



UNITED STATES DEPARTMENT OF JUSTICE

Press Conference

THE HONORABLE JANET RENO, ATTORNEY GENERAL

Thursday, September 3, 1998

9:30 a.m.

P R O C E E D I N G S

(9:30 a.m.)

ATTORNEY GENERAL RENO: Good morning.

QUESTION: Ms. Reno, do you have any substantive information or any credible evidence that the President has committed a crime in regards to fundraising, political fundraising?

ATTORNEY GENERAL RENO: No comment.

QUESTION: Ms. Reno, can you give us the date in which the -- sort of the initial review of the President's activities begins?

ATTORNEY GENERAL RENO: I can't comment.

QUESTION: Ms. Reno, has there been any indication of terrorism or foul play in the crash of the Swiss airplane? And is the FBI in any way assisting in the investigation?

ATTORNEY GENERAL RENO: We have offered our assistance. My understanding is that all initial information indicates that it was an accident.

QUESTION: Will the FBI be participating in the investigation?

ATTORNEY GENERAL RENO: We have offered our assistance to the Royal Canadian Mounted Police.

QUESTION: What information were you given that leads to your early examination of it as an accident?

ATTORNEY GENERAL RENO: I would ask the FBI to make any comments that would be appropriate.

QUESTION: Are you aware of any U.S. Government people who were on that plane?

ATTORNEY GENERAL RENO: No, I do not know whether there were any or not.

QUESTION: Ms. Reno, last April 14 in a letter to Senator Hatch regarding a review under the Independent Counsel Act. You wrote that, quote: With respect to coordinated TV advertisements by political parties, the area has received much attention of late. A proper characterization of the particular censure depends not on the degree of coordination but rather on the content of the message.

Is that still the policy of the Department?

ATTORNEY GENERAL RENO: May I see the --

QUESTION: Sure.

(Pause.)

ATTORNEY GENERAL RENO: This is a letter I sent to Senator Hatch and Congressman Hyde. And it is the policy of the Department.

QUESTION: Ms. Reno, the conflict in the testimony that Harold Ickes gave the Senate Governmental Affairs Committee and that of his Aide, Jennifer O'Connor, was well-known late last year, and certainly earlier this year, when the Thompson committee published its report. Was your decision to open a 90-day preliminary inquiry based on new information since then? And if not, why didn't you do that earlier?

ATTORNEY GENERAL RENO: It was based on information that I received this summer, after investigation.

QUESTION: Ms. Reno, would that information be part of the Federal Election Commission's recent report on the -- its final report on the 1996 campaign? Some believe that that report

suggests that there were improprieties regarding the President and the way in which he directed the spending on television ads. Is that the new evidence?

ATTORNEY GENERAL RENO: I think you are talking about two separate issues. Your question, on the heels of that question, is confusing to me.

QUESTION: How had that been a confusion?

ATTORNEY GENERAL RENO: Well, I think his question referred to something else. And your question was: Is that? And so I am not sure where you all are now.

QUESTION: Let me see if I can confuse it even further. The question here, I believe, was --

ATTORNEY GENERAL RENO: Why don't you just each ask your own question, independent of the other, and it might provide for better clarity. And if you would like to ask your own, independent question --

QUESTION: Could I, please?

ATTORNEY GENERAL RENO: Yes. Why don't you let him have a try at asking his own, independent question.

QUESTION: Ms. Reno, is the new evidence that you have learned about recently, this summer, is that the Federal Election Commission report on the close of their investigation on the 1996 campaign?

ATTORNEY GENERAL RENO: With respect to the question that he asked, that I answered, did I receive information this summer, I can't give you the precise timing of when it was received. The question does not connect with your question. So why don't you just ask a question that is independent of that, that does not use the word "that."

(Laughter.)

QUESTION: Does the Federal Election Commission's report constitute the new evidence that you have received?

ATTORNEY GENERAL RENO: About what?

