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CBS News

FACE THE NATION

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GUESTS: Senator BILL FRIST (R-TN)
Majority Leader

Senator BARBARA BOXER (D-CA)
Foreign Relations Committee

ELISABETH BUMILLER
Reporter, The New York Times

MODERATOR: BOB SCHIEFFER - CBS News

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***FACE THE NATION - CBS NEWS
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BOB SCHIEFFER, host:

Today on FACE THE NATION: the Cheney incident, wiretapping and ethics, all issues for Senate Majority Leader Bill Frist and Senator Barbara Boxer. Has Vice President Cheney become a political liability for the Republicans? And why won't the Senate investigate the NSA wiretapping program? Can the Congress clean up its lobbying ethics problems? These are the questions for the Senate Majority Leader Bill Frist, Republican of Tennessee, and Senator Barbara Boxer, Democrat of California. Elisabeth Bumiller of The New York Times will join in the questions. And I'll have a final word on winning hearts and minds. The secretary of defense has identified the problem, but does he have an answer? First, though, the Cheney incident 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.

SCHIEFFER: And good morning again. With us now, the Republican leader in the Senate, Bill Frist. Joining in the questioning this morning, Elisabeth Bumiller of The New York Times.

Well, we had quite an episode last week, Senator Frist, involving the vice president, the shooting accident. I must say as I was preparing for this program this morning, it seemed to me there was one question here, and that was has this hurt Republicans in general? But now Time magazine has done some extraordinary reporting. They're reporting this morning that the president himself had to lean on the vice president to get this out in the open and made public. We're told that at one point, the day after the shooting, the vice president was considering issuing a statement that did not even reveal that he had been the shooter. What do you think about all this and the way it's been handled?

Senator BILL FRIST (Republican, Tennessee; Majority Leader): You know, Bob, as a surgeon, I've been involved in taking care of lots and lots and lots of patients who have been shot in the heart and the chest. And always my concern goes with the victim, and it was great two days ago on Friday to see Mr. Whittingham look so good, so healthy and not be hurt. So our thoughts and prayers are with him. And that does go to the person who accidentally pulled the trigger. And there, the vice president has come forward and said that he did it. He said it was the worst day of his life. He was distraught about that, and he took full front responsibility. The actual timing, I have not seen the particular story you're talking about, I do think what America does not want to see is what happened right afterwards. And that is where the Democratic leadership tried to inject partisan politics into what is a very, very tragic accident. And an accident that did happen.

SCHIEFFER: Well, but, Senator--I mean, didn't--shouldn't this have been made public, if for no other reason than for the administration and the vice president's own good? I mean, one can understand that he clearly was not thinking straight, and who would, after thinking they'd killed their best friend. And, clearly, that's one of his best friends and, clearly, that's

what he thought at the time. There's no question the man would be shaken. The fact to hold this for a full day without giving an accounting of it and then to go back and find out that they were going to issue a statement or at least thinking of a statement that didn't even mention that he was the one with the gun? I mean, isn't that just going to raise all kinds of questions?

Sen. FRIST: Bob, I think we'll just have to let it play out, and I think the discussion of the story, it will continue in terms of the specifics of the timing. I am thankful that nobody did get killed. The vice president's taken full responsibility for that. This story, I'm sure, will continue to play out. A lot of other important business of the nation is being set aside, and I'm going to be focusing on that.

Ms. ELISABETH BUMILLER (The New York Times): Senator...

SCHIEFFER: Well, but let me just ask you on that, I won't make the whole broadcast about this, but has the vice president become a liability to the White House? Has he become a liability to your party?

Sen. FRIST: You know, absolutely not. Absolutely not. He is a bold leader, he understands, works very closely with the division of the president of the United States in securing America's future to a safer, stronger country. That means he has to be both a leader, as well as a participant, and I think he does it very, very well.

Ms. BUMILLER: Senator Frist, let me just ask you one more question about this. The president's signaled very strongly this week that he was not happy with the way this was disclosed, it's quite obvious. Are you not willing--are you happy with the way this was disclosed?

