



**WEEKLY MEDIA BRIEFING WITH
ATTORNEY GENERAL JANET RENO
THE DEPARTMENT OF JUSTICE
WASHINGTON, D.C.**

THURSDAY, JULY 27, 2000

9:30 A.M. EDT

Q Here we go!

Q Right on time. (Cross talk.)

Q One minute early.

ATTY GEN. RENO: No, we just checked the time -- (laughter) -- and it was 9:30. I walked -- that clock's wrong, according to Bessie. (Laughter.)

Q Nobody can change it?

Q All right, you're right on time.

Q Ms. Reno, there were reports out yesterday that Dick Cheney hosted political contributors in the Pentagon in 1991 and 1992.

It seems rather harmless on the surface, but is this the kind of thing that the campaign finance task force is examining?

Will they review this issue at all?

ATTY GEN. RENO: I'm not familiar with it. Let me have Myron give you whatever comment would be appropriate.

Q And one -- on a related theme, have you received a recommendation from the FBI regarding the appointment of a special counsel to investigate campaign finance matters involving Vice President Gore?

ATTY GEN. RENO: I have a received an initial comment from Director Freeh.

I don't believe I've gotten the follow-up material.

Q Do you -- is it what we expected? Is it in line with his earlier statements?

ATTY GEN. RENO: I would not comment.

Q What is the follow-up material?

ATTY GEN. RENO: I don't know.

Q I mean, are you -- do you know that he will send additional material?

ATTY GEN. RENO: I don't know whether he will or not.

Q Have you had a chance to sit down and talk to Mr. Robinson on the subject yet?

ATTY GEN. RENO: I've talked to several people on the subject.

Q Can you talk about Waco yet?

ATTY GEN. RENO: What do you want me to talk about?

Q Well, I mean, you're no longer constrained, since the trial is over. I take it the -- Mr. Danforth was 100

percent sure that you and Mr. Freeh and the FBI and the Justice Department were exonerated of any charges in the matter of the Waco burning.

ATTY GEN. RENO: Well, let's --

Q How do you feel about it?

ATTY GEN. RENO: First of all, the judge still has to rule in the trial, and so I don't want to be presumptuous there.

Secondly, there are some matters that Senator Danforth still has to address.

And I think it would be best if I did not comment, so that he can pursue it and conclude the matter.

I think my reaction should be obvious.

(Laughter.)

Q Ah --

Q Just to -- (laughter) -- make it absolutely clear, what is that reaction? (Laughter.)

ATTY GEN. RENO: (Smiled broadly, as per report.) Beverly.

Q Mm-hmm. (In acknowledgment.) (Laughter.)

ATTY GEN. RENO: That's my reaction.

Q Along those lines, the president was quoted, in testimony that he gave to Robert Conrad earlier this year, as still saying that he -- Waco, he felt, you know -- (inaudible) -- entirely a mistake and that people -- billions of people at the Justice Department who wanted to -- to give in earlier.

What's your reaction to his comments? And is that the way that you remember it, that he had to give in to the Justice Department on this issue?

ATTY GEN. RENO: I think everybody who has been touched by Waco would like to be able to undo it. But the real issue is we don't know what he would have done on his own in the long run. And so I think all of us, the president, I am sure, and others, think, "What could we have done to have prevented the tragedy?"

Q (Inaudible) -- the president -- (inaudible) -- suggesting his having to be persuaded, convinced that he should move?

ATTY GEN. RENO: I don't quite know what you mean by that.

But the president had told Stuart Gerson, early on, before I was sworn in, that he wanted to be kept advised.

And he had told Mr. Gerson of an experience he had had in Arkansas.

So he wanted to be advised and wanted to be kept informed of the issues that we faced.

When I talked to him that Sunday afternoon, I advised him; we discussed it, and we went ahead.

Q Back to my first question, do you feel totally exonerated? Has the Justice Department and the FBI been exonerated, in your eyes, by Mr. Danforth's conclusions?

ATTY GEN. RENO: I think Senator Danforth should speak for his conclusions.

One doesn't think in terms of exoneration when you look at something like that. That was a terrible tragedy.

And what I have always said was we have got to look to the future to see what we can do, what we can learn about human behavior, to avoid tragedies like that.

Q Senator Danforth said that he encountered substantial resistance in terms of his investigation, in getting cooperation from the Justice Department and that on

multiple occasions he had to deal with Mr. Holder to resolve disputes, in terms of document collection and evidence collection. Can you speak to whether or not you have some dissatisfaction with that finding?