QUESTION: Regarding the President and the reports of --

ATTORNEY GENERAL RENO: As I indicated, I cannot comment on that at this point.

QUESTION: Can you tell us whether there is a preliminary investigation of the DNC spending underway?

ATTORNEY GENERAL RENO: I can't comment.

QUESTION: Ms. Reno, yesterday, Senator Specter said on the floor that he was thinking about having the Senate Judiciary Committee issue a writ of mandamus to the Justice Department, to require the appointment of an independent counsel. Is that an appropriate function for the legislative branch?

ATTORNEY GENERAL RENO: I am interested in that, because I am not aware -- and I will check as soon as the availability is over -- that a committee can issue a writ of mandamus. I always thought that a writ of mandamus was that issued by the court. But there may be some procedure of --

QUESTION: Well, I may have said it wrong. Maybe the thing is he was going to apply for a writ of mandamus.

ATTORNEY GENERAL RENO: He has talked about that for some time.

QUESTION: Would that be then an appropriate thing for the legislative branch to do?

ATTORNEY GENERAL RENO: I do not know what he has in mind, so I do not know whether it is appropriate.

QUESTION: Can you speak about the meeting with the Chairman and the ranking members, especially Mr. Hatch, this week? And can you respond to Mr. Hatch's comment -- he says -- I quote: It is now beyond dispute that she is not living up to her duty -- that's you, Ms. Reno -- to enforce the law.

Can you reply to Mr. Hatch?

ATTORNEY GENERAL RENO: We had a good meeting with Chairman Hatch and Chairman Hyde and Chairman Burton and Senator Leahy and Congressman Waxman. I thought it was constructive. I think we had a good chance to hear from the various representatives and Senators about what their opinions were.

As I have explained on all occasions, I am happy to hear anybody's arguments. But in the end, I have got to make the decisions. And the statute calls on me to make the decisions.

I do it based on the evidence and the law. I have gone over the law again and again. I have

made the best determinations that I can. I am obviously not afraid to ask for an independent counsel, having done so on seven occasions, and referred three other matters to independent counsels.

And at this point, I always will keep an open mind. But based on everything that I have heard, I think I am pursuing the law and implementing the law in the right way.

As I have always said, I will continually look to new information that comes along, new arguments that are raised, anything that will support implementation of the law or non-implementation of the law. But I am going to do it free of political pressures, based on what I think is right, and call it like I see it.

QUESTION: Ms. Reno, Mr. Burton -- just to follow up briefly -- his response after the meeting was, quote: She appears to be trying to protect the President and the Vice President.

How do you respond to that assessment?

ATTORNEY GENERAL RENO: Well, that is what he has regularly told me. And I have explained to him that if I were trying to do that, I should go home. I have got to call it like I see it, regardless of the consequences. I have asked for the independent counsel before, and I will ask for it again when the evidence and the law justifies it.

But people -- it goes back to what Lincoln said -- if you read about and listen to what everybody says about you and calls you names, you might as well close up the shop for business. I intend to keep on doing the best I can, the best I know how. And I intend to keep on doing it until the end.

If I am right, what people, including Congressman Burton, say about me will not make any difference. And if I am wrong, 10 angels saying I was right will not make any difference.

QUESTION: Ms. Reno, according to accounts of participants in that meeting, Mr. LaBella's memo includes considerable consternation on his part over the internal deliberations here about independent counsel matters. And in the text of a letter to you July 20th, I believe, which emerged from that meeting, he specifically raises concerns about the adversarial discussions that have taken place here, and raises questions about whether his memo will get a fair hearing here.

Is that an issue that you have felt obliged to address?

ATTORNEY GENERAL RENO: I think he, as I recall the letter, he made very clear that he thought that it would get a fair hearing from me.

QUESTION: From you; but it was about his colleagues here that he was expressed some concern about.

