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TELEVISION PROGRAM TO "CBS NEWS' FACE THE NATION."



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TRANSCRIPT

BOB SCHIEFFER: Today on FACE THE NATION, can the lame duck Congress throw down its crutches and walk.

PRESIDENT BARACK OBAMA: We need to get this resolved. And I'm confident we can do it.

BOB SCHIEFFER: We know a lame duck Congress can posture. We've seen it during this last week of back and forth. But can it get down to business now and find compromises to keep taxes from going up for all of us? Can it ratify a new nuclear arms treaty and pass legislation to stave off the government shutdown?

We'll talk to the key negotiators for both sides, Democratic Senator Dick Durbin and Republican Senator Jon Kyl. Then we'll get analysis and perspective from CBS News congressional correspondent Nancy Cordes and Jim VandeHei of Politico. I'll have a final word on-- are you ready for this--training germs.

But first, let's make a deal on FACE THE NATION.

ANNOUNCER: FACE THE NATION with CBS News chief Washington correspondent Bob Schieffer. And now from CBS News in Washington, Bob Schieffer.

BOB SCHIEFFER: And good morning again. Jon Kyl is the lead negotiator for the Republicans on some of these key matters before the Senate now. Dick Durbin is number two in the Democratic leadership in the Senate. He is doing the same on these issues. They're both here at the table with us this morning. So gentlemen, yesterday, the Senate did exactly what everybody knew the Senate was going to do. We-- we got these votes out on whether to extend the Bush tax cuts for the people who make two hundred and fifty thousand dollars in-- or less. And the Senate did-- voted exactly the way we knew it was going to come out. They voted no. Because the Republicans say they want these tax cuts for everybody. So here we are. We've got the posturing out of the way. You might call it something different. But now Senator Kyl is the Senate going to get down to business and resolve this-- this whole business of the tax cuts?

SENATOR JON KYL (R-Arizona/Republican Whip): I hope so. We can. We should. I-- I would just make one point. Nobody is talking about tax cuts. We're talking about extending the rates--

BOB SCHIEFFER (overlapping): Yes.

SENATOR JON KYL: --that have been in existence--

BOB SCHIEFFER (overlapping): Yes.

SENATOR JON KYL: --for the last decade, so just to be sure.

BOB SCHIEFFER (overlapping): Yes.

SENATOR JON KYL: And I think that most folks believe that the recipe would include at least an extension of unemployment benefits for those who are unemployed. And an extension of all of the tax rates for all Americans for some period of time.

BOB SCHIEFFER: At-- at every level, including those who make two hundred and fifty thousand dollars.

SENATOR JON KYL: Right.

BOB SCHIEFFER: And-- or more. Let me just ask you this, Senator Kyl. A-- a new CBS News poll shows that only twenty-six percent of those questioned wanted to extend the tax cuts for everybody, including the wealthy. Fifty-three percent said they wanted the cuts for the-- or the extension of the tax cuts for the lower-income groups. And, I guess, fourteen percent want to let all of the tax cuts expire. Why was it so important, why is it so important to Republicans to extend the-- the-- the tax cuts for the upper-income people?

SENATOR JON KYL: First of all, there's a Gallup poll of-- a week ago, that had eighty percent of Americans saying don't increase taxes. But I-- I think the point is this, especially in an economic downturn like we're in now, but I would say at any time--it's not a good idea to raise people's taxes. The-- the key here is to put people back to work, to get economic growth going again. We're never going to get out of the deficit that we have unless we have economic growth in this country. That will produce wealth. The government taxes, that wealth and so. It's good for the country and it's good for the government. And that means that we have to have jobs created. Many of the jobs that are created are created by people who have money. And about twenty-five percent of all the jobs in the country, for example, are created by small businesses. And those small businesses would have been dramatically impacted by an increase in their taxes. So that's one of the reasons why.

BOB SCHIEFFER: Senator Durbin, I think we just heard Senator Kyl make a little bit of news here, because he talked about if we do-- if you extend these tax cuts at all levels, a compromise might include unemployment-- continuing unemployment benefits for people out of work. And a lot of Republicans said they didn't want to do that in the beginning, they've been against that.

