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



July 18, 2010 Transcript

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TRANSCRIPT

BOB SCHIEFFER: Today on FACE THE NATION, two hot topics: Arizona's immigration law, and the NAACP's racism charges against elements of the Tea Party.

A court heard arguments last week in one of several lawsuits aimed at overturning Arizona's controversial new immigration law. Will it lead to racial profiling or will it help stem the flow of illegal aliens. We'll talk to two men with very different takes on it--former Republican congressman J.D. Hayworth and New Mexico's Democratic Governor Bill Richardson.

And what about the NAACP's new charges of racism against elements of the Tea Party? We'll bring in the head of the NAACP, Ben Jealous, and one of the leaders of the Tea Party, David Webb.

Then I'll have a final word on a real shakeup in Washington, our very own earthquake.

But first, the Arizona immigration law on FACE THE NATION.

(Crowd protesting)

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. Former congressman J.D. Hayworth, who is running for-- against John McCain in the Republican Senate primary out in Arizona, is in Tucson this morning. Bill Richardson, who is our only Hispanic governor, the governor of New Mexico, is out in San Francisco this morning. Gentlemen, thank you. Let's get right to it. Last week in the first hearing in a number of lawsuits that have been filed to overturn this new law in Arizona, a Phoenix police officer told a federal judge that he fears that if he stops someone for something and then has a reasonable suspicion that they might be illegal immigrants and asked them about it, he's afraid now he could be sued for racial profiling. But he also says he's afraid that he if doesn't ask them about it, as the law requires him to do as I understand it, he can be sued for-- by citizens for not enforcing the law.

Mister Hayworth, this just begs the question: Aren't you worried that this law is going to make it harder to police immigration and make it more difficult for the police to carry out their duties?

FORMER REPRESENTATIVE J.D. HAYWORTH (R-Arizona): Bob, not in the least. And let me say hello from Tucson, and offering a side as we begin this morning--the headline on the Tucson Citizen blog entry today said J.D. Hayworth, the hands-down-- the hands-down winner in last night's big debate here. So I'm happy about that. And I should also point out--

BOB SCHIEFFER (overlapping): Well, Mister Hayworth, we didn't call-- we didn't ask you to be here this morning to talk about that.

(Former Representative J.D. Hayworth laughing)

BOB SCHIEFFER: We asked you to talk about this law.

FORMER REPRESENTATIVE J.D. HAYWORTH (overlapping): You-- you run that risk.

BOB SCHIEFFER: Okay.

FORMER REPRESENTATIVE J.D. HAYWORTH: You run that risk, Bob. And I thank you for the chance to be here. And let me talk specifically about that law because the Phoenix Law Enforcement Association, the cops on the beat overwhelmingly support that law. But it should come as no surprise that any number of people who advocate open borders and who advocate no enforcement of the law, including this current administration, are trying to throw up these roadblocks. So it's not surprising but it will not hold water. In fact, you can look at your own CBS News poll, where over half Americans interviewed said they believe that Senate Bill 1070 is the right approach. And, in fact, another group, what, sixteen or seventeen percent of Americans don't believe it goes fast far enough.

BOB SCHIEFFER: Well, you're absolutely right. That is what the CBS News poll shows. It shows a healthy majority favor this Arizona law. And I want to-- let me just-- since you brought it up, let me just ask the-- Governor Richardson about that. Are you surprised by that, Governor?

GOVERNOR BILL RICHARDSON (D-New Mexico): Bob, no. I think that immigration is a very hot-button issue. It's divisive. But I think what that officer said shows that that law is unworkable. And I'm pleased that the Obama administration filed a lawsuit for these reasons. One, it is going to lead to racial profiling. Anybody that looks Hispanic is got to be racially profiled. And it's as simple as that. Secondly, it preempts federal law. This is-- immigration is a federal responsibility. Lastly, it's going to hurt our foreign policy with Central America, with Mexico. Six Mexican governors have refused to attend a border conference in Arizona. We're now going to hold it in New Mexico. It hurts America's image abroad. But, look, Bob, we need comprehensive immigration reform. I think those same people that are in your CBS News poll want to see the Congress tackle immigration reform which they refused to do because it's such a hot issue. And then I think if you present a plan that says, yes, we have to enhance border security with more boots on the ground, more technology, a path to legalization; not-- not amnesty but simply saying if the undocumented worker learns English, pays back taxes, pays a fine for coming here illegally, gets to the back of the line and you crack down on illegal hires perhaps with some kind of ID card to help employers that's what the American people want. And that's what I believe will be a semi-solution to this horrendous, divisive problem. This Arizona law is divisive. It's going to spread to other states. It's going to find ways to continue to divide Americans. It's racially profiling. And-- and my hope is that it gets struck down before it's implemented at the end of July.

