

Feinstein challenges administration over Lam firing

by Finlay Lewis

WASHINGTON - Sen. Dianne Feinstein on Thursday challenged claims by a former top Justice Department official that Carol Lam was fired from her job as U.S. attorney in San Diego because of a mediocre record in prosecuting immigration cases.

During a hearing of the Senate Judiciary Committee, the California Democrat produced a recent letter from a top federal immigration official in San Diego praising Lam's record in combating migrant smuggling. The three-page letter dated Feb. 15 casts doubt, she said, on testimony by D. Kyle Sampson, who recently resigned as chief of staff to Attorney General Alberto Gonzales.

"It is a real surprise to me that you would say here that the reason for her dismissal was immigration cases," Feinstein told Sampson during the hearing.

The letter, by Adele Fasano, director of field operations for the San Diego office of U.S. Customs and Border Protection, asserted that Lam's efforts last year contributed "to the reduction by at least 50 percent (in) the number of smuggled aliens encountered at the San Diego ports of entry."

In an interview, the senator added, "I don't think the director of field operations would write a letter commending (Lam) unless she really believed this woman was doing an excellent job."

Fasano was unavailable for comment.

Sampson resigned earlier this month amidst a growing controversy over the Bush administration's dismissals of Lam and seven other U.S. attorneys.

In his testimony, he insisted that her sacking had nothing to do with her office's successful prosecution of former Republican Rep. Duke Cunningham and the grand-jury indictments of Kyle "Dusty" Foggo, the former third-ranking official in the CIA, and defense contractor Brent Wilkes of Poway.

"There was never any connection in my mind between asking Carol Lam to resign and the public corruption case that her office was working on," Sampson said.

According to e-mails and other documents recently released by the department, Lam notified her superiors on May 10 of her intention to issue search warrants in connection with her investigation of Foggo and Wilkes. The next day Sampson e-mailed a White House official about "a real problem" with Lam and arguing that she should be replaced at the expiration of her term on Nov. 18.

Asked about that e-mail by Sen. Arlen Specter, R-Pa., Sampson said that the problem with Lam in his mind was "immigration enforcement."

Later, in response to questions from Sen. Orrin Hatch, R-Utah, Sampson described Lam as "a good person and a very skilled lawyer."

But he said her name was initially included on a list of U.S. attorneys earmarked for dismissals "due to her office's failure to embrace the president's anti-gun violence initiative, Project Safe Neighborhoods."

Feinstein challenges administration over Lam firing by Finlay Lewis