



UNITED STATES DEPARTMENT OF JUSTICE

Press Conference

THE HONORABLE JANET RENO, ATTORNEY GENERAL

Thursday, December 3, 1998

9:30 a.m.

P R O C E E D I N G S

(9:30 a.m.)

QUESTION: Ms. Reno, the Judiciary Committee has asked you for an opinion in terms of the internal documents. Has anyone asked the Justice Department yet for its opinion on what an impeachable offense is?

ATTORNEY GENERAL RENO: Not to my knowledge.

QUESTION: But you're ready to give that opinion if asked?

ATTORNEY GENERAL RENO: As I have indicated in the past, I have asked the Office of Legal Counsel to pull together any information, from one administration to another, that would be helpful if people found it useful.

(Pause.)

ATTORNEY GENERAL RENO: Thank you.

(Laughter.)

QUESTION: Can you explain on what basis, on what grounds, the staffers from the House Judiciary Committee looked at the memos

you've got?

ATTORNEY GENERAL RENO: The order speaks for itself.

QUESTION: Why was it necessary to go to court in order to be able to show them the memo? And couldn't you have simply shown them the redacted version as you have with some leaders in the Congress?

ATTORNEY GENERAL RENO: I do not think I can comment other than through the order.

QUESTION: Ms. Reno, the Judiciary Committee wants to depose Mr. LaBella and Mr. Freeh. Is there any order from the court that releases them from their obligation to keep grand jury secrets --

ATTORNEY GENERAL RENO: I think --

QUESTION: Similar to the order that released the memo?

ATTORNEY GENERAL RENO: I think the order speaks for the whole issue.

QUESTION: So there's nothing that allows Mr. LaBella, for example, to expand on the memo?

ATTORNEY GENERAL RENO: We would work with the committee in terms of the court order.

QUESTION: Have the two Counsels from the Judiciary Committee had an opportunity to have free and unfettered access to go through the memos? Is this memo thing now -- have they been satisfied, or do you know? And is it over?

ATTORNEY GENERAL RENO: I would like them speak for themselves.

QUESTION: Ms. Reno, can you outline the difference in your eyes between the House Judiciary request and that of Dan Burton's?

ATTORNEY GENERAL RENO: One was in an oversight context; one was in an impeachment context. And in both instances we have, through the court proceedings, tried to balance the interests of all concerned.

QUESTION: Does that mean that you sought court permission to give the memo to Mr. Burton?

ATTORNEY GENERAL RENO: I think that the court order speaks for itself.

QUESTION: Ms. Reno, just a question this morning indicated there's a lot of mystery about this whole proceeding, and there didn't have to be a mystery if the judge had had an open hearing. Is it disturbing at all that all of these are closed matters and you never get to say we who represent the public -- never get a look at what the reasoning is behind this?

ATTORNEY GENERAL RENO: I would just comment generally, not in the context of this specific matter. But as I have told you in the past, I come from a State that has a sunshine law, a public records law, and yet it still has provisions for grand jury secrecy. I think we should try to be as open as we possibly can, but do it consistent with the law. And we will continue to try to do that.

QUESTION: Is there anything the Justice Department could do to encourage there be some more open proceeding than they have been?

ATTORNEY GENERAL RENO: I think that what is necessary is that in order for the issues to be fully argued in the context that we see here, we are going to have to recognize the 6(e) limitations. And we are going to have to do it according to the law and to the Privacy Act.

QUESTION: Ms. Reno, in the beginning of the Monica Lewinsky matter 6 (e) has been obviously shredded by repeated stories in the media. Does this concern you as far as due process is concerned, or about even the value of keeping grand jury information secret?

ATTORNEY GENERAL RENO: I think this is again one of the issues we have to address when we consider openness in government. It is very important to protect privacy interests, to protect people's rights to assume that they are innocent until proven guilty. And at the same time, the public should have a right to know.

You all are very adept at getting your news. I think some day I will do a book on it.

QUESTION: That's the first time you have said you would do a book -

ATTORNEY GENERAL RENO: Oh, no. I'm going to do a book on a variety of things: what do all the initials mean in Washington.

(Laughter.)

