



**MEDIA BRIEFING WITH ATTORNEY GENERAL JANET RENO**

**U.S. DEPARTMENT OF JUSTICE**

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**9:31 A.M. EST**

Q Good morning.

ATTY GEN. RENO: Good morning.

Q Ms. Reno, you saw how vulnerable the Internet was last week. We are still dealing with controversy over former Secretary Deutch's use of his home computer.

Yesterday, there was a column on the op-ed page of the Post by David Ignatius, that said software used extensively by the State Department was designed and written by former citizens of the Soviet Union. Isn't it time for a government-wide examination of how computers are being used and whether they are being used in a secure manner, and the issuance of some type of guidelines for the entire government, just not individual investigation?

ATTY GEN. RENO: I think it's important that every agency review the processes that are in place. I think much was learned from the Y2K effort. And I think building on that, reviewing processes in place, reviewing security measures; each agency can do an extraordinary amount to ensure security.

Q Are you familiar with the allegation -- (inaudible)?

ATTY GEN. RENO: I didn't see the column. I just heard about it.

Q Ms. Reno, in his testimony yesterday, sitting right by your side, Director Freeh outlined a long laundry list of possible threats to the Internet, people who were determined to take down the Net, everything from disgruntled employees to hackers, who came up with this term "hacktivism." It seems that there are lot of people out there who want to bring down the Internet like they did last week.

And basically, my question is: Didn't those threats -- can you assure the American consumers that it's safe for them to put their financial and personal information on the Web? -- is there anything the government could do about that -- (inaudible)?

ATTY GEN. RENO: I think it's important for law enforcement to work with the private sector, to share with the private sector, information as to vulnerabilities that we learned through our investigations. And -- the private sector is obviously committed to trying to develop a secure, private way of doing business.

It is an unfolding technology. There is much to be done, and I think that this was a wake-up call for everyone concerned as to what needs to be done in terms of prevention and what we need to do in terms of holding the people responsible for it accountable.

Q After you left the room yesterday, there was an industry panel that testified, and they emphasized that there is deep mistrust in the computer industry of the government and, particularly, federal law enforcement agencies, and so I guess the question is, you just mentioned that you need to work with the private sector, but what do you do if the private sector really doesn't want to work closely and cooperatively with you?

ATTY. GEN. RENO: Well, what I heard was that there were two that said we're doing a pretty good job of building trust and the others said that law enforcement really didn't belong in it. But one of the things I think you've got to realize is that in addition to attacks such as we have seen last week, computers can also be used as a means of stalking, as a means of conveying child pornography. Of so many different things that go to law enforcement responsibility. And if we work together, if we talk together -- yesterday I called, as a follow-up to my White House meeting, to start in motion efforts to

set up a meeting -- two meetings, if possible -- with the private sector to talk about how we build trust, how they develop an understanding of law enforcement.

As I said yesterday, if somebody came and robbed you, you would feel very uncomfortable. You wouldn't like any part of the process and you wouldn't like the follow-up part until you saw the person convicted, sent off to jail, and you received restitution for what was involved. It is not fun to be the victim of a crime, and what we have all got to do is work together to prevent the crime from happening in the first place, and if it does happen, to make sure that we conduct the investigation in a way that respects the privacy and the freedoms that we hold dear, while at the same time getting the bad guy.

Q Is it clear whether the FBI is close to, as Director Freeh said, some very promising leads in the case; or is it true, as some others have said, that this is going to be a very lengthy investigation? What's your impression of the pace of progress and how long this may take?

ATTY GEN. RENO: I never determine or never opine on how long an investigation will take because I never know what we will find if we are truly keeping an open mind. But what I can say of the investigation is to date there has been such good cooperation between the private sector, other federal agencies and the FBI, and I am very pleased with that.

Q What other federal agencies are involved?

ATTY GEN. RENO: I will get you the list so far as it would be appropriate to furnish it.

Q And can you answer the question of whether you agree with Director Freeh that it would be wise for the federal racketeering statute to be used against computer hackers?

ATTY GEN. RENO: I think he said we should consider it.

Q That is what he said. Do you also agree that it's wise to consider using the federal racketeering statute?

ATTY GEN. RENO: I think we should review what remedies are available,

what we need in addition to current remedies, and I think we should be careful that the punishment fits the crime.

Q Thanks.

Q Ms. Reno, can you put into perspective how difficult it is to investigate these types of crimes as opposed to some of the more traditional crimes? I think that's one of the issues that you guys were pointing toward yesterday.

ATTY GEN. RENO: One of the problems is that these crimes know no boundaries. They can be committed by the fellow next door or they can be committed by the man halfway around the world in another country. The attacker can mask his identity by moving from one site to another. There is so much that can be done using the Net to disguise who the attacker is, and the problem of tracing is extraordinarily important.

