people that he has made a very, very bad mistake, that he assumes responsibility for it, that he wants to take steps to move forward and to, at the same time, recognize his mistake, and that he wants to do everything he can to lead this country as he had led it so well in these last six years.

QUESTION: You trust his word -

ATTORNEY GENERAL RENO: In every issue that I have dealt with him on, the issues that

affect the Department of Justice, I have had the best conversations with him, direct. He comes through. When he says he can't do something, he can't do it. He's always followed through when he has said that he would do so.

QUESTION: There has of course been contrition on the part of the President to some extent, although he has not, I do not believe, addressed the issue of misrepresenting, or perhaps one could even say lying, to the American people. There is one particular thing that we have all seen, about the Monica Lewinsky thing. Does the President need to go forward once again with his own personal reform, to show that he is turning away from the kind of behavior that led him into this problem with Lewinsky and Mr. Starr?

ATTORNEY GENERAL RENO: I think the President is addressing that.

QUESTION: Ms. Reno, you have made it a major priority to talk about integrity and doing the right thing. How much do you think the President's actions have hurt the American public's perception of how government and government officials should act?

ATTORNEY GENERAL RENO: I can't be the judge of that. I think we spend so much time thinking about perceptions. And I think it's time for all of us to address this issue now, in the form that it's in, however it's going to be addressed, whatever is going to happen. But at the same time, we are in a time in this country of such immeasurable opportunity and yet at the same time challenges.

The economy is strong, but we have economic issues around the world. Crime is down, but we have terrorism to confront.

There are so many issues that require that all of us come together. It was a wonderful feeling for me -- yesterday I went down to talk about the Mississippi River Initiative that has been so successful in this last year. The sky was crystal blue. I do not think I have ever seen St. Louis with such a blue sky. And we stood under the Arch.

And as I said, Mark McGwire brought America together the night before. And the Mississippi River has been bringing America together. And you suddenly had the sense, looking at people who were sitting there, who had just wandered up because they saw something going on, you saw so many different faces. And I think it's a crime, no matter what happens, for America to come together, to take advantage of this time of opportunity.

In another context, I went to a school the other day, to Woodson High School. I saw kids with Justice Department used computers that we had given to the school. I mean they still don't have their own computers. I then went to another room, where 40 computers that we had given them were still locked up. I have got to go get some people to get the stuff downloaded and get them operational.

These kids were thirsting for knowledge. One wanted to be a marine biologist. And she had already gotten herself familiar enough with the computer so that she was learning from students around the world. And the excitement in her voice was contagious.

Another young man said, when am I going to be able to get a laptop, and all students have laptops, so we can do our homework at home? And you suddenly thought about what 10 years from now is going to be, what students were going to have, what was going to be as common as notebook and pencil and a piece of paper. And these are times where we should be preparing for these children to be competitive in a very technical world.

There are so many issues. And as Mark McGwire brought us together, I think we should stay together and move ahead and address these issues the right way.

QUESTION: Ms. Reno, do you agree with the President on whether there is no basis for impeachment?

ATTORNEY GENERAL RENO: I would not comment.

QUESTION: Ms. Reno, now that the report to the Hill if a fait accompli, there are some legal scholars who say that it is a flaw in the independent counsel law that the independent counsel is required under the law to send this report to Congress. Because, on the one hand, it requires the use of a grand jury for some purpose other than a criminal investigation; and, secondly, that the independent counsel has no idea what an impeachable offense is, because that is a decision for Congress to make.

Have you given any thought to whether that provision in the law should be changed?

ATTORNEY GENERAL RENO: As I have told you, what I have tried to do is address the law as it is. And when Congress begins the reauthorization of the law, take what has been a rather extensive experience with it and give the best advice I can.

QUESTION: Ms. Reno, do you have any position on what is in the report and if the underlying material should be released?

ATTORNEY GENERAL RENO: I do not know what is in the report, so I couldn't comment.

QUESTION: Are you concerned about any grand jury material that may be released?

ATTORNEY GENERAL RENO: I can't comment because I just don't know what is there.

QUESTION: Ms. Reno, a couple of weeks back we asked about preemptive strikes against

terrorist groups, and you said that you would want to act within the Constitution. Are you satisfied that our strikes, cruise missile strikes, against Afghanistan and Sudan were entirely legal and constitutional? And what laws apply regarding national self-defense?

ATTORNEY GENERAL RENO: I will ask Bert to give you the specific cites on the law. We reviewed it and concluded that there was a legal basis for it.

QUESTION: Ms. Reno, if I could go to the subject of the election, the '96 election matter, and ask if you if now that you have set the 90-day clock in motion for President Clinton and his specific fund-raising -- fund expenditure I should say -- will there now be something specific that is aimed at investigating the PRC and its agents and their involvement in funding the DNC in this election? Is that something that might be coming?

ATTORNEY GENERAL RENO: I can't comment on the pending investigation.

QUESTION: Ms. Reno, we have reached a watershed of sorts now. Is the OPR review of complaints against Independent Counsel Starr still on hold, or has it begun?

ATTORNEY GENERAL RENO: It has not begun. We have deferred to Judge Johnson.

QUESTION: It will wait until there is a ruling on motions before her?

ATTORNEY GENERAL RENO: It depends on all the circumstances. But at the present time that is the course.

QUESTION: Ms. Reno, now that Ken Starr has delivered his report to Congress, has he been in contact with you? And if so, what did he say?

ATTORNEY GENERAL RENO: No, he has not.

QUESTION: Has he or his office given any indication on when the report to you or to the three-judge panel will be forthcoming?

ATTORNEY GENERAL RENO: No, he has not. He may have made it to somebody else in the Department, but I am unaware of it.

