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



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TRANSCRIPT

HARRY SMITH: Today on FACE THE NATION, the latest on the bomb scare in New York City, the oil crisis in the Gulf, and the debate on immigration.

MICHAEL BLOOMBERG (May 2, 2010): We avoided what could've been a very deadly event.

HARRY SMITH: New York City police found a bomb in a smoking SUV last night in Times Square and locked down the area for hours. We'll get the latest developments on that story.

Then, we'll turn to the oil spill. President Obama leaves this morning to look at the situation there. We'll talk with Louisiana Congressman Charles Melancon, whose district is also being affected; and Senator Mary Landrieu, Democrat of Louisiana.

Then, we'll turn to immigration. Thousands rallied across the nation yesterday to protest the controversial new Arizona law, which makes being a noncitizen in the state illegal. We'll speak with Congressman Luis Gutierrez, Democrat from Illinois, who was arrested yesterday at a DC rally, and Arizona Republican Senate candidate J.D. Hayworth.

But first, the failed bomb in Times Square and the oil crisis in the Gulf on FACE THE NATION.

ANNOUNCER: FACE THE NATION with CBS News chief Washington correspondent Bob Schieffer. And now from Washington, substituting for Bob Schieffer, anchor of THE EARLY SHOW, Harry Smith.

HARRY SMITH: And, good morning, everyone. With us now CBS News justice and homeland security correspondent Bob Orr. Bob, good morning.

BOB ORR: Good morning, Harry.

HARRY SMITH: Let's talk about this incident last night in Toms-- Times Square. What can you tell us?

BOB ORR: Very serious incident. This was, for all practical purposes, a potential terrorist attack, absent any other explanation like was it a crime? Was it extortion? We have to assume this was a terrorist attack. Somebody loaded up the back of an SUV with three propane tanks, two cans of gasoline, a box of what looked like black powder and some timing devices. We're not sure it was all connected, but that's a lot of bad stuff in one car.

HARRY SMITH: All of that stuff in one car by itself I don't think could have caused a horrible amount of damage, but it really could have been an act of terror.

BOB ORR: Oh, absolutely. It probably would not have been a large explosion.

HARRY SMITH: Right.

BOB ORR: The propane tanks, if they were breached, they could create quite a bang, but the real danger there was a fire. A big fire. Imagine on Saturday night, Midtown Manhattan, tens of thousands of people getting ready to go to the theater.

HARRY SMITH: Right.

BOB ORR: The real terror event would've been the chaos that would've ensued. And, that's what the bad guys shoot for.

HARRY SMITH: From the people you've talked to since this happened last night, do you have any sense of footprint? Do you-- are they talking about a footprint here that matches up with something they would know about?

BOB ORR: Well, that's what they're looking at right now. We're looking at surveillance tapes. They do see on a surveillance tape an individual getting out of this car somewhere between Seventh and Eighth Avenues in New York. It's not good enough quality to identify that person, but there have been no claims of responsibility. There are no suspects right now. You have to look at the obvious for-- prime suspects. Among them would be homegrown people--

HARRY SMITH: Mm-Hm.

BOB ORR: --who are inspired by Jihadi websites. But we really just don't know. But it's a full-court press by the Joint Terrorism Task Force.

HARRY SMITH: Wow. That's for sure. Bob Orr, as always, thank you so much.

We want to turn to another big story: the oil spill in the Gulf. And now joining us from Empire, Louisiana, CBS News correspondent Mark Strassmann.

MARK STRASSMANN: Morning, Harry. The situation is, essentially, this is an emergency operation that is just not getting it done. You have a river of oil that is coming up from a mile underneath the Gulf of Mexico, pouring more oil every day, perhaps two hundred thousand gallons more every day. And no one has found a way to accomplish priority one, which is let's seal the leak. Let's stop the oil that keeps pouring into this Gulf. No one has done it and no one even knows, apparently, how to do it. And that, of course, is a real worry.

