

Senator Dianne Feinstein: Guns, Drones and Energy

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Greg Dalton: Today, we're talking about guns, drones and energy with U.S. Senator Dianne Feinstein. I'm Greg Dalton, host of Climate One of the Commonwealth Club Sustainability Program.

Over the next hour, Senator Feinstein and I will discuss various dimensions of security: personal security, national security and energy and water security. Along the way, she'll address written questions from our audience of about 500 people here today at the Commonwealth Club.

Senator Feinstein is a leading advocate of controlling guns on our streets, considering the use of drones in the sky, and reducing carbon pollution in the air. Please welcome Senator Dianne Feinstein to the Commonwealth Club of California.

[Applause]

Dianne Feinstein: Thank you. Thank you. Thank you, Greg.

Greg Dalton: Senator, I'd like to begin with December 14th, the day of the Sandy Hook massacre. If you could tell with us where you were, how you learned about that, and your thoughts and reaction in the hours and days after learning about what happened at Sandy Hook?

Dianne Feinstein: I actually don't remember exactly where I was. My reaction was stark horror. I know the damage that these weapons and generally the bullets they carry due to bodies. And in this case, it wasn't long before when I looked that I found out that every one of these 20 children had between three and eleven bullets in them. And some were dismembered. So to take six and seven-year-olds and kill them like this is something I never thought I would see in my country.

And I have a very deep belief that these weapons are antithetical to our values, that they were created to kill large numbers of people in close combat as military weapons. They have been commercialized and now are sold on the streets of our cities.

More interestingly, this young man got his weapons from his mother, a gun collector. There was a gun safe. It was open. His mother gave him weapons. His mother took him to a range, taught him how to shoot. The first one he shot was his mother and then he proceeded to Sandy Hook. There is strong evidence that he was very disturbed. And I mean every time I see those faces, I just say, "Shame on us that we let this happened in this great country."

[Applause]

Greg Dalton: For a period of time there, it seems to change the national conversation about guns. But with the passage of time, it seems that people are moving on and sort of return to normalcy is setting in, and the president has gone on the offensive again. Recently, Mayor Bloomberg, et cetera. So I'd like to talk a little bit then about where your efforts are now to address assault weapons, that your bill was --

Dianne Feinstein: Right.

Greg Dalton: -- dropped by Senator Reid.

Dianne Feinstein: Right, right. Well, as you know, I did a bill in 1994. Interestingly enough, I was up for reelection. I just had a two-year term when I went to the Senate. I was up for reelection so, of course, people who didn't like it didn't support me, but I still won.

And that bill was in place for 10 years and it had begun to do what we wanted to do, which is to drive down the supply of these weapons over time. It did do that and we can get into a battle of statistics and I've got mine and the NRA has theirs. Be that as it may, this is what I deeply believe.

We've taken that bill. We have greatly improved it and it prohibits the future manufacture, sale, transfer of 157 assault weapons and it's got a one physical characteristic test instead of a two physical characteristic test. And then it excludes by make and model 2,200 weapons used for hunting, recreational purposes, defense, et cetera, and they're all listed in the bill.

There are pamphlets that I've asked my staff to make available to you, and 16 pages of the pamphlet are those listings. It prohibits clips, drums, ammunition-feeding devices of more than 10 bullets and I think it's a good bill. It's a strong bill. It does not take a weapon away from anyone. It requires that the individual who buys that weapon have a background check if that weapon is sold.

So it avoids some of the things that the gun owners seem to detest, which is registration which they say quite incorrectly is the first step toward confiscation. And it does seek to dry up the supply over time.

Now, having said that, I'm the first one to admit it's difficult. And also, I don't quit. This is a lifetime pursuit for me. I have seen this up close and personal from weapons and it isn't like the way it is on television -- the blood, the gore, the brain matter, all of these. And to see people slain in movie theaters, in malls, in businesses, in law practices, in elementary schools, in high schools, in colleges, you just have to say, "What is this country all about?"

So we have to do those things. If I can't get it done this time, there will be another time. I intend to fight that fight and we're ready for the floor whenever that bill is up.

[Applause]

Greg Dalton: Senate Majority Leader Reid dropped it from the main bill but he has promised you to get a vote on the floor of this as an amendment. Is that how that's going to work?

Dianne Feinstein: That's correct. And the bill, we will move that amendment. We will have that debate. I hope to have an ample period of time on the floor to make the argument, to present the evidence and, you know, then the vote will be taken. And here's how -- here's the difference.

When I went to the Senate in 1992, there weren't clotures every week. The big issues of the day were expected to be debated on the floor of the Senate, to be passed out of committee and people were expected to vote. Not to hide, but to stand up and vote. Now, virtually everything takes 60 votes just to have a vote on the floor and it's really very bad. The first bill, there was a motion to table. We won it on 51 votes.

And then there was another. It passed and went to the House, it passed the House. President Clinton got very involved, helped us in the House and then of course, signed the bill. And it became law. And members did what they're there to do. What's happened is a fear has set in that if they vote for the bill, they won't be reelected. It's that plain and it's that simple. My view is then they shouldn't go to the Senate. If they're not prepared to stand up and vote, they shouldn't be in the

United States Senate.

[Applause]

Greg Dalton: And earlier this session, Senator Reid had some proposals for reform of the filibuster and that didn't really go very far, right? So couldn't the filibuster be reformed in some way to have more votes and fewer filibusters?