Sen. FRIST: You know, I'm going to leave it to them. I'm over here running another body, the legislative branch of government, was not involved in the situation at all. Again, I'm very thankful that this tragic accident has been and is being resolved, and that nobody was hurt irreparably. And I don't think it is appropriate to try to inject partisan politics into this particular issue.

Ms. BUMILLER: Let me just, as a heart surgeon, one last question. This is a man who has a BB embedded in his heart, how can he--can he live a healthy life like that?

Sen. FRIST: Oh, yeah, yeah, yeah. It--we leave pellets, bullets, in people all the time. In fact, very clear indications. And I think, just looking at him the other day, that he looks like he is in great shape.

SCHIEFFER: Well, let's talk about something else, which I take it that you're ready to talk about something else. Senator Roberts, the chairman of the Intelligence Committee, said this week that he now believes that they're going to have to do something, either rewrite the laws or find some way to bring White House eavesdropping under the law and under the intelligence court that rules on whether or not these things are legal and is the one responsible for

issuing the court orders to authorize it. Where do you come down on that?

Sen. FRIST: Bob, I am working on this every day, very important issue, because of the value of this program, a program that most everybody understands is absolutely critical to the safety and the security of all of your viewers right now, the American people. And that's the president's bottom line, as I've talked to him and the administration. There are a lot of issues that do need to be addressed.

SCHIEFFER: Mm-hmm.

Sen. FRIST: I am one of those eight people, half-Democrat, half-Republican, who have been thoroughly reviewed with this program, discussed with this program. I believe the program--I know the program is constitutional, that it is legal.

SCHIEFFER: All right. Well, let me just stop it and let me just get back to the question I asked you.

Sen. FRIST: That--yeah. But it's legal. Yeah.

SCHIEFFER: Since you know all about it...

Sen. FRIST: Yeah. Yeah. Yeah. Right.

SCHIEFFER: ...as you're one of the eight who knows more about it than the others, do you think that the whole situation needs to be brought under the control of the court? Do you think we either need new laws to do that, or do you think it's OK to just keep going as you're going?

Sen. FRIST: Bob, there are two issues that we're looking at, one of them that Senator Roberts mentioned is the overall oversight. And the question our eight people, half-Democrat, half-Republican, sufficient in terms of giving oversight, being briefed on this program, and we're going to continue to discuss that, as we talked about at the end of last week. And then the second is new legislation required, that also is going to be discussed. Do we need to update the FISA, the Foreign Intelligence Surveillance Act? Do we need to update that 1978 act today in this 21st century of technology? And it's a question we are asking and will ask.

SCHIEFFER: Well...

Sen. FRIST: Does it have to be thrown over the courts, going back to your question, I don't think so, I personally don't think so.

SCHIEFFER: You don't think that the court needs to issue a court order before they do that?

Sen. FRIST: No.

SCHIEFFER: Do you think the law needs to be rewritten? I mean, you say

you're going to look into it.

Sen. FRIST: Yeah. Yeah. Yeah.

SCHIEFFER: What's your feeling? Is it your sense that it probably is going to have to be rewritten?

Sen. FRIST: I can't really answer that now. I don't think that it does need to be rewritten, but we are holding hearings in the Judiciary Committee right now. They've already begun under Arlen Specter and Pat Leahy. They're looking at whether we do need to put more statutory discipline around that. And we have not been able to answer that yet.

SCHIEFFER: OK.

Ms. BUMILLER: Senator Frist, what went wrong with the Medicare drug program?

Sen. FRIST: Well, the prescription drug program you're talking about. First of all, I think no one would argue with the fact that giving seniors access, affordable access, to prescription drugs, which they did not have before this program, is the wrong thing...

Ms. BUMILLER: Right. Right. But, Senator Frist...

Sen. FRIST: ...is the wrong thing. And then, secondly, going to your question, what went wrong, right now--go ahead.

Ms. BUMILLER: But hundreds of thousands of seniors were denied benefits because of computer glitches. I could go through a long list of problems.