ATTORNEY GENERAL RENO: Well, I think he made very clear that he would get a fair hearing from me. And I will say that we have had some excellent discussions with a number of different people being present. And I have found them invaluable.

I do know, not just in this case but in other cases, big and small, complex and simple, that I have discussed in this room and that I have handled over time, when prosecutors get together, they have very determined points of view. And sometimes they get provoked at each other. Sometimes they get downright mad at each other.

In the end, the conversation may not be collegial, but it is very informative. And I think we have got to -- this investigation is under such a microscope -- we have got to remember that when you are engaged in an effort like this -- a large, important, complex investigation, with many pieces and many parts -- there are going to be feelings, strong feelings. And if people did not have strong feelings, I would begin to worry.

Yes, ma'am?

QUESTION: Oh, it's me.

(Laughter.)

QUESTION: Are you concerned at all that the furor over this matter has damaged the standing and credibility of the Department?

ATTORNEY GENERAL RENO: No.

QUESTION: You have no such worries or concerns, and that does not guide you in any way?

ATTORNEY GENERAL RENO: It should not guide me. I have got to call it like I see it. And if people call me names or say I am a wimp or whatever, as I told you before, I am not in this business for popularity. I am not in this business for reputation. I am in the business for doing what I believe was right. And that is what counts.

QUESTION: Ms. Reno, how do you explain to people that we are having these new investigations now, with Gore, with Ickes, and apparently now with the President and DNC officials, until you were under such fierce criticism on the Hill and being held for contempt, how do you tell people that you are not changing your mind now because of all that pressure?

ATTORNEY GENERAL RENO: I let them look at the record when it is over. And I try to give as

much information as I can as I proceed with the investigation. And I think you all have done a good job of reporting it, too.

QUESTION: Then you are going to let us see that record when this investigation is over?

ATTORNEY GENERAL RENO: What I have always said is, based on the way I operated before I came to Washington -- Florida had a good, open sunshine law, a public records law -- and what I always said was, during the pendency of an investigation, it is inappropriate to comment. But whenever I can without infecting the investigation, and in compliance with law, I try to lay out why I have done something, the reasons for it, so that people can understand it.

Clearly, in these situations, I have always said that as new information is developed, I will look at it. And if triggers the statute, I will do so. And that is certainly an issue here, under consideration.

If I determine that I was wrong, I am not proud, I will say I was wrong. But for anybody to be in this job and worried about what people are going to think as opposed to worrying about what is right, that is when you get into trouble.

My mother used to tell me: My Dear, you're beginning to worry too much about what people will think of you and not about what you are doing. And I do not want to be subject to that criticism.

QUESTION: Ms. Reno, can you tell us whether the Department is reviewing the FEC report about the presidential campaign 1996 as a part of the Campaign Task Force investigation?

ATTORNEY GENERAL RENO: I cannot comment.

QUESTION: Ms. Reno, speaking of Chairman Burton, as we were just a few minutes ago, for months now the Department has described the Task Force investigation into his fundraising activities as ongoing. Isn't it time either to charge Mr. Burton or to clear Mr. Burton, one way or the other?

ATTORNEY GENERAL RENO: I cannot comment.

QUESTION: Ms. Reno, you were saying that the FBI has been asked to come, or had volunteered to come in, to the investigation of the recent crash. Has that always been standard procedure for the FBI on all air crashes, or has it just been international flights? Or is this something that is part of the aftermath of Lockerbie?

ATTORNEY GENERAL RENO: I did not say that the FBI came in. I said it offered its assistance.

And in certain situations, based on all the circumstances, they will. I do not think they do it in every case. But I would refer you to the FBI.

QUESTION: Ms. Reno, is it safe to say that the LaBella memo, the executive memo, contained new evidence that sort of recharges the campaign finance investigation? Did he tell you things you did not know about?

