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FACE THE NATION

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GUESTS: Sen. PATRICK LEAHY (D-VT)
Chariman, Judiciary Committee

Sen. ARLEN SPECTER (R-PA)
Ranking member, Judiciary Committee

FRANK DEFORD
Senior Contributor, Sports Illustrated

JASON WHITLOCK
The Kansas City Star

JOHN FEINSTEIN
The Washington Post

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BOB SCHIEFFER, host:

Today on FACE THE NATION, did Attorney General Alberto Gonzales lie to Congress? And sports in crisis.

The divide between the Democrats and the administration has grown so wide that now Democrats want a special prosecutor to determine if the attorney general is a liar. What is the impact of this Washington argument on the Justice Department and the American public it is supposed to serve? We'll talk to key members of the Judiciary Committee, Democratic Chairman Pat Leahy and Republican Arlen Specter.

Then we'll turn to what may be the worst week ever in sports--the basketball betting scandal, the dog fighting charges against football star Michael Vick, and the baseball record that's about to fall under a steroid cloud. We'll talk about all that with sports commentators Frank Deford, John Feinstein and Jason Whitlock.

We'll round it out with our weekly check on politics as we bring in Jim VandeHei of politico.com. Then I'll have a final word on Iraq, the war that never ceases to shock.

But first, the fight over Gonzales 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: Good morning again.

Well, joining us now, the chairman of the Judiciary Committee in the Senate, Patrick Leahy, Democrat of Vermont. With us from Philadelphia, the committee's ranking Republican, Senator Arlen Specter.

Senator Leahy, this week Democrats called for a special prosecutor to determine if the attorney general of the United States, the highest law enforcement officer in the government, has been lying to your committee in Congress. This grows out of whether he told your committee the truth about whether there was disagreement within the administration over the president's eavesdropping program, the once-secret eavesdropping program, just the latest in the series of controversies with your committee.

Now, you told the attorney general this week that you were going to give him one week to correct the answers that he gave to your committee. What if he doesn't?

Senator PATRICK LEAHY (Democrat, Vermont; Chairman, Judiciary Committee): Well, he answered under oath at great length. I think a lot of us, Republicans and Democrats, were incredulous at some of the answers. I told him, frankly, I don't trust him. But, in fairness, I've given him this--the testimony. He has a week to correct it if he wants. I suggest he consult with a lawyer as he does it. If he doesn't correct it, then I think that there are so many errors in there that the pressure will be very, very heavy, whether it's a special prosecutor, special counsel efforts within the--within the Congress.

The irony is, though, the Department of Justice, which is supposed to be very impartial--it's supposed to be impartial law enforcement--is being shredded by his activities. And if you lose confidence in law enforcement, it hurts everybody all the way down to the cop on the beat. Frankly, at this point, the president ought to take a long look at this and ask does he want to go down in history with this attorney general as part of his historical record?

SCHIEFFER: Well, let me just ask you, if he doesn't change that testimony, then will you go along with the four Democratic senators who say there should be a special prosecutor?

Sen. LEAHY: I think if he doesn't change it, what I want to do is spend some time discussing it with Senator Specter.

SCHIEFFER: Mm-hmm.

Sen. LEAHY: This is a matter that I'd like to approach on a bipartisan action, but I think that we would also be asking whoever's left there at the Department of Justice, who doesn't have to recuse themselves, to take this, go through it, and give us some recommendations back.

SCHIEFFER: Well, the--Senator Specter's in Philadelphia with us this morning. Let's just ask him, what do you think ought to be the next step here, senator?

Senator ARLEN SPECTER (Republican, Pennsylvania; Ranking, Judiciary Committee): Well, I think we ought to give the attorney general a chance to correct the record. There's no doubt, as I have said repeatedly for months now, that the Department of Justice would be much better off without him. One of the problems which we have is that Senator Leahy and I have never been read into the program. I tried to get it done when I was chairman, and we need to know precisely what there is to the program. There have been some suggestions in the last couple of days that there may have been a separate facet of the terrorist surveillance program. So let's give him a chance. The Judiciary Committee's not in the business of setting up perjury prosecutions. What we want to do is find out what the facts are so that we can formulate public policy and legislation and get the Department of Justice back on its feet. I think it's premature, until he's had a chance to review the record and supplement his answers...