QUESTION: Ms. Reno, I take it from your comment that you accept the President's apologies. I wonder, though, if you ever feel any outrage about having the Department having to go in some cases all the way to the Supreme Court and defend certain privileges, and none of that stuff never would have had to happen if the President had admitted this in January?

ATTORNEY GENERAL RENO: I do not think -- I think you are now getting into independent counsel issues, and I do not think I should comment.

QUESTION: Do you feel a sense of outrage at being misled?

ATTORNEY GENERAL RENO: I really think that you are getting into the independent counsel issues.

QUESTION: Ms. Reno, let me ask if you still trust his word. You said that basically he has never lied to you as far as anything dealing with the Department of Justice. But isn't that necessarily saying it is okay if somebody lies as long as they don't lie to me?

ATTORNEY GENERAL RENO: I was talking about my personal experience with him.

QUESTION: Have any Department officials, and lawyers in the Department ever come to you expressing outrage or frustration about any of this?

ATTORNEY GENERAL RENO: So many different feelings have been expressed about these last seven months that it would be hard to categorize them as to all of their feelings. But I do not remember specifics. I think all America is concerned and wants to see the matter resolved in the best interest of this Nation.

QUESTION: Do you think that America deserves some apology from the President for that matter of saying I do not know this Lewinsky woman, I never had relations with her?

ATTORNEY GENERAL RENO: I think the President is making clear his contrition. I think he has apologized. I think the President is speaking for himself.

QUESTION: Ms. Reno, there was a report out last week that basically said that the -- this is from an independent group looking at the crime rate -- and it said that the crime rate is down because incarceration is up. What is your view on the contribution -- the relative contribution -- that increased incarceration rates have made on the reduction in crime?

ATTORNEY GENERAL RENO: As with all the points of view on why crime is down, I look at it from a variety of issues. I think that to incarcerate dangerous career criminals and make sure they serve their sentence and that their sentence fits the crime is a very good crime reduction tool. Because I think once you get into the pattern of career criminality, it is far better that you stay locked up for the full sentence, because that is going to be a crime, in many instances, avoided.

On the other hand, you have a young person who has not been in trouble, to send them away for 10 years for a matter that everyone would agree is not the equivalent of a career criminal



offense or a major trafficker offense does not make much sense. I think that there should be punishment. But I then think that we should recognize that that person is coming out to the community sooner rather than later in his life and that he must be equipped to deal with the real world he is coming back to.

In that sense, as I have told you before, it makes no sense to send somebody back to the community, to the apartment over the open-air drug market, where he got into trouble in the first place. It makes no sense to send somebody back who had a cocaine or crack addiction and not do something to treat the addiction and to give him a support mechanism when he returns to the community.

It does not do much good to send somebody back without a skill that can enable him to earn a living wage. And so it is not just locking people up, but it is letting them know that they will be accountable for their actions, but that they can come back with a chance of getting off on the right foot.

I think, at the same time, community policing has been instrumental in helping to reduce crime. Because it has brought communities together. It has involved them in the problem-solving effort. It has developed a trust between police and community, so that I think police are learning far more about what is going on. And I think it is helping them to solve crimes.

At the same time, so much is being done in prevention. There are so many pieces to the puzzle. Part of it may be demographics. Part of it may be that people just watched their communities destroyed and they finally stood up and said they had had enough.

There are so many pieces. And I think the important thing for anybody who is interested in successful crime reduction, don't just stand up and say there is one thing. Try to look at it in a nonpartisan, common sense way, rely on facts and figures that make a difference, and come up with a sound crime program that works.

I think we have a golden opportunity, and this is another opportunity that we cannot misplace. We have seen, through drug courts, a reduction in drug usage amongst those who participate. We have seen domestic violence programs work. We have seen conflict resolution and problem-solving programs work in schools.

We can make this Nation a less violent, more peaceful nation on a permanent basis if we just continue the efforts now underway in communities across this Nation that are proving successful. And there is no one piece to the puzzle that is the critical piece.

QUESTION: Ms. Reno, the White House counsel in the President's reelection committee say that your preliminary inquiry was triggered by an interim FEC audit, which is a normal course of business for the FEC over the last 20 years after presidential elections. Is that the sole

basis? And if so, how did that particular audit change your view of the status of this whole investigation?

ATTORNEY GENERAL RENO: I cannot comment on what triggered the investigation, because I am not permitted to under the law.

QUESTION: Ms. Reno, do you view it as your responsibility, the responsibility of high government officials, to uphold not just the letter of the law but the moral authority of the law? Because our laws are often rooted in moral principles, what is immoral is often illegal.

ATTORNEY GENERAL RENO: I try to be as moral and as right as I can and uphold the law. I am sure I am not perfect.

QUESTION: Ms. Reno, has the Department worked out how and when it will request a copy of Starr's report?

ATTORNEY GENERAL RENO: No, it has not.

QUESTION: Ms. Reno, speaking of drugs, there is a very disturbing article in yesterday's Post, by Molly Moore, regarding the G-A-F-E, that is the vetted Mexican soldiers that we trained to be anti-drug soldiers. Eighty of them are under investigation for criminal activities; specifically, guarding shipments of cocaine from Colombia that arrived in airports in Mexico. And I believe some 1,335 pounds of cocaine was brought in under guard of these soldiers in August.

Ma'am, is Mexico slipping?

ATTORNEY GENERAL RENO: I think Mexico has recognized, as President Zedillo has said, that drug trafficking is one of its prime national security problems. It is putting a great deal of effort into it. And we want to work with them in every way possible to support them in this, respecting their sovereignty and working together to ensure that we do everything we possibly can to stem the tide of drugs coming into those countries.

Thank you.

VOICES: Thank you very much.

(Whereupon, at 9:57 a.m., the press conference concluded.)