Dianne Feinstein: Well, there are ways to do it. That's right. And it takes 67 votes to change a rule. I was chairman of the Rules Committee for a while and it takes a lot of votes. Sixty-seven votes are hard to get.

Greg Dalton: A number of states recently have passed stronger gun laws since Sandy Hook, Colorado, New York, Connecticut. Is this an issue that perhaps better left to the states to regulate than the federal government?

Dianne Feinstein: Well, I'll tell you what the problem is. The problem is people bringing in these weapons from states that allow them. California has a bill. The weapons come in from Nevada. Illinois has a bill. The weapons come in from Mississippi.

So these are the problems. So that, if you do it piecemeal, the transfer of weapons sort of defeats the purpose to some extent. So I think we do need a national solution. You know, if you look at the United Kingdom, if you look at Australia, anywhere where they have some sensible gun regulations, there isn't the homicide rate.

There isn't a death by guns like there. There may be 2 dozen or 3 dozen people in a year. We have 9,000, 10,000 in a year.

Greg Dalton: And most of those deaths are from handguns.

Dianne Feinstein: That's right.

Greg Dalton: Only five percent or so are from assault weapons.

Dianne Feinstein: That's right.

Greg Dalton: Most of them are mass killings but a small number of overall gun deaths are the result of assault weapons. So shouldn't handguns really be the focus of gun control?

Dianne Feinstein: Well, that's where the clip comes in, I think. In the Arizona shooting, that involved Gabby Giffords, it was a handgun but with a very big clip. And when they got to him, he was reloading. Otherwise... That's the problem.

Greg Dalton: More people would have died, right?

Dianne Feinstein: Yes.

Greg Dalton: And did that affect members of Congress having one of your own get hurt in that way? Did that change any vote or change any --

Dianne Feinstein: Well, this vote will tell you. I can't answer that at this time. We'll wait and see. You'll know. If people want to vote no on assault weapons, that tells you something.

Greg Dalton: You mentioned films and culture. And Wayne LaPierre from the NRA pointed a

finger at Hollywood and video games in his famous defense after Sandy Hook. And they're not alone in that. The American Academy of Pediatrics wrote that decades of research has "drawn a direct causal link" between violent media exposure and aggressive behavior and desensitization to violence. So is there a culture piece to this film and video games?

Dianne Feinstein: There very much is a cultural piece. This young man, Adam Lanza, apparently spent hours and hours a day playing these violent video games. And to some of them are almost like a simulator. You learn to fly on a simulator. It's almost like that. So, that in a sense, it is training.

I have been hopeful -- and we'll wait and see what happens -- that the video game industry itself would respond because you get into First Amendment issues in the Congress if you legislate in this arena.

And I think there's enough evidence out there to show that these video games have a very negative role for young people. And the industry ought to take note of that and the industry ought to respond by taking some of these very violent games off the market.

Greg Dalton: Has that ever happened?

Dianne Feinstein: No.

[Laughter]

Greg Dalton: You know, one of --

Dianne Feinstein: This is meant to be sort of a little shot across the bow.

[Laughter]

Greg Dalton: But, you know, one of them that Wayne LaPierre mentioned was called Kindergarten Killers and then says, "Go in first shoot the teacher" and then it's horrific. If you think about Sandy Hook, it's ominous and yet what tools does the government have because of the First Amendment, there's not much that the government can do.

Dianne Feinstein: Well, you know, child pornography can be regulated and I think as this whole culture develops and if the extreme violence continues, I think it gives us a rationale to proceed legislatively. And that's another reason why the industry should really patrol itself. And if Sandy Hook didn't do it and the knowledge of the video games that were watched by this young man didn't do it, then maybe we have to proceed, but that's in the future.

Greg Dalton: Have you ever shot a gun?

Dianne Feinstein: Yes.

Greg Dalton: So do you understand sort of how the sportsmen -- sportspeople enjoy it, the fun of it. There's a gun culture in the country that people hold very dear that is part of -- long part of American life.

Dianne Feinstein: Well, I'll tell you because it's been often mischaracterized when I did have a weapon. It was in 1976.

My husband, Bert Feinstein, had -- just had cancer surgery. A bomb was placed at our house on Lyon Street. It detonated at 1:00 a.m. in the morning. It was a plastic explosive and my daughter

walked out of the house and she saw the tag XPLO, XPLO up the side of the building and we called the police. It turned out that this particular explosive did not explode when the temperature dropped below freezing. And that night on a fluke, the temperature dropped below freezing at that time.

And then the same group, and I think it was the New World Liberation Front, this was a group that was blowing up utility substations, went and shot the windows out of a beach house of ours. And I decided if they were going to come after me, I was going to take a few with me and --

[Laughter]

Greg Dalton: Stand your ground.

[Applause]

Dianne Feinstein: And Al Nelder, who was then chief of police, I talked with him, and the chief then -- I don't know what it is now -- could give you a concealed weapon permit. I went out to police range. I learned to shoot and it was a five-shot .38-caliber called -- a revolver called a Chief's Special.

Well, I had it in a holster and I'd walk at the hospital to see my husband and it was in my purse along with two pairs of glasses, a wallet, a cosmetic kit. And then I figured, you know, if I ever had to find this to get it out in time, it would be much too late.

[Laughter]

So when I became mayor, we had a gun turn-in program, and a number of weapons were turned in, and they were remade into a cross, which when I went to Rome, I handed to the Holy Father in Rome.

