



**WEEKLY MEDIA AVAILABILITY WITH
ATTORNEY GENERAL JANET RENO**

LOCATION: DEPARTMENT OF JUSTICE

DATE: THURSDAY, JANUARY 13, 2000

TIME: 9:30 A.M. EST

Q Good morning.

ATTY. GEN. RENO: How are you?

Q Do you have any kind of statement for us this morning?

ATTY. GEN. RENO: No.

Q Ms. Reno, last week, the father of Elian Gonzalez, Juan Gonzalez, in Havana, said he'd been denied contact with his son. He hadn't been allowed to speak with his son for three days by phone. Do you know if that contact has been reestablished? Whether Elian's cousins in Miami are letting him speak to his father?

ATTY. GEN. RENO: No, I don't.

Q Do you think it's possible, Ms. Reno, that the INS interviewers in Cuba may have misjudged the facts, if the father is not willing to come to Miami to be reunited with his son?

ATTY. GEN. RENO: I think the process that was used by INS is a fair, good process. We are just trying to make sure that people understand that what is at issue is a father who wants his son home, and grandparents who want their grandson home. And these are bonds that

should be honored.

Q Should they -- can you figure out, for the life of you, why they wouldn't be willing to come to Miami to be reunited?

ATTY. GEN. RENO: I think they have to speak for themselves.

Q Would it be easier to explain to the public and, especially, to the community in Miami if the father did come?

ATTY. GEN. RENO: I think there are many factors that have got to be considered. It depends on the people involved, and what you have involved here is a father who wants his son.

Q Ms. Reno, the father has expressed anxiety at the violence in Miami, especially from the exile community. Would the Justice Department guarantee his safety if he came to Miami to reclaim his son?

ATTY. GEN. RENO: I'm sure that every process would be available to ensure his safety.

Q Does the government have a view that it has expressed to him on whether he should come here?

ATTY. GEN. RENO: I think, again, it's going to have to be a decision that he makes.

Q But you haven't said anything to him about -- the INS, or the U.S. government in any capacity, hasn't suggested to him that he come or give him the suggestion one way or the other?

ATTY GEN. RENO: Again, he should be the one that makes that judgment.

Q Ms. Reno, what type of enforcement actions are available to you? What are you considering in terms of enforcing this INS action? And why has there not been any enforcement taken so far?

ATTY GEN. RENO: What we are trying to do is to make sure that the process is clear, that the law is followed, and we will work with everyone to see that that happens.

Q Would the family need to cooperate? Wouldn't they need to cooperate and actually turn over the boy? And if they don't do that, is there any contingency plan for enforcement?

ATTY GEN. RENO: What should be done here with the little 6-year-old boy is that people let the law take its course and then appropriately, work together to see that what the law determines is right is done.

Q But what if the family stands in the way? What is the government willing to do?

ATTY GEN. RENO: We don't do "what ifs." We assume, or at least I assume, everybody's better nature and everybody's desire to comply with the terms of the law.

Q What evidence is there to suggest that that's a logical assumption?

ATTY GEN. RENO: I think, when it comes right down to it, my hope is that people will look at this little boy and get him into a situation where he can live a normal life without television cameras and the world in his face. Can you imagine what it would be like if you were 6 years old, and all of this was happening to you?

Q Ms. Reno, in terms of the timing -- I know that you expressed in your letter some sense of wanting to resolve this quickly. Can you give us a sense of timing in terms of when you would like to see this resolved, particularly because the boy is going to school, he is making friends; he has a dog, puppy; he has got relatives? Is there some concern about the psychological --

ATTY GEN. RENO: (Inaudible) -- dog and the puppy have to do with it? (Laughter.)

Q Right. And in the sense of, you know, feeling at home in Miami, is there some sense that there could be trauma to the child?

ATTY GEN. RENO: Whatever happens, with respect to the little boy, it should be done soon so that he can get on with his life -- with the puppy. (Laughter.)

Q There is a published report this morning that the Justice Department plans to go into federal court this week to deal with this issue. Is that correct?

ATTY GEN. RENO: We are looking at all our options.

Q So that's possible then?

ATTY GEN. RENO: We are looking at all our options.

