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CBS News

FACE THE NATION

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GUESTS: Senator EDWARD KENNEDY (D-MA)

**STEPHEN HADLEY
White House National Security Adviser**

MODERATOR: Gloria Borger - CBS News/US NEWS & World Report

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***FACE THE NATION - CBS NEWS
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GLORIA BORGER, host:

Today on FACE THE NATION, Senator Ted Kennedy and National Security Adviser Stephen Hadley on the war in Iraq and immigration. In a massive demonstration, more than half a million people marched in California yesterday to protest a proposed federal crackdown on illegal immigrants. The Senate starts debate on this contingent issue this week. Will the crackdown pass? We'll ask Senator Ted Kennedy, whose own bill provides a path to citizenship for immigrants here illegally. And what about the continued violence in Iraq? What is the administration's definition of a civil war? We'll ask National Security Adviser Stephen Hadley.

But first, Senator Ted Kennedy on FACE THE NATION.

Announcer: FACE THE NATION with chief Washington correspondent Bob Schieffer. And now from Washington, substituting for Bob Schieffer, CBS News national political correspondent, Gloria Borger.

BORGER: And welcome to the broadcast. Bob Schieffer is off this morning. And joining us now, Senator Ted Kennedy.

Senator EDWARD KENNEDY (Democrat, Massachusetts): Good morning.

BORGER: Senator, thanks so much for being with us this morning.

Sen. KENNEDY: Delighted.

BORGER: Let's get right to this debate on immigration.

Sen. KENNEDY: Yes.

BORGER: We saw hundreds of thousands of people marching in the streets of Los Angeles yesterday. And what they're marching about is a House bill that talks really about enforcement. It turns illegal immigrants into felons. It would build a 700-mile wall on part of the border. Would you filibuster that kind of a bill in the Senate?

Sen. KENNEDY: Well, first of all, let me say it's better that we not pass a bad bill just to pass a bill. But having said that, I'm hopeful that we can have a bill that is going to really respond to the challenges that we're--that we're facing. We're facing a national security challenge on our borders and in immigration, so we have to get immigration policy correct.

Secondly, this issue is a values issue. Who will we permit to become citizens in our nation? And third, this issue is about economic progress and hope and opportunity. In the time that I've been in the United States Senate, I've never seen a coalition come together like it has in trying to find a common sense approach on immigration. We have the leaders of the faith-based, leaders in our community, we have leaders in our business community, and leaders in our labor community. They understand that we cannot solve the problem of illegal immigration just by law enforcement alone. We have spent

\$20 billion on chains and fences and border guards and dogs in the southern border over the last 10 years and it doesn't work. What we need is a comprehensive approach. I think President Bush understands it. I mean, John McCain understands it. And I think we have Democrat and Republican members that understand it, and hopefully we'll have a chance to have that kind of an approach in the Senate.

BORGER: Well, what do you say to people? You mention Senator McCain. You have a bill with Senator McCain that provides a path to citizenship after six years. People pay their back taxes, they pay a fine, and then they get to apply for citizenship. What do you say to people who say, 'You're just giving amnesty to people who've broken the law'?

Sen. KENNEDY: First of all, this is not amnesty. We are not putting anyone at the head of the line. Amnesty means forgiveness. It means pardon. What we are saying is that there are 12 million individuals that are here in the United States. Why did they come here? Basically they came here for economic reasons because they wanted a job and they wanted to work. They wanted to provide for their families and they wanted to continue dedication to their beliefs. We have 70,000 permanent resident aliens in the military serving in Iraq and Afghanistan. And then on the other side, you have employers that have got the magnet out there that are willing to pay for those individuals. We have those individuals here. This is part of the challenge that we're facing. We are facing the issues on the border. We're facing the pressure on individuals who want to come in on a temporary--and how are we going to adjust the status? Our program puts those individuals here. First of all, they pay a penalty, they have to pay their taxes, they have to demonstrate they're working.

BORGER: Right.

Sen. KENNEDY: They have to learn English and they go to the end of the line.

BORGER: Well, let me ask you...

Sen. KENNEDY: Not to the front of the line, to the end of the line, and that's what's important.

BORGER: Let me ask you about President Bush because he says, 'Allow these workers to be here temporarily and then send them home.' Do you think you and President Bush can come to some kind of a compromise on this? Because he disagrees with lots of people in his own party.

Sen. KENNEDY: Well, first of all, I respect President Bush and the fact that he's talked about this issue. We're finding out now on a complex issue, we're finding out that the hard right of the Republican Party is doing everything they possibly can to make it a political issue.

