



WEEKLY MEDIA AVAILABILITY WITH
ATTORNEY GENERAL JANET RENO
THE DEPARTMENT OF JUSTICE
WASHINGTON, D.C.
THURSDAY, DECEMBER 7, 2000
9:30 A.M. EST

(Cross talk.)

ATTY GEN. RENO: A minute early?

Well, we can -- I can ask you- all a question.

Q Well, weren't you going to do that -- (off mike)?

ATTY GEN. RENO: Yes, I thought I'd do it in January.

Q Bill's got his answers all ready, so he's just --

Q (Chuckles.)

Q Ms. Reno, there are two significant pieces of litigation which are part of the legacy of your tenure here at the Justice Department. One is the defense in the Microsoft appeal. The other is the tobacco litigation.

Are you confident that both of these major pieces of litigation will continue, no matter what happens or what administration takes office on January 20th?

ATTY GEN. RENO: I would very much hope that in reviewing the Microsoft litigation, those that had to make the decision would see how important it is to ensure competition, to give the consumers of America an

opportunity to pick and choose, and to get the best deal.

And with respect to the tobacco litigation, I would hope that whoever has to make the decision would recognize that we owe it to the taxpayers to try to recoup.

Q Ms. Reno, where are you on the recommendation for Mr. Garza, the clemency matter?

ATTY GEN. RENO: I don't discuss clemency recommendations to the president.

Q Can you describe, though, for us the mechanics of how, you know, that gets transmitted to him?

ATTY GEN. RENO: I don't think that would be appropriate, but I will ask Myron to tell you whatever might be.

Q Attorney General Reno, the Justice Department has dispatched a number of officials down to Florida to look into allegations made by the NAACP and others. Could you give us some idea why you decided to send folks down there now and what you hope to accomplish or achieve through that?

ATTY GEN. RENO: As I have said on a number of occasions, we're reviewing each matter to determine whether it would be appropriate for us to proceed, and that is part of that effort.

Q Can you elaborate little bit? I think it's a matter of great public interest, considering the level of protest.

If you can just elaborate a little bit beyond that and give us a sense of --

ATTY GEN. RENO: As each complaint comes in, we are reviewing it to determine whether it would be appropriate to proceed with federal jurisdiction or, as are most of these matters, is it a matter of state law relating to the conduct of the investigation.

Q What matters are you looking into down there?

ATTY. GEN. RENO: As you know, I don't discuss pending matters.

Q You can't --

Q Jesse Jackson said that he met with you last Friday to discuss some of the allegations, and that immediately thereafter you had dispatched two Civil Rights Division attorneys there; or that's the way it appeared, anyway. Can you say whether or not that action was the result of your conversation with him or the concerns that he expressed?

ATTY. GEN. RENO: I don't comment on investigations --

Q All right, then I'll ask this --

ATTY. GEN. RENO: -- except to say that I try to do it, in any matter, based on what's right.

I explained to Reverend Jackson the same thing I've explained to you.

Q Okay. Well, shortly after his meeting with you he said that the Justice Department appeared to be doing too little too late.

ATTY. GEN. RENO: That's what he told me.

Q What do you think of that comment? Huh?

ATTY. GEN. RENO: That's what he told me. (Laughter.)

Q What did you say?

ATTY. GEN. RENO: I told him what I just told you.

Q Ms. Reno, can you tell us --

ATTY. GEN. RENO: I think it's very important that we do

this the right way, carefully, recognizing state jurisdiction, understanding what the issues are and doing it very, very thoughtfully and very carefully.

Q Did you think the criticism that the Justice Department is doing too much too late -- too little too late -- is unfair?

ATTY. GEN. RENO: I don't comment on the unfairness of criticism with respect to what we do, because that gets into the subject matter.

Q Ms. Reno, can you tell us whether any of these complaints has risen to a matter for federal review?

ATTY. GEN. RENO: As I indicated, we're reviewing the complaints.

Q But you can't tell us whether any of those matters has -- in the course of those review, whether any of those matters has risen to the level of a federal interest or the interest of the department?