And to me, that was very significant that this was going to go in a different direction and so for most of my political life, this has been a very big issue for me.

Greg Dalton: If you're just joining us on the radio, our guest today at the Commonwealth Club is U.S. Senator Dianne Feinstein. I'm Greg Dalton.

Let's move on from guns to another issue. Drones are very much in the news these days and you're one of the few people who have seen some of these memos that justified the use of drones. So tell us about how the U.S. President can use drones, particularly against U.S. citizens overseas?

Dianne Feinstein: Well, this is an intelligence program. It's a covert program. I really -- it's classified. I'm chairman of that committee. I really cannot speak about the program. I can say this. Everybody knows that it exists. There is a protocol for presidential or very high-level approval of a target.

I can say this. Our committee, for the last three years, has been exercising oversight of the actual drone program out at Langley. And they made 36 particular inspections and they review all the intelligence. They have meetings where they go over it. They review all of the video footage and they watch how this is put together. And it's put together with infinite patience and avoidance of collateral damage. One of the things that I will do is put into the Intelligence Authorization Bill a provision that would require the publishing of the collateral damage figures on a monthly basis.

Now, I don't know -- again, it's a covert program. It's not supposed to exist, but everybody knows it

exists. And I think it's very important for these numbers to be out, because the official numbers are much, much, much lower than any other public numbers that circulate out there. And I think people should know. It's the only program -- there's a lot of talk right now of that being changed to the military.

And in my view, we ought to go very slow in so doing. The oversight right now is very strong and consistent. The military puts people in for six months, takes them out for six months or takes them out, puts others in. We have now people who have been in training and doing this for 10 years. So they really know what they're doing and the intelligence is very good.

And the fact of the matter is you can make a very reasonable identification from very high in the sky from these particular drones.

Greg Dalton: The -- some of the memos were leaked to NBC News and they -- that -- those memos talk about an informed high-level official deciding that there's an imminent threat against the United States. Can you comment on that? What does an imminent threat means?

Dianne Feinstein: Well, that's not -- let me respond. Imminent threat has to be explained. And right now, I believe it's in the vicinity of either having participated or intending to participate.

The people who are targeted are well-known leaders of terrorist groups, particularly Al-Qaeda. And these drones have taken out well over half of the Al-Qaeda leadership. The problem with it all, and the reason I'd say go slow, is I believe we are in a crossroads with respect to these terrorist groups. I think Al-Qaeda as a closely-knit circle with training bases and operatives and guidance from the top, Osama bin Laden, is really no longer. What there is now is a loosely-knit group of terrorist organizations around the world, AQIM --

Greg Dalton: Al-Qaeda in the Middle East.

Dianne Feinstein: -- the Al-Shabaab, Yemen, Mali, Libya. So there all these different groups. And at some point, we believe they interface. And until this all gets figured out, and the other thing is we must improve our human intelligence in these areas, which is very difficult to do because it's a very different culture. This is no longer the United States CIA versus Soviet Union or Russian KGB. It's a whole cultural Islamic fundamentalist overlay.

And so language and culture all become a problem in terms of really getting good human intelligence. And this is increasingly now becoming a serious issue in Syria, because of the depth and breadth of that civil war and now the injection of terrorists into the opposition, particularly the Al-Nusra Front.

Greg Dalton: And culture is also a part of the way that people respond to these drone strikes. President Carter -- former President Carter wrote last year that drone strikes "turned aggrieved families toward terrorist organizations and arouse populations against the U.S." And General McChrystal has also expressed concerns about the impact that drone strikes have on people that suffer them. And it might actually be working against the United States in some cases. Is that correct?

Dianne Feinstein: I think there's a real element of truth in that. Having said that, it remains our most successful counterterrorism tool, and that's sort of taking out the head of the dragons. I believe they will come after us if they can, and that's why TSA remains strong. That's why we all stand in the line because I have a metal knee. I go through the body searches every time I get on a plane. And it really is the price of freedom in a sense and something that we should really accept

with a smile because they work under -- TSA works under a lot of hard situations. But this is not over and no one could predict how long it's going to go on.

Greg Dalton: So -- okay. If you're just joining us, our guest today at the Commonwealth Club is U.S. Senator Dianne Feinstein.

Let's talk about the non-military use of drones. They're proliferating in the United States. The Federal Aviation Administration is testing the use of drones. Some police departments in Houston and other cities are experimenting with drones as a surveillance technique. Arizona and Montana now have requirements that police have to get a warrant before a drone is used to collect evidence. It seems that technology is ahead of policy here and it's --

Dianne Feinstein: Exactly. That's exactly right.

Greg Dalton: -- in the commercial use of drones.

Dianne Feinstein: Well, that's exactly right. And we just had a hearing in judiciary.

And it was very interesting to see a Colorado sheriff talked about how they use drones, how they're confined under 400 feet, and of course they're good at finding fires and that kind of thing. But this is an enormous privacy question for the United States. I know the kind of IDs that can be done from the sky. I know they can peer through windows. I know they can reveal people in the privacy of their own backyard. And I think the privacy questions are really substantial. I think we need to have operating criteria that's nationwide. It's one thing to use them on the borders to prevent intrusion along our borders. It's another thing to fly them over our cities and towns.

Greg Dalton: Should warrants be required for police use?

Dianne Feinstein: I think in some instances, yes.

Greg Dalton: But not all instances?