Look at this, Gloria. At other times when we are facing major kinds of challenges to the country, the ones that were the most obvious to me are the civil rights issues. Republicans and Democrats came together on it. We came

together even on the Medicare issue. We came together on higher education issue. And the real question is, will the Senate yield to the hard right and be distracted with just, in effect, criminalizing the 12 million individuals in this country? I'm always interested in our Republican friends because they're talking about family initiatives, and one of their family initiatives is going to mean that Cardinal Mahony from Los Angeles may very well be a felon, because as Cardinal Mahony says, 'My dedication is to helping the poor.'

BORGER: OK.

Sen. KENNEDY: 'And I don't make a judgment about whether the person is here as a green card worker or as, or as a legal immigrant.'

BORGER: Senator, I'm going to now switch to other matters that involve the Senate. One is this question of censuring President Bush. Your colleague, Senator Russ Feingold, wants to have a vote on the Senate floor to censure the president for eavesdropping on Americans without court-ordered warrants. Do you support his move?

Sen. KENNEDY: Well, I hope it's not going to be necessary. The fact is that the American Bar Association has stated that the president has exceeded his authority by going ahead and...

BORGER: Well...

Sen. KENNEDY: Excuse me, they have. The Bar Association, the Congressional Research Service has done it. There was dissent within their own administration, Justice Department, in terms of the actions on that part.

Now, we are in the process now with the subcommittee that has been set up with Carl Levin and Dianne Feinstein and Jay Rockefeller of their being briefed, and they are going to submit legislation to the Senate. I think the real test is will the administration cooperate? Or they could basically...

BORGER: Well, if there is a vote, though, senator, would you support it?

Sen. KENNEDY: Well, I'm saying--what I'm saying is it's a close case, it's a close issue. What we want to do is to--first of all, what is most important is to assure the national security of the United States. And if there's information in there that is vital in terms of our military or for our security, we want to make sure that we're going to have access to it. That's number one. But secondly, we are a country of laws and we are a country of checks and balances. I was there at the time we passed what they call FISA, which is the foreign intelligence court wiretap, and it has worked very well. We had--we only had one vote in dissent, we had a president, Ford at that time, and Attorney General Levy, that invited the Judiciary Committee to come down to the Justice Department four different times and deal with our national security issues and also deal with the issues regarding the oversight on it. That is the kind of action that we ought to have.

BORGER: OK. Well...

Sen. KENNEDY: But if we're going to just find a stone wall, I think you'll find increasing support for it.

BORGER: ...on another national security matter, there is a Pentagon report that has been out this weekend saying that the Russians provided intelligence to Saddam Hussein during the US invasion. The administration is saying they're looking into it. The Russians are denying it. How important a matter is this?

Sen. KENNEDY: Well, I think it's a matter of enormous importance and consequence. Basically what that report is saying, we were endangering American lives, troops, on this. And if this were to be true, this would, I think, be a matter of enormous significance and importance. We are--now the administration--and I--it's difficult for me to understand why the administration doesn't know today what happened. I can't think of anything that's on the president's desk or on the National Security Council desk more important. And I think we need an entirely new assessment of our relationships with Russia should this be true.

BORGER: How so, if it's true?

Sen. KENNEDY: Well, we have the--because they've endangered American lives on this.

BORGER: So what would you do? What would you do?

Sen. KENNEDY: Well, I, I think you'd have to rethink whether we're going to the G8 conference, clearly. We're, we're not going to have business as usual with this kind of...

BORGER: That's an economic summit in St. Petersburg?

Sen. KENNEDY: That's an economic summit that establishes--helps establish economic policy between the industrial nations. I mean, that's the next thing that's coming.

BORGER: So we should boycott it?

Sen. KENNEDY: Well, I would just say we're going to have to have a review about what the value is of our presence until we are going to be able to get to the bottom of it. I think it is a very, very serious issue and question.

BORGER: And, and let's move to the question of Iraq. The vice president was in that very chair...

Sen. KENNEDY: Right here?

BORGER: Right here.

Sen. KENNEDY: Right here? In this very chair?

BORGER: In this chair, talking to Bob Schieffer last week. And he said something about your advice on foreign policy. And let's take a look at what he said, and then you can talk about it.

Vice President DICK CHENEY: (From March 19, 2006) I would not look to Ted Kennedy for guidance and leadership on how we ought to manage national security, Bob. I think what Senator Kennedy reflects is sort of the pre-9/11 mentality about how we ought to deal with the world and that part of the world.

BORGER: "Pre-9/11 mentality." What's your response?

Sen. KENNEDY: Well, I think we can get along with fewer wisecracks from the vice president, and perhaps listening to some wise men and women on this issue. I'd suggest that the vice president didn't get the 9/11--he didn't get it. Because 9/11 was a result of the Taliban and al-Qaeda, and that is Afghanistan. So in response to the 9/11, the vice president recommended we go to war with the Taliban? No, to go to war in Iraq.