SCHIEFFER: Let me just ask you this question.

Sen. SPECTER: ...to call for a special prosecutor.

SCHIEFFER: Yeah, let me just ask you this question, Senator Specter. Is this just another of those so-called Washington arguments, or does what happened here--what happens here really matter to the average American sitting out there watching television this morning?

Sen. SPECTER: It averages--it matters a great deal. First of all, we do not yet know the details of the wiretaps without warrants, and that's an invasion on privacy, and we haven't yet gotten to the bottom of that. Secondly, the Department of Justice is second only to the Department of Defense in protecting the American people--investigations on terrorism, on organized crime, on violent crime, on drugs--and that department is dysfunctional, and it's been dysfunctional for a long time.

Sen. LEAHY: I think...

SCHIEFFER: Senator...

Sen. LEAHY: I think it's important because law enforcement is supposed to be impartial, and it's supposed to follow the law. Here we have an administration that feels they're above the law, that the law applies to everybody except them. And we have a Department of Justice that goes along with that. Bob, you can't--I mean, I was a foreign--I was a prosecutor, Arlen Specter was a prosecutor. A number of us in there, both Republicans and Democrats, are really upset with this because we know how law enforcement is supposed to work. This is going to have a devastating effect on law enforcement throughout the country if it's not cleared up. I think we

have a responsibility to try to clear it up. It would help if the president would stop turning a blind eye to what is really misconduct in the Department of Justice.

SCHIEFFER: So what should the president do?

Sen. LEAHY: Well, many of us said he should fire the attorney general, but I think it's more than that. I think he has to state 'We have made--we, the administration--made some bad mistakes in saying we're above the law.' Nobody's above the law. The president's not above the law. You're not, I'm not. And it's got to go back to the rule of law. If they need to make changes in our intelligence surveillance act, for example, we'll do that. We've done this a half a dozen times already. I've already...(unintelligible).

SCHIEFFER: Mm-hmm. And that's what this is all about, when you come down to it, is whether or not the administration has been telling you the truth about this eavesdropping program.

Sen. LEAHY: Well, they haven't been telling the truth, and this--when we--after the attorney general testified, you had key members of the Intelligence Committee who were at the event that he testified about said that's not the way it happened.

SCHIEFFER: It's all very, very arcane. And I think that's why it's hard for a lot of people to understand what's going on here.

Sen. LEAHY: It is. But you have to follow the law, I have to follow the law, they should have to follow the law. That's the bottom line.

SCHIEFFER: Do you think, Senator Specter, as The New York Times said today, that perhaps you should consider--the Congress should consider impeaching the attorney general if the president can't get him to leave?

Sen. SPECTER: I think it's premature to consider that. Bob, we do not know if the administration has been leveling us--with us or not on the terrorist surveillance program. I don't know because I haven't been read into the program. Finally, I got a call yesterday from a ranking administration official describing the program to me and, on Monday--tomorrow--I'm going to be read into the program. I want to know what the program is all about. I don't know if they've been telling us the truth or not because I do not know what the program is. Essentially, what the attorney general has said is that there are two programs, more than the one the president identified.

SCHIEFFER: All right.

Sen. SPECTER: I want to find out if that's true or not.

SCHIEFFER: All right, so he has a week here.

Sen. LEAHY: He has..

SCHIEFFER: That's about it.

Sen. LEAHY: He has--he has a week, but the testimony he gave is not truthful. I want the truth, that's all I want.

SCHIEFFER: All right. Gentlemen, thank you very much.

Sen. LEAHY: Thank you.

SCHIEFFER: We'll be back in a minute to talk about this week that was in sports.

