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No computer laws were broken, says former Frist aide

By RICHARD POWELSON

WASHINGTON - Despite being at the center of a political firestorm over computer security breaches, a former top aide to the Senate Judiciary Committee and Majority Leader Bill Frist, R-Tenn., said Friday he remains "defiant and in good spirits."

Cuban-born Manuel Miranda, 44, recalled in an interview how his grandfather decades ago spent three years as a political prisoner in Spain under dictator Francisco Franco. By comparison, he said, the ongoing Senate investigation focusing on him and other staff "is a mere annoyance."

A former New York City lawyer, the former GOP Judiciary Committee counsel has been defending the legality of his and another unnamed aide's reading of some Democrats' tactical memos left in unsecured folders on a shared computer server. And Miranda has been defending his actions against general criticism by senators of both major parties.

"I was doing this (Senate legal work for the committee and later Frist) for public service," Miranda said. "I was making in my last professional job probably three or four times what I was making" on the committee. "I enjoyed this job and remember a great early moment sitting with Judiciary Chairman (Orrin) Hatch (R-Utah) on the floor of the Senate in the U.S. Capitol, and it was a great moment - not having been born in this country."

Senate Sergeant-At-Arms William Pickle has been leading an investigation of the committee security problems since November. He estimated it will be completed by the end of the month.

The probe apparently involves work that Miranda did only on the committee staff before he joined Frist's office a year ago. He quit Frist's office about a week ago, saying he didn't want the probe to detract from Frist's leadership work.

Hatch has not named Miranda in his public criticism of any staff that looked at Democratic computer files. But Hatch has called the GOP staff snooping "improper, unethical and simply an unacceptable breach of confidential files."

Miranda dismisses the rhetoric from senators on both sides, saying the documents were simply left in unsecured computer files that anyone on the committee could have read. There was no illegal hacking of computer files, he said, and hence no crime.

Miranda said it will be "a travesty" if the Senate remains distracted over who could have seen the files, who did see them and who leaked them to two conservative newspapers.

Instead, he said, someone should be probing the memos' content, which he said reveals "public corruption" by some Democratic staff and senators who "colluded" with interest groups to block judicial nominees to aid campaign fund raising.

Miranda has asked the Senate Ethics Committee to investigate, and some conservative groups also have asked the Justice Department for a probe.

On the other side, a liberal legal group - Citizens for Responsibility and Ethics in Washington - has asked the New York Bar to investigate Miranda, based on his public comments about his actions. If he violated federal criminal laws, he should be disbarred, the group said.

Melanie Sloan, the liberal legal group's executive director, said Miranda has admitted to accessing computer files that Democrats considered confidential.

"Basically, what he's saying is, 'They didn't have a good enough lock on the door to their house, so it was fine to break in and take anything I wanted,' " Sloan said of Miranda.

Miranda, repeating that he believes he broke no law or Senate rules, said he hopes the group is ready "to defend a libel suit."

Miranda said he graduated from Georgetown University in Washington, D.C., then attended law school at the University of California in San Francisco, after which he practiced law in New York.

He declined to focus on more details of his private life but has said he is married and has an infant son who was born in October.

Sloan said her group learned that Miranda worked at the White & Case law firm in New York City as an international investment attorney.

Frist and his staff have only confirmed that Miranda resigned. In resigning, Miranda praised Frist for being in "the category of a statesman and volunteer. He is truly not motivated by partisanship or interested in rancor."

Miranda and Frist worked together often last year trying multiple times without success to end a Democrat filibuster that blocked floor votes on several judicial nominees that Democrats termed too extremist. Frist said they were highly qualified to be judges.

Of his future, Miranda said: "As the Good Book says, I'm going to kick the dust from my sandals and move on." He does not have another job, he said, but expects to find one when he is ready.

Hatch has asked senators not to prejudge the investigation. He said there are "good arguments" that no computer fraud law was violated. Still, he has noted that the "improper" computer security lapses have strained staff and senator relationships on the Judiciary Committee.

"This inquiry," Hatch said, "will likely have significant repercussions for this committee and perhaps the full Senate for months and years to come."