Dianne Feinstein: Well, it's a new thing. We don't know yet what all instances are. I mean if you're going to surveil somebody in their home, the answer is yes, I do think a warrant is necessary.

Greg Dalton: But public spaces might be a little different.

Dianne Feinstein: And public spaces might be. We have just begun this. The hearing was just held within the last two weeks and there's another thing. The drone that the Colorado sheriff brought in is very small and, you know, this -- and some of them are quite large. So they really have to have specific airspace. You don't want them running into commercial airlines around airports coming in for landings.

Now, interestingly enough, one pilot in New York apparently said, "There's a drone next to us." That hasn't been proven yet to the best of my knowledge. I don't know. But is it possible? I supposed it is.

So we need to do a lot of work here and we need to be sure that people are protected from undue intrusion. And the drones are used where it is really technically appropriate for them to be used. And that's easy to say. It's not so easy to legislate.

Greg Dalton: There's a lot of prospective uses for drones, search and rescue, surveying forest fires, lots of --

Dianne Feinstein: That's right.

Greg Dalton: -- fantastic uses of them that could be very promising.

Dianne Feinstein: That's right. That's what I tried to say.

Greg Dalton: Yeah. And then the -- let's think about that. If you're just listening to us, joining us on the radio, our guest is U.S. Senator Dianne Feinstein.

On another point, 2012 saw some amazing droughts and floods in the United States. Water is a big issue for you and California and most people around the country. I'd like to get your thoughts on how we're going to manage water in the future where we have these extremes of too much water sometimes and not enough water other times.

Dianne Feinstein: I spent a lot of my time on water in California. There is no question in my view that we are on our way to a much drier climate. We are on it because of global warming. We are on our way to the major source of water, which is the Sierra Nevada snowpack, drying up, and it's very serious. So there are big water fights.

Right now, the water allocation for south of Delta farmers I believe is 20 percent of their contract amount. That is way too little. A farmer can't plant, irrigate, and harvest with 20 percent of his contract amount. He probably can't go to the bank and get the loans that he might need with 20 percent of his contract amount.

This happened once before and-- in 2010. And what we did then was work in concert with Interior and the Department of Reclamation to come up with an additional 150,000-acre feet of water, which got them up to 45 percent, and that was very helpful because the break-even point for them is around 40 percent, 45 percent.

This year, Reclamation is already working on coming up with some additional things using a new thing, which is called the intertie, which is being able to move water from one main channel, the federal water channel to the state water channel, and back and forth. It's called an intertie.

So we're trying to do more water transfer. The Metropolitan Water District, which is the Los Angeles area water district, is sort of the big 800-pound gorilla in the state. And they have a great executive director and a good board, and they have tried to be very helpful. So when they have water, they run it up, so that it can be used in the Central Valley and then replaced later in the year.

But the key is we need to store more water from the wet years and hold it for the dry years. And this environmentalists don't like.

Greg Dalton: Because it means more dams?

Dianne Feinstein: Well, it may mean raising a couple of dams. Right now, Shasta looks like it is the most cost-effective raise, and this has to be funded. This is a federal dam. We have to find a way to fund it if we're going to do it, but we need more off-stream storage in reservoirs.

They are putting together a store -- a water bond up in Sacramento. The last time they did it, it was way too big. It was \$11 billion. I don't think that anything approaching \$10 billion is viable with the electorate, but I really do believe that the time is now to have a storage water bond.

The other thing that the legislature did is have everybody's favorite project in it to get support, and you can't do that. You can't do that. It has to be -- I think the most important thing we can do for

our state is hold water from the wet years for the dry years. And that should be what a bond should contain. And we should get that done. So we'll go for three years and then there's another drought and we're in the same situation again.

We're going to lose our agriculture. We're the largest ag-producing state in the nation, and I don't know, I live in Washington now for a lot of the time and I can tell you the crops grown in California tastes much better [Laughter] than crops that come for the most part from other places in the world. And that's particularly true of the avocado. I'm a big fan of avocados and --

[Laughter]

Greg Dalton: The great drought of 2012 also affected corn prices, a large part of the corn.

Dianne Feinstein: Yes.

Greg Dalton: And the Department of Agriculture predicts that we will start to see some upward pressure this year on prices of food because of what happened to corn and soy beans. So this is really a national issue of not enough water. Half of the country was in drought last year.

Dianne Feinstein: Well, that's right. I have opposed consistently the use of corn in ethanol. And what it's done, it's driven up feed prices all across the nation.

[Applause]

And it had a trifecta of benefits. It had a subsidy, a mandate and a tariff. So, the tariff is gone, the subsidy is gone, the mandate remains, and that's really too bad. I think corn ought to be phased out. I think there are other forms of ethanol that are much more where the coefficient of energy is much more positive than it is with corn. And sugar ethanol, cellulosic ethanol, all other kinds of ethanol and that's what we ought to work for and leave corn alone.

Therefore, I sat next to at a dinner a woman from the Central Valley, who had a turkey farm and they couldn't afford the prices of feed, so they went out of business. That's direct testimony to me and there are many, many others because of what this has done to the price of feed throughout America.

Greg Dalton: And you got some of the corn ethanol subsidies reduced in the last couple of years, right?

Dianne Feinstein: That's right.

Greg Dalton: Since the last time we talked.

Dianne Feinstein: And we got the tariff taken off.

Greg Dalton: So it can be imported.

Dianne Feinstein: That's right.

Greg Dalton: But there's still too much support for corn.

Dianne Feinstein: That's the tariff on sugar ethanol you see.