(Announcements)

SCHIEFFER: Well, it's been a week that none of us can quite recall anything like it in sports, from the new doping charges that came about in the Tour de France to the dog fighting charges against one of the National Football League's star quarterbacks to the betting scandal that we now have, a referee suspended in professional basketball.

We want to talk about all of it and to see if there is any kind of a connection here with some real experts on sports. From New York, Frank Deford, a senior contributing writer for Sports Illustrated, has a new novel out. With us from Minneapolis, Jason Whitlock of the Kansas City Star. Here in the studio, John Feinstein of The Washington Post, who also has written numerous books on sports.

Mr. Deford, let me start with you. I thought The Washington Post, in a front-page story today, sort of posed the key question. They said, 'Why would so many in sports today throw away so much?' And as you look across these various things that have happened here, why in the world would Michael Vick, of all things, want to organize a dog-fighting ring? I didn't even know there were dog-fighting rings, but I guess now there are. He says he's not guilty. But over and over you see these kind of bizarre turns of events in sports. Is there a connection between any of them do you think?

Mr. FRANK DEFORD (Senior Contributor, Sports Illustrated): Well, I think there's a lot of variety here. But to ask you—to answer the direct question about why would these players do it, I think so many of them grow up with this sense of entitlement that they can do whatever they want, that, unlike real people, they're not under the law. I mean, really I think they believe that. And so someone like Vick I doubt very seriously whether he even considered the fact that he was—he was endangering not only his whole career but his—but his freedom. I think many of the athletes are that way.

Now, when you talk about drugs, that's something else again. That's a question of 'I'm trying to improve my performance.' That's just absolute professional greed, if you will.

SCHIEFFER: Jason Whitlock, you cover baseball, you know a lot about it. Why would somebody like Barry Bonds even think about these illegal substances that are supposed to make you so much stronger? You say at the beginning that nobody has yet proven that he took any of these drugs, yet that cloud hangs over him. The person who, apparently, if he got those drugs, gave them to him, went to jail rather than talk about it before a grand jury. Why would Bonds even consider something like that?

Mr. JASON WHITLOCK (The Kansas City Star): Well, I don't think Barry's any different than most athletes. They're extremely competitive, and I think baseball in the '90s found themselves losing some of its prestige, losing some of its TV power. And they fell in love with the home run and so the whole league fell in love, I think, with performance-enhancing drugs from ownership to the players. They fell in love with home runs being hit, and Barry just got caught up in that. But I think overall, on all of this, money and fame don't improve ethics. And I think when you're looking at the problems that you're seeing in sports, it's just too much money, too much fame. It doesn't improve ethics, it exposes your lack of ethics, and that's what I think we're seeing in sports. It's just too much money.

SCHIEFFER: John Feinstein, do athletes—should they have some sort of superior integrity or are they just part of a culture here that sort of seems to think some things are OK if you can get away with it?

Mr. JOHN FEINSTEIN (The Washington Post): Well, I think it would be nice if their integrity level was just the same as the rest of us. And I think what Frank and Jason are saying is—gets back to this notion of

entitlement that begins not necessarily when you're rich and famous, it begins when you're very young and you're recognized as a star athlete, and you have people around you. You see teenagers now with entourages because everybody knows some day they're going to be rich, and they want a piece of that.

You know, I think what—the most simple way I can explain what Frank and Jason are saying is athletes always park in handicapped parking spots because they believe that sign is not there for them, it's there for the rest of us. And that, to me, in many ways symbolizes the way athletes live their lives.

SCHIEFFER: So what do you do about that?

Mr. FEINSTEIN: Well, I think...

SCHIEFFER: Or should we do anything?

Mr. FEINSTEIN: Well, I think one of the things we can do is to really start looking at them differently. When we look at Michael Vick now, I think because we're all so outraged by what dog fighting is, he's going to be—he's going to be treated very harshly by the public in most cases. Now, Barry Bonds in San Francisco is a hero because he hits home runs, he's helped them win championships, he got the new ballpark built there. But in the rest of the country he's more like a pariah. The more that happens—it would be great, I think, if Bonds breaks this record on the—on the road and hears boos when he breaks one of the greatest records in the history of sports.