There was no question now that--about the misuse of intelligence, there's no question now looking at the 9/11 commission, that the association with al-Qaeda and 9/11 was completely fabricated. There's no question now that the vice president's representation of weapons of mass destruction were wrong. There's no question when he said we would be welcomed as liberators he was wrong. There's no question that in his recent interviews that he said we're in the last throes of the insurgency he was wrong. He's been wrong on every single instance, and I would hope that the president and the National Security Council would recognize that when they're listening to his advice.

BORGER: Well, you said yourself after the president's press conference last week that the president's stewardship of the war was, quote, "not worthy of the sacrifice of our men and women in uniform." Are you saying they're dying for a lost cause, Senator?

Sen. KENNEDY: No. Every individual, every soldier that's lost their lives, everyone that's been wounded is a hero. Is a hero. They're serving their country. That was true in this war, it was true in Vietnam. They--because they are risking their lives, and the families are--experienced many instances of their loss, they are entitled to the best possible policy. That's what this is--this debate, discussion is all about.

Now let me just say, I don't believe the world is safer today as a result of our going into Iraq. I think Iraq is a rallying cry for al-Qaeda. I think we should have given the focus and attention onto Afghanistan, and I think that that's where we should have given our focus. And in the meantime, we see that the growth of the insurgency is developing very rapidly into a civil war.

BORGER: And Secretary Rice says that there's going to be a significant draw-down. You want to withdraw right away. What's your timetable?

Sen. KENNEDY: No. What--first of all, I think what we have done, in contrast to what the administration has, the newspapers today show that we're moving on into a civil war. You can't read these papers into a civil war. Two aspects of Iraq: First is the political, which is bringing the parties together. Secondly, bringing the nations of the region together. Thirdly, we have to have the reconstruction. But we have to recognize that our presence there is fueling the insurgency, and the best way to deal--and we are a crutch to the Iraqis. We're a crutch to the Iraqis. And the best way to remove that crutch is to see a substantial withdrawal of American troops. That's what I'm for.

BORGER: OK, thanks so much Senator Ted Kennedy.

Sen. KENNEDY: Thanks very much. Good.

BORGER: Thanks for being with us.

And I'll be back in a moment with the president's national security adviser, Stephen Hadley.

(Announcements)

BORGER: And joining us now White House national security adviser Stephen Hadley.

Thanks for being with us this morning. Let's start with that new Pentagon report we were just talking about with Senator Kennedy that says Russia gave Saddam Hussein intelligence about American troop movements. The Russians say it's nonsense. Are they lying?

Mr. STEPHEN HADLEY (White House National Security Adviser): We don't know yet. We know there's a document we know that got into the hands of the Iraqis. We know that it dealt with war plans that we had. And for that reason we take very seriously any time a country provides information to an enemy that could potentially put people at risk. We take that very seriously. We will be raising it with the Russians.

There are a lot of things we don't know. We don't know how they got it out of CENTCOM.

BORGER: Well then...

Mr. HADLEY: We don't know whether--what the ambassador did was authorized or not, so there are further questions that we need to raise. But it's a serious matter and we'll be talking to the Russians about it.

BORGER: Well, let me ask you the question that Senator Kennedy asked a moment ago, which is, why don't we know today what happened? Why are you still getting answers to these questions?

Mr. HADLEY: Well, because part of it is information we don't control. Was the Russian ambassador was authorized to convey this information to the Iraqis, or was it something that he was doing on his own? These are relevant questions in order for us to judge the seriousness of this. These are questions that in many instances the Russians need to answer and need to answer for us, and we'll be raising it with them.

BORGER: Senator Kennedy also raised the issue that if this is indeed true, that perhaps the United States should boycott the economic summit that's going to be held in St. Petersburg this summer. Is that something you would consider doing as a protest?

Mr. HADLEY: Well, the G8 meeting, which he was referring to in July, is an important forum. It's where countries get together and deal with economic and other issues. It's going to be interesting this year because the attention of the international community is going to be focused on St. Petersburg this summer, and one of the questions they're going to raise is, 'What about democracy in Russia?' And we think that's actually a good thing. It's going to challenge Russia, it's going to challenge President Putin to make clear and answer some of the concerns of the international community has raised.

You know, Gloria, this is not the Soviet Union. And one of the things you have to think about is if you want to encourage democracy in Russia, do you want to kick Russia out of all these institutions that are trying to enshrine these values that we would like to...

BORGER: So is that a no then?

Mr. HADLEY: We'll take a look at this issue. Obviously we have not raised it with the Russians, but I think at this point we think there's a lot of value in, in going forward with the G8, partly because it's going to require the Russians to answer some tough questions, not from us, but from the international community.

BORGER: But even if you discovered that they were endangering the lives of American soldiers.