SENATOR RICHARD DURBIN (D-Illinois/Democratic Whip): Well, I can tell you that without unemployment benefits being extended. Personally, this is a nonstarter. The notion that we would give tax cuts to those making over a million dollars a year, which is the Republican position, and then turn our backs on two million Americans who will lose unemployment benefits before Christmas--a hundred and twenty-seven thousand in the State of Illinois, is unconscionable. And incidentally having just left the deficit commission clearly the deficit is not an issue here any longer. If we can justify giving a tax break to the wealthiest people in America adding seven hundred billion dollars to our deficit over the next ten years, I wonder what I've been doing over the last ten months sitting on that deficit commission.

BOB SCHIEFFER: All right. Well, let me just turn this around. And if you get the unemployment benefits, will you be willing to go along with extending these tax breaks for the upper-income people, because it sounds like that that's what it's going to take.

SENATOR RICHARD DURBIN: We're moving in that direction. And we're only moving there against my judgment and my own particular view of things. But it appears now the Republican position is-- and it's been consistent, I will say it for him. They saw it. We saw it yesterday in the Senate, is we have to continue the Bush economic policies. And the Bush economic policies of tax cuts for the wealthiest individuals have led us into this recession, cost us fifteen million jobs, have utterly failed. You can't point to those policies as successful.

BOB SCHIEFFER: But it-- but it sounds like you're going to-- you're going to vote for it, because there's no other way to get this done. Would these be-- now I want to ask both of you, would these tax cuts be temporary for everybody or would this be something permanent?

SENATOR RICHARD DURBIN: Well, I'm not voting for any permanent tax cut for the people of the highest-income categories. And I will just say I don't speak for anyone else, but when it comes to the President's position and the position of Democrats in Congress, we are laser focused on this jobs issue.

BOB SCHIEFFER: All right. What-- what about you, Senator Kyl? Is temporary good enough on those upper-income--

SENATOR JON KYL (overlapping): First of all--

BOB SCHIEFFER: --extensions?

SENATOR JON KYL: We-- yeah. We're not talking about tax cuts.

BOB SCHIEFFER: I got you.

SENATOR JON KYL: We're talking about extending for another period of time the rates that have been in existence for the last decade.

BOB SCHIEFFER: Mm-Hm.

SENATOR JON KYL: Secondly, those tax rates helped our economy and job production. They did not create the problem that we have today. That was a problem created, as you know, by the crash of Fannie Mae and Freddie Mac and the housing market, the so-called bubble. It had nothing to do with these tax rates. Without the taxes being where they are the situation would have been much worse. And that's why they need to be ex-- extended--

BOB SCHIEFFER (overlapping): All right.

SENATOR JON KYL: --for some period of time.

BOB SCHIEFFER: L-- let me just ask you this. And I'll ask both of you. Are the votes there now in the Senate, in your opinion, to extend these tax--

SENATOR JON KYL: Rates.

BOB SCHIEFFER: --rates as you call it, for all Americans, if the package includes extending unemployment benefits? Is that doable? Are the votes there right now?

SENATOR JON KYL: There are other items that both the President and Republicans would like to see a part of this package as well. As-- as one of the six negotiators, I can tell you there have been discussions about a lot of the other elements as well. But at least in theory, I think an agreement could be reached in the relatively near future.

BOB SCHIEFFER: And you think so, too, senator?

SENATOR RICHARD DURBIN: It could happen. I'm not going to rule it out. But I want to tell you something else. I'm troubled. I know that in a few months we're going to have a debt ceiling vote and we're going to have all of these pious speeches posing for holy pictures as Dave Obey used to say about our deficit and many of the people who are going to vote for this tax cut for the wealthiest people in America adding to our deficit lamenting that deficit will refuse to vote on the debt ceiling out of principle. I think, honestly, the debt ceiling ought to be a-- a part of this, unlikely, but it is part of the same conversation.

BOB SCHIEFFER: Now both of you think this-- this will get resolved this week?

SENATOR JON KYL: It could. There is some other business that the Senate may have to deal with this week. And I will tell you that when we sat there-- we went to the White House last Tuesday, the President said, will you sit down in a bipartisan way to try to work this out? We all said, yes. We had a-- we started the next day with a meeting. We met everyday for the next three days. But it was very clear. We were not going to be discussing anything of substance until these political votes had occurred in the House and Senate. This posturing as you called it.