Q Ms. Reno, on the question of the law that you addressed yesterday, in your letter to the lawyers for the Miami relatives, you said that the state-court judge basically has no jurisdiction here.

After receiving your letter, one of the lawyers said, "Well, that's a heck of a message from the attorney general, to say we can ignore a court order." What is -- is the government's position that it is ignoring the state court judge, or that the state court judge's ruling simply has no application here?

ATTY GEN. RENO: We were not a party to the state court action, and it is not directed at us.

Immigration law is controlled by federal law, and federal law should govern in this situation.

Q The folks in Miami, though, of course, are saying that they don't intend to address an immigration issue; they want to look at the custody issue. And of course they say that is a province of the state court. Would -- why doesn't the custody issue come first?

ATTY GEN. RENO: The issue at stake here for the federal government is U.S. immigration law, and that's governed by the federal court processes and federal law.

Q Just to follow that up, is custody here irrelevant at this point in the proceeding, when the -- at the -- given the immigration status of this boy?

ATTY GEN. RENO: The custody circumstance are irrelevant to the federal process by which the federal law must determine who can speak for the boy in making immigration decisions.

Q Do you fear that, with all the talk about not making this case and this boy into a political football, that that is in fact what is happening, that politics have overtaken the legal concerns?

ATTY GEN. RENO: I hope with all my heart and soul that that won't happen. I think it is so important that people of goodwill come together, work through the processes of the law as soon as possible, and get the boy home to his father.

Q Do you think anything could have been just done differently than -- all along the way to avoid the showdown that we seem to be at now?

ATTY GEN. RENO: I don't know.

Q Ms. Reno, you said last week that you had confidence that the community would be able to handle this in an appropriate way. What's your view of how the community's handled it so far, in terms of the atmosphere in which this is taking place?

ATTY GEN. RENO: I think it's important that we all work together to try to address the issue in the most reasonable way possible. I think when you have a little 6-year-old boy at stake, you try to do the best you can. And I think it's important for us all to set an example for the child as to how matters like this should be handled.

Q But were Elian to go to his father and to live in Cuba, is there anything that would prevent him from coming back to Miami to visit his relatives, and would that be something that he could -- he and his father could do?

ATTY GEN. RENO: That would be up to the father.

Q Ms. Reno, what is the Justice Department position on the Burton subpoena of the boy?

ATTY GEN. RENO: We're reviewing it.

Q Do you think people are setting a good example for this little boy?

ATTY GEN. RENO: I think it's important that all of us act with the best of goodwill and act like we would want others to act around us

and act like, if you had a 6-year-old boy, how you'd like adults to act around him.

Q I must say, I mean, we've talked about a lot of sensitive issues, and I don't think I've seen you as agitated as you are about this little boy. I mean, do you think people are acting with goodwill, or is this just a political game?

ATTY GEN. RENO: I don't ascribe bad motives to people. I know a lot of the people involved. I know they feel very, very deeply. I just think it's time for all of us to come together and say, "Let us solve the case, and let us make the decision." And what INS has said is that for immigration purposes in federal law, the father should speak for the boy.

Q On the subject of the congressional subpoena, why is it of concern at all, since it's in the future, that -- is it even a factor to be considered at this point?

ATTY GEN. RENO: We just want to make sure that we consider it and determine anything that might be relevant, based on this subpoena.

Q But you've come to no conclusion on that?

ATTY GEN. RENO: No.

Q Ms. Reno, like it or not, Elian Gonzalez has been turned into a political symbol by Fidel Castro, by the exile community, by Chairman Burton, by the various presidential contenders. Isn't the only way to take this out of the political arena and to get to do what's right is to get it into federal court as soon as possible?

ATTY GEN. RENO: I won't let you suggest to me the timing of how I do things. But one of the things -- yes, you can always suggest to me. (Laughter.) I'd take that back. (Laughter.) But one of the --

Q That and \$2.50 will get a cup of coffee anywhere, I'd say. (Laughter.)

ATTY GEN. RENO: One of the things that I have tried to do is to make sure that we're not part of any effort to make this a political matter.