BOB SCHIEFFER: Well, let me-- let me just point out one thing. This law does clearly state in one section that you can't simply pull someone over based solely on racial profiling. I know that because a lot of our viewers told me I should have made that clear last week when I interviewed the attorney general about this. But another section of this law says that an illegal immigrant who is on public or private property in Arizona is guilty of trespassing. So some lawyers are telling me, Mister Hayworth, that that alone is reason enough to pull somebody over. So what is it-- what do you think this law says?

FORMER REPRESENTATIVE J.D. HAYWORTH: I think the law is very clear, Bob, and I read it. Unlike the Attorney General, or maybe now has Eric Holder-- did he tell you last week he's finally read the law? Because you remember, he testified to Congress and said he had not read it. But you pointed out the key phrase. There is no effort at ethnic profiling. The law itself says that the civil rights of all persons will be respected. And when it comes to a variety of lawyers I have to say this. The law is a bit like economics. Just as you could lay all the economists in the

world end-to-end and still never get a conclusion. Of course, you are going to have-- you're going to have legal advocates largely on political arguments try to throw a monkey wrench into this. Here's the simple way to view it, Bob. Senate Bill 1070: the people of Arizona want to enforce federal law, President Obama wants to ignore federal law, and John McCain, and now it sounds like Bill Richardson want to erase federal law and want to erase immigration law and have amnesty or--

BOB SCHIEFFER (overlapping): Well--

FORMER REPRESENTATIVE J.D. HAYWORTH: --as Bill calls it comprehensive immigration reform.

BOB SCHIEFFER (overlapping): Let me ask you this. So it isn't the fact of the matter even from a practical standpoint, until some court gives more specific directions on how the police are supposed to interpret this law, nobody really knows how the police are going to read this law and isn't that the bottom line here? You've either got to have some instruction from the federal courts or some sort of guidelines before we really know how-- the impact of this law?

FORMER REPRESENTATIVE J.D. HAYWORTH: And ironic--

GOVERNOR BILL RICHARDSON (overlapping): But, Bob, what's going to happen here is there are specifics in the law that says if the officer deems somebody to look suspicious, they can ask for their immigration papers.

FORMER REPRESENTATIVE J.D. HAYWORTH: No.

GOVERNOR BILL RICHARDSON: I mean that is blatantly racial profiling. Who are they going to ask? They're going to ask somebody that looks Hispanic. They're not going to ask somebody that is-- that is not-- that-- that-- that looks like J.D. Hayworth. They're going to ask somebody that looks like me. And that's the problem with this law. It's unworkable. It's discriminatory. Arizona should have pushed for comprehensive immigration reform. That's not amnesty. What we're--

FORMER REPRESENTATIVE J.D. HAYWORTH (overlapping): You bet that is.

GOVERNOR BILL RICHARDSON: --looking at is a path to legalization--

FORMER REPRESENTATIVE J.D. HAYWORTH (overlapping): It is amnesty.

BOB SCHIEFFER: All right. Let-- let--

GOVERNOR BILL RICHARDSON (overlapping): What are you going to do with the eleven million that are here? I think we need a path, not citizens--

BOB SCHIEFFER (overlapping): Let-- let Mister Hayworth answer that.

GOVERNOR BILL RICHARDSON: Yes.

FORMER REPRESENTATIVE J.D. HAYWORTH: You-- you know, there's so much out there. And I appreciate Bill's political stance. And let's not be confused here. This is not a legal argument as much as it is a political argument. Democrats and other backers of amnesty,

including my opponent, find themselves on the wrong side of this issue and so they're trying to throw up all these falsehoods about the law. The law is clear. The civil rights of all persons will be respected. And when you enforce the law, people obey the law. For example, the Arizona Republican notoriously opened borders newspaper carried an article within the last year featuring the governor of Sonora, our neighboring Mexican state. And the governor of Sonora was complaining that so many of his citizens were returning home. Why are they returning home? Well, because Maricopa County Sheriff Joe Arpaio, who's endorsed me, was enforcing immigration law.