BOB SCHIEFFER: Mm-Hm.

SENATOR JON KYL: So we basically wasted a week after the President asked us to meet in a bipartisan way going through this political exercise in order to get to the point that we are now.

BOB SCHIEFFER: But you'd both sound fairly optimistic as these things go that you can get this done now.

SENATOR JON KYL: Well, we're up against-- look, it's almost Christmas Eve. I don't think anybody thinks that we can leave this thing hanging and so that deadline is a-- is a pretty good way to focus our attention.

BOB SCHIEFFER: You-- about the same mood on that?

SENATOR RICHARD DURBIN: Oh sure. There's nothing--

BOB SCHIEFFER (overlapping): Yeah.

SENATOR RICHARD DURBIN: --that motivates members of the Congress more than the-- the thought of a recess or going home.

BOB SCHIEFFER: Yeah. I want to ask both of you about this whole WikiLeaks mess. I mean, we've had another huge dump of information, these confidential--some of it classified information that's been made public by this group called WikiLeaks headed by this man named Julius-- Julian Assange. What-- what's going on here? How bad is this, or is it something we ought not to be worried about? And why aren't we trying to find this guy or are we?

SENATOR RICHARD DURBIN: Well, I think we are trying to find him and a lot of-- lot of people are. He has criminal charges pending in Sweden, if I'm not mistaken. And I'm told that some hundred and eighty nations now would honor those charges if they discovered him.

BOB SCHIEFFER: Do you think he's damaged national security?

SENATOR RICHARD DURBIN: I do.

BOB SCHIEFFER: You do?

SENATOR RICHARD DURBIN: I do. And I'll tell you I come from an era where I think Daniel Ellsberg situation with the Pentagon papers was a clear contrast. Here was the disclosure of classified information in the midst of a war that brought out some things that were not well known, not public and might have changed I think the course of history.

BOB SCHIEFFER: Mm-Hm.

SENATOR RICHARD DURBIN: In this case, Mister Assange is doing a dump of information across a broad spectrum of things. It is not about any particular issue and whether you agree with Ellsberg or not, his is a much different case. First question is, how did he ever get access to so much--

BOB SCHIEFFER (overlapping): Yeah.

SENATOR RICHARD DURBIN: --information?

BOB SCHIEFFER: So what-- what's you take?

SENATOR JON KYL (overlapping): And-- and we need to find that out because this is very damaging. What troubles me is this is the third dump. And the administration didn't seem too concerned about the first two dumps. It's only when it starts to embarrass the State Department, because they have cables that are very relieving-- excuse me, revealing about what some of our diplomats have said about other world leaders that we appear to be all that exercised about it. This-- this guy could have been, it seems to me, we could have gone after him a long time ago.

BOB SCHIEFFER: Do you think as a terrorist, could he be charged with espionage? I mean what-- what do you think he's up to here?

SENATOR JON KYL: Well, he's up to publicity and I presume making money as to the exact statute under which he can be charged I'm not sure that-- that gets into a very complicated-- Dick and I serve on the same committee. We had a hearing about exactly what kind of statutory framework we need for this kind of phenomenon in the future. And Ben Cardin and I are going to be working up some legislation, I think that would enable us to more broadly be able to charge people even if they're not handing over information to a-- to an enemy, for example.

BOB SCHIEFFER: Let me-- let me shift to this whole START treaty, ratifying this new nuclear treaty. A whole lot of Republicans, Senator Kyl, people from like Henry Kissinger on back and on up since then say we ought to ratify this thing that it's a good thing that it helps us to keep an eye on what the Russians are doing. You have held it up, up until now. Why?

SENATOR JON KYL: I haven't held it up. Leader Reed can bring it to the floor any time he wants to. I have no ability to hold it up. I haven't even said whether I'm for it or against it. All I've done is try to get the administration to focus.

BOB SCHIEFFER: Are you for it or against it?

SENATOR JON KYL: Let me just-- what I've tried to do is to get the administration to focus on the modernization of our nuclear facilities and weapons because when you go down to the very

low levels that this treaty would take us, you've got to make very sure that what you have left works and is safe, reliable and secure. The administration is now I think a lot more focused on that. They recognize it's going to cost a fair amount of money in the future. And when I see how the resolution of ratification turns out after amendments are offered to that and proceed a little bit further down the road regarding modernization, I'll make my-- my views clear about whether I support or oppose the treaty.