QUESTION: That will be a long book.

QUESTION: Ms. Reno, the rule that the judge cited in allowing the committee staff to see this is the rule that says grand jury material can be shared with people who are involved in -- for purposes of another judicial proceeding. Is it the Justice Department's view that an impeachment hearing is a judicial -- an impeachment hearing before Congress is a judicial proceeding?

ATTORNEY GENERAL RENO: What I would like to do is to make sure that I do not do anything that would violate the court's rulings, but that at the same time Myron provide you with whatever information could be made available.

QUESTION: Ms. Reno, how does the FEC filing with both the Clinton and Gore campaigns, how will that affect your decisionmaking for Monday on the Clinton ad preliminary investigation?

ATTORNEY GENERAL RENO: Well, you know I cannot comment on how things affect my decisionmaking process until I make the decision.

QUESTION: Have you made a decision yet?

ATTORNEY GENERAL RENO: No.

QUESTION: Is it possible that you would seek a 60-day extension in order to wait for the Federal Election Commission to issue a final ruling?

ATTORNEY GENERAL RENO: I would not comment.

QUESTION: Have you -- sort of a procedural thing -- have you or your folks asked for the copies of the audits, the FEC audits, or have they sent them over automatically?

ATTORNEY GENERAL RENO: I would not comment in terms of the processes that we are using.

QUESTION: Ms. Reno, did you see the televised hearings in the Judiciary Committee, where Mr. Starr testified, and perhaps see any of his other television interviews? And, secondly, do you think that it was appropriate for Mr. Starr to come out in public in that way?

ATTORNEY GENERAL RENO: I have made it a practice not to comment on anything that the independent counsel do, so that I can do everything possible to ensure their independence.

QUESTION: Did you get to see him on television?

ATTORNEY GENERAL RENO: I have seen him on television.

QUESTION: Ms. Reno, would you mind telling us your view of the importance or the consequences of perjury?

ATTORNEY GENERAL RENO: The consequences of perjury?

QUESTION: There is a big hearing on Capitol Hill. And as the chief law enforcement officer of the Nation, I wonder if you could tell us --

ATTORNEY GENERAL RENO: I think I would be commenting on the impeachment process, and I do not think that that would be appropriate.

QUESTION: Ms. Reno, has your office been contacted -- I guess it would be in about the last 48 hours -- by staff from the House Oversight and Reform Committee about perhaps them getting a look at the memos, too, now that they've been broached in the Judiciary Committee?

ATTORNEY GENERAL RENO: Not to my knowledge.

QUESTION: Having the Judiciary Committee having had a look at them, would you now be willing to let the Burton staff get what they wanted and thus purge yourself of their contempt citation?

ATTORNEY GENERAL RENO: We will look at everything and see what is appropriate under the law to achieve our interests and at the same time to recognize the oversight interests of the Government Operations Committee.

QUESTION: So I take it your answer is it is possible that because they were furnished to the Judiciary Committee under the argument in the court order they might not now -- they might still be unavailable in your view?

ATTORNEY GENERAL RENO: As I indicated, there are differences in process between impeachment and oversight. And what we are trying to do is to accommodate the interests of Congress while at the same time meeting our responsibilities.

QUESTION: So you're open to the idea of exploring it -- revisiting again with the Burton committee?

ATTORNEY GENERAL RENO: I have always suggested that I would do anything I could to try to achieve the oversight responsibility of the committee while at the same time protecting our information so that it would not interfere with pending prosecutions.

QUESTION: What -- you said there were differences in procedure -- in both cases the committee voted to issue a subpoena -- what are some of the other -- what are some of the differences?

ATTORNEY GENERAL RENO: The difference is one is involved in an impeachment process and the other is involved in the oversight process.

QUESTION: And the difference there is what, that it has a more serious constitutional underpinning?

ATTORNEY GENERAL RENO: That is, as I understand, the basis for the determination.

QUESTION: Ms. Reno, at some point will the Department make public the staff analysis on what constitutes an impeachable offense?

ATTORNEY GENERAL RENO: I would ask Myron to see what has been made available. I think some information has been made available. But what

we have tried to do is collect the information that has been developed, through one administration after another. And how that would bear on a particular issue, I do not know. But I will ask Myron to make available anything that would be appropriate.