That's the reason we have devoted so much attention to working with our international colleagues to try to build a capacity of responding to attacks or intrusions on a 24-hour a day -- or 24, seven-day a week basis so that we can have the capacity to identify in a foreign country or we identify for somebody seeking our assistance who it is.

And it involves -- it will involve states, as well. I spoke to the National Association of Attorneys General at Stanford about three weeks ago, pointing out to them that if the crime is committed in one state but the victim is in another state, the two states are going to have to work together, and we're going to have to develop the capacity nationwide to have the ability to respond in each state to identify the attacker.

Q Ms. Reno, if I may ask a very quick follow-up. When you were pointing out in that speech you were talking about state and local governments being involved, where would you say local police departments, state police departments are in their ability to investigate computer crimes?

ATTY GEN. RENO: A number of jurisdictions have made real progress. As it was pointed out to me, sometimes you have a police officer who is just really good with the computer, and he takes the initiative and has really done some remarkable things. In others, the police officer

may be more attuned to traditional investigations.

What we want to develop, and the reason I think it's so important that the FBI have the resources to respond appropriately is, while state and local officials are developing the capacity, we need to share with them, need to provide the expertise, need to share equipment so that as we begin to use the Internet, as millions begin to use it, people understand what the ground rules are, what the rules of the game are, and that they don't assume because no action is taken, that means it's okay.

We've got to help define, by our prosecutions based on real crimes, what you can and can't do on the Internet.

Q Ms. Reno, Director Freeh, in his written testimony yesterday, laid out a pretty daunting sort of scenario of how this investigation is absorbing a lot of resources. He used words like "overwhelming" and also talked of having to "stretch his resources paper-thin," that agents were being pulled off of other tasks to do this work. What's your sense of their ability to handle this?

ATTY. GEN. RENO: I think they have the ability to handle it, but I think we're going to have to be prepared, as more and more people use the Internet, as more people seek to take advantage of it -- and that's the reason that I urged, and I was delighted by Senator Gregg's response, because he has been so instrumental in other areas in helping plan both funding and process for the future -- I think it's important that we have a five-year plan in place that will ensure that law enforcement has the resources in terms of expertise and equipment.

As you hear Senator Gregg point out, one of the big problems we have is, How do we keep people in government service? The experts, the people who understand the technology and the law together and can apply them together -- how do we keep them in government when they can make so much more money in the private sector now? That's one of our challenges -- how we share with state and locals so that they begin to develop the expertise so that they can handle matters locally or state-wide; what we do in terms of reaching out to our colleagues around the world to develop the capacity to trace these criminals around the world; what we do in terms of ensuring that all our processes comply with the Constitution.

Q Ms. Reno, do you think there should be a cybercrime czar? I think that's one of suggestions of Senator Gregg.

ATTY. GEN. RENO: I didn't hear Senator Gregg talk about a cybercrime czar. I think it's important that we look at what needs to be done in terms of prevention, and there I think the private sector should take the lead, but we should work with them as a partner in frank discussion -- not in terms of telling them what to do, but in terms of resolving issues together. And I think it is important that we have the tools to do the job and that we have the expertise that can adjust to the technology that is changing so rapidly. Czars aren't going to make that happen.

Q How far behind is the government in -- I mean, by its very nature, in a sense you are -- frequently in a reactive mode when crimes are committed. How far behind would you say law enforcement is in this particular area?

ATTY GEN. RENO: I think there is tremendous capacity in law enforcement so that I don't want anybody to think that they can get away with it. I just want to be prepared for the future; to ensure that we have the latest information, the latest technology, the people with the expertise, and that we have the capacity around the world to trace them.

Q How serious is the problem that some Third World countries or rogue nations will in effect become havens for people who want to commit this kind of crime? That concern has been expressed.

ATTY GEN. RENO: I think we are going to have to face that issue.

One of the messages that I have tried to share with my colleagues -- ministers of justice, attorneys general, ministers of the Interior -- as we have met in a G-8 setting, or as we will meet in Costa Rica in early March with our colleagues from this hemisphere; we are trying to build a world based on trust. And if we trust each other, then we should all share in the message that there is no safe place to hide.

That message becomes vital when we have a new phenomenon, such as the Internet, that makes boundaries in some instances irrelevant. If we have somebody committing a crime, while they sit in a kitchen in some foreign country, against victims here in the United States, we are

going to have to work together to bring them to justice. We will have to take the steps necessary with respect to those countries that permit people to use their nation as a base to hurt others.

But I think the best way to do that is to work through the processes with the G-8, with the Organization of American States, so that we all know that it's in our best interest to use this remarkable tool together, to improve the economy of all nations, to improve learning for all people, and to use it to communicate to bring the world together.

Q Do you agree -- (inaudible) -- with the director's views that this can be quickly overwhelming for law enforcement?