ATTY GEN. RENO: Mr. Holder would -- should address that because he was the acting attorney general since I had recused myself, and I don't think it would be appropriate for me to comment.

Q General Reno, there's been an assumption that you would decide on this recommendation from Mr. Conrad fairly soon, but is there any consideration being given to deferring a decision until after the election so as to not interfere with the process of the election?

ATTY GEN. RENO: I think the best thing for me to do is to pursue my thought process and my information-gathering process and make a decision and not discuss it till I do.

Q But is the election an issue that you're considering? Is that part of your thought process?

ATTY GEN. RENO: I think, rather than dribble this out, I should do it in a comprehensive, thoughtful way, and then advise.

Q Will you do so in a news conference and let us all know at the same time?

ATTY GEN. RENO: I don't know how we will do it.

I will try to be as forthcoming as I can.

Q Back to the Waco matter just for a moment. I don't know if I understood correctly or not. But in that meeting that you described, that Sunday meeting with the president --

ATTY GEN. RENO: I did not meet with the president.

I talked with him by telephone.

Q Talked with him. Is it your recollection that there was -- that you had to convince him to do something that he wasn't sure about?

ATTY GEN. RENO: My recollection was that we had a very difficult situation, that there were many issues. I went over those issues with him.

I think we both had to be convinced, if you will. I had had to be convinced before I made the determination.

He wanted to make sure my questions had been answered. I think from -- I don't have a specific recollection of the conversation, but going back over the reports, he had questions and I answered those questions and we went ahead.

Q What were those questions, I mean, if you can give us some idea?

ATTY GEN. RENO: His questions were, "Are you sure you've had all your questions answered"? And he wanted, as I recall, to know what the questions were. I went through it with him, told him why I had decided that we should go ahead, and we discussed those.

Q Okay. And I'm sorry, but I may not have -- I may not have understood. The questions were -- I'm just trying to get some idea of what the specific questions were.

ATTY GEN. RENO: The specific questions really can best be framed by the reports of why I went ahead of it.

Q Attorney General Reno, what are you looking for, if anything, out of Congress in the final days before recess? What would you most like to see Congress take action on?

ATTY. GEN. RENO: I'd like to see some nominees confirmed, both for judicial position and for positions in the Justice Department.

I'd like to see reasonable gun legislation passed that closed the gun show loophole. I'd like to see us address

the issue of the COPS authorization and make sure that we fund the COPS program.

I'd like to make sure that we come out with an appropriation that is balanced, thoughtful, meets the needs of cybercrime for the future, terrorism for the future, and prepares us for this next year, so that I can hand the department off in good shape.

Q I mean, are there any major issues that you're concerned about that you would not like to see Congress pass but are moving through the pipeline now?

ATTY. GEN. RENO: It's better that I take those up with Congress.

Q Ms. Reno, there was a ruling out in California yesterday involving Napster, the Internet music-sharing technology. An injunction blocked people from using this, effective a couple of days from now.

Is this -- is the administration looking at the larger issues that are involved here in terms of copyright enforcement, those kind of things, in light of -- in light yesterday's ruling, or -- I mean, also, are you planning to get involved in this case in any way?

ATTY. GEN. RENO: We are reviewing the decision, and until we complete that review, I think comment would be premature.

Q But on the larger issue of copyright enforcement, has that become an issue or a problem for the Justice Department to look at?

ATTY. GEN. RENO: I think copyright enforcement and the protection of intellectual property has been an issue for the department.

(Pause.)

Thank you. (Laughter.)

Q Let me go back just one more time into this Waco matter. It's been reported that Mr. Danforth's group of investigators are 100 percent certain -- I quote, "100 percent certain," that Mr. Koresh was to blame for the disaster at Waco and, furthermore, Mr. Danforth has said that there was no conspiracy, no coverup, at all by the U. S. government.

Does that resonate well with you?

ATTY. GEN. RENO: I think it would be best for the report to speak for itself.

There will come a time when it's appropriate for me to comment, and I think that Senator Danforth, since he has indicated that he has additional matters that he wants to pursue, should be able to pursue those without comment by me.

Q Understood. All right.

Q Ms. Reno, on the issue of Los Alamos and the missing and returned computer tapes, can you give us any sense whether there's any indication of espionage? The FBI and Secretary Richardson had indicated there was not.