Greg Dalton: Okay.

Dianne Feinstein: They want to prevent it from coming in --

Greg Dalton: Right.

Dianne Feinstein: -- so they put a tariff on it.

Greg Dalton: From Brazil, right?

Dianne Feinstein: Yeah, from Brazil.

Greg Dalton: One of the other extreme weather events of 2012, of course, was Hurricane Sandy, again, where there's too much water for a period of time, 13-foot storm surge in Manhattan. You're on the Appropriations Committee that wrote 60 -- American taxpayers wrote \$60 billion to those states. I'd like to hear your thoughts about that and whether the federal government will do that again next time, be able to keep bailing out cities as extreme weather affects American cities.

Dianne Feinstein: Well, I think we all remember the earthquake, Loma Prieta, and I think we also remember the earthquake at North Ridge, and the enormous damage that these big quakes do.

We sit in what's called the Ring of Fire for earthquakes, and the probabilities for a big one are up. And the earthquake -- these big ones have happened on the tip of South America, they've happened in Southeast Asia-- Fukushima with all the damage that was done. So it's going right around the Pacific with these huge earthquakes and it hasn't come down through-- Alaska has had big earthquakes.

We have nuclear-powered plants. We have four big reactors right on the ocean. So if something happens, the federal government must come to the aid. There's no question about that in my mind. And I think that what happened on the East Coast with the flooding and, you know, I was just reading a newspaper today where California has serious flooding risks as well.

Greg Dalton: Right.

Dianne Feinstein: So we all may need federal help sometime. And if it's a real emergency, that money should be forthcoming.

Greg Dalton: Some people in Florida have even gone so far to kind of basically get a promissory note for future disasters that may hit Florida.

Dianne Feinstein: Oh, is that right? I didn't know that. Yeah.

Greg Dalton: It's in the House to try to get the federal government to sort of pledge in advance.

Dianne Feinstein: Yeah.

Greg Dalton: Because New York and New Jersey had a hard time getting their money last time.

Dianne Feinstein: Well, that's right, and it shouldn't be that way. I mean we have to do that. Now, you know, I know there's debt. I know there's deficit. But you can't let people have their homes wiped away and everything they own destroyed and not provide some help. I mean what do we have a government for?

[Applause]

Greg Dalton: There's a possibility that states and cities won't do some things to protect against sea level rise and extreme weather if they think the feds will come to their aid.

Dianne Feinstein: Oh, you have to do this anyway because the climate has already warmed at least one degree over a hundred years. And, you know, people I think don't really understand. They think the earth is immutable. They think we can't destroy it, that it's here to stay and it's always been this way. It's not so. You know, some 200 plus million years ago, there's geologic evidence to say that maybe there was only one land mass on earth and it all split apart. I don't know whether that's true or false. I've read a lot of science on that subject.

But ever since the Industrial Revolution, when we began to pump carbon dioxide through fuel into the atmosphere -- the atmosphere is very limited. It's maybe seven miles up and that's it. And it's like a shell. And so every bit of this that's pumped into the atmosphere stays. It doesn't dissipate.

So as we fill the atmosphere with pollutants -- methane, carbon dioxide, other things, what happens is it warms the earth and it begins with animal habitat disappears. It begins with the ocean beginning to rise. It begins with more violent hurricanes, tornadoes, funnel clouds in the Pacific, where in my youth, they never used to be. They are now on occasion.

And lightning strikes. I remember one June where there were a thousand lightning strikes that started hundreds of small fires in California. When it rains, the drops are bigger. The rain's more violent. Drought is more prevalent.

So I think, actually, what's going to be the ultimate changer is weather. People see weather. They see hurricanes. They see the devastation.

And so I think eventually, people are going to come around to support restrictions on carbon dioxide. Maybe a fee on the use of carbon that goes in to replace or replace our deficit or debt. A \$20 fee I think is like \$1.2 trillion in revenue over 10 years. If you just take half of that, it's \$600 billion. So it accomplishes something.

Greg Dalton: Is there much support for that incentive?

Dianne Feinstein: I wouldn't say there's much. I would say this: people are coming to realize now and we have a little caucus that meets and discusses. We've had, I think, three global warming bills up. They didn't get -- I think they got 36 or so votes. But everything is getting worse. The weather is getting worse and the climate change is getting worse.

And actually since 2008, good energy has doubled. That's the good thing that, you know, electric cars are being more prevalent. Hybrids are being more prevalent. People are saving money. So, good things are happening.

The question is can we really bite the bullet and make the decision that we're going to save the planet. Because if it warms, and I heard your opening spot, four to seven degrees, it's too late.

If we can confine this warming to one to two degrees, then there's big change, but it's handleable and that's where we should strive to go. China, in particular, has a terrible, terrible problem.

Deaths are now up from pollution. People are wearing masks virtually all winter long in Shanghai and Beijing.

Greg Dalton: There have some recent reports putting price tags on all of that, the price of the health, loss of life, et cetera. And President Obama in his inaugural address and his State of the Union pledged stronger action on climate. Do you think he is doing enough? Specifically, what should he do?

Dianne Feinstein: Well, you know, here's the -- the president has so many things and everybody

says, "Do you think he's doing enough on this or that or the other thing?" And he's going to appoint a new EPA director. The EPA now has the ability to move ahead. So it's very important that the EPA director be strong and be willing to take the action that's necessary to help us all save this planet.