Q Ms. Reno, it seems very clear that the Florida relatives of Elian Gonzalez are willing and probably will take this to the brink. Sometime, in order to enforce this, you will have to take some kind of enforcement action. Would you ask the family -- would you order the family, or have the court order the family to hand the boy over to INS? Would you send in U.S. marshals to take him from his house? If this comes down to it and the family does not cooperate, what can the federal government do to get this boy back to Cuba?

ATTY GEN. RENO: As we have talked about the political process, I would also urge the wonderful media to stop doing "what ifs" and stop setting up dramatic confrontations, and let us all work through this and get to where the right answer is for the boy.

Q But aren't we already at that point, Ms. Reno? The family has indicated that they're dug in and that they have no intention of backing down from their position. Aren't we already at that point?

ATTY GEN. RENO: I think we need to let the law take its process and then see what happens. And let's not say that there is confrontation that will resolve it. Let us say that the court processes should take their course and then let's see what happens. But let us not create dramatic scenes of -- that's just -- you don't go in and pick up little boys like that. You work through the issue, and then everybody sits down and figures out how we comply with the law.

Q You still believe in your heart that the family will cooperate and send the boy back to Cuba eventually?

ATTY GEN. RENO: I believe in the law. I believe that the people involved in this situation care about the little boy and want to do what's right by him. And I think they have also indicated a faith in the legal process. Let us let that happen.

Q Do you have an understanding of what the boy himself wants to do, whether he wants to stay or whether he wants to go? And is that relevant in this case, what he wants?

ATTY GEN. RENO: I think a six-year old boy -- can you remember when you were six?

Q Barely.

ATTY GEN. RENO: There were some days I wanted to run away from home, and there were other days I wanted my mommy so bad I couldn't stand it. And just remember what it was like when you were six, or try to, and I think you will understand what the range of emotions of a child are.

And I think the law has indicated and it's certainly, I think, the experience of most people that six years old is too young to speak for themselves.

Q One of the Republican presidential contenders suggested that sending this boy back to Castro's Cuba would be tantamount to sending a child to Hitler's Germany. Do you share that fear about Castro's Cuba?

ATTY. GEN. RENO: I don't think that there is a comparison.

Q Can you tell us what discussions your office has had with the state officials in Florida at this point, with Governor Bush's office, about how this should be handled, outside the legal process?

ATTY. GEN. RENO: I think some of the state officials have made their position clear, and we always welcome their position, but we're trying to do it based on federal law.

Q Ms. Reno, given the gap, how do you bridge it -- how do you do as you wish to bring people closer together on this issue?

ATTY. GEN. RENO: I try not to let people get my goat; try to believe in people; try to get back constantly, in all of these discussions, no matter who is on the phone or who is here or what the circumstances are, to the fact that there is a little six-year-old boy who survived one of the most traumatic events that any child could experience, to lose his mother there in the Gulfstream, to float for as long as he did and live, to come ashore under the circumstances that he did. We've just got to think about that little boy, and that's what his family in Miami is thinking about, that's what his father in Cuba is thinking about. Let's figure out what we do as soon as possible and do it in a dignified, thoughtful way, to get that child to his father.

Q Have you thought about personally calling the family and discussing it?

ATTY. GEN. RENO: I think we need to work through these issues; and they are represented by counsel, and I think it appropriate that any discussion be through counsel.

Q Ms. Reno, that's not very different than just falling back and saying you're going to follow what the law says. It sounds like as if you truly believe he is better off in Cuba than he is in Miami.

ATTY. GEN. RENO: What I believe is that his father should speak for him. I think it must be his father's determination, and I think that, again, you should be careful in what you think other people are saying or believing.

I think his father should be able to speak for him.

And I think he should be with his father. His father might be halfway around the world, his father might be in Miami, his father might be in Cuba. But the father has expressed a wish for the child to be with him and for the process to return him. And I think that's what the decision should be.

Q Ms. Reno, the attention on this case has caused a group of Haitians in Florida to say that there's many times where children of Haitian immigrants are found at sea or picked up and are immediately returned to Haiti and that they are not treated the same as this Cuban boy is and that there is a different way Haitians are being handled. Is that a matter of law? Is that just because of the Cuban Adjustment Act?