Second priority, of course, is let's protect the coastline. They've put out a lot of booms. They have skimmers out there. But there's no real sense of confidence among people in this community that they are truly protected. They have very bad weather out there. The boom really works best if it's-- the-- the waters are calm. We have six to nine foot waves. Those waves are going to wash the oil in many instances right over the boom.

The other issue, of course, here is just a-- a-- a sense of confidence that somebody is in charge here.

HARRY SMITH: Hm.

MARK STRASSMANN: This is a team between the federal government and BP, the oil giant, that's responsible here. This is a team that has not always been playing on the same page. The federal government, the Obama administration has criticized BP. Interior Secretary Ken Salazar said that BP had to work harder, faster, and smarter to get the job done. So, President Obama is going to take a tour today of an operation that has really not gone well so far. He's going to say, look, you guys got to work together and don't spare any expense. Don't spare any effort to try to get this job done because this is just too big to fail.

HARRY SMITH: Right. Mark, I know you have spent a lot of time with the fishermen and the folks there right in that area. How frustrated are they?

MARK STRASSMANN: Extremely frustrated. They believe that-- that-- that the response was too slow, that-- that the-- the spill was initially underestimated or underplayed. They don't have any confidence in Washington because of what happened after Katrina. Remember, these are folks, Harry, who make their livelihood in these waters. Five years ago-- almost five years ago after Katrina, they were knocked flat on their back. They had just got to the point where they had rebuilt their businesses and along comes this. And in many instances, people here think that this could be worse than Katrina. Once it gets into-- the oil gets into the ecosystem here, their business could be dead for years. And in some instances, people here say we'd rather deal with Katrina than deal with this.

HARRY SMITH: Right. Wow. Mark Strassmann in Louisiana. Thank you.

Mary Landrieu is the senior Senator from Louisiana. She joins us this morning from New Orleans. Congressman Charlie Melancon represents the district where the oil is headed. Good morning to you both.

REPRESENTATIVE CHARLIE MELANCON (D-Louisiana): Good morning.

SENATOR MARY LANDRIEU (D-Louisiana): Good morning.

HARRY SMITH: Senator, let me start with you. We have heard varying estimates about the amount of oil that is seeping out from underneath the seabed, as many as five thousand barrels a day. Some estimate it maybe even five times greater than that. Do you have a-- a-- a-- a good handle on how much oil is literally seeping into the Gulf right now?

SENATOR MARY LANDRIEU: Well, Harry, what I can tell you it's too much. And to put that in perspective as clearly as I can--in the last decade, the last decade, we've only had seven thousand barrels seep into the Gulf. We're getting seven thousand at a minimum every day and a half with this spill. So it's not really a spill. It's an uncontrolled flow. And, to date, BP or any of their partners have not been able to plug this well. And, that is the first and most or-- urgent order of business. But I have to tell you--I'm sorry to say, Harry--that if they cannot get that valve closed, you know, the blow-out--

HARRY SMITH (overlapping): Right.

SENATOR MARY LANDRIEU: --which failed, the first time that this has happened, the only other way that we know to do it is to drill another well to plug it. And that will take anywhere from sixty to ninety days.

HARRY SMITH: Hm. Hm. Three months time. Congressman Melancon, talk about the folks in your district. What exactly is at stake for them?

REPRESENTATIVE CHARLIE MELANCON: Everything is at stake. This is catastrophic--the ecosystem, the coastal wetlands, the marshes as we refer to them in Louisiana. America's wetlands are the most productive in the country maybe in the world. Thirty-- thirty percent roughly of all the seafood consumed in this country has its origins and beginnings in the coastal wetlands of Louisiana. So, it's-- it's catastrophic. We wrote to the National Marine Fisheries last week and-- and sent a letter hand-delivered that said "Please get ready to-- to allocate monies

to support the fisheries and the fishermen." In the meantime, they're out there. They want to save their wetlands. This is about saving what makes their living. This is about the area that they've all grown up in and grown to love and make their living from it. So, it's important to them that they save it. We've been pushing. Yesterday, Lisa Jackson and I met with the fishermen and we see people down in St. Bernard Parish. She was going back to meet with the BP people. It is imperative that they respond and respond as we tell them rather than question what we're asking. We know the land. Those fishermen know the land.

