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# Senator Dianne Feinstein

of California

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## Statement of Senator Dianne Feinstein On Stolen Memos by Senate Judiciary Committee Staff February 12, 2004

*Washington, DC –At a hearing of the Senate Judiciary Committee, Senator Dianne Feinstein expressed her deep concern about memos which were allegedly stolen by Judiciary Committee staff. The following is the text of her statement:*

“I find it outrageous that there was a concerted effort to steal memos, over a period of more than a year, from staff members of the opposite party, with an established system of what to do with those memos. I never thought that this type of behavior would come from a staff member of the Judiciary Committee of the United States Senate. I think it raises real questions about the ethical values of some of the young people that come to work on this Committee.

I am deeply concerned that what has surfaced on this issue is going to push this committee into a downward tumble of hyper-partisanship and prevent the work of the committee from moving on.

I never thought I would see the day when staff members from the committee would do such a thing – to be very candid with you. I can imagine a situation where a staff member comes across a memo here or there. I would think that he or she would go back to the author and say, ‘I found this. Here is your property back.’ To the best of my knowledge, this went on without the knowledge of any Senator.

I think that Sergeant of Arms Bill Pickle has handled this investigation marvelously. I have been present at two of his reports -- they are factual, they are devoid of politics, they are strictly investigative reporting. I am confident that he is going to be able to come up with a report that will stand the test of scrutiny and the test of time.

I am particularly concerned that the stealing of the memos could go on for the period of time, and no one brought it to the attention of Senator Hatch or Senator Leahy. This indicates that we have a very serious moral and ethical lapse on this committee -- and it shouldn't rest with the Sergeant at Arms' report.

I think we've got a lot of work to do in our own house. I believe that there ought to be some kind of moral and ethical standard for our staff. If they can't meet those standards, they shouldn't be staff on the Judiciary Committee of the United States Senate. It is important that we on the committee come together on this. The work of the people isn't going to be served if we don't.

There are a lot of young people who work in the Senate, and I think the great majority of them have extraordinary values. However, clearly there were some bad apples in the barrel.

We don't know the real depth and breadth of this issue yet, and it will be critical to learn the true scope of the theft.

Outside organizations should understand that what we do here, how we do it, and the means we use, are extraordinarily important, if the Judiciary Committee is going to be just in its deliberations and break down partisanship, particularly over judicial nominations. As I look at this, there is a lot at stake.

I know that Senator Hatch has caught a lot of flak on this issue. I find it hard to believe that people would say that the Judiciary Committee shouldn't be wasting its time investigating this, when the whole moral and ethical basis for the work we do here is at risk.

I've worked for more than a decade with Senator Kyl, and I appreciate that relationship. We have developed a trust. If I found a memo of his, I would pick it up and return it in a minute, and I know that he would do the same thing for me. This issue strikes at the heart of our ability to sit down across the table and work something out.

It really is a terrible thing to have happened once or twice, but to develop a practice over the years where a few thousand memos were stolen is really astonishing.

I wonder if other staffers knew this, why didn't they bring it to the attention of Chairman Hatch? Why didn't you say: 'you know something is going on here, you ought to take a look at it?' So in terms of the integrity with which people serve this committee, I think we've got a lot of work to do.

I thank you, Mr. Chairman, for your steadfastness."

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