BOB SCHIEFFER (overlapping): Well--

FORMER REPRESENTATIVE J.D. HAYWORTH: When you enforce the law, people obey the law. Now, the left for-- using this false argument of ethnicity--

BOB SCHIEFFER (overlapping): All right.

FORMER REPRESENTATIVE J.D. HAYWORTH: --wants to try and eradicate the law.

BOB SCHIEFFER: I need to go back to Mister Richardson. Governor Richardson, I've put the question to the Attorney General last week, just what his critics have been saying that the reason the administration filed this law was they were simply trying to find a way to brand Republicans as anti-immigration, and even worse anti-Hispanic. He said no that's not the case. What is your response to that?

GOVERNOR BILL RICHARDSON: Well, look, Bob, if we're going to resolve this immigration problem it's got to be bipartisan. And I'm going to give credit to President Reagan and President George Bush, who tried to have comprehensive immigration reform the way I outlined it--with a path to legalization, cracking down on illegal hires, dramatically increasing boots on the ground. And it's not politics. I think the Attorney General had to file this lawsuit because clearly what Arizona did is a federal responsibility. Now granted, I understand Arizona's frustration because we haven't had comprehensive immigration reform. We need more boots on the ground, more technology, more Border Patrol, more National Guard. We need a path to legalization because you've got eleven--

BOB SCHIEFFER (overlapping): But--

GOVERNOR BILL RICHARDSON: --million living in the shadows--

BOB SCHIEFFER (overlapping): --that's-- that's still ahead. And you--

GOVERNOR BILL RICHARDSON: --but it's not a-- it's not a price--

BOB SCHIEFFER (overlapping): --and you-- you know, else well as I do, Governor, that-- that-- that's not going to happen before this election. But let me ask you this, what do you we'll happen if this law does go into effect.

GOVERNOR BILL RICHARDSON: Well, what's going to happen is the country is going to be bitterly divided. Many other states are going to take steps like this when legislatures convene in January. There are, at least, ten other states with bills that are out there. It's not going to happen in New Mexico, but it's going to happen in states in the Mid-West. And-- and what you're going to see is potentially a constitutional crisis with so many states taking what should

be a federal responsibility. My hope is that the courts stay this law, that it not take effect at the end of July, that we allow a comprehensive debate. You're right, Bob. It's not going to happen before this election. But it could happen in the lame-duck session. And, hopefully, a series of Republicans will step up because it's got to be done in a bipartisan way.

BOB SCHIEFFER: All right.

GOVERNOR BILL RICHARDSON: You can't just make it a political issue of Democrats alone. And I believe President Obama has shown leadership on this issue.

BOB SCHIEFFER: Mister Hayworth, I'll give you the final word simply because time has run out. And I want to ask you to be short. What do you think will happen if this goes into effect?

FORMER REPRESENTATIVE J.D. HAYWORTH: I think people will see Arizona being successful. And they will ask why doesn't the federal government enforce the law? And they will see that President Obama and John McCain and Bill Richardson and other politicians who have viewed this as a political problem to be managed, instead of as an invasion to be stopped are on the wrong side of this issue. The American people demand that immigration law be enforced.

BOB SCHIEFFER: All right. Well, I want to thank both of you for shining a little light on this. I think we have a little better understanding of what this all-- what this is all about. We're going to talk about another very controversial topic. And that is the NAACP condemning elements of the Tea Party for racism. We'll talk about that in one minute.

(ANNOUNCEMENTS)

BOB SCHIEFFER: The NAACP and the Tea Party. First, here in the studio are Benjamin Jealous, he is the president of the NAACP. He's in the studio with us this morning. In New York is David Webb who is with National Tea Party Federation, with that group and he's also the co-founder of Tea Party 365. Mister Jealous, you raised a lot of eyebrows when the-- when your organization passed a resolution condemning and you were careful to say not the Tea Party itself but elements of the Tea Party for racism. Why did you find that necessary? And what actually were you trying to do?