BOB SCHIEFFER: Senator Durbin, what do you--

SENATOR RICHARD DURBIN: I support the START treaty and I go back to Ronald Reagan. Trust but verify. For over a year, we have not had inspectors in Russia. We don't know what's happened to their nuclear weapons. We don't know if they're being held in a safe way, are treaty compliant. We're in the dark.

BOB SCHIEFFER: Well, is it important to get it done now--

SENATOR RICHARD DURBIN (overlapping): Yes, it is.

BOB SCHIEFFER: --during this lame duck? Or can it--

SENATOR RICHARD DURBIN (overlapping): No, it's—

BOB SCHIEFFER (overlapping): --hold over until next year.

SENATOR RICHARD DURBIN (overlapping): --to do it now.

BOB SCHIEFFER (overlapping): And--

SENATOR RICHARD DURBIN (overlapping): if you look at the--

BOB SCHIEFFER (overlapping): --because, why?

SENATOR RICHARD DURBIN (overlapping): --the sum and substance the activity of the Senate of the last week could have been accomplished in a matter of hours. We have time on our hands at a time when we're supposed to be running out. And I think it should be done now because we need to give this President the authority to move forward to make this world safer and the United States safer. But secondly, to make sure that the Russians will continue to work with us to stop the pread-- spread of nuclear weapons into Iran and to deal with other threats like North Korea.

BOB SCHIEFFER: What do you need, Senator Kyl, on this to-- to--

SENATOR JON KYL (overlapping): Well, let me-- let me just say--

BOB SCHIEFFER: --to get this done.

SENATOR JON KYL: --Washington Post editorialized saying no calamity will befall the United States, if this treaty isn't done in a lame duck session. If it-- if we wait a couple of months to do it. And the AP, in fact, had a-- a fact-check story out in which they ex-- pointed out the administration itself acknowledged that there were no national security-- imme-- imme--

BOB SCHIEFFER (overlapping): But what do you need?

SENATOR JON KYL: --immediate national security issues.

BOB SCHIEFFER (overlapping): What do you need?

SENATOR JON KYL: It's not a matter of what I need.

BOB SCHIEFFER: What do you want to happen?

SENATOR JON KYL: First of all, the administration has never provided the negotiating record of the treaty. The Russians know what we said and we know what we said, except the U.S. Senate doesn't know what we said. Why is that important? Because in the area of missile defense, there's a lot of concern that we will not proceed to the development of the missile defense, which we need in this country because of Russian objections to it and the way that that interplays with this treaty. There are issues related to the consultative commission built in to the treaty.

BOB SCHIEFFER: Do you think that can get worked out in this lame duck?

SENATOR JON KYL: I think, no. No. The answer is there is not time to do it in the lame duck when you consider all of the other things that the democratic leader wants to do. He just announced last night--

BOB SCHIEFFER (overlapping): So it-- it's--

SENATOR JON KYL: --five additional things that he wants to bring up, in addition to the spending bill which we have to pass in order to get the government funded in addition to the tax issue that we've just been talking about all before the 17th.

BOB SCHIEFFER (overlapping): I'll give the Senator Durbin--

SENATOR RICHARD DURBIN (overlapping): Kyl, let me say a word. I get--

BOB SCHIEFFER: --just a real quick in here.

SENATOR RICHARD DURBIN (overlapping): --say a word. Let me say a word-- I can say a word. Harry Reid and the Democrats understand the priority for national security behind the START treaty. We are prepared to work with Senator Kyl. He said at one point he needed two weeks. Then it came down to seven days. Whatever it takes, we're going to get this done. We have to get this done for our nation's security.

BOB SCHIEFFER: All right.

SENATOR RICHARD DURBIN: And the-- Harry Reid is not standing as an obstacle to this. We are prepared to sit down with the Republicans and work out a schedule to do it.

BOB SCHIEFFER: All right. Well, thanks to both of you.

SENATOR JON KYL: Thanks, Bob.