Sen. FRIST: Yeah. Yeah, let me answer--let me answer your question.

Ms. BUMILLER: But tell me, what went wrong?

Sen. FRIST: The fact that, in a period of about six weeks, we took 25 million people who now have affordable access to prescription drugs and put them in a federal program, and six weeks ago, they were not in that federal program. But with that...

Ms. BUMILLER: Are you saying nothing, nothing went wrong?

Sen. FRIST: No, I didn't say nothing went wrong. I didn't say nothing went wrong, don't--please don't put words in my mouth. With that, you take 25 million people, you put them in a new government program, there are all sorts of stumbles and glitches, and there are those confusions. So, things have not been smooth, but the fact that right now a million prescriptions are being delivered each day through a program that didn't exist where seniors no longer have to choose between food in their refrigerator and medicines which are lifesaving is a good thing. And I predict, I predict that six months from now or a year, a program that gives seniors affordable access to prescription drugs, which are lifesaving, which they didn't have before, which on average

saves some \$1400, is something that those seniors will appreciate.

Ms. BUMILLER: Will this be a liability for Republicans in the '06 elections?

Sen. FRIST: No. The fact--no. The fact that we are giving seniors affordable access to prescription drugs by choice, it's voluntary, that they didn't have before, of course, it's not going to be a liability. I think it'll be a huge plus.

SCHIEFFER: Senator, the Capitol has been engulfed in a corruption scandal, bribes, all kinds of things happening up there. For a while, it looked like that people were ready to really get in there with some tough laws and reform them, but now the Republicans have elected a new leader over on the House side. He seems to be backing away from all of that. I'm beginning to wonder, is the Congress just going let this sort of fall under the cracks, or are you going to do something about it?

Sen. FRIST: Bob, speaking from the standpoint of the Senate, my goal, our goal is to restore faith and confidence in our government today. And it's slow right now.

SCHIEFFER: But aren't you going to have some tough new laws to do that?

Sen. FRIST: Yes, yes. And so what we did is very aggressively come back, and in a bipartisan way, with the leadership of Rick Santorum, John McCain, Joe Lieberman, put together a plan that with constant meetings--hearings both in the rules committee, hearings in the government affairs committee have already been conducted. The week we get back from this recess, that bill will be marked up, and the following week, we will have a very strong lobbying reform bill and ethics reform bill on the floor of the Senate. And so we're going at it aggressively.

SCHIEFFER: Will it include outlawing travel paid for by other people?

Sen. FRIST: It'll be--the bill hasn't been written or marked up yet, but the things that will be looked at is much further disclosure, much further transparency. Gifts, whether or not they should be banned, will be looked at and how much travel should be paid for by outside groups. All of that will be looked at, and there'll be a lot of restrictions. There'll be a lot more definition between K Street and Capitol Hill.

SCHIEFFER: All right. All right. Thank you, Senator, we appreciate you coming by.

Sen. FRIST: You're welcome. Thanks, Bob.

SCHIEFFER: Back in a moment with the Democratic view on all of this.

(Announcements)

SCHIEFFER: And joining us now from Ranch Mirage, California, Senator Barbara

Boxer of California, who is a Democrat, of course.

Well, Senator Boxer, the Republican leader in the Senate says that the problem here with this Cheney episode is that Democratic leaders tried to inject partisan politics into the whole thing. What would you--how would you respond to that?

Senator BARBARA BOXER (Democrat, California; Foreign Relations Committee): Well, this story has so many legs that it has nothing to do with partisan politics. Everybody is interested in it because it really speaks to vice president's penchant for secrecy. It now looks like he really at the last moment tried to keep it secret. But, you know, there was a mistake made. The vice president made the mistake. There was one victim. We all hope he'll get well.

And I think what really resonates with the people I talk to is all the mistakes this administration is making, where they don't own up to it and where there are thousands of people hurt, maybe millions of people hurt, like the prescription drug benefit, like the fact that they raised the cost of student loans, like Iraq, where we now have 19,000 of our servicemen or women either dead or injured, and Katrina, which is still a mess. We're talking about thousands and millions of people that are hurt by this administration. And I think that's what's really important here.