BENJAMIN JEALOUS (President NAACP): Yeah. Well, we started out-- you know, we were at our cut-- big gathering in the Show-Me State. Each year, we gather once a year. We were debating seventy-five issues. One issue, this issue, had come-- had come up from our folks there. The Council of Conservative Citizens, a group that says that black people are not equipped to-- to participate in democracy, was there in the state saying join the Tea Party. We're active in it. We have great influence. That raised eyebrows. Folks looked around the country. They saw a person running down south, running as a write in ca-- candidate for governor, stating that they didn't want people of color in this country, period--claiming broad Tea Party support. You had somebody running out in the state of Nev-- Nev-- Nevada for Senate saying that if things don't go her way, she wants to-- to consider Second Amendment to remedies.

BOB SCHIEFFER: Mm-Hm.

BENJAMIN JEALOUS: And then in the midst of all this, you have their leaders like Dale Robertson in Texas of 1776 Tea Party with his race assigns you-- race assigns out there, events. And you also--

BOB SCHIEFFER: And so that led you to--

BENJAMIN JEALOUS: Yeah, I mean all of that together had us very con-- con-- concerned. But again, it's one of seventy-five resolutions. It's half a page or a forty-two-spa-- forty-two-page speech, primarily focused on jobs and getting this country moving towards jobs.

BOB SCHIEFFER: But if it were one of three resolutions, obviously--

BENJAMIN JEALOUS: Yeah.

BOB SCHIEFFER: --there-- there are some people that are in the Tea Party that you couldn't blame them for taking some objection, some exception to that.

Mister Webb, what's your reaction to that?

DAVID WEBB (Co-Founder Tea Party 365/National Tea Party Federation): Well, my first reaction is that if you look selectively, you, Bob, can find, you know, single examples in any movement. There are fringe elements. Dale Robertson has been discredited and has been denounced and is not a Tea Party member. Mark Williams is not a Tea Party leader although he's perceived as such by some in the media and by Mister Jealous. Three, he's being a little bit disingenuous. He did, in his press release which sits right here denounced ra-- racist Tea Party leaders and bigoted elements. So he spoke to Americans at large who are in the Tea Party Movement and tried to tie it altogether. And what I have a serious objection with is his selective condemnation of racism when he will not condemn the new Black Panther Party for saying that they want to kill crackers and kill cracker babies, whereas he would condemn the KKK or any element that shows up and claims that they are a part of the Tea Party.

BOB SCHIEFFER: Well, it do-- it does seem to me that-- that-- that part of what this is about is-- is he's saying to you, you really need to police your-- your organization. And that some of these signs we've seen them that have shown up at some of these parties really are objectionable. What are you doing about that?

DAVID WEBB: Well-- well, we have it and that's a very good question. We, in the last twenty-four hours have expelled Tea Party Express and Mark Williams from the National Tea Party Federation because of the letter that he wrote which, he, I guess, may have considered satire but which was clearly offensive. And that is what we do--self-policing is the right and the responsibility of any movement or organization. I denounce any acts that I see many leaders do and for Mister Jealous, to say that these elements, when millions have been out there, represent the Tea Party is blatantly false and they're simply playing the race card.

BOB SCHIEFFER: Mister Jealous?

BENJAMIN JEALOUS: David, first of all, I-- I want to say thank you. You are the only national Tea Party leader who I've seen come out and de-- you know, and publicly state the things that-- that you stated and taking on Mark Williams was much appreciated. I find it a bit disappointing that they keep just putting you out, that we don't hear from Dick Armey, the grandfather-- father of the mo-- movement.

DAVID WEBB (overlapping): He's not a grandfather of the Tea Party, Ben. Be-- be realistic and not-- and not--

BENJAMIN JEALOUS: David, I didn't-- David, I didn't talk over you. Show me the same respect. How about that? You know, and we find it-- you know, the reality here is that the New Black Panther Party is like, you know, twel-- twelve people, thirteen people. They don't say these things at the NAACP. If they did, we would take them on. I said three times in a show with you last week, so hear me this time. We-- you know bigots has come in all colors. We don't-- you know, we absolutely denounce the New Black Panther Party. But they aren't in our group. These folks are in your groups. And you're the only one up there in-- in New York who's saying anything. Let the folks come out and say things nationally. You know, I-- I talked to you about Tea Party members who belong to the NAACP, who stand with us, who are there saying please get these folks out of our party. It will improve the party. Thank you for taking action in the last twenty-four hours. But you're also being disingenuous when you say that a man who is the founder of Tea Party Express e-- e-- tea-- of Tea Party Express, who's on TV as their national spokesman hasn't been a Tea Party leader. He absolutely was. And he was the day that he wrote that vile note penned in my name saying that President Lincoln was the biggest racist ever because slavery was a good gig. So thank you for following through. I think you would, you know--

BOB SCHIEFFER (overlapping): Let me--

BENJAMIN JEALOUS: --sort of did-- did you a favor to draw this guy out.