SCHIEFFER: What about that, Jason? Would you agree with that?

Mr. WHITLOCK: Well, no. Bob, I think that perhaps our expectations as fans, as citizens here in America, we have to change our expectations for athletes. They are entertainers and celebrities like the movie stars, and we need to treat them as such and not hold them to pretend like they have some integrity that other celebrities have. It's just not going to happen.

I look at Kobe Bryant and the problems he experienced. He's basically a child TV star, and that's why he's been so immature. He got taken off to LA as a 17-, 18-year-old kid, given a bunch of money. What do you expect? This happens in TV, and we see these kids implode, and that's what's happened with Kobe Bryant. So I just think we need to recognize that the days of athletes holding such a high place in our society, those days are over. They've been hijacked by money and fame, and they're not coming back.

SCHIEFFER: You know, I think it's interesting that, Frank, that as we sit here and talk about this, we haven't mentioned the gambling scandal, the betting scandal that's been going on in basketball. Maybe because, I guess, there've always been crooks. This is really nothing new. And I think, you know, we've always tried to police it. Nobody thinks that's a good thing, and it looks like that the basketball commissioner has taken some very, very tough action here.

But somehow that doesn't seem as important to us as some of these other things. And somehow, I'm not sure that it is as important, because I think it will eventually be policed, and they'll crack down on it. But what's your thought on that, Frank?

Mr. DEFORD: Well, I think you're right. I think most people think this is a one off. This is just one rogue referee. I mean, we have crooked cops, we have traitors in the CIA. And so if you have enough referees over enough period of time, one of them is going to go bad. I don't think this really strikes at the heart of the game unless we find out that there's some kind of an epidemic out there, and I don't think there's any evidence of that whatsoever. If anything, I think some good can come of this, because I think it's time that sports—particularly football and basketball—understand that gambling is really their partner. And there an awful lot of

people who bet games in this country, and they bet illegally. And I think more and more we ought to think about legalizing gambling in—sports gambling in more states than just Nevada. I think if gambling is legalized, there would be less problems and less opportunity for chicanery than there is right now.

SCHIEFFER: I want to go around the table quickly because we're about out of time. But how should, when Barry Bonds does break the baseball record, how should that be received by Americans?

Frank, quickly, and let's hold the answers as short as you can.

Mr. DEFORD: I think we should hold our breath, realize it's done and done, and then look at the time, whenever it is, when Alex Rodriguez breaks Barry Bonds' record and we can get on with life.

SCHIEFFER: Jason.

Mr. WHITLOCK: Well, I just hope it's not some huge divisive issue. I don't know if it should be celebrated, but I also don't think Barry Bonds should be vilified. I think ownership in baseball should be vilified. They turned a blind eye to the steroids era, and now they want to pin it all on Barry Bonds, and I think that's a joke.

Mr. FEINSTEIN: Sadly, it is already a divisive issue. Barry Bonds is the symbol of what's gone wrong in baseball with steroids becoming an epidemic. I'll just be glad when it's over because I feel like baseball's been held hostage by this for the last couple years.

SCHIEFFER: Gentlemen, I want to thank all of you for these insights this morning.

We'll be back to talk a little politics in just a second.

(Announcements)

SCHIEFFER: As we get closer and closer to the election, which is now still more than a year away, we're going to check in on a regular basis with our friends at politico.com to just see what's going on during the week. Jim VandeHei, who is the executive edder there is—editor there, is with us this week.

Jim, we've been going at this now at least it seems like six months already. Do you think anything that's happened so far is really—really matters?

Mr. JIM VANDEHEI (Executive Editor, Politico.com): On the Republican side, probably not that much because not that much has really happened. It's not really clarified, you know—clearly Rudy Giuliani looks like he's off to an early lead. A lot of Republicans think that will change.

I think the one thing that has happened is Hillary Clinton has truly solidified herself as the front-runner for the Democratic nomination, and also in the minds of Republicans and Democrats, the one most likely to win the presidency, if you factor in all the environmental things we know right now.

