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FACE THE NATION

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GUESTS: Senator CHARLES SCHUMER (D-NY)
Vice Chair, Democratic Conference

Senator ARLEN SPECTER (R-PA)
Member, Judiciary Committee

DAN BARTLETT
Counselor to the President

MODERATOR: BOB SCHIEFFER - CBS News

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

Today on FACE THE NATION, bad times at the White House. The attorney general in trouble, a key strategist turns on the president, and the Iranian hostage crisis deepens. Democrats and Republicans became more skeptical than ever about Attorney General Gonzales' veracity after a one-time confidant directly contradicted his statement about how eight US attorneys were fired. We'll talk with the Democrat heading the investigation, Senator Chuck Schumer, and a key Republican, Senator Arlen Specter. Then we'll talk about that and the mountain of trouble that has settled over the White House with Dan Bartlett, one of the president's oldest friends and advisers. I'll have some thoughts of my own about that and the forgotten lessons of Vietnam and Watergate.

But first, Attorney General Gonzales, is he coming or going? On FACE THE NATION.

Announcer: FACE THE NATION with CBS News chief Washington correspondent, Bob Schieffer. And now, from CBS News in Washington, Bob Schieffer.

SCHIEFFER: And good morning again. Shakespeare once said, "When troubles come, they come not alone, but in battalions," and surely the Bush White House would agree with that. After weeks of bad news from the troubles at Walter Reed to a Justice Department that can't seem to get its story straight, the president's people woke up to a front page story this morning in The New York Times in which one of the architects of the president's campaign, a man who got the president elected to the White House twice, Matthew Dowd, concludes, in his words, "Kerry was right." He says the president's opponent was right in calling for a withdrawal from Iraq during the last election. He said the president has a "my way or the highway" mentality and has been reluctant to try and find consensus. And he says the president has become isolated inside a shrinking circle of advisers.

Now, we're going to talk about all of this with one of the president's closest friends and most senior advisers, Dan Bartlett, in just a few minutes. But first, we want to go to the situation involving the Justice Department and the controversy over what role the attorney general played in the firing of eight US attorneys.

Democratic Senator Chuck Schumer, who is in Los Angeles this morning, is the point man in the investigation of all this.

Senator Schumer, you called, on this broadcast, for the attorney general to resign. I believe it was two weeks ago. But now, after hearing from his one-time confidant and chief aide all last week during a hearing, do you believe, Senator Schumer, that the attorney general has lied to the American people?

Senator CHARLES SCHUMER (Democrat, New York; Vice Chair, Democratic Conference): Well, those are strong terms, although I did hear Kyle Sampson say that what the attorney general said was inaccurate, and certainly the Kyle Sampson testimony asks a whole lot of questions. What troubles me the most about what Kyle Sampson said was, first, that he did contradict the attorney general--he'll have his day before us then. But second, that it seems that nobody is taking responsibility for the plan, the scheme, call it what you will, to fire these US attorneys. Kyle Sampson said it wasn't him. He said he was sort of a compiler of the record, a bookkeeper, although he doesn't have a real file. Of course, Attorney General Gonzales said he didn't know much of what was going on. Deputy Attorney General Paul McNulty said he didn't know what was going on. And it makes it more and more important that we talk to the people in the White House. If the top three people in the Justice Department each say they didn't know what was going on with this, where did it all come from? And to bring Karl Rove and Harriet Miers in some form of testimony--which I know Senator Specter is trying to get done, Senator Leahy, myself--makes sense. And the one thing I would sort of throw out there to get this moving is that there's a real basis for an

agreement here, which is to have Rove, Miers, other White House people come in with a transcript--you have to have a transcript--but privately at first, and we can reserve judgment as to whether we meet them publicly afterward. As for the oath, I think it's better to have an oath, but, as many have pointed out, there are statutes that say you have to tell the truth anyway.

SCHIEFFER: All right.

Sen. SCHUMER: And this is along the lines of what Senator Specter has proposed, and I would just hope...

SCHIEFFER: Well, let's see...

Sen. SCHUMER: ...that the White House would call Senator Leahy, who's asked them twice to reach out to him, so he could negotiate and we could move forward.

