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HEADLINE: JUDICIARY COMMITTEE TO PRESENT FINAL ARGUMENTS

GUESTS: JAY DICKY, CHRISTOPHER SHAYS

BYLINE: AARON BROWN, LISA MCREE

HIGHLIGHT:
DEBATING THE ARTICLES OF IMPEACHMENT

BODY:

THIS IS A RUSH TRANSCRIPT. THIS COPY MAY NOT BE IN ITS FINAL FORM AND MAY BE UPDATED.

LISA MCREE: The impeachment process is rapidly heading towards its end game. Today, the counsels for the Judiciary Committee present their final arguments. And four impeachment articles will be introduced. Tomorrow, the committee debates the articles, with one or more expected to pass. Next week, impeachment comes up for a vote in the House. At that point, Bill Clinton's fate will depend on getting enough Republican votes. Joining us now from Stamford, Christopher Shays of Connecticut, of six GOP members who say they will vote against impeachment. And from Little Rock, Arkansas, Congressman Jay Dickey. He's one of the key Republican undecideds.

They want you, Congressman Dickey.

Rep. JAY DICKY, (R), Arkansas: Good morning to you, Lisa. And good morning, Chris.

Rep. CHRISTOPHER SHAYS, (R), Connecticut: Good morning, Jay.

Rep. JAY DICKY: We've got a lot of decisions to make and we have to look at a lot of different things. This is a grave situation.

LISA MCREE: Did the President's people say anything in the last couple of days

that pulled you one way or the other?

Rep. JAY DICKY: Well, I haven't talked to them directly, and I've been watching from the sidelines, but, no, I don't think there are any facts that have been added to the scene.

LISA MCREE: If you had to vote today, Congressman, how would you vote?

Rep. JAY DICKY: I wouldn't say. We've got to look at how the wording of the impeachment articles are set out, and I've got to study it. And I would also want to talk to my colleague Asa Hutchinson, who's on the committee and who's doing a great job. There are some things that I have to do before I can announce what my decision would be.

LISA MCREE: Let me ask you this -- Is there any one charge, any one article that to you seems more important, more difficult to decide than any of the others?

Rep. JAY DICKY: That's an awfully good question, and perjury is it. I'm a third-generation lawyer. I have been in the judicial system for all my life, all my career until I got into politics, and that is a very serious matter.

LISA MCREE: Congressman Shays, I would like to bring you in. You said you will vote against impeachment. Why?

Rep. CHRISTOPHER SHAYS: I think the impeachable offenses weren't proven. And the proven offenses aren't impeachable. But this clearly is a conscience vote for every member of Congress, all 435. I think you can see from the way Jay has described it.

LISA MCREE: Do your colleagues believe you have that latitude to decide whether or not the proven offenses are impeachable, in fact, if they've made them part of the articles of impeachment?

Rep. CHRISTOPHER SHAYS: Who are you asking?

LISA MCREE: I'm asking you, Congressman.

Rep. CHRISTOPHER SHAYS: The bottom line is that we are going to decide for ourselves what we think are high crimes. The President, I think, committed crimes. I think he committed serious crimes. I don't think he committed high crimes. I need high crimes. And then I need to identify the President clearly to those crimes. I can't have a shadow of a doubt on whether he committed those crimes. I need to know certainly that he committed those crimes.

LISA MCREE: Why not the censure option?

Rep. CHRISTOPHER SHAYS: The censure option for me is really a vehicle for members of Congress who don't want to make the tough vote. Our job as members of Congress is to decide whether or not the President should be removed from office. That's our job. He either should be removed from office or he shouldn't be.

LISA MCREE: Do your colleagues believe you're being too easy on the President?

Rep. JAY DICKY: Some of us are.

LISA MCREE: Please, Congressman Dickey, go ahead?

Rep. JAY DICKY: Some of us are thinking Chris is being too easy.

LISA MCREE: How are those conversations going?

Rep. JAY DICKER: Chris, are you -- I'm not having any conversations, to tell you the truth.

Rep. CHRISTOPHER SHAYS: This is one of the things I think you don't understand about this process. This is not the kind of thing that you just are whipping it, you're trying to convince your colleagues to do the right thing. Jay knows that I have to make a conscience vote and I know that he has to make one. Each of us have to determine what we believe are high crimes. Each of us have to decide whether this president committed a crime that would require us to overturn the vote of the American people in the 1996 election.

Rep. JAY DICKER: Lisa, the way I differ with Chris is this is a matter of referral. We are not deciding guilt, and that's where I think there's a requirement of high crimes, it's actually high misdemeanors. I'm not -- it doesn't look to me like I'm going to have to get to as high a threshold as Chris is saying.

Rep. CHRISTOPHER SHAYS: I don't think we should vote out articles of impeachment unless we as individual members are convinced the President should be impeached -- excuse me, removed from office. I don't think this is a probable cause test. We're talking about a trial in the Senate that basically shuts down the country for a long period of time and decides whether or not to remove a president of the United States.

LISA MCREE: So you're saying spare the country the process in the Senate?

Rep. CHRISTOPHER SHAYS: I'm saying probable cause, which is analysis to impeachment is not quite -- there's not the similarity. We should be convinced as members in the House that the President should be removed before we vote on impeachment. And this shouldn't be used as an attempt to reprimand the President or censure him through an impeachment process.