QUESTION: But it's your understanding -- just to follow up on Pierre's question -- that nothing new has been written; this is more of a search of the records to see what's been written in the past?

ATTORNEY GENERAL RENO: That's correct.

QUESTION: Ms. Reno, if we can turn just slightly. When last we met, the Department had cleared the OIC, the Starr investigation, of several allegations and was making inquiries on several others. Have you received a response on those latest inquiries?

ATTORNEY GENERAL RENO: We were reviewing it. And I have not had any final opinion rendered to me based on that review.

QUESTION: But you've got everything that you sought from the OIC?

ATTORNEY GENERAL RENO: Again, I cannot comment on the review. And I have not received any report on the review. So I really could not comment.

QUESTION: Ms. Reno, the Department has said over and over in the past that criminal prosecutions in the environmental area have increased during the Clinton administration. There is a public interest group that just did an exhaustive study of all U.S. Attorneys offices, and they come up with a far different conclusion. It's called Public Employees for Environmental Responsibility.

And they say that prosecution of environmental crimes has sharply fallen during the Clinton administration and in fact it was much higher during the Bush administration. And this was a very detailed analysis, based on referrals, conviction rates and so forth throughout the country.

And I'm wondering, what's your response to that?

ATTORNEY GENERAL RENO: I would be happy to check into it and see just what the facts are.

QUESTION: Ms. Reno, does it make a difference to you whether the FEC audits are adopted by the FEC as a whole?

ATTORNEY GENERAL RENO: I would not comment in terms of the decisional process in which I'm involved.

QUESTION: As a general matter?

ATTORNEY GENERAL RENO: I would not comment on a general matter that is obviously being asked in the context of a matter that I now have under consideration.

QUESTION: What is your reaction to Mr. Espy's acquittal on all accounts?

ATTORNEY GENERAL RENO: I do not have any comment, as I have tried to avoid comment on independent counsel actions.

QUESTION: Do you have any comment on a -- or have you received notice of a suit being filed against you by the National Rifle Association, a suit having to do with the new gun instant check laws?

ATTORNEY GENERAL RENO: Yes.

QUESTION: Yes, ma'am, can I ask, the National Rifle Association said that what is being done in these background checks is tantamount to registry of gun owners. It says that the FBI will save the records for six months or a year. Is there really tantamount to registry going on with this new law?

ATTORNEY GENERAL RENO: No.

QUESTION: Ms. Reno, can you explain the reason, though, why these -- under the Brady Law, for example, the local law enforcement officer who did the checks was required -- affirmatively required by the law not to maintain any records of the checks -- why -- is there just some feature of the computers that it is unavoidable or is it for appeal if somebody objects to --

ATTORNEY GENERAL RENO: It is to ensure that the -- it is an audit procedure. And we are trying to work with all concerned to limit the

time that the records have to be kept, to ensure a proper audit of the system. It is not a registry. It is to ensure that the right people's name is being checked, that the system has not been misused, that the system has not been abused, and that it is operating consistent with the law.

It should be in everybody's interest to have this ability to audit, and to do it in a very timely way.

QUESTION: In the State of Virginia, I have been told by a licensed gun dealer that the purchase paperwork is sent to the State and is the property of the State and it has everything on there but the registration number of the gun. And can Federal agents go and check those records with cause or without cause to see who has bought what gun and where it is?

ATTORNEY GENERAL RENO: The process -- and I will ask Myron to give you the exact procedure being used for the audit -- but it is only to determine that there is no abuse of the system.

QUESTION: Ms. Reno, have you had any ability to check on how well the NIC system is working in its first week? And what impression do you have of how it is working?

ATTORNEY GENERAL RENO: In its first three days -- as I understand, it came up this morning without difficulty -- it's had some start-up difficulties, but they're working around the clock and I think they're addressing them.

QUESTION: Can you describe the difficulties, what caused them, or give any examples, do you know?

ATTORNEY GENERAL RENO: I will ask Myron to give you, so I can assure that it is as accurate possible, any information that is available on that score.