ATTORNEY GENERAL RENO: There are two parts to the memorandum. And one came later. I think what he has basically -- I would have to go over it and see specifically if there is new information in the first memorandum. I think what he did -- but then I would comment on it.

Let me ask Bert to check, to see what we can say appropriately, under 6(e) or not. And then I would --

QUESTION: The reason I asked is you referred to new evidence, and I was wondering if you were referring to the LaBella report when you said that.

ATTORNEY GENERAL RENO: We have new information, independent of the report.

QUESTION: Ms. Reno, is it fair to say that the Department takes its lead or its guidance in the interpretation of Federal election law from the FEC?

ATTORNEY GENERAL RENO: Under the Federal Elections Act, the FEC is charged with construing the Act, developing the policy, defining the civil violations. And we defer to the FEC, as the Supreme Court has indicated, deference is due in those issues.

QUESTION: Ms. Reno, there is a plan that you concede that is being implemented in Salt Lake City to deputize, Federally deputize, some police officers to control the traffic of drugs problem in that county. This plan, can you explain, can you defend this plan? Why did you decide to do that? Are you planning to expand this program? And how do you respond to criticisms by some Latino organizations, saying that it will lead inevitably to abuses against immigrants in that area?

ATTORNEY GENERAL RENO: I had heard it described as my plan, but I do not recall developing it. What happened was we heard of it prior to attending a meeting at which various people came together in Salt Lake City to describe what was necessary. We said that we would respond and work with law enforcement and local government to see if we could develop an MOU that would permit that.

One of the things that we wanted to do was to work with the advocacy community. And I had understood that the local advocacy community had been involved in that effort.



We will be happy to consider any suggestions that anybody has, both from local government and from the advocacy community, as to appropriate ways to proceed.

QUESTION: Are you saying that it was not conceived by you or by the Department?

ATTORNEY GENERAL RENO: My understanding was, when it was first submitted to me, was that this was something that local law enforcement was interested in.

QUESTION: Ms. Reno, what kind of initiative are you and Mr. Fisher trying to get going up in Baltimore by meeting with Habitat for Humanity and community developers?

ATTORNEY GENERAL RENO: What we are interested in -- and Mr. Fisher has to speak for, because I was not with him in Baltimore, as to issues that would develop from there -- but last January I was in Jackson, Mississippi, to see how the Habitat program was working there. I worked an afternoon at a Habitat program, as part of my community service time.

What impressed me so much about the program there -- and I think I even mentioned it on one of these availabilities -- was that they were taking a whole neighborhood and rehabbing it, and that it was not just the rehabilitation or the construction of new houses. It was looking at the neighborhood as a whole and addressing roads and community services. Neighbors were working with each other. And you saw before and after pictures, and you saw how not just one house was being either built or rebuilt, but an entire neighborhood was growing up anew because of careful planning and because of planning involved with Habitat.

And I had asked Mr. Fisher to explore with Habitat how we might combine the efforts with our Weed and Seed programs and other comprehensive community programs, so that we got a greater return on the investment of everybody's services and construction skills, or lack thereof, in larger community settings.

QUESTION: Ms. Reno, may I follow up again on that question about deference to the FEC's interpretation of the law?

Does that apply only on civil matters, or does it apply to criminal matters as well?

ATTORNEY GENERAL RENO: It apply to the definitions -- they have got to define the civil violations first. And obviously, if their definition is one thing and somebody else's definition is another, there is going to be deference to their definition. And under the MOU and under the framework of the legislation developed by Congress, this Elections Commission has the initial responsibility for defining these election terms.

QUESTION: Ms. Reno, following up, has the FEC recently redefined any substantial terms in such a way that would refocus your attention on what might or might not constitute a

violation?

ATTORNEY GENERAL RENO: All I can say is that we have new information. I cannot comment on it.

QUESTION: But new information as distinct from a reinterpretation of the law?

ATTORNEY GENERAL RENO: I have new information that I cannot comment on.