SCHIEFFER: Well, let's see what Senator Specter thinks about that. Would that seem like a good idea to you, senator?

Senator ARLEN SPECTER (Republican, Pennsylvania; Judiciary Committee): Bob, I proposed that two weeks ago. As soon as the subpoena issue came up, I said let's try to work it out, if there's a confrontation between executive privilege on one side and congressional oversight on the other. The last one of these conflicts took more than two years. That would put us into the next presidency. And I immediately called Fred Fielding and made a proposal to him and have talked to him about it twice, and I would--I would like to see it worked out.

I think it's very important for the country that we clear the air and get the Justice Department back functioning. I believe there is a very heavy overhang there. The morale is low, you have 93 US attorneys around the country charged with very important responsibilities, and they're wondering when the next shoe is going to drop. And I think we ought to move very promptly, find out exactly what happened, find out who's responsible, and take corrective action.

SCHIEFFER: Well, let me--let me just ask you this, senator. You said during these hearings that the attorney general still has a lot of explaining to do. You were talking about what he said at that news conference when he claimed in the beginning to have had nothing to do with removing those U.S. attorneys. I want our viewers now to listen to what the attorney general said at that news conference, and then what his former chief of staff, Kyle Sampson, told your committee last week. Just listen.

(Excerpts from videotape)

Mr. ALBERTO GONZALES (Attorney General): (March 13) But that is, in essence, what I knew about the process. Was not involved in seeing any memos, was not involved in any discussions about what was going on.

Mr. KYLE SAMPSON (Former Gonzales Chief of Staff): (March 29) I don't think the attorney general's statement that he was not involved in any discussions about US attorney removals is accurate.

(End of excerpts)

SCHIEFFER: So, senator, what does the attorney general have to do now, in your view, to straighten out this to your satisfaction?

Sen. SPECTER: Well...

SCHIEFFER: I mean, should he just admit that he misled the public and apologize?

Sen. SPECTER: Bob, I think he has to explain what he--what he did. When he said he wasn't involved in any discussions, that's the first question I asked Kyle Sampson last Thursday, and Mr. Sampson said that the attorney general was involved in discussions and was involved in a meeting, which could hardly be denied because we had it on an e-mail. But--but look here, Attorney General Gonzales has been in government a long time, was chief--was a justice on the Texas Supreme Court, White House counsel, and I believe he's entitled to his so-called day in court. Should he apologize to the American people? If he has reason to apologize to the American people, I think he should. I think, and I suggested this to him some time ago, that he ought to re-examine the cases of these eight US attorneys, and, if the Department of Justice was wrong, he ought to start out by apologizing to them because they're very much under a professional cloud.

SCHIEFFER: Well...

Sen. SCHUMER: I agree with that, Bob. I just--I'd make two points here. First, at our hearing, Kyle Sampson said they shouldn't have fired at least one of those US attorneys, Iglesias. His name was added to the list at the last minute. He had had great reviews up and down the line. The so-called "performance reasons" as to why he was fired just don't stand up, and he certainly--the White House, the attorney general, they ought to apologize to him and to any others who were wronged.

As to Attorney General Gonzales, he certainly deserves, as Arlen says, he certainly deserves his chance to come before the committee, and that's an important issue for us because we have to get to the bottom of this. We still don't know how this plan, this scheme was hatched. We don't know who put the names on the list. Kyle Sampson says he doesn't even have a file, which strikes my credulity a little bit, but, you know, we'll have to see what's--what's done with that.

SCHIEFFER: Well...

Sen. SCHUMER: But I would make this point. To me, and as I've said a few weeks ago, that's a different issue than whether Attorney General Gonzales can run this department. He has conceived the role wrongly. He believes that he's the president's counsel. And when you're attorney general, above all, of all Cabinet ministers, you have a higher duty, which is to the rule of law. And now there are so many misstatements out there and so many contradictions that, whatever happens in this testimony, I don't think he can continue as attorney general. So he certainly deserves his day in court about the issue...

SCHIEFFER: All right.

Sen. SCHUMER: ...of the attorneys being fired. But as for his ability to run the department? It's getting to be a little bit like FEMA, where cronyism and...

Sen. SPECTER: Time's up. Time's up, Chuck.