ATTY GEN. RENO: There are different situations with respect to Cuba and with respect to Haiti, and the nature of the government in the two nations is different.

Q Ms. Reno, this boy came over on November twenty --

ATTY GEN. RENO: I am sorry. I can't hear you.

Q I am sorry. This boy made it to Miami on November 25th. And for a couple weeks, we were asking you and everybody in the government what

should be done with him, and everybody said, "We have got to wait for the law." And now everybody says, "Now, he has to return to his father."

What went on in those couple weeks, when there was sort of, "Nyeah, we are not too sure to" -- now, it's sort of a big push to bring him back to his father?

ATTY GEN. RENO: We've had the opportunity to fully review the matter, talk with the father, see what his determination was, and satisfy ourselves that there was an appropriate relationship and that he did have the authority, under federal law, to speak for the child.

Q On -- if we may change the subject briefly -- on Microsoft; are the reports correct that you are planning to ask the court to break up the company if they don't voluntarily do so?

ATTY GEN. RENO: This matter is in mediation. And any time something is in mediation, we should let the discussions take place there and not outside.

Q Just back to the Gonzalez case for a moment; are there any considerations being given to the arguments of the relatives in Miami that to return this boy to Cuba would be to return him to a totalitarian communist state where he may be in danger?

ATTY GEN. RENO: Again, we are looking at the process and making a determination. And in this instance, we find no basis to conclude that this child would be subject to persecution, and we think his father should be able to speak for him.

Q How long do you expect that the legal process will take? How long do you think it should take?

ATTY GEN. RENO: I think it should be done with all deliberate speed. And I think it should be done as soon as possible, but one thing I've learned is, never speculate on how long it will take.

Q Could this be resolved in a matter of several weeks, or are we looking at a protracted --

ATTY GEN. RENO: I think it's important that it be resolved as soon as

possible.

Q Is it fair to say at this point, though, your posture is to -- the Miami lawyers in response to your letter have said that they intend to go to federal court probably as early as next Tuesday, they say after the Martin Luther King Day holiday. Is it your posture right now to go ahead and let them take the first move?

ATTY GEN. RENO: I think we'll see what happens.

Q Ms. Reno, the Kowalcik (sp) case in 1985, that took almost five years to resolve, the situation involving what was then a 12-year-old boy and then ultimately a 17-year-old boy. Do you have any fear that this could be delayed and dragged out for that long a period of a time?

ATTY GEN. RENO: I think it would not be in anybody's best interest, so I hope with all my heart that it won't.

Q But the Justice Department will not put any pressure on the Gonzalez family while they're seeking some kind of ruling from the federal court? This will be a time, basically, of waiting and see?

ATTY GEN. RENO: Commissioner Meissner has indicated that the court should have the opportunity to make its determination.

Q What assurance do you have that the boy will be well cared for during the time this legal process is played out? Are there any steps that are being taken to assure that?

ATTY GEN. RENO: I think that the processes are in place that would assure that, but I am sure that the family will do everything it can to make sure that the boy is well cared for. And I just hope that we can move on together to ensure that he has the opportunity to get settled and move ahead.

Q Ms. Reno, for about a month now, the government has been investigating what was going on in Seattle when a man came across the border from Canada with explosives in his car.

Are you satisfied at the pace of the investigation? Are you satisfied that -- without saying what they're learning, are you satisfied that

they're making progress and learning what this was all about?

ATTY GEN. RENO: Yes.

Q Would you like to --

Q (Off mike) -- follow up? (Laughter.)

ATTY GEN. RENO: Obviously, I can't discuss the details of the investigation, but I think it's going well.

Q Do you have a sense that the United States is becoming a major new target for foreign terrorists?

ATTY GEN. RENO: I think, as I've indicated last week and on other occasions, that in this world today, with mobility and various tools in the hands of so many different people, and with the Internet bringing the world together and making borders sometimes seem irrelevant, that it is important for us all to exercise prudence as we deal with the issue of terrorism.