ATTY. GEN. RENO: Well, I think what you're trying to say, Has any of those matters that we are reviewing and that are of interest to the department as a matter of review, have they risen to the level of an investigation?

Q Yes.

ATTY. GEN. RENO: Is that a good way of expressing --

Q That's -- absolutely.

ATTY. GEN. RENO: Then I would say that it would be inappropriate for me to comment. (Laughter.)

Q Can you say whether the personnel who were dispatched to Florida are looking specifically at the NAACP's complaint, or whether they have a broader -- broader mandate?

ATTY GEN. RENO: They try to look at all the concerns that

have been expressed, both by the NAACP and others.

Q Ms. Reno, without commenting specifically on the Garza case, can you talk about the notion of balancing your concerns about the racial and geographic disparities, and the administration of what is the law on the books on death penalty?

ATTY GEN. RENO: Well, one of the things is the law does not permit inappropriate discrimination based on race or ethnic background. And I don't think -- I mean, that is inconsistent with every principle that this nation holds dear. And we want to make sure, as we look at it, that race and ethnicity have not been an inappropriate factor.

Q Ms. Reno, on the day that the statistical study was released back in September, you said that you didn't feel like a moratorium on federal executions was justified by what you knew at that time.

Do you continue to feel that way?

ATTY GEN. RENO: I have seen nothing yet, but I have not reviewed the material that has just come in from the districts concerning cases that were not presented to the attorney general for review.

And so, again, I want to look at it very carefully.

Q Ms. Reno, have you been asked by either the Bush or the Gore campaign to begin doing background checks on any officials or nominees?

ATTY GEN. RENO: We have not received any request -- any completed application yet, as I understand it.

Q On the death penalty thing, do you have any idea when you might --

ATTY GEN. RENO: What death penalty "thing?"

Q (Laughs.) Sorry. On the matter of the moratorium, do you

have any sense -- first, do you have any sense when you might have enough information; when you might complete reviewing that information?

ATTY GEN. RENO: I would not comment on it until I've determined what our position is.

Q Secondly, what is your judgment of the detrimental impact of putting an across-the-board moratorium on federal executions?

ATTY GEN. RENO: I have not addressed that issue yet in terms of making any decisions, so I couldn't answer your question.

So far as I know, it's a what-if.

Q Ms. Reno --

Q But you don't have a reason for not having -- not wanting to support it so far.

ATTY GEN. RENO: I have not seen a basis for supporting it thus far.

Q (When ?) is it appropriate to proceed with the consideration of the Garza case in the absence of a review of these latest numbers and figures and information that's come in from the districts?

ATTY GEN. RENO: We will review it to see whether that would be relevant.

Q Well, do you have time to review all of that information between now and next Tuesday?

ATTY GEN. RENO: I'm going to make sure that I have the time.

Q Ms. Reno, who would believe that a month after the election, we would not have a resolution to that election?

And that points toward the possibility of your having to stay on for some days or weeks, or does your tenure stop at the 20th of January?

ATTY GEN. RENO: Well, I intend to submit my resignation so that whoever is -- has the authority can make what decision they want. As I've said for a long time now, I think it's time for somebody else to have the opportunity to make the judgments about what's right and what's not right.

Q Ms. Reno, the hearings on Capitol Hill going on regarding the Houston office of the Drug Enforcement Agency and allegations that improper pressure was used to cut an investigation short, could you give us your perspective on that matter as attorney general?

ATTY GEN. RENO: What we tried to do when we heard that was to make sure that everything was fully considered by the inspector general, and I asked the inspector general to review it completely.

Q And where do things stand in that review?

ATTY GEN. RENO: It's pending.

Q Pending.

Q But is it -- go ahead --

Q Well, on that subject, the OPR cleared the agents of the allegations that they had improperly -- engaged in improper conduct during the investigation. And at the hearing that he mentioned, they pointed repeatedly to the fact that Maxine Waters, the congresswoman from California, had sent you a letter based on information that came only from the target of the investigation and that the target of the investigation complained to Maxine Waters, who complained to Attorney General Reno, who then called the DEA, and shortly thereafter the investigation was halted.

Is that your interpretation of what happened?