And do you feel like this has been overwhelming for law enforcement to deal with?

ATTY GEN. RENO: I don't think it's been overwhelming to date, and I want to make sure that it's not overwhelming.

But I think -- one of the reason that I spoke as strongly as I did -- I think this is one of the most important, most critical issues that law enforcement has ever faced.

And how we do it, how we build partnerships with industry, how we develop the tools, the expertise as technology changes, how we work with our colleagues around the world will determine how people view the Internet and how they use it and the confidence they have in it.

In other words, law enforcement has two special responsibilities that usually are not -- we're thought of as a public safety organization to protect our people, and that is the prime effort of law enforcement. But how we do it in this instance will also help determine the confidence in the Internet and its ability to be applied around the world in the same remarkable way it's been applied in this country.

Q Ms. Reno, you talk about wanting to build trust and cooperation with private industry, but I was over at the White House the other day and I was talking to them, and a lot of them said that the biggest problem -- or one of the biggest problems they have is that the government and FBI, Justice Department, have regulations that --

in essence sort of a disincentive program for them to develop encryption software, security software because you guys don't want to lose the ability to sort of get into messages or into a website or something. And they say if we could export these things or if we could develop these things better, the whole Internet would be much safer.

ATTY GEN. RENO: I think those decisions have been made, and I think that's what has been one of the reasons for the trust-building that is occurring. But there are other issues, such as FOIA limitations, and those are the things that we'd like to talk about when we meet with industry to see what legislation is needed, what other regulations need to be eliminated or imposed, what we can do to work together to build an understanding that will be a firm foundation for a good partnership.

Q So you'd be willing to possibly, I don't know, change some of the regulations that inhibit exports of encryption technology?

ATTY GEN. RENO: I think we've addressed those issues. I think we've got to move on and look at other issues now. But we are constantly willing to address anything.

Q How does FOIA get into -- (off mike)?

ATTY GEN. RENO: In terms of what can and can't be furnished and what issues revolve around liabilities. I raised that issue yesterday.

Q Ms. Reno, is the current investigation a good model for cooperation between the private sector and government?

ATTY GEN. RENO: From the responses I heard at the White House and otherwise, I understand that it is from the industry point of view. It certainly is from our point of view.

Q Speaking for a moment about the deterrent effect that could come, in white collar crime, typically, there is a deterrent effect from stiffer sentences. Do you think that the penalties and sanctions and sentences need to be tougher in the hacker area?

ATTY. GEN. RENO: As I testified yesterday, this is one of the issues that we will review as we present our law enforcement package to



Congress, in terms of what legislation would be appropriate. And it was interesting for me at the White House the day before to hear people talk about and commend our efforts to make sure that judges and others understood the serious nature of the crimes involved and the necessity for penalties that fit the crime. So we will be reviewing legislation, be reviewing sentencing guidelines for Justice Department recommendations, and we will be working with industry to make sure we have their thoughts.

Q What's your time table for submitting something to the Hill?

ATTY. GEN. RENO: We'd like to do it as soon as possible, consistent with getting a good package together, and I'd like to hear from industry.

Q Ms. Reno, how would racketeering laws legally be used against hackers who traditionally operate alone, without much of any organization?

ATTY. GEN. RENO: We'd have to look at whether organizations developed. One of the things that you look at is how crime evolves and what people do to generate opportunities for criminal -- what opportunities criminal behavior presents.

We just simply have to look at and review it and see whether it has a place.

Q In that respect, if you had a loose confederation of people, say even 10, 15 --

ATTY. GEN. RENO: You're asking me a what-if. (Laughter.)

Q No, I'm asking you in terms of your last statement. Now, if you had a loose confederation of 10 or 15 people whose only communication was through the Internet or through chat rooms, but who indulged in this type of thing, in your opinion, would that be a criminal enterprise -- prosecutorial

ATTY. GEN. RENO: I'd have to have a lot more of the evidence before I made a determination.

Q One of the things Director Freeh said yesterday is there needed to be more prosecutorial expertise on computer. Where does the -- where do the prosecutors stand on this, and how many do you have that have

that expertise?

ATTY. GEN. RENO: I was gratified by Director Freeh's comments, because what we're trying to do is to make sure that as we fund agents, we also fund the prosecutors to go with the agents, and I was glad that he stressed the need for a balanced appropriation that met both responsibilities.

Q Does the entire Justice Department, all of its agencies, have the same program, or flexibility, that the FBI has to pay substantially more to computer experts, people who have the special training that was referred to yesterday?

ATTY. GEN. RENO: Let me ask Steve Colgate to give Myron the details so that I don't mislead you on it.

Q How serious is the weakness in the Justice Department's own computer system? You mentioned yesterday that you feel that computer security here needs to be upgraded. What's the level of vulnerability, and what sort of plans do you have to fix it?