Mr. HADLEY: We will have to take a look at it. That's why, as I said, there's some serious questions. We take the matter seriously. We're going to raise it with the Russians, and we will have some tough questions we'll ask them to answer.

BORGER: Let's turn to Iraq for a moment. The president was very clear this week that he thinks it's time that Iraq form a unity government, and senators went over there last week, were talking about a unity government. How long can we wait? Should there be a deadline?

Mr. HADLEY: The president has made very clear in his view it needs to be as soon as possible. The Iraqis last week made an announcement that their deadline was the end of March. We think the sooner the better. It is important that the Iraqi people see all these sectarian communities joining in

a unity government. But you've got to get it, but you've got to get it right. And we think they're making progress. What they're trying to do is to develop both a program for the new government, a structure in which they'll operate, and then the identities of the ministers. We talked to our ambassador, Zalmay Khalilzad, almost every day on this subject. The leaders now of all the various groups are meeting every day to try and resolve these issues. We think they're making progress.

BORGER: When?

Mr. HADLEY: We think--we would like them, obviously, as soon as possible. They've set the goal of the end of March. That's about a week or so from now. They ought to meet it.

BORGER: So do you think they will? Yes?

Mr. HADLEY: They're making progress.

BORGER: OK. And in the meantime, though, as they seem, as you say, to be looking towards some kind of a unity government, what we seem to be seeing in Iraq is a civil war. Do you define it that way?

Mr. HADLEY: I think what's important is rather than talking about semantics, talk about what's happened. It's clearly--clear that the bombing and destruction of the Golden Mosque in Samarra was an enormous shock to the Iraqis, and I think they looked into the abyss of a degeneration into sectarian violence. And the interesting thing is to watch what was the response of the Iraqis to that. After about 24--48 hours, all the principle ministers of the government and of the various religious communities came out and basically said, 'We don't want to go to civil war. We do want to stay together. We want to solve our problems.'

Secondly, the Iraqi security forces, the army and the police, did a pretty good job. They were out front trying to contain the violence. They did not break up along sectarian lines. They held together. The army did a pretty good job; the police did a pretty good job. There are some problems that emerged, and that's one of the things we're going to address.

So I think the point is, the Iraqi leadership clearly does not want to descend into further violence. The institutions have held together, and if you look at the Iraqi people, every time they've had a chance to vote, they have voted for unity and they have voted for peace.

BORGER: Now Secretary Rice said this morning that she expects what she called a "significant drawdown" of troops in Iraq this year. What does that mean? How--what is "significant"?

Mr. HADLEY: General Casey was asked that, excuse me, asked that question last week, and he pointed out the fact that two brigades that were supposed to go to Iraq were not sent to Iraq and are staying home. That's about seven or 8,000 troops. As you know, during the election period, we had about 160,000

or more troops there. We're now at about 130 or more. The point that Secretary Rice was making and the point that the president has made is that we anticipate we will be able to draw down, but this is a decision that's going to be made on the basis of the recommendation of the commanders in the field, based on the abilities of the Iraqis to take responsibility for security and for the political process to move forward.

BORGER: And how much do you believe Iran is contributing to this insurgency in Iraq?

Mr. HADLEY: We're concerned about what Iran is doing. We have--clearly there are contacts between Iran and elements in Iran and groups in Iraq that are promoting violence. We also have evidence of equipment that clearly was Iranian origin showing up in improvised explosive devices that are killing Iraqis and killing the coalition.

BORGER: What kind of equipment?

Mr. HADLEY: These are--this is basically equipment that goes into explo--improvised explosive devices, particularly some of those so-called shaped charges, which can do particular damage to vehicles, and this is something that has concern. It's an issue that we've raised with the Iraq--with the Iranians publicly. It's an issue we will be pursuing with them privately.

BORGER: And let me just switch countries for a moment to Afghanistan, because we've all been talking about a case that this morning we've learned has apparently been dismissed against a man whose life was threatened in Afghanistan because he converted from Islam to Christianity. Can you confirm that he's going to be OK? And are you worried this might happen again?

Mr. HADLEY: We've seen the report that the charges have been dropped. We've seen the report that he will be released. Obviously these are press reports. We do not yet have confirmation from the Afghan government. They're, of course, the the ones who will make this decision. We've made it very clear that if that happens, these two things happen, it will be a very good thing. We will hope--we would hope this would not come up again, but obviously Afghanistan is a new democracy. They are trying to reconcile a religious background of their country with the commitment they made in their own Constitution to the universal declaration of human rights. This is something that we'll obviously be working with them going forward.

BORGER: OK. Thanks so much Mr. Hadley. Thanks for being with us this morning.

And we'll be back in a moment.

Mr. HADLEY: Thanks.

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(Announcements)

BORGER: And that's our broadcast. Thanks for watching. Bob Schieffer will be back here next week on FACE THE NATION.