BOB SCHIEFFER: Let me-- let me just ask both of you something. In the New York Times this morning a very interesting story quoting Newt Gingrich, of all people, who is aware of the problems going on between--

BENJAMIN JEALOUS: Yeah.

BOB SCHIEFFER: --your two organizations. And he says, you know what, I think you ought to do? He said I think the two of you ought to hold some joint town hall meetings around the country. And he said because you have a lot of things in common. Number one, being getting people back to work and people who are worried--

BENJAMIN JEALOUS: Yeah.

BOB SCHIEFFER: --about the economy. What about that? Is Newt Gingrich on to something here or is there's something gained?

BENJAMIN JEALOUS (overlapping): Let's talk about the issues.

BOB SCHIEFFER: What would you think?

BENJAMIN JEALOUS: Let's talk about the issues. As there is with me and, David, there should be no racism, I mean, so no debate about ra-- racism. That should just be done and the rest of them should follow suit and do what he's doing.

BOB SCHIEFFER (overlapping): Okay. Well, oh-- well, Mister Webb, what about you--

BENJAMIN JEALOUS: Let's talk about the issue.

BOB SCHIEFFER: --would you be interested in holding joint meetings, joint forums around the country with the NAACP to talk about some things that you might have in common?

DAVID WEBB: Absolutely. As a matter of fact we've not only-- we're not only interested in doing that we were ahead of this before. Before the NAACP story broke, and I broke it on my show at Sirius XM, took it to the people. We had already planned an event July 31st in Philadelphia, and that will be on Independence Mall, called Unity. And that event is to speak to the black community and the minority communities. And I'll take it a step further, Bob, that three men are in a pivotal and powerful position on race relations in this nation--President Obama, with the Beer Summit he has made his statements--Obama, Eric Holder, and a nation of cowards, and you, Mister Jealous, as president of the NAACP. Think what it would mean to this nation if we would have an open forum and a real summit, a real tea summit instead of a Beer Summit--

BOB SCHIEFFER: All right.

DAVID WEBB: --on race relations.

BOB SCHIEFFER: All right. We have about thirty seconds left. I'm going to give you time to answer. Will you join him in doing that?

BENJAMIN JEALOUS: Well, I think I have plans that date, but we can certainly plan something, absolutely. But, you know, David, look, we have gotten death threats across the country since we asked you guys to expel these folks from your ranks.

BOB SCHIEFFER (overlapping): All right.

BENJAMIN JEALOUS: If we ask the NAACP to expel the Klan, the Klan wouldn't call and complain.

BOB SCHIEFFER: All right.

BENJAMIN JEALOUS: Deal with it, David. Keep on dealing with it.

BOB SCHIEFFER: Time's up. Thanks to both of you. Very helpful.

Back in a minute.

(ANNOUNCEMENTS)

BOB SCHIEFFER: Finally today, Washington is pretty much a company town. Most people here are either in the government or lobby the government, or if you're like me, observe the government and report on it. So what we usually talk about around here is just that--the government. But last week, we had a whole new topic to talk about--the earthquake that hit Washington and the surrounding suburbs. The question on everyone's lips was did you feel the quake? But mind you it wasn't that bad. My colleague, Mary Woltz send in some pictures of the damage in her neighborhood--knocked over this garbage can, a lawn chair went down in one backyard, and somebody's bottle of pills rolled right off the table. Luckily, it didn't hit anyone. Even so, Washingtonians proudly noted the quake actually hit 3.6 on the Richter scale. And I never saw a Richter scale, so I don't know what that means. But people always mention Richter scales when they talk about quakes. And those who felt this one said it felt like a subway train passing underground or a big plane flying low overhead. For me, it just brought back fond

memories of the first night of our honeymoon in Acapulco, Mexico. That night, Acapulco experienced an earthquake and that night the earth moved. But that was long ago. We slept right through this one soundly.

Back in a minute.

(ANNOUNCEMENTS)

BOB SCHIEFFER: That's it for today. See you right here next Sunday.