QUESTION: Ms. Reno, on another topic. One of the deepest investigations by the Department is whether foreign money -- particularly Chinese money -- was funneled into U.S. political campaigns in order to influence policy. I think that's one that would probably concern the American public the most. Can you give us any kind of an update on that particular investigation?

ATTORNEY GENERAL RENO: No, I can't.

QUESTION: Can you tell us if the investigation of Haley Barbour is still ongoing?

ATTORNEY GENERAL RENO: I cannot comment.

QUESTION: Ms. Reno, the attorneys for the families of Orlando Letelier and Ronnie Moffett, the two people who were killed in a terrorist bombing here in Washington, D.C., say today that the Justice Department has refused to meet with them. They say also that the Justice Department's claim of cooperation with Spanish authorities into the investigation of General Pinochet is wholly insufficient. And according to this letter, would offend a United States prosecutor requesting assistance from the Spanish Government about acts of terrorism in Spain.

I am wondering why you refused to meet with the families of the victims of this terrorist bombing and why, according to this attorney, your cooperation with the Spanish Government has been wholly insufficient?

ATTORNEY GENERAL RENO: I do not know who the attorney is, so I can't --

QUESTION: His name is Daniel Buffone.

ATTORNEY GENERAL RENO: I do not believe that I've talked to Mr. Buffone. And I have not refused --

QUESTION: They are letters between the head of the Criminal Division, Mr. Robinson, and Mr. Buffone.

ATTORNEY GENERAL RENO: I have not seen those. But I did talk to --

QUESTION: Should I show them to you?

ATTORNEY GENERAL RENO: You're more than welcome to show them to me, but I wouldn't be able to comment until I'd had a chance to review them. But what I have done is, with respect to the compliance with the mutual legal assistance treaty, I've asked that the whole matter

be reviewed.

I was asked by a Congressman if I would meet with the families of the victims. And I said that at this moment it might be premature, as we were reviewing all the issues, but that I would not foreclose it for the future. So I can't comment on Mr. Buffone, but I can say what I have done to date.

QUESTION: As a follow-up, Mr. Buffone says there has been a pattern of the Justice Department trying to thwart this Spanish investigation. If I could just quote one sentence here, he says he attended the examination of witnesses by the Spanish judge in Spain. And he said the representative of the Department of Justice interrupted the testimony and instructed witnesses not to respond to certain questions on the basis that information about involvement of General Pinochet was classified.

ATTORNEY GENERAL RENO: Yes. We have to comply with our laws. And what I have done, as I just indicated, is ask that we review everything that we've done, to make sure that we make available everything that is possible under the law to be made available. So I do not think we have tried to thwart it. I've tried to make sure that I review, again, all the issues, to make sure that we do the right thing.

QUESTION: And a final follow-up, he says that the current -- in contrast, the current leadership at the State Department has taken a far different position. And as a representative of the victims, he has met with them and he has been allowed to express his views before very high officials at the State Department. So why is this different?

ATTORNEY GENERAL RENO: I do not see any difference.

QUESTION: So why aren't you meeting with him?

ATTORNEY GENERAL RENO: Because I think it would be premature until we did the review, to make sure that we have followed up on every lead, made every determination that we can, so that we can meet and understand their concerns.

QUESTION: Is the problem here the classification of documents by other government agencies?

ATTORNEY GENERAL RENO: I want to make sure that both the Justice Department and other agencies of government address the issue, and that as much as can be made available under the law is made available.

QUESTION: So this review that you're undertaking, does that include going to the other government agencies and asking them to consider declassifying the materials in question?

ATTORNEY GENERAL RENO: I'm asking that everybody look at what we have and try to make the best judgment we can under the law.

QUESTION: Will it be satisfactory if Mr. Kofi Annan is successful in obtaining the turnover of the two bombing suspects of the Pan Am 103, to bring them to Holland? And would it be still satisfactory, if they were convicted, for them to spend time in jail in Scotland?

ATTORNEY GENERAL RENO: I would let the State Department make any comment with respect to that effort.