QUESTION: Ms. Reno, for months the Department's investigation into Haley Barbour's fundraising activities has been described as ongoing. Several months ago now, Chairman Hatch very publicly warned the Department against trying to indict Barbour. Have you talked to Chairman Hatch about that public warning? Has he mentioned anything to you privately?

ATTORNEY GENERAL RENO: He has not discussed it with me privately, and I have not mentioned it to him privately or publicly, because I am devoted to Senator Hatch. He has been very kind and very thoughtful to me. But I have got to make my decisions based on the evidence and the law, and not by admonitions from him.

At the same time, I am always willing to hear from him or anybody else if they have information or if they have legal issues that I should consider.

QUESTION: Ms. Reno, you have often said that only specific and credible evidence would trigger the independent counsel statute. When you say that, do you mean that you would immediately go to the three-judge panel and ask that they appoint an independent counsel as soon as you see the evidence, or would you just go through the normal procedure that we have been, of the 90-day preliminary investigation? Or do you have any room in there to do one or the other?

ATTORNEY GENERAL RENO: I would follow the Act based on the facts that I had and what they dictated.

QUESTION: Ms. Reno, back on the Barbour matter for a minute. Isn't that presently tied up before Judge Johnson, on a matter of what documents will be made available?

ATTORNEY GENERAL RENO: I cannot comment. I will have Bert comment to you on anything that would be appropriate.

QUESTION: Ms. Reno, the FBI has issued a warning for United States citizens working outside of the United States, especially through corporate security apparatuses. Ma'am, can you ratify the warning with regard to Afghan sources of terror, threatening U.S. citizens?

ATTORNEY GENERAL RENO: I would refer you to the FBI, and ask Bert to confirm precisely what the FBI has said.

QUESTION: And, finally, on the terrorism subject, do any of these fellows that have been arrested and brought to the United States -- are they cooperating, or can you say?

ATTORNEY GENERAL RENO: I cannot comment.

QUESTION: Ms. Reno, the successful rendition of the two suspects that were brought to the United States last week, Director Freeh disclosed in the news conference last week that that rendition was the result of some discussions he had with the Kenyan Government. To bring additional -- if additional suspects are located, would it require more discussions with the governments involved to be able to bring them to the United States? Or is there a general understanding now that would allow the United States to bring them here?

ATTORNEY GENERAL RENO: I think it would depend on all the circumstances in the countries involved.

QUESTION: When you met with Senator Hatch and Congressman Burton, did the contempt of Congress citation come up? And what is the status of that?

ATTORNEY GENERAL RENO: It was discussed. I think we had a good and constructive discussion. And we will continue to try to do everything we can to honor Congress' oversight responsibilities, while at the same time making sure that we do nothing that will interfere with the investigation and prosecutions of these matters.

QUESTION: Are there any more meetings scheduled, or do you plan to have any more meetings with Senators Hatch And Leahy?

ATTORNEY GENERAL RENO: I am sure I will have some more meetings with Senators Hatch and Leahy.

QUESTION: That are already scheduled?

ATTORNEY GENERAL RENO: No. And none that I know of.

QUESTION: Ms. Reno, the issue of soft money in television advertising, is the Department's investigation specific only to Democrats, or are Republicans being looked at as well?

ATTORNEY GENERAL RENO: We are following every lead.

QUESTION: When you met earlier in the year to discuss with the judiciary leaders the Freeh memo, as I understand it, you provided them merely oral summaries. And at some point in recent days, you have decided that in this case you would go a step further and provide them with written, redacted material. At least that is what they said.

Was that intended to be an extra step to satisfy their demands? And do you now feel that -- did they indicate they are satisfied and that this whole issue of contempt is going to go away?

ATTORNEY GENERAL RENO: I would let them speak for themselves. What I have tried to do from the beginning was do everything I could to protect the Department's capacity to discuss things openly, vigorously, often in disagreement, so that I could get the best opinions possible to make informed decisions. I also was dedicated to doing everything I could to make sure that there was nothing done, nothing released, that would impact on these investigations or on potential future investigations.