HARRY SMITH: Right.

REPRESENTATIVE CHARLIE MELANCON: They know the waters. They can get the job done. We need to depend on them.

HARRY SMITH: Yeah.

REPRESENTATIVE CHARLIE MELANCON: It's their livelihood at risk-- at stake.

HARRY SMITH: Senator, this is at minimum catastrophic. Has the government done enough in response to this? Were they clued in enough early enough?

SENATOR MARY LANDRIEU: I believe they understood the seriousness when this blowout took place. I know that that communication was made and I know that the federal government has leaned forward since day one. But, obviously, it's not enough on any part. Not at the federal, the state or BP and we have all have to do better. But Ha-- but, Harry, I'll say this. Our delegation has been asking for over twenty-five years for this government and our nation to understand that this might be one hundred percent of the nation's oil, but right now, it's one hundred percent of our risk. We have been begging and pleading and making the strongest case possible for revenue sharing, so we can make our marshes stronger, so we can invest in better research, so we can get our own people, you know, up to-- up to snuff a little bit better to help protect.

HARRY SMITH: Hm.

SENATOR MARY LANDRIEU: So I hope this message will come clear and that is one of the things we'll take away. We need more research. We need, you know, more fail-safe processes--

HARRY SMITH: Right.

SENATOR MARY LANDRIEU: --and we need revenue sharing for these Gulf Coast states.

HARRY SMITH: Congressman, especially down there where your folks have had to, you know, rebuild after hurricane after hurricane after hurricane. How many blows can-- can these folks take?

REPRESENTATIVE CHARLIE MELANCON: These are very enduring people. They're-- they're tough. But you're right. It-- it becomes wearing after a while. They'll resolve in time, but we have to help them through this period of-- of process. And then back to what you were asking Senator Landrieu, you know, our government needs to get somewheres in between "drill, baby, drill" and "spill, baby, spill." Excuse the expressions. But we need to start having safety be priority not only for the-- the people that work on those rigs but for the estuaries that are surrounding them. They thought at fifty miles that--

HARRY SMITH: Hm-Mm.

REPRESENTATIVE CHARLIE MELANCON: --the government gave them the permits that they never see oil in because of the distance.

HARRY SMITH: Sure.

REPRESENTATIVE CHARLIE MELANCON: Well, they were wrong.

HARRY SMITH (overlapping): Big time.

REPRESENTATIVE CHARLIE MELANCON: We need to correct that. We-- we need to make sure that it's as safe as it can be.

HARRY SMITH: Congressman, would you go so far as to say that BP has been almost cavalier in its attitude toward this?

REPRESENTATIVE CHARLIE MELANCON: My dealings with them I wouldn't say that. But I think as a-- as a general body moving forward they have not moved as quickly and as expeditiously as we would have liked them. Of course, all our opinions are subjective. The-- the-- they feel that they're moving forward at a good clip. A good clip to them for us, Senator Landrieu and I, is not fast enough and is not been effective enough.

HARRY SMITH: Senator, we're talking about a situation where there's machinery on the seafloor. It's five thousand feet deep. The only way to go down there and work is with remote-controlled submarines. They have talked about, maybe, building domes to capture the oil and then pump it up from that. You just said it will be three months at minimum if they dig a relief well. In the meantime, if this oil continues to pour out at the rate it's pouring out, these fisheries down there could be despoiled for decades to come.

SENATOR MARY LANDRIEU: Well, we don't know all of those details. What we do know is there's a dome, a structure that is being fabricated today or fixed today. I think it should have been done months ago, in waiting but we'll look at that later. But the only way to really plug this is to go down, so I think the government is forcing BP--and I hope this is the case--to drill two wells. Hopefully, one of them will get there. And these are very expensive to do but they've got to do it. And then the other thing people should have some confidence after the Valdez spill, there was a oil spill fund set up in the Treasury.