SCHIEFFER: I guess one thing in a negative sort of way on the Republican side, John McCain...

Mr. VANDEHEI: Right.

SCHIEFFER: ...of course, has been unable to raise any money, it seems like.

Mr. VANDEHEI: Right.

SCHIEFFER: And his campaign does seem to be in some difficulty.

But let's go back and talk about Hillary Clinton. She got into kind of a little spat with Barack Obama this week. Who do you think gained from that?

Mr. VANDEHEI: You know, it was really a great, clarifying moment in this campaign, in some ways. Not substantively, because neither Obama or Clinton are going to go on a worldwide tour to meet with every dictator, thug and America-hater in their first year in office. But it did give you good insight into their tactics. I mean, Hillary Clinton clearly thinks in—and I think truly believes that Barack Obama doesn't have the experience to lead the country in this time, in these dangerous times where foreign policy is so central. And I think to be able to go out there and call him naïve for the statements he made in that YouTube debate, the Clintons feel like that was a big victory for them.

But for Barack Obama, he's trying to run as an agent of change. His problem is, change what? When you look at their positions side by side, not a lot of difference. Both want to get out of Iraq, both want to raise taxes on the rich and help the middle class and the poor, both want to make incremental and big changes to help the uninsured on health coverage. So Barack Obama wanted to say, 'Look, here is a big difference,' like, essentially, you know, he called Hillary Clinton Bush-Cheney Light, and those—I mean, those are fighting words in Democratic politics because Democrats really loathe Bush and Cheney. And he's saying, 'Listen, I will try to be different,' you know, in some ways, radically different. 'I will talk to people who are clear threats to us who Bush and Cheney have refused to meet with.'

SCHIEFFER: So it seems to me the bottom line here is that both of them had an opportunity there and probably did draw a contrast with the other, which certainly seems to be what would be in the best interest of both of them.

On the Republican side, why, Jim, do you think that no Republican as yet has begun to break out from the pack?

Mr. VANDEHEI: Because conservatives dominate Republican politics, and there's nobody that really captures what conservatives want right now. I mean, Rudy Giuliani does it on the security side. Republicans feel like, yes, he's strong. When it comes to national security and fighting terrorism, he could be their guy. But he's so liberal on social issues that they're uncomfortable with that. And the other candidates, none of them have really captured the imagination of conservatives. That's why there's so much talk about Fred Thompson, you know, the actor, coming into this campaign and being a real force because they're looking for someone who's both electable and conservative. And until they find that combination, I think you're going to see angst in the Republican Party.

SCHIEFFER: All right. Jim VandeHei, thank you very much.

We'll be back with a final word in just a second.

(Announcements)

SCHIEFFER: And finally today, people try to compare the war in Iraq to Vietnam. Here is one way they are not alike. As America bogged down in Vietnam, we saw so much violence on our TV screens that, after a while, the pictures lost their shock value. We became used to them. Well, whatever else you can say about Iraq, it has yet to lose its ability to shock, and it's not just the rising death toll. When it comes to outrageous conduct, the Iraqi government can always seem to find a way to top itself.

The latest shocker comes from the Bush administration's own inspector general for Iraq reconstruction. Remember all those rebuilding projects in Iraq that are cited as signs of progress? Well, they're—there is more to it, it turns out, than we knew. Yes, Americans are doing a lot of rebuilding, nearly \$6 billion worth of power plants and hospitals. The problem is we can't get the Iraqi government to take them off our hands once they're completed. Of 2,797 projects, the Iraqis have been willing to take over fewer than 500. That means the rest have fallen into the hands of people who, many times, have no idea how to operate them. The latest example, a recently-completed power plant had to shut down after unqualified workers put the wrong fuel in \$90 million turbines and ruined them.

The Iraqi parliament is heading off to a month-long vacation next week. If you're wondering how much all of this is going to cost us while they are away, key members of Congress are being told \$200,000 a minute. I'm not sure I'll ever get used to that.

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