BOB SCHIEFFER: A lot of insight there. We'll be back in a minute with a little analysis.

(ANNOUNCEMENTS)

BOB SCHIEFFER: And we're back now with our round table. Jim VandeHei, the executive editor - editor of Politico, Nancy Cordes, of course, is our congressional correspondent. Both of you have been all over this lame duck congress story. I-- I-- I think that the-- the headline, if I were going to write one right here, is that it appears they are going to extend these Bush tax rates--

JIM VANDEHEI (Executive Editor, Politico): Right.

BOB SCHIEFFER: --as Senator Kyl likes to call them. He doesn't want to call them tax cuts. But it sounds to me like the START treaty is not going to get ratified during this session.

JIM VANDEHEI: I think you're right. I-- I think everything we're hearing over the weekend is there could be a deal as soon as Wednesday, that would extend these Bush tax cuts for-- for at least one to three years. This is astonishing. If you think about it, you have President Obama with a democratic majority in the House and Senate about to extend Bush tax cuts for millionaires and billionaires for a duration that could last the totality of the first term of the Obama presidency. Who would have thought? If you think back to that campaign, this was the issue he talked most about and talked most passionately about. And now he has to compromise. So it is a-- and it is a big compromise, a big capitulation.

BOB SCHIEFFER (overlapping): Do you think, Jim, that this might get him a-- an opponent in the Democratic primary for President next time around.

JIM VANDEHEI: I don't know if he'll get an opponent, but one thing that people should keep in mind. In the next six months, if things play out the way we think that they're going to play out, he's going to have to look liberals in the eyes and say, not only did I extend tax cuts for the rich, I'm also going to probably leave the end of my first term with more troops in Afghanistan than I inherited. So on two of the biggest issues that liberals care most about he's taking a position that looks a lot like George W. Bush.

BOB SCHIEFFER: Nancy, I take it there is no other way to get these unemployment benefits. And I think-- I think Senator Kyl made a little news this morning because he suggested that unemployment benefits are going to be a part of this package. What exactly does he mean there?

NANCY CORDES (CBS News Congressional Correspondent): Well, this is the tit for tat that the White House is working at with Republicans behind the scenes right now. Okay, we'll give you what you want on tax cuts, which is a huge blow to Senate Democrats. You heard a little bit of that frustration from Senator Durbin. They're very angry at the White House, frankly, for what they see as caving, so quickly. There is a small faction of liberal Democrats who want to essentially play a game of chicken here. Let the Bush tax cuts expire, go into January, keep fighting. They know they can reinstate them retroactively. But most Senate Democrats realize their position is not going to get any better in January when Republicans take over the House, when Republicans gain more seats in the Senate. So they're basically looking at this and saying this is the best we can get.

BOB SCHIEFFER: But it does appear that they are going to get this, I mean, as far as the unemployment benefits and that's very important to millions of Americans with Christmas coming on here.

JIM VANDEHEI (overlapping): It is and there's other priorities, other tax credits that the Obama administration wants and they'll say, listen, as part of this compromise, we got a lot of things that Democrats care about. But on the big issue, they're basically taking the Republican position and that's why Democrats on Capitol Hill are privately livid, because they feel that the White House basically telegraphed a compromise several weeks ago, when David Axelrod had made some comments and that they've done so in private meetings ever since. So this is sort of inevitable and you had that feeling with the senators today. They both felt like this is inevitable.

NANCY CORDES: But I would not be so quick to rule out the START treaty getting done during the lame duck session.

BOB SCHIEFFER: Really?

NANCY CORDES: This is a huge priority for the White House. It's very unlikely that they would negotiate this kind of deal without some kind of promise on START and when the Senate wants to do something despite what Senator Kyl said. It could be done very quickly.

BOB SCHIEFFER: They-- they figure out how to do it, don't they?

NANCY CORDES: Mm-Hm.

BOB SCHIEFFER: And-- and really when you come down to this, this is a-- this has wide bipartisan support. I mean, you can get a list this long of-- of-- of Republicans, former--

NANCY CORDES: Mm-Hm.

BOB SCHIEFFER: --secretaries of state, former national security advisors--

NANCY CORDES: Mm-Hm.

BOB SCHIEFFER: --who say we really need to do this. And so it's not like it's without Republican support, but it's in the Senate where it's hung up.