SCHIEFFER: All right. Well, let's go right to Elizabeth.

Ms. BUMILLER: Senator Boxer, this morning Michael Chertoff, the Homeland Security secretary, said that the Bush administration had made--had had some secret--had taken some secret steps to--about a company owned by the United Arab Emirates that is now running operations at six major American ports, including New York and Baltimore. He said they've taken secret steps to ensure there'd be no problem with this company. What do you say to that?

Sen. BOXER: It is ridiculous to say you're taking secret steps to make sure that it's OK for a nation that had ties to 9/11 could take over part of our port operations in many of our largest ports. This has to stop. And what is this secrecy about? We have a committee headed by the secretary of the treasury who is supposed to look at all of these purchases, because what's happening here is this Dubai company is buying a British company. My view is I'm going to support legislation to say, 'No more, no way.' We have to have American companies running our own ports. Our ports are soft targets. We're very worried about them. Al-Qaeda has said, if they attack, that's one of the places they're looking. So this should be a no-brainer. And for Michael Chertoff to say that they've looked at it in a secret way, this is the United States of America. What is all this secrecy anyway? We are supposed to be a democracy where we let the American people know what's going on. And we know what's going on here, and this is just wrong. You don't have this company take over our ports. It's just wrong.

SCHIEFFER: Well, let me just play the devil's advocate here, if I could, Senator.

Sen. BOXER: Sure. Sure.

SCHIEFFER: Now nobody has questioned that this is not a good, solid company. It is owned by, you know, a company in Dubai. Why do you think this is dangerous for our security?

Sen. BOXER: Well, I just take it to the bigger picture. Since 9/11, we have to change the way we do things. And I just don't think any foreign company, period, ought to be running our ports. Our infrastructure is at risk. We know it. Port security, nuclear plant security. Are we going to now have a foreign company oversee that? So it just seems to me very, very simple, and I don't think we're being overly paranoid. Very simple to say that our infrastructure has to be protected, and let's have American companies do that or the government itself.

Ms. BUMILLER: Senator Boxer, Senator Frist just said on this program that he thought that the Medicare prescription drug plan would be a big plus--as he put it--for the Republicans in this year's midterm elections.

Sen. BOXER: Mm-hmm.

Ms. BUMILLER: Do you agree with that assessment?

Sen. BOXER: I don't, and let me tell you why. I think the more the American people look at this program, this legislation, that was crafted in my opinion to primarily benefit the pharmaceutical industry, the insurance industry. The more that that comes out, the more people will turn against the Republicans running this whole country. Let me--let me tell you this...

Ms. BUMILLER: Just one--but, Senator...

Sen. BOXER: ...the fact--yeah, go ahead.

Ms. BUMILLER: ...Senator Frist does say that more re--more people will be covered under this plan.

Sen. BOXER: All well and good. But we should have had a plan that was written to benefit the people. Let me give you just one example. In this bill, the Republicans forced into this package a provision that says that Medicare cannot negotiate for lower prices. Now that flies in the face of what the military does, what the Veterans Administration does. Here we have 40 million Americans eligible for this program. Imagine the wonderful power of negotiating that Medicare could have in behalf of these people. They do it with the VA, with the Pentagon, they didn't want to do it. They also allowed more than a thousand plans to move forward nationwide. It's very confusing, and they just put Medicare's role to be a very small part. It's the privatization of Medicare, just as they wanted to do with Social Security.

So I think this is one of these laws where the more the light of day shines on it, the more people are going to turn against what the Republicans did.

Should we have a benefit for our people? Of course. Absolutely. But this was written for the special interests and it's very sad. We blew this opportunity and we should fix this. And we can fix it. But the Republicans don't want to.

SCHIEFFER: Let me ask you this, Senator Boxer, some people say that the Republican--or rather, that the Democratic agenda right now is to simply just jump on everything that Republicans do. Do you think that is enough to win back the House and Senate?