QUESTION: Ms. Reno, it has been suggested that the reason the United States is reluctant to cooperate with the Spanish investigation of Pinochet is that it would open up a can of worms, and U.S. officials who have been engaged in similar crimes would be nabbed around the world. Are you concerned about that?

ATTORNEY GENERAL RENO: I haven't -- all I am concerned about is that we do everything we can under the law to honor our obligations of the mutual legal assistance treaty.

QUESTION: As I understand it, you are vis-a-vis the Burton committee, the Reform and Oversight Committee, your posture is as it was before Judge Johnson compelled you to furnish the memos to the Judiciary Committee with respect to the Burton committee and their subpoena of the --

ATTORNEY GENERAL RENO: I would point out that the order speaks for itself. And I do not think we were compelled. I think we were trying to work with Congress. And we asked the court, and suggested a procedure. I think the order speaks for itself.

I think the situation with respect to the other committee is different, because it is not the committee addressing the issue of

impeachment.

QUESTION: Ms. Reno, in the Pollard case, are you worried or concerned the procedure is being done through the White House as opposed to the Pardon Attorney here? And, second of all, will you be recommending against any early release for him?

ATTORNEY GENERAL RENO: I will hear from all interested parts or components of the Justice Department, including the Office of the Pardon Attorney, and make a recommendation to the President by the January 11th date.

QUESTION: Ms. Reno, on the independent counsel question or decision you face here, you've spoken in the past of you're sort of damned if you do and damned if you don't. Is that how you're feeling this time, or is it more intense, the pressure? Do you feel under more pressure from the Hill than you have in other times you faced this point?

ATTORNEY GENERAL RENO: Anybody that tries to pressure me is going to find their efforts counterproductive. I do not operate based on pressure, one way or the other. These are decisions that are very important, and I try to make the best judgment I can based on what I should be using, which is the evidence and the law.

QUESTION: Ms. Reno, I do not want to pressure you, but --

ATTORNEY GENERAL RENO: You never pressure me.

(Laughter.)

QUESTION: But to return to some very old business. Has the OPR general review of all these allegations against Judge Starr begun, the ones brought up by John Conyers, Bill Ginsberg and Senator Torricelli back in February?

ATTORNEY GENERAL RENO: As I have indicated, there is no investigation underway now. We have not determined that there has been any wrongdoing. We have dismissed many of the allegations. And other than that, I cannot comment.

QUESTION: Why can you not tell us which of the allegations have been dismissed? Wouldn't that be fair both to Starr and to the public who

are interested?

ATTORNEY GENERAL RENO: Because then I would be commenting on what has not been dismissed.

QUESTION: (Off microphone) --

(Laughter.)

QUESTION: What about Chairman Burton? Is the investigation still ongoing of Chairman Burton?

ATTORNEY GENERAL RENO: I would not comment.

QUESTION: Ms. Reno given your reluctance to comment on whether or not perjury is important and that kind of thing, is there any change in the Department approach to perjury allegations against just average people while this proceeding is continuing? Because, in a way, prosecuting an average Joe on perjury during this proceeding could reflect a comment by you --

ATTORNEY GENERAL RENO: We have not changed any policy or procedure.

QUESTION: How was your Thanksgiving?

QUESTION: Yeah.

ATTORNEY GENERAL RENO: I went to Brazil for a meeting of the Hemispheric Attorneys General. It was very interesting. We had a chance to discuss extradition and other issues, including cybercrime and how we can coordinate together. It was one of those all-night trips down and long days back. And it was good to get home.

QUESTION: Did you get any recreation in?

ATTORNEY GENERAL RENO: No, I got no recreation in, except I had a chance -- we flew into Manaus, which is right on the Amazon, as the two big tributaries come together. And as a child, I was fascinated by geography, and had a teacher who was really interested in rivers. And learned about tributaries and deltas and a lot about the Amazon. And it was absolutely thrilling to see it up that close, and to see, even that far inland, the width and the might of the river. It was

extraordinary.

QUESTION: (Off microphone) --

ATTORNEY GENERAL RENO: It was very interesting. I've got a lot of places to go back to, though.

Thank you.

VOICE: Thank you very much.

(Whereupon, at 9:55 a.m., the press conference concluded.)