NANCY CORDES: Mm-Hm. It's got all the hallmarks of a negotiating tactic. Basically, they are not going to compromise on START until they know that they've got a lock solid agreement to extend the Bush tax cuts for three but most likely for two years.

BOB SCHIEFFER: You know, one of the interesting things, Jim, is that when people start putting out the story that the Democrats were going to get a kind of a wink and a nod from Senator Kyl, who despite his modesty--

JIM VANDEHEI: Right.

BOB SCHIEFFER: --is the one--

NANCY CORDES: Mm-Hm.

BOB SCHIEFFER: --who is going to decide--

JIM VANDEHEI: Mm-Hm.

BOB SCHIEFFER: --whether this thing gets out there for a-- a vote, when it appeared-- somebody put out the story that he might be willing to go along with the START treaty, if they could get the tax cut business done.

JIM VANDEHEI: Right.

BOB SCHIEFFER: The Heritage Foundation, a very, very conservative group, the President basically attacked Senator Kyl and said this can't be part of some kind of deal. This has to stand alone. So Republicans in the Senate are feeling some pressure from the right on-- on the START.

JIM VANDEHEI: Some-- some pressure. But welcome to the new Washington, where Republicans have tremendous power, even before, by the way, they take power. Right now we still have operating Democratic majorities in the House and Senate. Almost all of these negotiations are being done on Republican terms. The START treaty, which is, I think still likely to get pushed into next year but possibly could get done this year. The tax cut debate. You had President Obama come out this year-- this week and talk about a two year pay freeze for federal workers. That was a top Republican idea. House Republicans have been talking about it for some time and Obama wanted to show a nod towards, hey, I'm thinking' deficits just like Republicans are. Again, politics has changed radically because of what happened in November.

NANCY CORDES: And frankly Democrats backed themselves into a corner on the issue by not being able to reach agreement within their party sooner about what they were for. You've some Democrats who think they should be extended for everyone in the tax cuts. You have some Democrats who feel that there should be a two-hundred-fifty-thousand-dollar ceiling. So they waited until this lame duck Congress right before the Bush tax cuts were set to expire to bring this to the table and they've got no leverage.

BOB SCHIEFFER: We have about-- about thirty seconds. Don't Ask, Don't Tell, does it fall by the wayside, Jim.

JIM VANDEHEI: I think so. At least, in the short term.

NANCY CORDES: Senate Democrats say it won't but you look at the calendar and there's very little time.

BOB SCHIEFFER: All right. We'll be back, I will with some final thoughts in just a moment. Thank you.

(ANNOUNCEMENTS)

BOB SCHIEFFER: Finally, I am still not sure I understand it. But I have to say my favorite headline of the week was on the front page of The New York Times, Friday--Microbe Finds Arsenic Tasty; Redefines Life. Now that is a grabber. And right below it and equally intriguing, lead sentence that began, Scientists said Thursday that they had trained a bacterium to eat and grow on a diet of arsenic. I mean, who knew you could train germs. It boggles the mind, and fires the imagination. If you can train them to eat arsenic, can you also train them to sit and fetch

and roll over? And what kind of treats do you give them if they learn a trick? Teeny little pieces of arsenic, I guess. Actually, all of this is a remarkable scientific breakthrough. Scientists scrape bacterium from a dry lake bottom and gradually wean the bacterium off phosphorus, one of the elements thought absolutely essential for growing things. Instead, they fed them arsenic. Faced with eating arsenic or starving, the germs began eating the arsenic and eventually thrived on it. Scientists say this means there could be life on other planets where we used to think the elements needed for living things didn't exist. Apparently, what we thought were the essentials aren't essential. That seems to happen a lot with these scientific tests lately. One week a test shows you that this or that kills you. The next week a survey shows it doesn't. Whatever, the amazing thing to me is that these little guys are trainable, who'd have thought it.

Back in a minute.
(ANNOUNCEMENTS)

BOB SCHIEFFER: And that's it for us today and we'll be right here next week on FACE THE NATION, same time, same back channel. Thanks for watching.

ANNOUNCER: This broadcast was produced by CBS News, which is solely responsible for the selection of today's guests and topics. It originated at Washington, DC.