ATTY GEN. RENO: I can't say what happened after I got the call --

Q Well, what did you intend when you called the DEA or wrote to the DEA, or --

ATTY GEN. RENO: One of the things I want to do is make sure that I don't prejudge this for the inspector general.

And so I have just made sure that he reviews it and pursues it in whatever direction it's taken.

Q Have you called for any dismissals of employees or -- in connection with this matter, or brought about the dismissal of employees in the -- at any level in the Justice Department or DEA?

ATTY GEN. RENO: I would love to be able to comment, but I think it's better for the inspector general to make sure that I don't prejudge any matter.

Q Well, this -- (off mike) -- this is asking about something that's already occurred, without being specific, so we don't get into personnel matters.

ATTY GEN. RENO: What I've tried to do is make sure that the allegations that are swirling around are investigated carefully, thoughtfully, without the investigation being conducted in the headlines.

And I think that's the best way to do it.

Q Ms. Reno, has -- back to the Garza matter.

Has the president given you any sense of the time frame of his decision?

As Beverly mentioned a moment ago, Tuesday is the date specific.

Do you have any sense of how this is going to be resolved,

in terms of time frame?

ATTY GEN. RENO: I don't think it's appropriate to talk about time frame.

I wouldn't want to --

Q Just to clarify the issue of the moratorium question on the death penalty, are you saying that you are willing to review the question of whether there should be a moratorium? Your comments today and last week seemed less definitive than in the past about -- that there is no need for a moratorium.

Are you saying that that is a question on the table, that you're willing to open that door?

ATTY GEN. RENO: I have tried, for as long as I've been in Washington, to leave doors open to any consideration that is appropriate.

I don't want to mislead you in terms of any timing or anything.

I just am going to try to call it based on what I have, what I know, what I think I can learn, and do it accordingly.

Q Is it unfair at all to possibly the defendant himself, but certainly to the victims' families, for this decision to go down so close to the wire?

ATTY. GEN. RENO: I think in any instance like this, it's terribly difficult for victims' families, and I want to do everything I can to address that issue, but it is also very important that when you carry out the death penalty, if you do, it is done correctly.

Q Ms. Reno, in regard to Mr. Garza, he was convicted, if I remember, of being a drug kingpin who ordered the murders of subordinates in furtherance of his drug trafficking.

Do you know of any other convicted defendant with -- defendant convicted of those actions, regardless of ethnic background, who wasn't sentenced to death?

ATTY. GEN. RENO: I would not comment on the facts.

Q But is this what you're looking for as part of your review, to see if maybe white or black defendants --

ATTY. GEN. RENO: I don't think it would be appropriate for me to comment in terms of what I will recommend to the president.

Q On another clemency matter, have you made a recommendation yourself to the president regarding Leonard Peltier?

ATTY. GEN. RENO: The department has, but I don't comment on the process.

Q Is this a recent recommendation?

ATTY. GEN. RENO: I don't comment on the process.

Q Do you feel that, as attorney general and the ultimate supervisor of FBI agents, that you can say anything more than you would ordinarily say on the clemency application?

ATTY. GEN. RENO: Again, in clemency matters, it is the decision of the president and it is a matter that should be discussed with the president.

Q Do you feel it's appropriate for Louis Freeh to be making public comments on this?

ATTY. GEN. RENO: I think these matters should be confined to discussions with the president.

Q (Off mike) -- Director Freeh (is/has) asked to go and carry his case to the president?

ATTY. GEN. RENO: Again, I think what I do vis-a-vis the president is a matter for the president to reveal.

Q Ms. Reno, regarding Leonard Peltier, he was convicted, and the FBI believes, that he stood over two of their agents and killed them as they begged for their lives. Do you know of any evidence that suggests this is not the case?

ATTY GEN. RENO: I would not comment on the matter. Again, the president is entitled to make a decision based on the statements of the executive branch, and anybody else that has relevant information.

And it's he that should make the comment.

Q Ms. Reno, a different case: As you know, an Algerian named Dahoumane was indicted last January for his alleged involvement with the New Year's Eve terrorist plot.