Any additional --

ATTY GEN. RENO: I'm sorry, Peter. I didn't hear your first -- the first part of your question.

Q Any additional updates on the Los Alamos computer tapes, that investigation, in terms of whether there was espionage earlier?

The indication is there was not. I just wanted to see if there was any update on how that was progressing.

ATTY GEN. RENO: I really should not comment.

Any issue with respect to that matter should be raised in

court.

Q Another question on Waco: Is there any possibility of the Justice Department bringing a criminal prosecution against those who were found to have perhaps withheld information?

Mr. Danforth has said that he has no intention at this point, in his capacity as outside counsel, of bringing any criminal charges against, for instance, Mr. Rogers or others who may have withheld information.

Can the Justice Department and would the Justice Department consider that -- (off mike)?

ATTY GEN. RENO: I think that in this instance, where we have sought a special counsel and they have done such a thorough job, I think they should have the final say.

And one thing I would say. It is -- Senator Danforth referred to this as some of the most important work that he has ever done.

It is gratifying to me that people will heed a call and undertake a responsibility like this. And it's again an example of the great varieties of public service that people can perform and which are so very important to making democracy work.

Q Attorney General Reno, the Arab American community in the Charlotte, North Carolina, area is very upset about a number of people being held without being charged with material support for terrorism.

They feel that civil liberties are being violated there.

Without reference to that specific case, do you feel concerned about their expression of fear and their expression of prejudice?

And to what extent is there supervision taking place in Washington, since this law has been so rarely invoked?

ATTY GEN. RENO: I think it's important in any case to be concerned and to ensure that the law is pursued correctly, without any discriminatory basis.

And we're going to try to do everything we can to see that that happens.

Q Attorney General Reno, this week there was a suggestion that perhaps you were unaware of the Carnivore system's implementation.

Do you feel that you have a good working relationship with the FBI in cybercrime?

ATTY GEN. RENO: We have a very good relationship, and it is continuing. And I think that there is much that can be done.

I think we all have a responsibility to explain things so that people understand them and appreciate what we're trying to do to protect privacy interests, to ensure that modern technology is used correctly, and that we provide a benchmark and a basis for giving people confidence in the process.

And I think that's what the FBI and the Department of Justice are about now.

Q Were you informed about Carnivore before its implementation?

ATTY GEN. RENO: Not as it was announced to others.

Q When last we met, you indicated that you were conducting an informal review of the whole issue of Carnivore.

Has that been completed?

And if so, what are your conclusions?

ATTY GEN. RENO: We are contemplating a two- -- as a result of that review, we're contemplating a two-step process.

The first step will be to have an individual expert or a group of experts, probably from an academic community, conduct a detailed review of the source code.

Those experts will report their findings to a panel of interested parties, people from the telecommunications and computer industries, as well as privacy experts. I'm very anxious to get this review under way.

The FBI is working on it, and representatives of the Bureau are meeting with privacy advocates and representatives of the telecommunications and computer industry to pursue it to and to develop a protocol for the review.

Q Ms. Reno, would you consider releasing that source code?

That's one of the things that the privacy advocates are pushing very hard.

ATTY GEN. RENO: I think we have got to look at the whole issue and make a determination as to whether the source code can be released consistent with appropriate law enforcement interest, as well as what the effect is on privacy interests.

And this will be what the review can indicate.

Q Has the FBI agreed to the two-step process, or did you have to impose it on them?

ATTY GEN. RENO: No, this is something that we have worked out together.

Q Have you considered suspending the program or use of the program until you can get this review completed?

ATTY GEN. RENO: I think we will continue to make sure that it is implemented carefully and that there is no abuse in its use when there are valid law enforcement purposes for it.

Q Has it been suspended during the time of this review, or are agents still able to use it if they want to?

ATTY GEN. RENO: I think that agents can still use it, not if they want to --

Q If the court orders --

ATTY GEN. RENO: -- but if the court, either in the equivalent of -- that it's properly done. But I think we need to get the review under way and make sure that we explain and satisfy concerns that have been expressed.

Q What do you think is the timing of this review, in your judgment, how quickly?

ATTY GEN. RENO: I'd like to get it done as soon as possible.

Q Has it moved ahead too fast in its -- (off mike) -- so far? Is that why you see the need for this review?

ATTY GEN. RENO: Too fast?

Q Yes.

ATTY GEN. RENO: I think it's important -- I don't know that it's too fast. I just think it's important, as you develop new technology and utilize it, that you try to explain to people, to the citizens of the United States, what it is, how it's being used to ensure -- I think it's very important for the American people to feel that they are the master of technology, not that technology is mastering them.