Greg Dalton: And you think Gina McCarthy will get confirmed?

Dianne Feinstein: It's a good question. Everything is questioned these days. I mean it's the first time I have ever seen a president go through years of his presidency without being able to confirm members of his own Cabinet.

Greg Dalton: And the judiciary?

Dianne Feinstein: And the judiciary. Well, the judiciary is a sort of place apart, but for the executive branch to work, having your Cabinet in place, I mean, is a no brainer. And, you know, everybody says, "Well, elections matter." Yes, they matter. Whoever is president has to be able to govern, and the way you govern is through your executives, which are your Cabinet secretaries.

Greg Dalton: Do you think that the U.S. should approve the Keystone pipeline?

Dianne Feinstein: I have just been reading a National Geographic article on tar sands. And everything that I saw from that article is bad. Now, tar sands --

[Applause]

This tar sand project is up in Alberta. I'm told that the area is bigger than the state of Florida. I'm told that there -- it's a forested area, which they mow down and then begin to dig these huge, giant lakes that they pour chemicals in to produce this form of tar sands oil. The earth is defaced forever. Now, we have to make up our mind. Do we want to deface large portions of our earth forever? I don't think so. Because we're making progress on clean energy, and that ought to be where we go.

As some people say, "Well, you know, if the pipeline isn't built north to south through the center of our country, they're only going to do it east to west and send it to China." I think that is really not a very good argument, because I think we really have to look at tar sands, and I'd be happy to make that National Geographic article available. I have it at home and I can give it to my staff. And if anyone would like to call Sean Elsbernd at our San Francisco office, he'll make the article available to you. Right, Sean?

[Laughter]

Greg Dalton: Surely some very vivid photos. Another area of potential large oil development is here in California, the Monterey Shale, a new fracking technology making accessible -- about 15 billion barrels of oil, which is equal to half the amount originally in the north slope of Alaska. Should that be developed and should California tax that? California is the only state that doesn't tax oil extraction.

Dianne Feinstein: Well, I sure think we ought to tax it because I don't think candidly that it's all that necessary. There will be no oil drilling off the coast of California if Senator Boxer and I prevail, and we have so far. And the House delegation --

[Applause]

And the House delegation as well. The people of our state voted and we voted against offshore oil drilling. And I believe we ought to keep that vote. But my emphasis would be on clean energy. I

would -- you know, the wind farms, the solar facilities, and there's so much research going on different forms of fuel. I mean I'm amazed of what they think they can make fuel out of these days. So, you know, I say, "That's just great. Let's do it." And leave these fossil fuels alone because they pollute the atmosphere.

[Applause]

Greg Dalton: If you're just joining us, our guest today at the Commonwealth Club is U.S. Senator Dianne Feinstein. I'm Greg Dalton. A number of questions from the audience today including, "Do you drive an electric car?"

Dianne Feinstein: I drive a Lexus Hybrid car, which I love. It's outside. It's in the basement here.

Greg Dalton: I'm sure Tesla must have approached you about their Model S Roadster.

Dianne Feinstein: Actually, I sat on one out of the Fremont plant, kind of dented the fender a little bit. No, not really.

[Laughter]

Greg Dalton: Another question from the audience, "When is the government going to get serious about ending obsolete subsidies to well-established industries like oil and gas agri-business? They can take care of themselves now. They're big boys." You've talked about corn.

Dianne Feinstein: Yes.

Greg Dalton: And subsidies, how about other subsidies?

Dianne Feinstein: Well, I think the day has come for subsidies to go for industries other than start-ups like some of the clean energies.

Greg Dalton: Solar?

Dianne Feinstein: Yes. And I think as you know, everything is cut, cut, cut back there right now with sequestration cutting another \$85 billion before the beginning of the fiscal year and then the amount goes up. So there's going to be cut after cut after cut. And they're big cuts. So I think we need to look at tax reform. I think we need to look at all of these deductions and remove a lot of them. And I think we also need to look at our entitlement programs.

Let me sort of give you an idea of what's happened over the last 10 years. What I'm going to tell you is put together by the staff of the Senate Appropriations Committee. Over the last 10 years, our population has gone up by nine percent. Defense spending has gone up 74 percent. Remember now, this is on the debt by and large. Because both Afghanistan and Iraq were funded for the first time in history on the debt. Entitlement spending has gone up 32 percent.

Everything else that's justice, education, that's agriculture, that's everything -- that's highways, transportation, everything that the federal government does is even. And revenues have dropped by 18 percent. Taxes are lower than they -- the lowest they've ever been since 1955, when they're very high.

Greg Dalton: So, maybe the sequester is not that bad?

Dianne Feinstein: So we lost revenue and increased debt to pay for wars and to pay some on

entitlements. So I think the solution is there are things we can do on entitlements that are outside of the 10-year window that likely won't affect many people who are now on these programs that can see that social security for the long term is viable. That's most important.

Increasingly, people don't have retirements or pensions from their companies. They come to depend on social security and that must be there for them. Medicare, another one. I'll tell you one thing. The federal government does not competitively bid Medicare products, if you can believe it. That makes no sense. If we just did what the military does in competitive bidding, we'd save a great deal of money.

So it's possible to make some changes that really aren't going to impact people out there using these programs right now. When I agree that, you know, unemployment is high, the time is still tough.

Homes are still underwater. As a matter of fact, 25 percent of our homes in California are underwater.

So I think we could look at a much more complete package and have substantial bipartisan support for it.