And we will continue that effort in every way that we can. I am convinced that people of good faith, working together, can make sure that Congress' oversight responsibilities are met, while at the same time our deliberative processes and the ability to properly and professionally investigate and prosecute cases will remain intact.

QUESTION: You were able only to redact -- legally you could only redact 6(e) material and anything specific to the investigation. So obviously a lot of what the members saw did have to do with reflecting the internal deliberations and arguments. Is that going to chill your aides in the future?

ATTORNEY GENERAL RENO: I think that one of the things that we try to do is to explain to them the importance of the deliberative process and how important it was that it be permitted to continue. And the fact that we were able to do it in this setting I think will minimize the risk of harm to the deliberative process.

QUESTION: Ms. Reno, having opened two, or possibly three, limited independent counsel investigations on various aspects of campaign fundraising --

QUESTION: Could you speak a little bit louder, please?

QUESTION: Having opened two, or possibly three, limited investigations in campaign fundraising, you have clearly started down the independent counsel road. Wouldn't it be simpler to just appoint an independent counsel to look at the issue in total?

ATTORNEY GENERAL RENO: You ask an interesting question. Probably the simplest thing that I could do that would cause me the least fuss, bother, work, and everything else would be to abdicate my responsibility and say, let's be simple and let's just bow to pressure and appoint

an independent counsel for everything. That is now what the law says. And so I have got a responsibility to enforce the law based on the evidence.

And I am not going to do the simplest thing. I am not going to take the easy way out. I am going to try to do it the way I think it should be done. And I am going to try to listen to people. If they have got good suggestions, if they have got evidence, if they have got information, if they have got legal issues that I should consider, I am going to continue to do that.

I am going to constantly look for evidence that may trigger the statute. But I am going to try to do it like it should be done.

QUESTION: Ms. Reno, I hate to keep dredging up old business --

ATTORNEY GENERAL RENO: Well, I do not mind your dredging up old business.

QUESTION: Is the OPR review of the complaints, I believe filed in February, against Judge Starr and his office -- is that review still on square zero? Have they not begun at all, or are we still deferring to Judge Johnson?

ATTORNEY GENERAL RENO: We are still deferring to Judge Johnson.

QUESTION: Ms. Reno, just to be sure I understand you correctly. When I asked you a little while ago whether the FEC had offered a new interpretation of law that might constitute a violation, you responded, saying: I have new information I cannot comment on. That new information -- (off microphone) -- FEC matter specifically?

ATTORNEY GENERAL RENO: I cannot comment.

QUESTION: In the course that you were responding was since you had new information --

ATTORNEY GENERAL RENO: I cannot comment.

And I think somebody told me the other day, they said, the only way you can have Thursday morning press availabilities every Thursday morning is because you get a chance to say "no comment." In our areas of government, we do not have the chance to say "no comment."

It is a frustration to me, because I would like to lay out everything. But I would not like to do it if it hurts investigations or if it violates the law.

QUESTION: No; I just want to be clear about what you did say.

ATTORNEY GENERAL RENO: You said it correctly.

QUESTION: I said it correctly?

ATTORNEY GENERAL RENO: Yes.

QUESTION: In light of what you said about your mom -- your mother and your upbringing, Ms. Reno, would you think that it would be appropriate for the President of the United States to be more specific about his transgressions, more contrite about his apologies, and perhaps even to promise to remedy the problems? Wouldn't your mother have expected that of you?

ATTORNEY GENERAL RENO: My mother would say you have said all along that you are not going to comment on subjects that are matters for the independent counsel, and why change now.

(Laughter.)

ATTORNEY GENERAL RENO: Thank you, all.

VOICES: Thank you.

(Whereupon, at 10:05 a.m., the press conference concluded.)