HARRY SMITH: Hm.

SENATOR MARY LANDRIEU: That fund is 1.6 billion dollars. So BP has tremendous liability and then as a backup this fund will kick in. So our delegation is going to be very strong about anyone that was affected negatively being able to be fully compensated. But, you know, you're right. We don't know what the long-term effects are but I will say this.

HARRY SMITH (overlapping): All right. Very quickly.

SENATOR MARY LANDRIEU: This is not the time to retreat or back up. We've got to find out what happened, correct it and then continue to produce the oil and gas and energy that this country needs to operate. We cannot run this business offshore and--

HARRY SMITH (overlapping): Senator and Congress--

SENATOR MARY LANDRIEU: --in other countries.

HARRY SMITH: Senator and Congressman, thank you both very much for your time this morning. Do appreciate it.

SENATOR MARY LANDRIEU: Thank you.

REPRESENTATIVE CHARLIE MELANCON: Thank you.

HARRY SMITH: We're going to be back in one minute.

(ANNOUNCEMENTS)

HARRY SMITH: Now we turn to the other major story in the country this weekend: the uproar over the new Arizona immigration law. Former Arizona Congressman J.D. Hayworth is a proponent of that law. He is in Phoenix. Illinois Congressman Luis Gutierrez was part of the protests yesterday in Washington. In fact, he was arrested outside the White House. But he is here with us this morning. Good morning, gentlemen.

REPRESENTATIVE LUIS GUTIERREZ (D-Illinois): Good morning.

FORMER REPRESENTATIVE J.D. HAYWORTH (R-Arizona): Good morning.

HARRY SMITH: Congressman, why did you want to be arrested yesterday?

REPRESENTATIVE LUIS GUTIERREZ: My arrest was part of a response to what I consider the immorality of our broken immigration system. We were protesting the fact that hundreds of thousands of immigrant families have been destroyed, husbands losing their wives. There are four million, Harry, American citizen children whose parents have either been deported or are under threat of deportation. It's time to make families sacrosanct once again and to fix that immigration system. So I was arrested yesterday because it was time I thought to escalate and to elevate the level of awareness and consciousness for all those who tried to reach our shores and can't because our system is broken.

HARRY SMITH: Hm. Let me ask Mister Hayworth this question. It-- this new law in Arizona, is it really designed to get rid of undocumented people or is it designed to get the attention of the government, so that there is, in fact, some sort of comprehensive new immigration law passed?

FORMER REPRESENTATIVE J.D. HAYWORTH: Well, Harry, I would suggest that the law here in Arizona is designed quite simply to enforce federal law. And I think what has been going on here has been a massive disinformation campaign and distortion. For example, let me read directly from the law. It says the law, quote, "Shall be implemented in a manner consistent with federal laws regulating immigration, protecting the civil rights of all persons, and respecting the privileges and-- and immunities of United States citizens." The key phrase "protecting the civil rights of all persons." So what we're getting here is distortion. With all due respect, to hear Luis offer his evaluation, I can recall when Luis derided the term amnesty saying, quote, "There's an implication that you did something wrong and-- and you need to be forgiven." So I think the real

question this morning is for Luis. Luis, do you think illegal aliens have done anything wrong by being in this country without authorization?

HARRY SMITH: Do you want to answer that?

REPRESENTATIVE LUIS GUTIERREZ: Well, here's what I would like to say. I think it's time that we have a discussion and debate, an earnest one. Let me tell you what I propose. I want to end illegal immigration as we know it. How would I propose to do that? I think you have to go after employers that hire undocumented workers and be very severe with them. I'll tell you something, Harry, the same Social Security card that my granddad got in the 30s, is the same one my grandson, who's seven years old, just got.

HARRY SMITH: Mm-Hm.

REPRESENTATIVE LUIS GUTIERREZ: It's time to bring new technology to make sure that everyone that works in America has a Social Security card. So, I'm ready to give a little blood and a little DNA to prove that I'm legally working in the United States of America. That way we end the-- the workers from being able to get those jobs.

