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Interview: Representative Henry Hyde discusses the allegations against
President Clinton from a legal perspective

BOB SCHIEFFER, host:

For some perspective from the legal point of view, two people who know a lot about these things. Here in the studio, the chairman of the House Judiciary Committee, Henry Hyde, who would have the responsibility of calling impeachment hearings if it came to that, and in our Washington newsroom, former independent counsel Joe diGenova.

I begin with you, Mr. Chairman. As I understand it, the law is quite specific. If the independent counsel should come up with evidence that he considers evidence of an impeachable offense, he is compelled by law to refer that to you.

Representative HENRY HYDE (Republican, Illinois; Chairman, Judiciary Committee): That's correct. To Congress, actually, the statute says. If he comes up with substantial and credible evidence of a crime or of an impeachable offense or offenses, he is obliged to report promptly to Congress.

SCHIEFFER: And then Congress, I take it, has to vote on whether to begin an impeachment hearing.

Rep. HYDE: Well, not necessarily. If a bill of impeachment is filed, that would be a sign to the Judiciary Committee if precedent follows--is followed, and we would--we would begin taking action on that. But I want to emphasize, right now all we're dealing with are allegations and charges, not proof. And it's in the bosom of the independent counsel. He has the resources, the personnel, the deposition authority, access to the grand jury, immunity power. Let him do his job and then, when he does that, we will then do ours.

SCHIEFFER: Mr. Chairman, what is an impeachable offense?

Rep. HYDE: Well, it's deliberately vague in the Constitution: treason, bribery, high crimes and misdemeanors. A high crime is at

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one end of the s--spectrum and a misdemeanor is certainly a crime of lesser import. So you have to look at--at precedent, but it has to be something that's very serious--and I can't stress this too much--it has to elicit bipartisan support. Because at the end of the day, the Senate has to vote on whether or not to remove the person from office by a two-thirds vote.

SCHIEFFER: Mm-hmm.

Rep. HYDE: ...so nothing much will happen until the Democrats decide something should happen.

SCHIEFFER: Let me just ask you quickly. If a president tried to encourage someone to commit perjury or if a president committed perjury, would that be considered, in your view, an impeachable offense?

Rep. HYDE: I d--really don't like to answer 'what if' questions.

SCHIEFFER: OK.

Rep. HYDE: But, certainly, it is serious and would be considered.

SCHIEFFER: I think everybody in Washington understands this to be a--a--a problem of some gravity, a very serious matter. If it came to impeachment hearings, do you think the Democrats in Congress would let it go that far?

Rep. HYDE: Again, that's speculating, but I think, as with President Nixon, nobody wants a--long, attenuated hearings that bring out sordid, lurid charges and accusations. So I think Democrats would appropriately make suggestions to the president. But, again, I--I really am crossing the line there. We don't have any proof now. We have allegations, and we should wait because the--the presumption of innocence belongs to the president.

SCHIEFFER: But what--what you seem to be saying is, there'd be such an overwhelming appealing in the Congress, you think that Democrats would just urge the president to leave rather than go into something like that?

Rep. HYDE: I can speculate that that might happen, although I hate to speculate.

SCHIEFFER: All right. Mr--Mr. Hyde, the president goes to the Capitol on Tuesday to give his State of the Union message. What do think the reaction up there is going to be?

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Rep. HYDE: I really don't know. I've thought about that. I've thought that the Democrats may have an exaggerated enthusiasm in an effort to be defensive and protective. On the other hand, it may be just civilized restraint. I think it's one of the interesting spectacles to see what the reaction's going to be.

SCHIEFFER: This one's going to be different though, isn't it?

Rep. HYDE: Oh, very much so.

SCHIEFFER: Mr. Chairman, thank you very much for joining us this morning.

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