And for us to be able to do that requires that we be able to explain the process and address the issues raised by the industry, privacy experts and others.

Q Who else might make a decision about Carnivore and its use, out of the process that you've set up?

ATTY GEN. RENO: Well, I ultimately have to make any decision in the department that's in dispute. My hope is that we won't have disputes, that we will be able to address these issues in a thoughtful way and resolve them.

Q Are you satisfied that people are the masters of technology so far?

ATTY GEN. RENO: No.

Q Why, then, continue to allow its use?

ATTY GEN. RENO: I'm not talking about that technology; I am talking about technology generally.

I think one of the great issues that we have in this country today is how do we get a sufficient number of people with the skills necessary to understand the technology, to utilize the technology and to utilize it the right way.

I think that's why it's so important we develop programs that encourage people to pursue these skills, that we identify people with the aptitude, that we identify lawyers who have both the cyber knowledge and the legal knowledge and, in this transition, as we have seen such a burgeoning of technology that we never dreamed of 20 years ago, that we prepare ourselves as well as we can.

Q Ms. Reno, is this essentially just a public relations problem with Carnivore, starting with the name? Don Kerr is a very honorable and professional chief of the FBI lab.

The actual process of Carnivore does not lend itself to abuse.

Basically, you've got a sniffer that's looking for authentication code specifically for targets approved in a court order. If you accept all those things as true, where is the opportunity for abuse, especially if the procedures of Carnivore are audited regularly by FBI supervisors?

ATTY. GEN. RENO: I don't know how you would characterize it, that it be public relations or otherwise, but clearly we have an issue where people have questions and government has a responsibility to try to answer those questions as much as it can, and to address the issue of what I talk about.

John Marshall made clear for history that the Constitution was a living document, that it was a document that could adjust to changes in history.

And I don't think he ever dreamed of technology like this, but if he had and if he did, because he dreamed of a lot, I think he would have believed that the Constitution could be adapted, without changing its basic protections, to technology.

And we've got to explain how we do that.

Q So it's a matter of explaining what Carnivore is? You don't look at the system and see an inherent problem; it's a matter of explaining what Carnivore is?

ATTY. GEN. RENO: I think it's a matter of explaining and trying to bring in experts that will give people additional confidence and trying to be as forthcoming as we can.

Q How upset are you that you were not fully briefed on something as important as this to the American people before it was implemented?

ATTY. GEN. RENO: I think it's important because the technology is changing daily.

I am not as upset that I wasn't briefed on specific issues because there is so much that's happening. And I have the sense that -- I am not surprised that we have the capacity to do that.

What I am concerned about is that we do it in a way that doesn't create doubt; but I'd rather do it in a way that creates assurance for the process.

Q Following up, recently Vice President Gore held an event in support of a victims' rights amendment to the Constitution.

Senator Kyl said it was your Justice Department that helped block that amendment in the Senate. Did the vice president ever urge you to change your position, or make his position known to you, at the time of the debate?

ATTY GEN. RENO: Change what position?

Q The Justice Department's position on the Victims' Rights Amendment to the Constitution; you were urging some changes in that language.

ATTY GEN. RENO: No.

Q A victims' rights group told me, when I asked them about this specific thing, that there was, I think, a suggestion by the Justice Department that there at least be a clause in this amendment that would kind of note that there is a need to protect the rights of defendants, as well, and that that was seen to be a hang-up for some victims' rights groups.

ATTY GEN. RENO: Your question was, did he talk to me?

Q Yes.

ATTY GEN. RENO: He never talked to me.

Your question is, "Did the Justice Department have some positions?" And we had positions and made them known.

Q Could you go into more detail on what --

ATTY GEN. RENO: I'll ask Myron to give you the specifics of it.

But we supported the Victims' Rights Amendment.

We wanted to make sure that it was something that fit into the constitutional language and that it made clear that it did not abrogate defendants' rights that had been well established.

I felt very strongly, since I had had the experience in Florida where the voters had approved a constitutional amendment, a victims' rights amendment, one that I had supported and then one that I implemented and worked on; I felt very strongly that it could work and that it could work well.

Q Ms. Reno, a group of local prosecutors in Southern California are now offering, basically, free DNA tests to convicts.

Is this something that you would encourage other jurisdictions to do now that -- I mean, since we have been talking so much about technology -- the technology has gone so much further than it was just five years ago?