HARRY SMITH: But the people who are here illegally, should they-- should they be allowed to be here?

REPRESENTATIVE LUIS GUTIERREZ: Here's what I'm going to say. You see, J.D. Hayworth wants to say if we just pass these laws, they're going to go away. The fact is the federal government-- and Mister Hayworth was a member of Congress for many years, when his party was in the majority and passed many laws. They didn't go away. The fact is the following. People want to think if we pass hash laws, they're just going to go away. That's not going to happen. They have roots in the community. There are millions of American citizen children.

HARRY SMITH: Mm-Hm.

REPRESENTATIVE LUIS GUTIERREZ: And so, what I say, make them learn English. Make them pay a fine. Make them pay into our system and then put them onto track, so that there's some relationship between what they did and the punishment.

HARRY SMITH: Okay. But I would guess, Mister Hayworth, that your contention and that was that doesn't really deal with the roots of the problem, which is a border that is porous through which millions of people come into the country.

FORMER REPRESENTATIVE J.D. HAYWORTH: Harry, border security is national security. And it's not only illegals coming northward from Mexico, we've been getting Chinese. We've been getting people from the Middle East. There is a huge criminal component just Friday afternoon. A Pinal County sheriff's deputy wounded, apparently, surprising drug smugglers. Now seventeen people in detention, three of them persons of interest in the shooting of the deputy sheriff. This is a major problem. And for Luis to suggest that-- that-- that somehow we need to forgive people coming into the country illegally, that's the root of the problem. When you enforce the law--

REPRESENTATIVE LUIS GUTIERREZ: And, and-- and here's what I'm saying.

FORMER REPRESENTATIVE J.D. HAYWORTH: --people respond to the law.

REPRESENTATIVE LUIS GUTIERREZ: Look, I want to secure that border. But the fact is, Harry, ten years ago, there were ten thousand border patrol agents, there's twenty. Ten years ago, there were no fences. Some places, we've tripled the fences. It's not working because in the end--

HARRY SMITH: Hm.

REPRESENTATIVE LUIS GUTIERREZ: --it is jobs here in the United States that they're able to obtain--

HARRY SMITH: That's the magnet.

REPRESENTATIVE LUIS GUTIERREZ: --that brings them instead. It's the magnet. But let me just be very clear. I'm ready to triple that border. I'm ready to put more border patrol agents. Won't people like J.D. join us in a comprehensive plan, so that we can take the twelve million that are here, legalize them, make them pay taxes, know who they are, fingerprint them, because I'm with J.D., I don't like criminals. But the people that J.D. is dealing with, they're drug smugglers. They're-- they're criminals. They're vicious, ruthless people and I want to combat them with J.D.

HARRY SMITH: Okay. J.D., let me ask you this. Some people would contend that this law in Arizona is racist in nature. Some have equated it even with Jews having to carry identification during Nazi Germany. How do you respond to that?

FORMER REPRESENTATIVE J.D. HAYWORTH: That is overblown rhetoric. And it-- it's a tool that's been used before. Former State Senator and immigration activist or amnesty activist, Alfredo Gutierrez, has put it this way and I quote, "We call things racism just to get attention. We reduce complicated problems to racism not because it's racism but because it works." close quote. Now, Harry, what's going on is a deliberate distortion to move this from a question of enforcement to one of the ethnicity.

HARRY SMITH: But hang on second. Let me ask you-- J.D., let me ask you this.

FORMER REPRESENTATIVE J.D. HAYWORTH: Yeah.

HARRY SMITH: If you were Hispanic and you were walking down the street today in Arizona, would you have some concern if-- if a squad car drove by?

FORMER REPRESENTATIVE J.D. HAYWORTH: No, I would not, because there has to be reasonable suspicion. The law is very fondly crafted, protected. It--

HARRY SMITH (overlapping): It was amended-- was amended Friday. Yeah.

FORMER REPRESENTATIVE J.D. HAYWORTH: Because-- because-- because good people of goodwill want to go the extra mile to ensure there is not a hint of racism here.