Sen. SCHUMER: ...incompetence--incompetence.

SCHIEFFER: Let me--let me just interrupt there. I certainly take your point, Senator Schumer, but you're talking about he certainly deserves his day in court, and yet, this morning, the chairman of the committee, Senator Pat Leahy, when the White House suggested that he--that the attorney general go to the Hill sooner than had been scheduled next month, Senator Leahy said no, that `We don't want to do

that. We've already got the schedule made out.' So why, if--if the attorney general wants to go up there and tell his story, why're--why--why would Democrats want to delay that, senator?

Sen. SCHUMER: Let me--let me explain that. Because to lay the groundwork for hearings where you can really get information, there are other Justice Department officials at a lower level that we are interviewing. The House interviewed Mr. Elston on Friday. These are interviews that are being conducted under oath privately with a transcript, and to make--to get the factual basis before you bring senator--Attorney General Gonzales on the stand makes a great deal of sense. So I think to rush this and then have the attorney general say, 'Well I don't know,' when you can--if you did it and prepared it properly, you could say, 'Well, Mr. So and So says you were at this meeting.'

SCHIEFFER: All right, let's see what Senator...

Sen. SCHUMER: That's why we have to wait.

SCHIEFFER: Let's see what Senator Specter thinks about that.

Should he come up immediately or you want to put it off?

Sen. SPECTER: Well, my personal...

SCHIEFFER: Or keep it where it is, I should say.

Sen. SPECTER: ...my preference would be to do it soon. My preference would be to do it at the earliest possible date. Bob, I think that Chuck Schumer and I may have come to agreement here on a Sunday morning show with sound bites on a very important issue, and that is the way to get the White House officials coming up. I believe that the transcript is indispensable because, if you don't have a transcript, you will walk out of the meeting and senators will, in perfectly good faith, have disagreements. So it's got to be in writing.

I think that Chuck and I could agree that the oath is not indispensable because making a false official statement carries the same penalty as perjury. And I think we could agree that you don't have to have them before both Houses, but Democrats and Republicans from both Houses could do it in one sitting. And, as Chuck says, while we would all like to have it in the open, if you start off with a closed session, we can always...

SCHIEFFER: All right.

Sen. SPECTER: ...move into an open session.

Sen. SCHUMER: Two--two quick points, Bob.

SCHIEFFER: I'm sorry, gentlemen...

Sen. SCHUMER: Two quick points. First...

SCHIEFFER: ...we're going to--I'm sorry, Senator Schumer.

Sen. SCHUMER: OK. OK. OK.

SCHIEFFER: We've just run out of time. The counselor to the president, Dan Bartlett, will be here next. We'll see what he has to say about all this. Thank you very much.

Sen. SPECTER: Nice being with you. Thank you.

SCHIEFFER: You bet. Thank you.

(Announcements)

SCHIEFFER: Joining us now Dan Bartlett, senior counselor to the president, a man who has worked for President Bush since you were in college, I believe...

Mr. DAN BARTLETT (Counselor to the President): A long time.

SCHIEFFER: ...at the university--one of--the University of Texas. Mr. Bartlett, you just heard what the ranking Republican on the Judiciary Committee and Chuck Schumer, who's one of the ranking Democrats, they said they offered a compromise. They said that if Karl Rove and Harriet Miers would come up, be interviewed behind closed doors, not under oath but behind closed doors, and that a written transcript could be taken that they think that could--they think they can get Pat Leahy to go along with that--he's the chairman--and then they would reserve judgement over whether they would testify in public. What do--what do you think about that?

Mr. BARTLETT: Well, Bob, as Senator Specter himself said, they're trying to cobble together a proposal through sound bites on a Sunday show. What we have in--in writing from them is far different than that type of proposal, and what it really shows...

SCHIEFFER: But they're going beyond what's been proposed before.

Mr. BARTLETT: Well, we haven't heard from the chairman...

SCHIEFFER: They think this is a new approach.