Rep. JAY DICKER: But, you know, the problem we have, Chris, in that is that we're going to be deciding guilt or innocence without a trial, without cross-examination, without presentation of facts or defense.

Rep. CHRISTOPHER SHAYS: See, that's why I believe facts should have been presented and witnesses should have come before the committee.

Rep. JAY DICKER: Well, I'm thinking that there's a different threshold. And I believe that -- of course, the folks here, I represent the President's home town and where he grew up and where he was born. It's interesting what's happening here as far as the people are concerned.

LISA MCREE: We thank you both for joining us. Do either of you have any good guesses about how the vote will turn out in the House?

Rep. CHRISTOPHER SHAYS: It will turn out well for the President, ultimately, if the President tells the truth to the American people without any legalese and says publicly he's willing to face prosecution like any other American when he's no longer president.

LISA MCREE: How do you do that? How do you allow a president to stay in another couple of years knowing that he's going to be tried after it's over?

Rep. CHRISTOPHER SHAYS: He, like everyone else, is not above the law.

Rep. JAY DICKER: I think we're going to have to suffer some more as a nation. I think we have to. But we need to get it over fast and we need to complete it by the end of the year.

LISA MCREE: Congressman Dickey, tough decision ahead of you. Congressman

Shays, thanks for sharing your views, as well.

Fifteen minutes past Here's Aaron

Rep JAY DICKY: Merry Christmas.

LISA MCREE: Merry Christmas to you

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HEADLINE: Cleveland Mayor Warns Newark an Arena Is No Cure-All

BYLINE: By RONALD SMOTHERS

DATELINE: NEWARK, Oct. 19

BODY:

This city, in the grip of fevered hoop dreams that it can be revitalized through the magic of a sports arena, got some sober pointers today from the Mayor of the city that has become the poster child for such transformations.

Mayor Michael White of Cleveland was invited here by his Newark counterpart, Sharpe James, to praise the benefits of new sports complexes that have many heralding his city as an economic success story. But he told elected officials and business people here that such arenas must be coupled with a comprehensive economic development plan for downtown and be "balanced" to extend the benefits outside downtown and into blighted residential areas.

Mr. White spoke to supporters of a proposal by the New Jersey Nets to move from the Meadowlands to a \$300 million arena to be built in downtown Newark. His message to the group, which was assembled by Mayor James, was that it had to build more than just an arena.

"If all we are doing is keeping some millionaires busy with games they should have outgrown long ago," Mr. White said, "then I say it is a lousy investment. If it's \$200 million or so in public money for a sports project, I say keep your money. But if it is an economic development project first and not just a sports project, then I'm all for it."

In Cleveland, Mr. White said, for each dollar of the \$750 million in public funds that have gone into the Gateway Arena sports complex -- Jacobs Field, the home of the Cleveland Indians, and the new Cleveland Browns stadium downtown -- four dollars have gone into surrounding neighborhoods to develop housing and improve services. As a result, he said, the schism that many had anticipated between downtown development and neighborhood investment did not materialize.

Newark's plan has run into opposition from the roughly 400 residents of the 40-acre downtown area that would be cleared for the arena. Hal Laessig, an architect who has his home and office there, said today that he saw no economic benefit from wiping out a community that has been slowly reviving itself.

Newark, which has burnished its image in recent years with the opening of the New Jersey Performing Arts Center, last year embraced the idea of building the

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18,500-seat arena for both the Nets basketball team and the New Jersey Devils hockey team, which play at the Continental Airlines Arena in the Meadowlands.

City officials said they saw the proposal put forward by the Nets owners, including the philanthropist Raymond Chambers, as the next jewel in Newark's crown. But so far the plans detail only an arena and none of the broader development encouraged by the Cleveland Mayor.

Alfred Faiella, the Deputy Mayor for economic development, said that Newark and the Nets owners submitted their proposal, which seeks \$100 million in state and city funds, to the state two weeks ago and in two weeks would present the completed development plan to the City Council. He said the city would soon begin acquiring land for the arena.

Gov. Christine Todd Whitman is weighing whether the state will help finance the plan. But she has indicated a preference for using state funds to renovate the arena at the Meadowlands and holding both the Nets and the Devils to their leases there.

John McMullen, the owner of the Devils, has vowed not to move to Newark, and has made his own proposals for a privately financed arena and retail and entertainment complex in downtown Hoboken.

Mayor White, a Democrat, said in an interview after his appearance here that Cleveland's effort was made easier by the support of the governor at the time, George Voinovich, a Republican who had been a Cleveland mayor and is now a senator. "He understood what it took to move a city forward," Mr. White said.

But he painted a less triumphal picture of his city than the one invoked by Mr. James in his frequent, cheerleading speeches about the arena proposal.

Recently, Mr. White said, a commission of business leaders he had appointed came up with a \$3 billion plan for additional development in downtown and surrounding areas -- proof, he said, that the five-year-old Gateway Arena project alone had not solved the city's problems. Cleveland, he said, was like the chicken that had made it through one lane of speeding traffic and landed on the yellow line in the middle.

"The question is whether you go backward into traffic and risk being squished or go forward into traffic and risk being squished," he said. "There is still a lot of work to do, and we are like I.B.M. We just want more customers, and to do that you have to keep reinventing yourself."

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GRAPHIC: Photo: Mayor Michael White of Cleveland, right, was invited to Newark by Mayor Sharpe James to discuss how to benefit from a new sports arena. (Keith Meyers/The New York Times)

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