

ADDITIONAL MINORITY VIEWS BY HON. JOHN F. TIERNEY,  
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This Committee's work is not done concerning any determination of facts relevant to the Federal Bureau of Investigation's (FBI's) conduct toward informants' testimony. The Justice Department has withheld potentially significant information, and several potentially significant witnesses have not been fully interrogated due to the assertion of on-going investigations or prosecutions, or because they, at least at this time, are unwilling to testify.

The Committee should, and we believe it has the obligation to, continue its work by pursuing as yet unavailable records and other information from the Department and by interviewing relevant witnesses once the Department's investigation and/or prosecutions are complete or if the circumstances occur that encourage heretofore unwilling witnesses to testify. We believe further important and helpful information could certainly be available, and it should be pursued.

More thorough inquiry should have been made on behalf of the Committee about the relationship between the FBI, informants, and members of the informants' families and whether those relationships impacted FBI investigations outside the scope of Patriarca, Barboza, Flemmi, or "Whitey" Bulger's activities. The Committee should consider whether further and more in-depth investigation would tend to inform the goals of its subject hearings or would instead serve only to gather information, however indicative of improper activity, outside the scope of purpose for this particular inquiry.

The Committee needs to conduct further efforts aimed at examining what, if any, Department and Bureau corrective actions have been undertaken since this scandal first came to light and the adequacy of same, as well as what actions must be taken legislatively, through regulation, by oversight activity, or some combination in order to prevent a continuation or recurrence of similar events in the future.

Finally, this Committee would be well served, and would serve Congress well, if it conducted follow-up hearings on the disgraceful conduct of the Justice Department in its lack of forthrightness and cooperation. If Congress is to assert its role as a co-equal branch of the government, and fulfill its responsibilities of oversight, it must be able to obtain honest, responsive, and timely information from Executive departments and agencies, barring some privilege justifying any failure to appropriately respond to Congress' requests.

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The Committee's work should not be considered complete until the foregoing is accomplished.

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