Mr. BARTLETT: We haven't heard from the chairman, and the bottom line is, Bob, is that we put forth a proposal that will allow for the United States Senate to learn the facts from the White House perspective and as well as from the Justice Department perspective. And I find it inexplicable that the senator--that Senator Schumer would not take the real opportunity--and Senator Specter said we should have the hearing for the attorney general as early as possible. And it raises another question, and the question really is do the Democrats have a broader agenda here, more of a political agenda? And the fact that Senator Chuck Schumer is running this investigation while he is also wearing the hat as the lead Democratic senator to raise campaign funds in order to re-elect senators to the Senate, sending out fund-raising letters based on this investigation, shows a clear conflict of interest. And we believe that Senator Schumer ought to choose. Either he can run the political action committee for the Senate Democrats, or he can step down from this--and step down from this investigation, or vice versa. What you...

SCHIEFFER: Well, you've said that before. But let me--let me just go back to this proposal they just made. You're saying they're trying to drag this thing out, but, if you want to get this investigation behind you, why would you not want to have the key people go up there voluntarily? That would seem to say something about the White House position. Do it behind closed doors, but have a written transcript. Nothing goes on around this town that people don't write it down, Mr. Bartlett.

Mr. BARTLETT: We have, Bob, made a proposal that'll allow for them as quickly as possible to get to the bottom of the facts.

SCHIEFFER: But your proposal is not under oath, the no written transcript, and not in public.

Mr. BARTLETT: Well, I--I think you're trying to describe today that this thing comes down to a written transcript. But if you look at the formal request they've made to the White House, they are asking for documents that we feel that go to executive privilege, they're asking for--to have an open-ended commitment. This would be the first deal. We know how these things work. The Democrats in the House, for example, have hired an outside law firm for \$225,000 in order to help investigate this. There's a broader political agenda under way by the Democrats. If they wanted to get to the bottom of it, they would accept the proposal the president's put forward, they would have the attorney general up there next week, have the testimony in open hearings, on the record for everybody to see. Because the attorney general has made clear that while the explanation of what they did has not been good, that his role in this has been to sign off on the final list, participate in meetings that were with regards to the implementation of it. Where the distinction is being made, and where I think where Kyle Sampson in his testimony was speaking to, and would agree with today, is that the attorney general was not involved in the individual merits of each US attorney.

SCHIEFFER: Well, you know, that--that brings up an interesting point, and--and--and it goes to--I mean, the question I would ask was why wasn't he involved? Let's just listen to one of the statements that the attorney general made the other day, and then what his own aide said in response to it.

Mr. BARTLETT: Sure.

SCHIEFFER: Let's listen to this.

(Excerpts from videotape)

Mr. ALBERTO GONZALES (Attorney General): (March 13) I never saw a document; we never had a discussion about where things stood.

Mr. KYLE SAMPSON (Former Gonzales Chief of Staff): (March 29) I remember discussing with him this process of asking certain US attorneys to resign.

(End of excerpts)

SCHIEFFER: Now, there you have, Mr. Bartlett, two people give totally different impressions of what was going on there. Sampson said, 'Look, I just work here...'

Mr. BARTLETT: Right.

SCHIEFFER: ...and he was signing off on all of this.'

Mr. BARTLETT: Again, I--and the attorney general has spoken since that press conference he gave and clarified his remarks. When he--what he was referring to there is that he was not getting into the nuts and bolts of individual US attorneys, what the merits were, whether it was a management issue or whether it was a prosecutorial issue, or whether it was--again, the nuts and bolts of the case. That was the point he was trying to make at that time. Now, he has since clarified to say, 'Well, of course I was being kept apprised of the overall project, making sure that everybody was being consulted, making sure that we had, you know, all the I's dotted and the T's crossed. But the bottom line is, and one thing that has been made

clear throughout this process, the president has the full authority to remove US attorneys. Second, these US attorneys had served full four-year terms. They had fulfilled their commitment to the--to the--to the administration. And third, nothing has emerged in this testimony or in the documents that have been released that any sort of political or wrongdoing has taken place, that there has been any improper behavior. And I think it makes you ask the question what the Democrats are really up to.

SCHIEFFER: OK, let's talk about this story that hit The New York Times this morning.

Mr. BARTLETT: Mm-hmm.

SCHIEFFER: Here is one of the president's chief strategists, somebody that's been with him for a long, long time, suddenly he comes out on the front page of The New York Times and says in the last campaign John Kerry was right when he talked about what we ought to do in Iraq. He said that the president has become isolated from reality. What's this all about, Mr. Bartlett?