HARRY SMITH: Okay. Go ahead.

REPRESENTATIVE LUIS GUTIERREZ: And I will just say the following--

FORMER REPRESENTATIVE J.D. HAYWORTH: And the other point--

REPRESENTATIVE LUIS GUTIERREZ: And, I will just say the following, Harry. Look, the law is discriminatory. It's the way the Latino community, the immigrant community, they felt like, God, you know, what about all those-- all that garlic and grapes and onions we pick? What about the meat slaughter houses where we-- we prepare the meat for the American public? Look, even in my district, you can find all the little carriages and we see all those beautiful little babies of American citizens being raised by immigrant. We're not criminals. We've come here to sweat and to toil and to work hard. Yes, some of us cross that border and some of us overstayed our visa. But, by and large, we love this country.

HARRY SMITH: Hm.

REPRESENTATIVE LUIS GUTIERREZ: And to say that somehow we are all these criminal element and to target us with the discriminatory law is just wrong. And what that-- that is galvanized and-- and unified. And in the end, doesn't it speak, too, sadly the lack of action of the federal government, the lack of action of us taking this core--

HARRY SMITH: On those things--

REPRESENTATIVE LUIS GUTIERREZ: --issue that is our responsibility.

HARRY SMITH: --on-- on-- on that I think you can both probably agree. But on the other hand, Mister Hayworth, this notion that this-- the passage of this law is having all kinds of unintended consequences. We have different groups deciding to boycott, move their-- move their events and even conventions out of Arizona to other states. There's even talk about wanting to move the All-Star game out of-- out of-- out of Phoenix. Certainly, that wasn't anticipated when this law was passed.

FORMER REPRESENTATIVE J.D. HAYWORTH: Well, again, what Arizona wanted to do dealing with the frustration of Washington Ds-- DC, for example, my opponent John McCain has waffled between inaction and embracing amnesty. And there is a-- a need to enforce the law in Arizona. Now you spoke of a boycott. What I heard from friends in California the other day is that they want to start a boycott. Actually come to Arizona to reaffirm the fact that Arizona all we're doing is enforcing federal law.

REPRESENTATIVE LUIS GUTIERREZ (overlapping): And none of that solves the problem.

FORMER REPRESENTATIVE J.D. HAYWORTH: Enforcing laws on the books. And, as we've heard from Luis, excuse me. As we've heard from Luis, he wants to forgive law breaking. The first act of people, no matter their later motivation in coming to go the country without authorization is to break our laws. Immigration policy, border security and national security are synonymous. Crime is on the increase. Arizonians have had enough and interestingly, a majority of Hispanics agree that this law should be enforced here in Arizona.

HARRY SMITH: All right, J.D., hang on. Luis, I'm going to give you a little final word.

REPRESENTATIVE LUIS GUTIERREZ: Thank you. The Cato Institute, not conservative, libertarian, says crime is down statistically. Look, it's a red herring. The fact is, I want to secure that border. Washington, DC, has to get involved in securing that border. Look, what is the greatest tool the police have in combating crime? I hate those drug dealers. I hate those

involved in human smuggling, but the greatest asset that the police have are the eyes and the ears of the public. Let's not drive a wedge between the police and the public in general and that's all. You know who's happy with that law? Criminals and drug dealers. I want to end illegal immigration as we know it. I hope J.D. will-- will join me in that effort.

HARRY SMITH: Congressman, thank you very much. J.D., we do appreciate your time this morning. Thank you very much.

FORMER REPRESENTATIVE J.D. HAYWORTH: Harry, thank you.

HARRY SMITH: All right.

FORMER REPRESENTATIVE J.D. HAYWORTH: Thanks.

HARRY SMITH: We'll be right back.

(ANNOUNCEMENTS)

HARRY SMITH: That's all the time we have today. Be sure to join us next week when Bob Schieffer will be back.

Thanks for watching FACE THE NATION.

I'll see you tomorrow morning on THE EARLY SHOW.

(ANNOUNCEMENTS)

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