ATTY. GEN. RENO: We're in the process of fixing it with a plan in place now.

Q Can you elaborate?

ATTY. GEN. RENO: No.

Q On another subject.

Q (Inaudible.)

Q I know you don't comment on -- (laughs) -- the pace of investigations. But how about the pace of your response to a letter to Juan Miguel Gonzalez on the custody of his son; are we close to responding to his letter?

ATTY GEN. RENO: Yes.

Q Can you say whether that's going to occur this week or next week?

ATTY GEN. RENO: I hope it will occur promptly.

Q Will the Justice Department be in favor of visitations by Cuban government officials to Elian?

ATTY GEN. RENO: I just heard about that. We will review that.

Q Ms. Reno, some of the people surrounding the Miami relatives have indicated their desire that you should meet with the child. Do you have any intention of doing that?

ATTY GEN. RENO: I think it's important, if the adults have information that should be furnished, that they feel that they can do that. But I think to impose another person on the child just isn't in the child's best interest.

Q How about a meeting with the Miami relatives; is that close to happening?

ATTY GEN. RENO: We had agreed to meet with the Miami relatives, and then they withdrew their request, as I understand it.

Q Yesterday, the president said he did not see the need for a moratorium on the federal death penalty. Would it be your expectation that, after you have completed the review on whether there is any racial bias, that you can begin to set dates for federal executions?

ATTY GEN. RENO: I want to continue to do -- when I started this process, I tried to set up a mechanism that would ensure fairness and would make sure that a person charged was properly charged. We want to continue that process in every way possible to ensure that justice is done. We will take appropriate steps, as the processes indicate, to set cases when it is clear that justice has been done.

Q Ms. Reno, can you explain a little bit about why you started this review of the federal death penalty process? Eric Holder told us that you wanted to review it and make sure it was fair in terms of racial disparity. Was that based just on the fact that two-thirds of those currently of federal death row are minorities, or were there other factors that made you start that review?

ATTY GEN. RENO: About -- I'd say two or three years ago -- it's

longer than that because Eric was U.S. attorney at the time -- probably 1996, but we can confirm the date for you -- I asked him, and a panel of U.S. attorneys, to review the death penalty process to determine whether there was any disparity between persons similarly situated in the system, any discriminatory disparity.

At the time he concluded, and his committee concluded, that there was not a sufficient pool of death-penalty cases to make a statistically significant determination or whatever the statisticians suggest.

But I have constantly tried to continue to review it to make sure that we have in place something that can check it on a regular basis. And Eric senses that we now have enough so that we can look at it again, and they are looking at it again. But I would foresee and would hope that beyond my time -- at least for my time in this job, we want to continue that review and that check, but I would hope that that would be something that would always be reviewed.

Q Ms. Reno, Barry McCaffrey continues to warn that Colombia has a drug emergency. And the statistic that sticks out is in 1995, there was 245 or 240 tons of cocaine coming out of Colombia, and this last year there was over 500 tons. Could you comment on the urgency and the statistic and the remedy that you favor?

ATTY GEN. RENO: I have been very gratified by the action of the government of Colombia in terms of extraditing a significant number of drug kingpins responsible for efforts such as you describe. And I think that is going to be key. I think we've got to continue to work together in an appropriate way, recognizing the sovereignty of Colombia, to address the issues there, and that we have got to see what can be done through Plan Colombia and through appropriate support for institution building in Colombia to give the government an opportunity to fairly handle matters in the country itself.

Q Do you think there is such an emergency as General McCaffrey does often enunciate?

ATTY GEN. RENO: I think that there are critical problems in Colombia that are being addressed by the president, by President Pastrana. And I think he recognizes the magnitude of the problem. And I think and hope that we will see Congress and the administration come together in providing support for those in Colombia who -- it is such a

beautiful country.

It has so many fine traditions, so many great people. And people talk about the time they visited Colombia. I'd love to see that country come out from under the influence of the drug dealers and be the country that it has been reputed to be. It is just a very special country.

Q How alarmed are you by the fact that even after the FBI has launched a major probe into hackers, that there was hacking into the president's online chat this week and there was hacking in the Transportation Department's -- a number of websites at the Transportation Department?

ATTY GEN. RENO: I look at -- you all use "alarm" and "emergency" and other words like that. I try to look at these situations as, "Okay, now what do we do about it?" And what do we do about it to ensure the privacy of the Net without limiting the privacy of people in an inconsistent way? This is one of the most interesting, challenging times in this nation's history. We've come into a new millennium. We have a tool that we didn't dream could exist when I was your age. It's happened that fast. And how we use that tool, how we make sure that that tool does not use us is going to be key to the future of all of us. I don't get alarmed; I just get involved.

Thank you.

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