Q But there have been concerns raised by several Islamic groups about what they see as harassment of Muslims in Los Angeles and other cities by the FBI. People who claim that they have no contact with Mr. Ressam or Ms. Garofalo are saying that the FBI has showed up at their door at 6:00 in the morning with flashing badges and saying, "Do you know Osama bin Laden?" Is this of any concern to you? Is the Justice Department taking any steps to look at their claims that they've been unfairly singled out?

ATTY GEN. RENO: I have not received any specific claims, but I am very concerned any time someone is singled out just because of who they -- of their background, their ethnic background. And what we want to make sure is that before we take any investigative steps, there is the appropriate predicate, and we reviewed this carefully to make sure that there was.

Q Ms. Reno, will the Justice Department have any role in reviewing a proposed merger between AOL and Time Warner?

ATTY GEN. RENO: I think that it would be appropriate for the comment on that score to come from either Antitrust or the FTC.

Q Ms. Reno, now that Hillary Clinton has gone on David Letterman, would you entertain that idea yourself? (Laughter.)

Q (Off mike) -- live? (Scattered laughter.)

ATTY GEN. RENO: I've got you-all! (Laughter.)

Q So if David Letterman offered you an invitation this week to appear on his show, would you seriously consider it?

ATTY GEN. RENO: No, I'd tell him I had you-all. (Laughter.) He could come down here. (Laughter.)

Q Have you ever seen David Letterman?

ATTY GEN. RENO: On television?

Yes.

Q Okay.

Q So you are inviting him then to the briefings? (Laughter.)

ATTY GEN. RENO: Should I exclude one of you?

Q Are you saying you couldn't get any words in? (Laughter.)

ATTY GEN. RENO: No.

Q If I could be serious again for just a minute; have you had the opportunity to review the interview that the FBI did with Wen Ho Lee in March of this year?

ATTY GEN. RENO: Yes.

Q Are you satisfied with the way the interview was conducted? Are you satisfied with the tricks that they played on him?

ATTY GEN. RENO: I think it's important that in any process where there is ongoing litigation or pending charges, that any such

discussion be had in the appropriate forum, which is the court.

Q But did you review it to assure yourself that the FBI had not overstepped?

ATTY GEN. RENO: I don't tell people why I review things. I reviewed it.

Q And are you satisfied?

ATTY GEN. RENO: I am not commenting.

Q But apart from the Wen Ho Lee case, on a general level do you believe that there is a place in investigative tactics for deceptive questioning? Is that something that's acceptable?

ATTY GEN. RENO: Now, you know that I can't go from a specific question about a specific case into a general issue without the answer having been framed in the specific case.

Q Ms. Reno, is there any update on the Egypt Air 990 investigation in terms of the status?

ATTY GEN. RENO: My understanding is that the National Transportation Safety Board is still the lead on this and any comment should come from them.

Q Ms. Reno, Sandy Berger, a couple of days ago, announced that the U. S. government was involved in breaking up eight cells or terrorist cells in eight countries; I am not quite sure which it is. And Director Freeh said it was a "Herculean effort in a worldwide campaign."

Do you have any comment? Can you say anything about the counterterrorist efforts of the U.S.

ATTY GEN. RENO: I am not familiar with the precise situation on which they were commenting. So rather than add my two cents, I think it would be better to let Myron make any statement that I would make, after we had had a chance to review the particulars.

Q Can I follow up on one other thing from the past month?

There was considerable concern that the federal authorities and Mexican officials may have found a potential mass graveyard just over the border in Northern Mexico, and there was reason for the FBI to believe that there could be over a hundred people buried there.

Is there any reassessment of that now? Is that still the basic feeling investigators have, or do they think maybe it's not so bad now?

ATTY GEN. RENO: I don't think we should speculate. My understanding is that the Mexican authorities are still searching, and I think we should not speculate as to the number. My understanding is that nine bodies have been identified -- I mean, have been unearthed -- and that's nine too many. And I think we need to all work together not to speculate, but to get to the truth.

Q Ms. Reno, you have expressed a lot of interest in the Internet and crime on the Internet. What do you think of this defense of the man accused in the Columbine incident of an addiction to the Internet? What do you make of that?

ATTY. GEN. RENO: Not much. (Laughter.)

Q Thank you, Ms. Reno.

ATTY. GEN. RENO: Thank you.

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