Mr. BARTLETT: Well, Matthew is a close friend of mine. I think he's been on a long personal journey over the past couple of years, both in his private life as well as in--in--in his--the politics that he participates in. This war is a complicated and difficult one, and it brings out emotions in people from both sides of the aisle, even those who worked closely for the president, and the president respects his position. Obviously, we disagree with him as far as him being too insular or to bringing the troops home.

SCHIEFFER: Are you suggesting he's having some kind of personal problems, and this is just what has resulted?

Mr. BARTLETT: No, I think as expressed--as expressed in the paper, that he himself has acknowledged that he was going through a lot of personal turmoil. But also he has a son who is soon to be deployed to Iraq. That could only impact a parent's mind as they think through these issues. I say that only in the sense that I know it's something that weighs heavily on him. I respectfully disagree with the positions he's taking, and it's something that--what troubles me is that there is a perception that this president doesn't understand the difficulties of this war. And I've spent most of my--of the last 14 years working beside this president. I know every day he wakes up, there's nothing that weighs more heavily on his mind than this conflict and the people that he's sending into it and risking their lives. He understands the consequences.

SCHIEFFER: Let me ask you, speaking of the war, and Nancy Pelosi, the speaker of the House, has left for the Middle East, and she's also going to Syria. Now, the president hasn't been too anxious to talk to Syria about what's going on there. Apparently she is. What do you think of that mission?

Mr. BARTLETT: Well, we were against it, to be frank. We don't believe we should be sending these types of mixed signals to the leaders of a country that is on state-sponsored terrorism list for good reason. But they are...

SCHIEFFER: Did you ask her not to go?

Mr. BARTLETT: We did.

SCHIEFFER: You did ask her not to go?

Mr. BARTLETT: We did ask her not to go. We did not believe it would advance the diplomatic efforts in the Middle East. I think most Americans would not think that the leader of the Democratic Party in the Congress should be meeting with the heads of a state sponsor of terror. They should be back in

Washington and passing a war supplemental bill to make sure that our troops in harm's way get the funding they need.

SCHIEFFER: Also on the same general subject, the president came down very hard on Iran yesterday. He said there's no excuse for them taking these prisoners. Are we about to get into a war with Iran here?

Mr. BARTLETT: That's not what he was suggesting at all. He is showing solidarity with the British government as they pursue a diplomatic resolution to this problem, and what the president was talking about there's no excuse is that the evidence is very clear that these British soldiers or sailors were in Iraqi waters. This is the type of unacceptable behavior that has--it's just the latest in a long history from the Iranian government of bad actions it's taken, further isolating themselves from the international community. The president remains a firm supporter with the position that the prime minister of the United Kingdom has taken in this, and we'll support them in any way that they need it.

SCHIEFFER: Mr. Bartlett, thank you. I wish we had an hour this morning. We could use it. Thank you so much. Back with a final word in just a minute.

(Announcements)

SCHIEFFER: Finally today, in the wake of, first, Vietnam and then Watergate, government credibility and faith in politicians fell so low that Jimmy Carter won the White House with a simple promise, 'I will never lie to you.' I remember thinking at the time, 'Well, isn't that the least we should expect of our politicians?' But Americans had been told so many lies about so much, they had become suspicious of almost everything.

As I have watched events unfold in recent weeks in Washington--the Army's cover-ups of the military hospital scandals and the facts surrounding the death of former NFL star Pat Tillman, and then the spectacle of an attorney general who can't seem to get his story straight on anything--I had to wonder, does anyone in a position of power these days remember what happened in those days after Vietnam and Watergate? Well, I was there. They threw the Democrats out after Vietnam, and they threw the Republicans out after Watergate.

We learned then what too many seem to have forgotten: Spin gets you only so far, cover stories can be more dangerous than what people are trying to cover up, no media strategy can work unless it is grounded in truth, and 'I don't remember' has never been much of an argument, either to my mother or to Congress. If there is one thing that Americans won't tolerate, it is lying by those who hold positions of trust, which is why we call them positions of trust. Why is it so difficult for the powerful to remember that?

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