And there are reports out today that he's been arrested now after quite a long manhunt.

Can you confirm that he has been arrested and can you update us on the progress of this case?

ATTY GEN. RENO: I think it would be more appropriate for Myron to tell you exactly what can and can't be said.

Q Is the United States seeking his extradition?

ATTY GEN. RENO: I would not comment.

Q Ms. Reno, do you know how U.S. law enforcement will -- what their involvement or noninvolvement will be in monitoring the trial in Yemen of the defendants there?

I mean, is there anything in the Memorandum of Understanding that you know about that provides further access to this trial or anything like that?

ATTY GEN. RENO: I think it would be more appropriate for

the people who were there to comment on the ground.

Q How closely are you involved in decision-making as it relates to Yemen?

ATTY GEN. RENO: I follow it daily.

Q You follow it, but are you -- do you call the shots; or does the Bureau call the shots in this investigation, or how does it work, given that it's an international --

ATTY GEN. RENO: What we try to do in situations like this is recognize that the chief of mission, the ambassador, is the person representing the government in the country involved; that the FBI works closely with the ambassador; that where decisions involving issues that the attorney general should confront, I address those, but that it is a State Department issue with respect to the ambassador and a law enforcement issue with respect to the Bureau.

Q But with respect to the trial, wouldn't it be a Justice Department issue to determine whether or not prosecutors would be -- whether you would seek to have him sit in on the trial; whether you would seek to have them participate in a Yemeni trial?

ATTY GEN. RENO: Again, these are matters that the ambassador should comment on. And we want to try to work together with everybody to make sure that we -- to make sure that people are brought to justice appropriately.

Q Ms. Reno, the -- (off mike) -- matter, which you've talked about in the past, is that something you're going to deal with, one way or another, before you leave office?

And where do things stand?

ATTY GEN. RENO: I never comment on what I'm going to do, when I'm going to do it, in situations like that, because I don't know what information will be developed.

Q Can you give us a sense of where things are? It was

something that -- I mean, many months have passed.

ATTY GEN. RENO: I can give you a sense that it's pending. And as you know, I really don't comment on the details of the pending investigation.

Q Is it pending before you, Ms. Reno?

ATTY GEN. RENO: I don't know what yo mean by pending --

Q Has a recommendation been made to you in the case?

ATTY GEN. RENO: I don't discuss what recommendations have been made.

I have been briefed on it.

Q Do you intend to address this issue before you leave your post as attorney general?

ATTY GEN. RENO: I have been addressing it.

Q But do you intend to take action one way or another on it?

ATTY GEN. RENO: I indicated to you I can't tell what I will be able to and not do in the time I have remaining.

Q Speaking of the time remaining, how much time do you have remaining? Are you going to be here on January 20th and turn out the lights and lock the door?

ATTY GEN. RENO: No, I'm not going to turn out the lights. (Laughter.)

Q Pass the torch.

Q Well, I meant till the next person comes in. I mean, do you know somewhat about the timing?

Are you --

ATTY GEN. RENO: My goal is to make sure that whoever the next president is and whoever the next attorney general is, is afforded a smooth, supportive, positive transition, and that we help them in every way that we possibly can, as Stuart Gerson was kind enough to do for me.

Q You'd like, then, to stay on and coach your replacement?

ATTY GEN. RENO: I am sure the next attorney general won't need coaching.

Q Okay.

Q Well, Stu Gerson was a holdover from the prior administration, and that's what -- and he was acting for a longer time than is normal because it took the president a while to find you.

Is there somebody here who is going to become acting AG? Are you going to leave and designate somebody to perform that function?

ATTY GEN. RENO: We will work it all out with the next administration, whoever it is, and try to work it out, as the previous administration worked it out with ours, as to how it should be done.

Q Do you think that process is going to be more difficult because of the shortened time frame that we're dealing with?

ATTY GEN. RENO: I want to do everything I can to make sure that we respond, shortened time frame or not, to ensure that the next administration, whoever it may be, is provided every possible support and step necessary to ensure a smooth transition. And then it will be up to them to decide whether they -- but I really want to do it in the spirit that Mr. Gerson did with me and make sure that questions are answered, that matters are reviewed, that we touch on the critical points that are pending so that there is a smooth transition.