Is this something that all jurisdictions should offer convicts, just to be absolutely clear they're guilty?

ATTY GEN. RENO: I think what we need to do is to make sure that we utilize DNA technology and science in the right way.

There may be instances where it will be totally irrelevant and to offer it makes no sense. There may be instances where it could or could not have an effect, and we have to look at those and make sure that it's used correctly.

Q Ms. Reno, do Senator Danforth's findings make Waco any less personally painful for you, or is it still something that you live with every day?

ATTY GEN. RENO: The answer to the first question is no.

Q And the second question, that it weighs heavily on you?

ATTY GEN. RENO: One of the things I learned about a long

time ago is that you do the best you can; you prepare yourself as best you can, and then you go forward.

The suggestion that it weighs heavily in terms of dragging me down,

I don't think -- I don't let things like that do that.

I just try to look to the future and say what can we do when another David Koresh, or somebody like him, appears to make sure that we know as much as we can about human behavior and what we can do to prevent such a tragedy.

Q Ms. Reno, are you at all troubled by a pretty substantial difference in the rates at which federal prosecutors are allowing white defendants to plea bargain their way out of federal executions versus the rate at which black defendants are getting out of executions through plea bargains?

ATTY GEN. RENO: I haven't seen statistics that say people are "getting out of executions." What I have would indicate there might be a different rate. But that may be explained by the type of cases, and that's what we're looking at very carefully, to see what are the disparities, if any; what are the explanations for them; and what should be done, if anything, to address an unwarranted disparity.

Q Has the president actually signed an order to postpone the execution of Mr. Garza, or is that something that they've just said at the White House he will do?

ATTY GEN. RENO: I think he anticipates doing it shortly.

Q Can you tell us where the clemency regulation issue stands at this point?

ATTY GEN. RENO: I hope it will be finalized very shortly.

Q Have you any personal perspective regarding the new administration in Mexico and its ability to face the law enforcement issues that we share, the United States shares

with Mexico, specifically the drug business?

ATTY GEN. RENO: I believe I'm going to be meeting with representatives of the new administration today, and I look forward to doing everything I can to ensure a good hand-off from me to the next attorney general in terms of preparing ourselves to work as closely as possible with them.

Q What do you think about Vicente's -- Vicente Fox has publicly been saying that he'd like to see the borders open, the U.S.- Mexican border open and immigration be free. Is that just completely out of the question, or do you have any comment?

ATTY GEN. RENO: I haven't heard the specifics, so I think I would reserve comment.

Q Okay.

Q You have a period of months left as attorney general before your term will end. What are the major priorities and goals;

what's the major unfinished business that you would like to see accomplished as you enter this final phase as attorney general?

ATTY GEN. RENO: I want to do everything I can to try to make sure that each community approaches crime in a partnership between federal, state and local law enforcement officials, with the private sector.

I'd like to do everything I could to make sure that people appreciate what can be done if we utilize data correctly, if we develop databases, have analysts who are good at understanding what that data says, and provide us a game plan, if you will, of how to deal with violence in a community.

I think if we pursue our goals, we can ultimately end the culture of violence in this country. We will never end violence completely.

But if we look at it and consider what is the particular crime problem in a community -- is it an increase in methamphetamine cases; is it violence; is it a drug gang; is it domestic violence; is it an armed career criminal who's just returned from prison? -- if we can get away from the political rhetoric and look at it from a common-sense point of view, in a bipartisan way, I think we can make a difference.

And I'd like to do everything I could in these next 4-1/2, five months to solidify that effort.

I want to do everything I can to prepare the Justice Department and its components for the cyber age, and to do everything I can to prepare it to deal with the issue of cybercrime, in conjunction with state and local authorities.

I want to do everything I can to make sure that the Justice Department is in a position to deal with crime that is international in its origins and its consequences, through working with countries such as the G-8, with the EU, to let people know that there is no safe place to hide in this world if you have committed a crime.

I want to leave the department in as good a shape as I can, ensuring that its infrastructure is protected, that its budgeting process is in good order, and I want to do everything I can to make sure that the people in the Justice Department know how much I respect them and admire them and what great public servants I think they are.

Thank you.

Q (Inaudible) -- take yourself a holiday in the near future to rejuvenate. Do you have any plans?

ATTY. GEN. RENO: I'm going kayaking.

Q You're going kayaking again? (Laughter.)

Q All right!

END .