Greg Dalton: Another question from the audience, "How do we eliminate the conflict of interest that campaign finance creates?"

Dianne Feinstein: Well, you'd have to be specific because campaign finance is so difficult.

Greg Dalton: So the idea I guess is there's -- since Citizens United who's been a flood of money. Super PACs --

Dianne Feinstein: Oh, oh.

Greg Dalton: --that maybe one thing that --

Dianne Feinstein: Oh, oh, yes. Yeah.

Greg Dalton: -- certainly has changed the game.

Dianne Feinstein: I think the Super PAC and the so-called independent PAC is really the wrong thing to go because people unidentified can produce \$10 million, \$20 million and make it impossible for anybody to respond to it because of the depth and breadth of their television buy.

And so -- there isn't a solution yet to the Supreme Court decision. I think it's the most unfortunate decision. We are limited on the federal level, in the Senate, to \$2,500 for the primary and \$2,500 to the general. And I think that's a good thing. I'm also glad I can look forward to six years without having to raise money, so...

[Laughter]

Greg Dalton: A number of questions about guns. People pointing out that a lot of Americans support background checks according to the polls and yet that seems to be a very difficult -- very difficult prospect. So explain the disconnect between the polls and the votes on a background check.

Dianne Feinstein: Oh, well, it's called to a great extent the National Rifle Association that really can go out and spend large amounts of money defeating members of the House and some senators, particularly in the smaller states.

And they do it. And after the bill that I authored in 1994, Jack Brooks, who was Chairman of the House Judiciary Committee, was defeated, the Speaker of the House, Tom Foley, who let the bill come to the floor and the House, was defeated. So they exerted their muscle and now they are funded reportedly to a substantial extent by gun manufacturers.

And so that's where there are real conflicts of interest because the gun manufacturers have even tried to get full liability immunity-- if a gun explodes when you're shooting it, the manufacturer isn't liable.

Greg Dalton: A couple of questions here about, again -- about the assault weapons used and guns and handguns being responsible for more of deaths and crimes than assault weapons. And coming back at the question of how to get at handguns, particularly we have a question from a law enforcement officer in the audience about getting at handguns.

Dianne Feinstein: Well, I see no support for that, to be candid with you. I see support for the big clip. And the handgun is diminished if you have a limit on the number of bullets that can be in a clip. And I think 10, some say 15, but I think 10 is an adequate number to prevent the kind of mass slaying that Aurora or Sandy Hook or Virginia Tech or Columbine represent.

Greg Dalton: Just one comment from the audience. "Please accept my immense and heartfelt thanks for all your efforts on gun control."

Dianne Feinstein: Well, that's nice. Thank you. Thank you. Appreciate it. Thank you. Thank you.

[Applause]

Greg Dalton: And a follow-up question, "What can we do to help you pass gun control legislation?"

Dianne Feinstein: I will tell you, any Republican you know, have heard of, have read about in the Senate, pick up the phone and make your case. Any member in the middle of the United States, in Montana, in Wyoming, in North Dakota, in South Dakota, in Nebraska, in the south, in North Carolina, in Virginia, in West Virginia, in South Carolina, in Tennessee, in Oklahoma, in Florida -- pick up the phone and press your case. This is where the votes are lacking. On both sides of the coast, we have good support, and in places like Illinois, and we have good support in the Midwest too. But in some of the mountain states, we need that support.

Greg Dalton: One other question, about the mental health aspect of guns, is one thing to ban guns, but there's a mental health aspect which we haven't touched on yet about that aspect of gun violence.

Dianne Feinstein: There are all of these aspects. Let me tell you, Adam Lanza had a mental health problem. A mental health background check wouldn't have picked it up. His mother knew and she did apparently nothing, except give him guns. So there's a -- it's a more complicated factor than just saying that this will solve the problem. I think it's a combination of a whole host of things that go into this.

After nine years of being mayor and nine years of being a county supervisor, where the gangs got their guns were from gun shows or on the streets. You want to keep these weapons away from gangs. We lost right here a very good young police officer walking down 3rd Street when a gang member had an AK-47 with a folding stock under his trench coat and was stopped by this officer. And he pulled out the weapon and he killed the officer.

These weapons are used in cities to go up against police. And police are often outgunned by them.

So they make no -- it makes no sense. You can buy these weapons at gun shows. Most people don't really go into a federal firearms dealer who are mentally inclined to commit one of these violent acts. They find another way to purchase the gun.

And it's kind of interesting because if you buy a lot of gun magazines -- and I've been doing this -- and looking at them that you see the psychology of how they're sold. You see people in camouflage gear looking like they're military, holding their weapon and shooting them. You'll see even with the AR-15 that there's something called the slide fire stock that you can put in that uses recoil to make the weapon simulate a fully-automatic weapon so that the bullets are just pumped out like this, and you can turn it back to semi-automatic where the bullets come out like that.

The point is that these weapons are attractive to certain people.

And I don't know how you get at that attraction and stop it as long as the promotion is as intense as it is.

Greg Dalton: Our guest today at the Commonwealth Club is U.S. Senator Dianne Feinstein. We have a couple of questions here about immigration, which appears to be the first big political agreement of 2013. Tell us what you think will be in that and will it get done?

Dianne Feinstein: Well, there's a group of eight senators that are preparing a bill. And the aim of the bill is to establish a pathway for legalization of the people that are in this country, gainfully employed, paying taxes, et cetera, toward legalization. My part of the bill is something called ag jobs. That's the agricultural worker part of the bill. And so we have been negotiating with all the grower interests and the farm worker interest to try to come up with a protocol for the setting of wages.