Q So it could well be that the time of your resignation may not be the time that you vacate.

You may be, would you say, working with, coordinating with a new group of people?

Is this possible that you will pass the 20th?

ATTY GEN. RENO: I think you probably -- I'm not sure what people would say.

I think that's a decision that the next president must make, the next attorney general must make.

But it's my intention to do it the right way, to go home on the 20th and hope that we have in place at that time an attorney general.

And then the other thing that I've learned is you never make final judgments.

But I really hope that we have an attorney general in place, and then I want to give him or her my full support, and then be gone.

Q Have you decided what you'll do when you -- (inaudible)?

ATTY GEN. RENO: I keep talking about what I will do when I grow up. (Laughter.)

I'm not sure.

I've not made any plans or contacts because I've not wanted to create any situation that might create an ethical conflict, and I've wanted to devote my full attention to winding this up the right way.

Q Well, what do you -- (inaudible) -- what do you think will be the biggest issues that your successor will assume are? Are there two or three or four that you would put at the top of the priority list, aside from obviously specific

investigations, just generally?

ATTY GEN. RENO: It will depend on who the next attorney general is and who the next president is and what their priorities are.

Q Ms. Reno, how did you feel this week as you no doubt saw on television or read in the newspapers about Elian Gonzalez's birthday and his visit with Fidel Castro in Cuba? And were you --

ATTY GEN. RENO: I didn't see it.

Q Didn't see it?

ATTY GEN. RENO: No.

Q Were you aware that it was his birthday this week?

ATTY GEN. RENO: No.

Q Oh. Okay.

(Pause. Laughter.)

Q Excuse me. Ms. Reno, once again, when should we expect the last press availability?

ATTY GEN. RENO: January the 18th.

Q January the 18th, is that right? (Laughter.)

ATTY GEN. RENO: And you all better be prepared to answer some questions. (Laughter.)

Q But you're definitely going to do that?

ATTY GEN. RENO: I'd like to try. Let us hope that there is time and you'll give me time to ask your questions.

Q Oh, it would be a delightful turnabout, I think.

ATTY GEN. RENO: I don't hear a rousing cheer from your colleagues. (Laughter.)

Q We're in.

Q Somehow we regard this as a one-way street. (Laughter.)

ATTY GEN. RENO: I think there are some interesting questions to be asked. How do we -- it has been interesting for me to see how you ask such good questions, you ask such searching questions, but you do so with great civility and in a thoughtful way that I think goes to the ultimate issue of how we all play our roles in supporting this democracy and making sure that freedom of the press is protected.

And so I've got some questions in mind.

Q We plan to be a lot tougher on your successor.
(Laughter.)

ATTY GEN. RENO: Well, it will be interesting to see what they do in terms of Thursday morning press availabilities.
(Laughter.)

Q (Inaudible.)

ATTY GEN. RENO: Oh, I told Myron this morning, I said, "Myron, every Thursday morning for the rest of my life, I will think of you, Bert and Carl --" (laughter) "-- with the two mikes thrown in and then Beverley." (Laughter.)

Q Would you recommend weekly sessions to your successor?

ATTY GEN. RENO: I have found them extremely helpful. You prod me.

You cause me to look at something that I might not have looked at.

You cause me to try to figure out how I explain something in ways that people can, and a manner that people can

understand and appreciate.

My biggest regret is that this is a subject matter -- many of these areas cover subject matters that involve pending investigations, and you get an awful lot of "no comment"s.

And I think that would be frustrating, but I think you've generally understood why I've tried to do that.

So, I wake up on Thursday mornings and wonder why I do it -- (laughter) -- but I'm very glad and I've appreciated the opportunity very much.

But we'll talk about that on the 18th.

Q Can we give you a little party on the 18th?

ATTY GEN. RENO: Somebody would say you were --

Q (Off mike.)

ATTY GEN. RENO: We'll have something. (Laughter.)

Q Oh, okay.

ATTY GEN. RENO: Thank you all.

Q Thank you very much.

END.