Sen. BOXER: Of course not. That's why I said we need to fix Medicare, and we have a plan to do that. That prescription drug benefit, we want to fix it so we allow Medicare to negotiate for lower prices. We want to take the savings from that and then apply that to the coverage gap. Right now, after you spend about \$2700 until you spend about \$5100 on medicine, it's 100 percent your responsibility. We want to fix that. We want to fix the student loan program. We want to reject the cuts that the president has made--the largest cuts in history on education. And these are the things that we will be offering to the American people. We want to change things for the better. And yes, we don't want to have Gonzales, now the attorney general, investigate the Abramoff scandal because there is so many close ties between Abramoff and President Bush. We want to have a special prosecutor. So we want to clean the mess up there. And we will have a plan to do that.

SCHIEFFER: Well, what are you going to do about that? Because after this whole thing broke, it looked like in both the House and the Senate people came forward with all these enormous reform packages to outlaw this and that.

Sen. BOXER: Yes.

SCHIEFFER: Now it looks over on the House side, it looks as if the Republicans are sort of backing away from that. It's not altogether clear what's going on in the Senate. For example, would you favor outlawing people paying for members of the House and Senate to go on these trips? Should some of these things that lobbyists now pay for be outlawed? Or sure--is it enough that some in the Senate seem to be saying to just make sure it's all reported and written down and made public?

Sen. BOXER: I don't think there should be any trips paid for by lobbyists or trips where lobbyists are on the trip. It just should be outlawed straight ahead. You know if it's a nonprofit, if it's a think tank that's been foundation funded, that's different. But there shouldn't be any private sector trips that are paid for anymore.

But, you know, it goes beyond that. Those are changes in the law we must do and I support. But there really have been laws already broken, and what we need is to have an aggressive Justice Department go after the folks already in the Congress who have broken the laws. And that's where we want to have an outside council rather than have the president's man, Alberto Gonzales, conduct those investigations. When Abramoff gave well over \$100,000 to the president, appeared with the president in many occasions, and it just seems to

me we need a breath of fresh air there and have an investigation. We shouldn't forget it's not only changing the laws, which we should do, but it's prosecuting those who already broke the laws that we have on the books.

SCHIEFFER: Well, thank you very much, Senator.

Sen. BOXER: Thank you.

SCHIEFFER: I would agree with you on one thing. There is a lot of air. We'll find out how fresh it is in the weeks to come. Thanks for joining us this morning.

Sen. BOXER: Lots of air.

SCHIEFFER: Back with a final word in just a second.

Announcer: FACE THE NATION continues and is always on cbsnews.com, brought to you in part by...

(Announcements)

SCHIEFFER: Finally today, Secretary of Defense Donald Rumsfeld says one source of America's problems these days is that we're losing the public relations war to al-Qaeda. In a speech to the Council on Foreign Relations he said, quote, "The US government still functions as a five-and-dime store in an eBay world." Boy did he get that part right. But man, is he wrong about why.

I've dealt with Brother Rumsfeld since he was President Ford's chief of staff, and, frankly, I like the guy. Not long ago I reminded him that we have been arguing with each other for 30 years now. We both laughed. But here's where I believe he's wrong: He thinks the press, for instance, makes too much of horrible events such as Abu Ghraib. I don't.

A democracy, by definition, means openness. The founding fathers knew enough about human nature to know that government would always cover up its mistakes if it operated in secret. Bringing mistakes to the fore is a strength, not a weakness. When America outlawed segregation, it acknowledged 200 years of wrongs far worse than Abu Ghraib. Would anyone argue that publicly correcting those wrongs made us weaker? To the contrary, it made us stronger. It showed the world that we live by the values we preach, and that those values work.

This administration has been secretive when there was no point to it, has paid reporters to take the government line, and has left the impression that bad news exists only in the minds of reporters. That's no way to win a PR war; it is a sure way to lose it.

Our strength comes from emphasizing in every word and action the values that separate us from those who oppose us, not from adopting their methods.

That's it for us. We'll see you next week right here on FACE THE NATION.