And what's called a Blue Card program, which would legalize people who have been in this country, who are now gainfully employed, have been gainfully employed for the past couple of years and have done X number of hours of agricultural work. They would get a blue card whereby they could continue that work. And if they continued it for another three years with the number of hours, they will get a green card. We would also establish two guest worker programs. We have achieved agreement in principle, I think, and the next step is to begin to draft bill language. So the part that's mine, we have been working on and we have four of us.

Senator Rubio, Senator Hatch on the Republican side, and Senator Bennett of Colorado and myself on the Democratic side, and we are in agreement. So that's good news.

[Applause]

Greg Dalton: We have about four minutes left. A question here from the audience is "What are the national security implications of the failure to stop climate change?" And I'll just note that the Central Intelligence Agency under Leon Panetta created a group to study national security aspects of climate change, and that group no longer exists within the CIA. But -- national security and climate change.

Dianne Feinstein: Well, I have to look at that specifically because I was the one that got the funding for that particular program and I was not aware that the funding was removed for it. So I need to find out.

Here's the thing. If you have low-lying areas, let's take Bangladesh, let's take some of the bigger islands. And they are flooded. Where do people go? And what's the result of that movement of people in low-lying areas all over the world? What's the result in the oceans warming so that fishing

stocks are killed or no longer as prevalent?

So these are the kinds of national security concerns I think that emanate from that. And what was being done is having our satellites track various areas so that we could note changes over years. The melting Arctic, the melting Antarctic, Greenland, which has substantial melting.

And from that, you see the movement of people that's going to have to take place and then what happens with that.

Greg Dalton: And some people are very concerned about Indonesia, the largest Muslim country, heavily dependent on fishing, if fishing starts to go down in Indonesia...

Dianne Feinstein: That's exactly right.

Greg Dalton: ...what does that mean for stability and --

Dianne Feinstein: That's exactly -- that's what I tried to say. I wasn't as eloquent as you are

Greg Dalton: No. Sorry, I'm just --

Dianne Feinstein: Yeah.

[Laughter]

Greg Dalton: Last question is "How do you think climate change will affect you and your family in the years ahead?"

Dianne Feinstein: Well, I have seven grandchildren and I really believe it will affect them. And I really hate to say this, but I spent 40 years in this life in government to end it and not have secured a world that's capable of sustenance and beauty and wonder for my grandchildren is just a crushing blow. So I hope that within the next six years, you're going to see a climate change bill passed the Senate, the House and be signed by this president.

Greg Dalton: We have to end it there.

[Applause]

Dianne Feinstein: If I might just say something because you've -- national security -- you mentioned national security. If you ask me what is my number one national security concern, it would be cyber intrusion. And this is something that we know something about, and the loss to American industry is enormous. And if there's another problem attached to it -- companies don't like to admit, banks don't want to admit they were robbed of \$8 million here and \$10 million there by cyberattacks.

Companies don't want to admit that they've had denial of service and the inability to function in certain ways. Recently, a report was done by a cybersecurity group called Mandiant. The New York Times was a client of theirs, as was some 150 other businesses. And they went right to China. And they produced a report, which is unclassified, and which our intelligence really supports and we can get you a copy of that report too to take a look at it. But they went and identified specifically one group in China, on the island of Pudong, part of Shanghai, with a picture of a 12-story building with connections to People's Liberation Army 3, actually engaged in cyber attacks against United States. Two weeks before he went back to China, I spoke with the Chinese ambassador whom I knew and I think is a very fine man, and I've said -- that's before I saw this study -- "You've got to do something

about the cyber attacks." And he denied it. "This isn't happening. You're wrong."

This Mandiant report, the Chinese government now has it. I do not believe they can say it isn't true.

So I believe that right now is the time for diplomacy to really take root. The president has mentioned it. Secretary of the Treasury has mentioned it and the National Security advisor, Tom Donilon, has mentioned this in trips to the Chinese.

So I would be very hopeful, as a friend of China, as somebody who started one of the first relationships China's had with the outside world and that was the Shanghai-San Francisco effort.

I would hope that China is prepared to move to stop this, because the report also indicates that as of late, the manipulation has been on critical infrastructure in this country. And this is the big worry that somebody takes down the FAA or our electrical grid or any other really important part of American life.

So I would say it's cyber security. I would also say I have very deep concern about what North Korea is doing and what this young, new leader is doing. Because his threats are outrageous, and he showed already that he can do what he said when he sunk a South Korean ship and killed some 50 South Korean sailors.

So there is no question in my mind. But if the North Koreans were to attack South Korea, if they would attack us, whether it's Hawaiian Islands or the mainland, which they may well be capable of doing. They have a nuclear capability now. Iran does not yet.

So I think the worry about dealing with North Korea is a justifiable worry. And I very much hope and I've communicated this that there are some discussions from the very top of our government to try to get to the root of this and see that we can't put these threats behind us because they're very serious.

Greg Dalton: And on that note, we have to end with U.S. Senator Dianne Feinstein talking today at the Commonwealth Club about security concerns. I'm Greg Dalton. Thank you all for coming today.

[Applause]

Dianne Feinstein: Thank you. Thank you. Thank you. Oh, thank you. Appreciate it. Thank you very much.

[Applause]

[END]